

**PLANNING BOARD MEETING**  
**City Hall - 950 Locust St., Carter Lake, Iowa**  
**Monday, April 10, 2017 7:00 P.M.**

**Public Hearing**

1. Zoning change in C-2 General Commercial District (See Page 2)

**Regular Planning Board Meeting**

Roll Call

Approval of the Agenda

1. Consent Agenda
  - a. Approved Planning Board Minutes for February 13, February 27, March 13, March 21 and March 28 2017.
  - b. Review City Council Minutes for February 20, 2017 and March 20, 2017
  - c. Review Board of Adjustments Minutes for February 27, 2017
  - d. Review Issued Building Permit Listing January-March 2017
2. New Business
  - a. Zoning change in C-2 General Commercial District
3. Old Business
  - a. Lakeside Auto Recyclers - Building Plans
  - b. Sign Ordinance
  - c. Comprehensive Plan
4. Comments

Adjourn

04/06/17

Jms

**Notice of Public Hearing  
City of Carter Lake Planning Board  
Monday, April 10<sup>th</sup>  
7:00 p.m.  
950 Locust Street  
Carter Lake, IA**

The Board will be accepting comments concerning amendment to the CURRENT

**SECTION 12**

**C-2 GENERAL COMMERCIAL DISTRICT**

**1201 Purpose**

The GC - General Commercial District accommodates a variety of commercial uses, some of which have significant traffic or visual effect. This district may include commercial uses that are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts.

**PROPOSED AMENDMENT**

In addition to the language contained in the Current section listed above the following shall be added: Recognizing and appreciating technological advances within certain types of industry, permitted uses in this district may now include metal recycling, salvage yards, and reclamation. "Reclamation" shall be defined as the process or industry of obtaining useful materials from waste products. The Council requires any such operators to apply for and receive any State or local permits as required by law. The property owner shall adhere to approved site development regulations contained herein after requesting advice from the Planning Board and approval of the City Council. Nothing herein shall prohibit the City or the property owner from identifying any such proposed development as a P-I District as described in these regulations. Any language in any other portion of these Land Use Development Ordinances, including Section 28 (Nonconforming Uses and Development) contrary to the terms of this amendment shall be not apply, with the exception of the provision contained in Section 2801 on "change of ownership." The matrix of approved uses for this District shall be amended to include the additional uses adopted herein.

City of Carter Lake  
Planning Board Meeting  
Monday, February 13, 2017 – 7:00 PM

The meeting was called to order by Chairman Tim Podraza at 7:00 P.M.

Roll Call: Present – Ray Pauly, Tim Podraza, Ed Palandri, Jackie Wahl, Kathy Dueling, and Karen Fisher, Jay Gunderson and City Clerk Jackie Stender.

Approval of the Agenda: Moved by Palandri seconded by Gunderson to approve the Agenda as presented. Ayes: Unanimous.

Consent Agenda: Moved by Dueling seconded by Pauly to approve the consent agenda items as presented; Planning Board minutes from January 9, 2017. Ayes: Unanimous.

Hampton Inn presented request to add three signs affixed to the new hotel and 21 foot pole sign in front of the hotel near Abbott Drive. Palandri motioned to approve the three signs to be affixed to hotel and deny the pole sign due to fact it exceeds the height restrictions allowed for signage, seconded by Gunderson. Ayes: Unanimous. Pole sign can be sent to City Council on appeal.

No action on the Lakeside Auto Recycler application.

Chairman Podraza requested the Planning Board be added to the next City Council agenda to receive direction from the City Council if they would like the board to update the sign ordinance. Podraza also mentioned to the need to schedule workshops to start reviewing the Land Development Ordinance book.

Palandri requested copy of the Sign ordinance be emailed to the board members.

Board plans to meet for a special meeting on Monday, February 27<sup>th</sup> to review and discuss the legal opinion from City Attorney Micheal O’Bradovich concerning the Lakeside Auto Recyclers application to install a new shredder.

Palandri motioned to adjourn at 7:30 p.m., seconded by Kathy. Ayes: Unanimous.

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Tim Podraza, Chairman

City of Carter Lake  
Planning Board Special Meeting  
Monday, February 27, 2017 – 7:00 PM

The meeting was called to order by Chairman Tim Podraza at 7:00 P.M.

Roll Call: Present – Ray Pauly, Tim Podraza, Ed Palandri, Jackie Wahl, Kathy Dueling, and Karen Fisher, Jay Gundersen and City Clerk Jackie Stender.

Approval of the Agenda: Moved by Palandri seconded by Gunderson to approve the Agenda as presented. Ayes: Unanimous.

New Business: Owners of Lakeside Auto Recyclers, was present to review the proposed project to expand the existing shredding operations. City Attorney Michael O’Bradovich reviewed written his legal opinion with the Board. There was a long question and answer involving Lakeside, City Attorney, and the board.

Palandri pointed out there are performance standards that are listed in the code, need to be identify concerning the non-conforming uses to meet the performance standards. Palandri request environmental impact study regarding the shredder.

Gunderson motioned for public hearing on Tuesday, March 21 at 7 p.m. to consider performance changes for CL and C2 zoning districts, seconded by Wahl. Yea: Gunderson, Dueling, Podraza, Pauly, Fisher and Wahl Ney: Palandri. Motion approved.

The owners invited the board to come see the current operations first hand.

Board agreed to table the fence application to be discussed at the next meeting.

Dueling motioned to adjourn, seconded by Pauly. The meeting adjourned at 9:15 p.m.

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Tim Podraza, Chairman

City of Carter Lake  
Planning Board Meeting  
Monday, March 13, 2017 – 7:00 PM

The meeting was called to order by Chairman Tim Podraza at 7:00 P.M.

Roll Call: Present – Ray Pauly, Tim Podraza, Ed Palandri, Jackie Wahl, Kathy Dueling, and Karen Fisher, Jay Gunderson and City Clerk Jackie Stender.

Approval of the Agenda: Moved by Palandri seconded by Gunderson to approve the Agenda as presented. Ayes: Unanimous.

Consent Agenda: Tabled.

Creighton University in connection with potential acquisition of the property currently operating as Buddy's Marina have entered into a purchase agreement contingent upon receiving formal approval from the City of Carter Lake that Creighton's intended use of the property as college campus for the Creighton Woman's Rowing Team is consistent with the current zoning classification of the property or request that the City grant a zoning change to allow for such use. Property is currently zoned C-1. There could be seawall construction in the future and building updates. Palandri would like to see it rezoned to residential and update matrix to add College and Universities so if the university decided to sell property it would revert back to residential. Gunderson motioned to approve Creighton to use in current zoning, seconded Dueling. Ayes: Unanimous. Gunderson stated that years ago it was rezoned to commercial and there is no reverting on that property.

Darin Whatcott of JAS Pacific Consulting, City of Carter Lake Commercial Building inspector, hired to handle the Lakeside Auto Recyclers project, provided a written preliminary plan review update to the board. Lakeside Auto Recyclers engineer, Jason Heinze was present to answer multiple questions for the Planning Board.

Mike O'Bradovich explained that he was looking to the developer to provide a standard from the industry defining of what they plan to be doing at this site in terms of recycling, shredding or reclamation. At some point at the public hearing there will need to be discussion concerning the nature of the activity certainly is. Mike will prepare something for the board to review and discuss at the next meeting. Does anyone have questions about the nature of this operation is going to be, does the board understand the scale of what is taking place? No questions.

Palandri had one question on the potential rezoning, it sounds like they want to site the shredder in the C-2 district so that is the district we will be working through the issues on, and the remainder of property is in the C-L district and is it their intent to continue to operate the salvage yard as a non-conforming use as they can do? Mike stated, yes they can still do that as long as it is not a great expansion. That is why when they make the statement that the shredder has always been in C-2 and now it required addressing two issues; What is the remaining use of C-L, is it an expansion of the salvage process and then how does the proposed use fit in the C-2 district? And specifically it does not fit the way our zoning is set up. yes, some adjustments will have to be made.

Lakeside Auto Recyclers fence application, details.Ten foot fence with 2 foot berm on the Locust Street side. Could a berm also be added on the 9<sup>th</sup> Street side? Need to consider the drainage ditch in the area. Does the fence pertain to the shredder operation? Mike Levell wants secure his area and add curb appeal. Gunderson motions that the board is in favor of the 8 foot fence on top of the two foot berm,

and send fence application to the City Council for review, seconded by Fisher. Aye: Gunderson, Dueling, Pauly, Podraza, Fisher and Wahl. Ney: Palandri

Review of fence permit application from Mikel USA Inc. for house located at 2910 N. 7<sup>th</sup> Street. Because the house is located in the commercial zoning area it needs to receive approval from the Planning Board. 6 foot privacy fence in back yard of property and 4 foot rod iron decorative fence in the front yard. Palandri motioned to approve and seconded by Pauly. Ayes: Unanimous.

City Council requested the board review the current sign ordinance. The board discussed various details and opinions concerning the issue. Board will discuss at a future meeting

Gunderson motioned to adjourn at 8:45 p.m., seconded by Pauly

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Tim Podraza, Chairman

City of Carter Lake  
Planning Board Special Meeting  
Tuesday, March 21, 2017 – 7:00 PM

The meeting was called to order by Vice Chairman Kathy Dueling at 7:00 P.M.

Roll Call: Present – Ray Pauly, Ed Palandri, Jackie Wahl, Kathy Dueling, and Karen Fisher, Jay Gundersen and City Clerk Jackie Stender. Absent - Tim Podraza.

Approval of the Agenda: Moved by Gundersen seconded by Pauly to approve the Agenda as presented.  
Ayes: Unanimous.

New Business: Public comments were received from citizens of Carter Lake concerning Lakeside Auto Recycler Shredder Project. Due to corrupt file with the video recording system, there is no way to recover this session. I expected to replay the video file to compile a list of the names, addresses and comments and I did not make any notes during the comment session of the meeting.

Board agreed to meet for a special meeting on Tuesday, March 28<sup>th</sup> at 7 p.m.

Gundersen motioned to adjourn, seconded by Pauly. The meeting adjourned at 8:00 p.m.

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Tim Podraza, Chairman

Note for future reference:

Notice inviting the public to participate in the above public comment session was provided through various means. Advertising on City's Cox Channel 22, City Hall Newsletter, City Hall Facebook, City Hall website and a was letter mailed to all listed property owners in Carter Lake by the Owners of Lakeside Auto Recyclers. The letters were mailed on or about March 9, 2017 from the Village Post Office in Carter Lake City Hall. Copy of letter is provided on the next page.

# LAKESIDE AUTO RECYCLERS

2813 North 9th Carter Lake, IA 51510

SHRED THE  
WORLD

March 9, 2017

Dear Carter Lake Citizens,

Over the past few months, many of you are aware of the substantial changes we are improving from clean-up to painting and repairs, all for the future investment at Lakeside Auto Recyclers.

The Planning Board has scheduled a Public Hearing on Tuesday, March 21<sup>st</sup>, so each of you as part of our community, may voice any concerns and receive answers to any questions of our project going forward. It is our wish you will come and be a part of this hearing and after viewing our plans, you will extend your support to us.

Besides the significant improvements, we will also be gearing up for new employees to join our family in all departments to include office staff, ground crew, tow truck drivers and tire crew.

You may be led by other entities to believe that the installation of the shredder will affect your property values. This could not be farther from the truth. The reality is the taxation of our property will only add to the community economy as we are zoned as commercial property rather than residential property.

With the projected increase in traffic from out-of-state vendors, we will also boost business for hotels, restaurants and small businesses in our area.

This year in 2017 will mark our 40<sup>th</sup> Anniversary for Lakeside Auto Recyclers at this location on North 9<sup>th</sup> Street and Locust. I hope that our family business can continue without end here in Carter Lake.

Please do not hesitate to reach out to my staff with any questions you may have. We will be happy to settle any rumors and put your concerns to rest. If you can attend, we cordially invite you to the Public Hearing on Tuesday, March 21<sup>st</sup> at 7:00 p.m. at City Hall. I thank you in advance for your time.

Sincerely yours,



Mike Levell, Sr.  
President

712.347.6561  
I AM HERE TO SERVE YOU

City of Carter Lake  
City Hall – 950 Locust Street  
Proceedings: Special Planning Board Meeting  
Tuesday, March 28, 2017 – 7:00 PM

This Planning Board Meeting was called to order at 7:05 PM by board chairman Podraza.

Roll Call: Present: Ed Palandri, Jay Gundersen, Kathy Dueling, Tim Podraza, Ray Pauly, Karen Fisher and Jackie Wahl  
Also present: City Attorney Michael O’Bradovich and Deputy City Clerk Lisa Ruehle

Approval of the Agenda - Moved by board member Pauly seconded by board member Gundersen to approve the agenda as presented. Ayes: Unanimous.

- a. Attorney O’Bradovich presented a proposed amendment to the C-2 zoning district. He stated the purpose of this special meeting is to set a date for a public hearing concerning the amendment.
- b. Moved by board member Gundersen to approve the proposed amendment for the public hearing. Seconded by board member Pauly. There was discussion of the need to approve the proposed amendment. At this time the board only needs to set the public hearing date. Board member Gundersen withdrew his motion and board member Pauly withdrew his second. Moved by board member Gundersen to schedule a public hearing for the proposed amendment to C-2 zoning on April 10, 2017 at 7:00 PM. Seconded by board member Pauly. Ayes: Unanimous.

Meeting adjourned at 7:10 PM.

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Lisa Ruehle, Deputy City Clerk

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Tim Podraza, Chairman

City of Carter Lake City Hall  
950 Locust St.  
Regular City Council Meeting  
Monday, February 20, 2017 – 7:00 p.m.

#### The Pledge of Allegiance

Mayor Waltrip called the regular meeting to order at 7:00 p.m.

Roll Call: Present: Mayor Gerald Waltrip, and Council members: Pat Paterson, Ron Cumberledge, and Barb Melonis, Frank Corcoran. Also present – Attorney Mike O’Bradovich and City Clerk Jackie Stender

Approval of the Agenda – Moved by Melonis, seconded by Corcoran; Ayes: Unanimous.

Consent agenda – Moved by Melonis seconded by Paterson to approve the consent agenda items, 01/18/17 Council minutes, January Financial reports, Abstract of Claims for January, Overtime reports, and Department Supervisors monthly reports. Ayes: Unanimous.

#### New Business:

Cumberledge moved to appoint Jason Gundersen to fill the vacancy for the late Mary Schomer, seconded by Corcoran. Ayes: Unanimous.

Public Hearing was held to hear public comments concerning the Development Agreement with Williams Enterprise, L.L.C. a/k/a Tighton Tools. No comments or written statements have been made to the Clerk’s office or the Council. Melonis motioned to close public hearing, seconded by Cumberledge. Ayes: Unanimous.

Cumberledge moved to appoint Mike Fitzpatrick and Terry “TJ” Hite to fill the vacancy on the Board of Adjustments, seconded by Melonis. Ayes: Unanimous.

Mike Werks, developer of the Hampton Inn project was present to appeal the Planning Board’s decision to deny installation of a 21 foot sign. Current zoning code does not allow for pole signs, 8 foot monument signs are allowed. Melonis motioned to grant the sign, and not force them to take the extra step going to the Board of Adjustments, seconded by Cumberledge. Ayes: Unanimous. The Council agreed they would like the Planning to revise the sign ordinance.

Cumberledge motioned to take no action to approve the Union Supposal that requested a three year extension to the current contract, seconded by Paterson. Ney: Corcoran Ayes: Melonis, Cumberledge, Paterson

Victor Skinner, Library Board member, requests the Council to approve the new job description for the Assistant Library Director and approve Genevieve Hawkins for the new position with pay increase to 12.50 per hours, request that the pay be retroactive January 1, 2017. Corcoran motioned to approve request, seconded by Melonis; Ayes: Unanimous.

#### Communications from Councilman Cumberledge.

The City currently has \$703,000 in savings from Hotel/Motel tax collection for the Community Center Fund and \$150,000 set aside for SplashPad Project. Ron would like to schedule a public workshop inviting the public to come provide input for future planning for the projects. Meeting will be schedule for Wednesday March 14 at 6:30 p.m.

#### Communication from Councilman Paterson

Paterson motioned to move forward with hiring JAS Pacific to handle residential building inspection services for the City. Motion died for lack of a second. Paterson wants to be on record to hire a certified inspector to handle permits.

Paterson requested an update on Grease Interceptors, the Mayor mailed letters 5 businesses, notifying each business of the code requirement that interceptors be installed for any food service business.

Communications from City Attorney O’Bradovich. The OMA2 Lodging Developer Agreement has a mistake in the agreement and a resolution is necessary to correct the name of the hotel and the number of rooms inside the

hotel. Cumberledge motioned to approve the resolution amending the OMA2 Lodging Development Agreement, seconded by Paterson. Ayes: Unanimous

Communication from Ray Pauly, Planning Board

Pauly thanked City Attorney for the informative letter concerning Lakeside for the next meeting on next Monday night. The other item was already answered earlier that the Board would like the Planning Board to review the sign ordinance and he will get it on the next regular agenda.

Melonis motioned to approve and authorize execution of the Development Agreement by and between the City of Carter Lake and Williams Enterprise, L.L.C., seconded by Corcoran. Ayes: Unanimous.

Paterson motioned to approve Resolution designating Schroer and Associates as Auditor for required audit for the 2016-17 Budget year, seconded by Corcoran. Ayes: Unanimous.

Cumberledge motioned to approve Resolution designating Daily Nonpareil of Council Bluffs as the main newspaper for publication requirements for the City of Carter Lake for 2017, seconded by Paterson. Ayes: Unanimous.

Melonis motioned to approve Resolution designating Gerald Waltrip, Ron Cumberledge and Jackie Stender as authorized signers for banking purposes, seconded by Corcoran. Ayes: Unanimous. Cumberledge abstained

Paterson motioned to approve Resolution approving depository for investments, funds shall be deposited with American National Bank of Carter Lake and Banker's Trust in amounts not to exceed \$10 million each and city shall invest funds with American National Bank and Banker's Trust in amounts not to exceed \$10 million each, seconded y Melonis. Ayes: Unanimous.

Resolution approving a public hearing to be scheduled for Monday, March 6 at 6 p.m. to receive public comments for the 2017-18 Budget, seconded by Melonis. Ayes: Unanimous.

Melonis motioned to approve and place on file the Audit Report for Fiscal Year Ending 06-30-2016, seconded by Corcoran. Ayes: Unanimous.

Melonis motioned to approve and place on file the 2015-16 Storm Water Report, seconded by Cumberledge. Ayes: Unanimous.

Adjourn at 8:20 p.m.

Jackie Stender  
City Clerk

Gerald Waltrip  
Mayor

City of Carter Lake  
Regular City Council Meeting  
Monday, March 20, 2017

The Pledge of Allegiance  
Mayor Waltrip called the regular meeting to order at 7:00 p.m.

Roll Call: Present: Mayor Gerald Waltrip, and Council members: Pat Paterson, Ron Cumberledge, and Barb Melonis, Frank Corcoran. Also present – Attorney Mike O’Bradovich and City Clerk Jackie Stender

Approval of the Agenda – Moved by Cumberledge, seconded by Melonis; Ayes: Unanimous.

Consent agenda – Moved by Melonis seconded by Cumberledge to approve the consent agenda items, 02/20/17 Council minutes, February Financial reports, Abstract of Claims for February, Overtime reports, and Department Supervisors monthly reports. Ayes: Unanimous.

New Business:

Melonis moved to approve liquor licenses for Dollar General Store, Best Western and Carter Lake Lounge, seconded by Cumberledge, seconded by Cumberledge. Ayes: Melonis, Cumberledge, Paterson and Corcoran. Abstained: Gunderson.

Communications from the Public: Crystal Fetter requested to close 1/2 the block of Surfwood Drive June 25<sup>th</sup> from 10 a.m. – 6 p.m. for child’s birthday party. Cumberledge motioned, seconded by Corcoran. Ayes: Unanimous.

Bill Dalheimer provided a copy of the Pottawattamie County Park Pass to the board members as an option for Carter Lake. Carter Lake Preservation Society member Steve Wilbur was present to inform the Council that the group will be meeting at Levi Carter Park on Saturday, May 6<sup>th</sup> from 9-Noon to cleaning up the trash around the north side of the lake. Volunteers are needed.

Communications from Mayor Waltrip:

Lakeside Auto Recyclers presented a fence application to the Planning Board. The application could not be approved because the request exceeded code requirements. A salvage business is required to install a fence at a minimum of 8 feet tall. Lakeside requested a 10 foot solid white steel fence installed on top of a two foot dirt berm on the north side and 12 foot fence around the rest of the property. Lakeside is researching if they could install additional drainage on the west side that would allow for the two foot berm and 10 foot fence. If the berm cannot be completed a 12 foot fence will be installed. Cumberledge moved to approve fence application, seconded by Gunderson. Ayes: Unanimous.

City Attorney O’Bradovich shared that Lakeside Auto Recyclers through their attorney has request that the City change the text of the C-2 District to allow for recycling, reclamation and or salvage. This change will require public hearings for the Planning Board and City Council along with three readings of the ordinance amendment to be passed by the council. Corcoran moved to send the C-2 zoning amendment request that was provided by Lakeside’s attorney, seconded by Melonis. Ayes: Unanimous.

Paterson moved to schedule the schedule for public hearing on April 17<sup>th</sup> based on the proposed schedule for the Planning Board holding a hearing on April 10, 2017, second by Melonis. Ayes: Unanimous.

Communications from Councilman Cumberledge: He provided an update on the splash pad and community center meeting that took place on March 14<sup>th</sup>. Requested council's input concerning placement of the splashpad, the hours of operation and when do we want to open and closing dates to be. Located on the Reddick side of the old school property; hours of operation 11 a.m. - 7 p.m.; open Memorial Day to Labor Day. Will have the area staked before the construction starts so everyone is aware of location. Several citizens spoke up concerned with the amount of traffic and garbage that will be generated. The Parks department will have more cleanup involved in this area. During brainstorming session for community center turned into the Senior Center. The group toured City Hall and the Police Department, the group felt it was possible to utilize the police training room and vacant office for the Senior Center. Mayor is going to meet with architect and see if we can recreate the space for the Senior Center.

Communications from Councilman Paterson: Motioned to hire JAS Pacific Consulting to handle residential building inspections. Paterson explained that JAS would sign a contract and the fee would be 75% of the building permit fee per project. It was recommended that the council review the current permit fees and consider making adjustments to be competitive with the areas.

Grease Interceptors have been discussed previously, Paterson found out that 20+ businesses and churches could be required to install interceptors if the council wanted to enforce the ordinance. It would cause a financial hardship for the businesses, clubs and churches to install. Going forward, Paterson would like to see the building inspector enforce the ordinance if any new construction occurs in the future.

Paterson motioned for the City Clerk to submit an application to the Iowa DNR for the installation of a beach in Mabrey Park, seconded by Gunderson. Ayes: Unanimous.

Melonis moved to approve resolution to approve assignment of OMA2 Lodging concerning future TIF payments, seconded by Cumberledge. Ayes: Unanimous.

Melonis moved to approve resolution setting fees and guidelines for the Carter Lake Newsletter, seconded by Gunderson. Ayes: Unanimous.

Planning Boardmember was present to let the Council know that the Board will review the current Sign ordinance and send something back to the council in the future.

Communications from Councilman Cumberledge

Adjourn at 9:05 p.m.

Jackie Stender  
City Clerk

Gerald Waltrip  
Mayor

Proceedings: Board of Adjustments Meeting  
Tuesday, February 21, 2017 - 6:00 PM

Brown called the meeting to order at 6:15 P.M.

Roll Call: Present: Bill Blankenship, Hardy Brown, Mike Fitzpatrick and Terry "TJ" Hite  
Kitty Buchanan is absent this evening.

Approval of agenda, moved by Blankenship, seconded by Hite. Ayes: Unanimous.

Lem Sheard is reappearing before the board concerning a previously denied variance for a fence at 1217 Lindwood Drive. Lem has modified the previous plan and provided a very detailed drawing of the proposed fence. After reviewing the drawing and discussing the plans with the board it was agreed to move forward as proposed.

Motioned by Brown, seconded by Blankenship; Ayes: Blankenship, Brown Hite and Fitzpatrick .

Meeting adjourned at 6:45 p.m.

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Hardy Brown, Chairman

<u>Permit #</u>	<u>Date</u>	<u>Applicant</u>	<u>Address</u>	<u>Property Owner</u>	<u>Description</u>
R002-17	1/4/2017	RICK ROBERT	3510 N 9th #29	RICK ROBERT	SET UP NEW MOBILE HOME
R03-17	1/5/2017	KELLY DAVISON	1326 JANBROOK BLVD	KELLY DAVISON	REPAIR FURNACE
r04-17	1/12/2017	BOB BALTZELL	108 SHOAL DR	BOB BALTZELL	RESIDE
R05-17	1/26/2017	ROSE PECK	1527 AVE N	DIANE RUSSELL	
R06-17	1/26/2017	ASKARBEN HEATING	112 SHORELINE	STEVE SAYLER	REPAIR 50 GAL GAS
R07-17	1/27/2017	RAY BIGHAM	1340 SILVER LANE	RAY BIGHAM	SHED
R08-17	3/1/2017	LAKESIDE MOBILE	3510 N 9TH	JOHN WALKER	
R09-17	3/2/2017	WINDOW WORLD OMAHA	1514 CACHELIN		REPLACE 9 WINDOWS
R10-17	3/2/2017	WINDOW WORLD	916 AVE P		
R11-17	3/6/2017	LEM SHEARD	1217 LINDWOOD		FENCE
R12-17	3/6/2017	MIKE HOLLARS	3510 N. 9TH ST #68		VINYL SIDING/WINDOWS
R13-17	3/6/2017	SERVICE ONE	73CLC	NANCY KEMP	WATER HEATER
R14-17	3/6/2017	SERVICE ONE	171 CLC	VICKY HAWKINS	
R15-17	3/8/2017	BURTON PLUMBING	1814 SAND POINT DR	DANIEL WAGNER	SEWER REPAIR
R16-17	3/15/2017	AARON GRELL	924 REDICK BLVD		GARAGE INTO BEDROOM
R17-17	3/15/2017	SERVICE ONE	1210 REDICK BLVD		GAS RECONNECT
R18-17	3/21/2017	DIANNE BUSCHELMAN	4334 N 15TH ST	DIANNE BUSCHELMAN	SIDING, GARAGE, SHED
R19-17	3/21/2017	JOHN & CHRISTIAN MATHEWS	1218 DORENE		
R20-17	3/21/2017	LAKESIDE MOBILE	3510 N. 9TH 318	NATASHA SURIANO	SHED
R21-17	3/21/2017	CATHY DERRA	3510 N 9 TH 253	CATHY DERRA	SHED
R2217	3/21/2017	SERVICE ONE	1540 MURRAY AVE	LYNN MOREHOUSE	REPLACE AC AND FURNACE
R23-17	3/21/2017	MICHELLE HORAN	916 AVE P	MICHELLE HORAN	PATIO DOOR REPLACEMENT
R24-17	3/21/2017	DUNNCLUPP PARTNERSHIP	1514 CACHELIN	WINDOW WORLD	REPLACE WINDOWS
R25-17	3/21/2017	BRIAN JENSEN	600 CORONADO	DAVE MORTENSEN	NEW DECK
R26-17	3/22/2017	SERVICE ONE	1210 REDICK BLVD	SHIRLEY STUBBS	GAS RECONNECT
R27-17	3/23/2017	ROGER WARDEN	906 HIATT		REMODEL AND PLUMBING
<b><u>Commercial Building Permit</u></b>					
C01-17	1/19/2017	LAKESIDE RECYCLERS	3345 N 88TH PLZ	HEARTLAND OUTDOOR	PAVING IN THE YARD
C02-17	2/14/2017	SUPER LIGHTENING	HAMPTON INN AT OWEN PKWY		SIGNAGE ON BUILDING
C03-17	2/27/2017	LAKESIDE AUTO	2813 N 9TH ST		CONCRETE PARKING AND DRAINAGE

**SECTION 27**

**SIGN REGULATIONS**

**2701 SIGN PERMITS**

1. Signs shall not be erected or installed without first obtaining a building permit.
2. All sign permits will be reviewed by the Planning Board for their recommendation.
3. A permit issued for a temporary sign shall designate the dates for use of the temporary sign.
4. The fee for a temporary sign permit is \$10.00 per sign.
5. A temporary sign permit may be renewed only once, on the condition that the renewal shall last for no more than 45 days and that the applicant pays an additional permit fee of \$100 for each temporary sign.

**2702 PROHIBITED SIGNS**

1. All signs painted on or attached to rocks, trees or other natural objects.
2. All signs or sign structures which resemble or conflict with traffic-control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
3. All signs on public property, unless specifically authorized by the appropriate public agency.
4. All pole signs.
5. All roof signs.
6. All off premises off site signs (i.e., bill boards).
7. All pole banners located on public right of way.
8. Any sign constructed which resembles any official marker erected by the City, State or any governmental agency.
9. Any sign or portion of a sign that encroaches upon or overhangs the City's right-of-way of any street, sidewalk, or highway. This shall include any political campaign sign.
10. Any outdoor sign or portion of a sign that is located on any property without consent of the owner, holder, lessee, agent or trustee.
11. Any sign that obstructs the view of any street or railroad so as to render dangerous the use of the street or road or by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal.
12. More than one free standing advertising sign erected per building, per street side.
13. More than one business sign located on one free standing advertising sign at any one advertising sign location.

**2703 TYPES OF PERMITTED SIGNS:**

1. Directional On-premises Signs
  - a. One on-premises directional sign is permitted at each entrance to or exit from a multifamily residential, civic, commercial, industrial, transportation or parking use.
  - b. Such directional signs are not considered in calculating compliance with the total sign area.
  - c. Directional signs shall not exceed four square feet in face area per side.
  - d. Directional signs shall not exceed four feet in height above the ground.
2. Ground and Monument Signs:
  - a. Ground and monument signs may be used on the premises if the front wall of the building or structure which the sign serves is set back at least 15 feet from the right-of-way line of the street, private way, or court to which the sign is oriented.

- b. A monument sign should be no larger than 32 square feet and 6 feet in height (residential) and no more than 64 square feet and 8 feet in height (non-residential).
  - c. A maximum of one sign per entrance is permitted.
3. Projecting Signs and Graphics:
- a. Each projecting sign must maintain at least the following vertical clearances to the bottom of the sign:
    - b. Eight feet six inches over private sidewalks.
    - c. If a canopy is used, the canopy may reduce vertical clearance of the sign from eight feet six inches to seven feet six inches over a private sidewalk.
    - d. Sixteen feet six inches over alleys, driveways or parking lots.
    - e. No projecting sign may be located within 25 feet of any other projecting sign.
    - f. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.
4. Temporary Signs:
- a. A temporary sign shall be defined as a sign that is designed to inform the public that a new business is opening or will be opening. The use of a temporary sign shall be limited to three months unless otherwise extended herein.
  - b. A maximum of three temporary signs may be installed.
  - c. A temporary sign can be a maximum of 32 square feet.
  - d. Temporary Promotional Banners:
    1. A temporary banner is defined as a banner that may be used for no longer than thirty days.
    2. Temporary banners or cloth signs may be utilized as projecting graphics in certain zoning districts.
    3. A temporary banner sign may not project from a building and may not exceed the wall height of the building.
    4. Maximum projection for any temporary banner is five feet, with a minimum clearance of ten feet.
    5. Maximum size of a temporary banner is 32 square feet.
5. Wall Signs and Graphics:
- a. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings and signs mounted on cupolas shall be considered wall signs.
  - b. A wall sign shall not:
    1. Extend more than 18 inches from the wall to which it is attached.
    2. Cover in whole or in part any wall opening or major architectural feature of the building.
    3. Extend beyond the corner of the wall to which it is attached except where attached to another wall sign, it may extend to provide for the attachment.
    4. Extend beyond its building's roofline.
    5. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.
6. Window signs:
- a. Window signs may not occupy more than 40 percent of the total area of the window in which they are displayed.
  - b. Up to 2 percent of this the total window area may be permanent window signs.
  - c. Permanent window signs are not counted against the total permitted sign area for each premise.

**2704 NUMBER OF FREE STANDING SIGNS PER LOCATION.**

- a. No more than one free standing advertising sign may be erected per building, per dedicated public street side.
- b. For buildings containing one business, no more than one business sign may be displayed on any one free standing advertising sign, at any one location.
- c. For buildings containing more than one business, each business may use their pro-rata share of the signage space allowed in proportion to that business entity's percentage of occupancy of the developed premises.

**2705 SIGN SIZING:**

- a. Total permitted sign area.
  1. Total permitted sign area is one of the following:
    - (a) Residential - see 5a below
    - (b) Commercial and Industrial - For frontage(s) on a dedicated street, two times the frontage for a single frontage property or two times the longest frontage for a single frontage property plus ½ additional frontage for multiple frontage property.
  2. For common developments containing several business entities, each business may use only their pro-rata share of the frontage allowed for signage in proportion to that business entity's percentage of occupancy for the developed premises.
- b. Sign area.
  1. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
  2. The area of double-faced (back to back) signs is calculated on the largest face only.
  3. For signs with more than two faces, the area of each face is calculated separately and totaled.
  4. The sign area for ground signs, monument signs and architectural sign bands is calculated as the area enclosing the extreme limits of the sign copy only.
  5. In the case of letters mounted to a wall, the total area of all the letters themselves including the space between the letters is included within the sign area.
- c. Sign Height  
The height of a sign is measured from the average grade level below the sign to the top most point of the sign or sign structure.
- d. Sign Setback.
  1. The setback of a sign is measured from the property line to the nearest part of the sign placed on the property.
- e. Residential Signs:
  1. Attached Wall Signs
    - a. Total permitted sign area - 2 square feet per premise.
    - b. Maximum area - 2 square feet
    - c. Maximum height - 8 feet
  2. Detached signs - Not permitted, except exempt signs.
  3. Neighborhood identification signs:
    - a. Total permitted sign area - 32 square feet including support structure
    - b. Maximum Height - 6 feet
    - c. Minimum setback - 15 feet back from property line
- f. Commercial Signs:
  1. Attached Wall Signs:
    - a. Maximum area - 20% of street facade
    - b. Maximum height - Top of exterior wall
    - c. Projecting Signs a. Maximum area - 40 square feet b. Maximum height - 24 feet

2. Ground/Monument:
  - a. Maximum area - 64 square feet
  - b. Maximum height - 8 feet
  - c. Minimum setback - 15 feet from City Right-of-Way line
- g. Industrial Signs:
  1. Attached Wall Signs:
    - a. Total permitted sign area - 2 x frontage
    - b. Maximum area - 20 % street facade
    - c. Maximum height - wall height
    - d. Projecting Signs a. Maximum area - 40 square feet b. Maximum height - height of wall
  2. Ground/Monument
    - a. Maximum area - 64 square feet
    - b. Maximum height - 8 feet
    - c. Minimum setbacks - 15 feet from City Right-of-Way line

**2706 SIGN CONSTRUCTION AND MAINTENANCE:**

1. Construction:
  - a. All signs shall be constructed of permanent materials.
  - b. All signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure except for temporary banners, flags, temporary signs, and window signs which conform in all respects with the requirements of this ordinance.
2. Maintenance:
  - a. All signs shall be maintained in accordance with all applicable requirements of the City's building and electrical codes.
  - b. All signs shall be maintained in good and safe structural condition.
  - c. The painted portions of signs shall be periodically repainted and be kept in good condition.
  - d. The general area in the vicinity of any ground sign must be kept free and clear of sign materials, weeds, debris, trash and other refuse within an area having a radius equal to the height of any such ground sign.
  - e. All signs must be readable.

**2707 ABANDONED SIGNS**

In addition to all other applicable regulations, sign structures that contain no sign copy on all faces for a continuous period of six months shall be considered an abandoned sign and shall be removed.

**2708 SIGN ILLUMINATION**

1. Signs may be illuminated by indirect and internal lighting only, subject to the following conditions:
  - a. Lighting when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.
  - b. No sign shall be lit in a manner that impairs the vision of the driver of any motor vehicle.
  - c. Signs may not contain or be illuminated by flashing lights.
  - d. Signs may include an electronic information sign.
  - e. Lighting shall be shielded to direct light away from streets and surrounding property and shall not cause glare or impair vision.

- f. Neon or incandescent illumination that is integral to the design of the sign face shall be permitted on such sign face, provided that this illumination does not cause glare or impair vision.

**2709 SIGN MOTION**

Slow and continuous motion or rotation within a portion of the sign face comprising less than 38 percent of the area of such sign shall be permitted.

**2710 EXEMPT SIGNS**

1. Official signs authorized by a government or governmental subdivision that give traffic, directional warning information.
2. Seasonal decorations for display on private or public property.
3. Political signs, provided they are installed no more than two months prior to the election to which they pertain and are removed within seven days after the election to which they refer, except no political campaign signs may be placed on the City Right-of-Way.
4. Street numbers.
5. "For Sale" signs that are equal to or less than 6 square feet.

**2711 NON-CONFORMING SIGNS**

Any sign in existence on the effective date of this ordinance which does not comply with the provisions of the ordinance and which at the time of its erection was in conformity with all other applicable ordinances and statutes may continue in existence so long as the size is not increased beyond its existing size and it complies with the construction and maintenance requirements of this ordinance.

**2712 ENFORCEMENT**

1. Remedies.
  - a. If a violation of this ordinance occurs, the City shall have the following remedies:
    1. Issuing a stop-work order for any and all work on any signs.
    2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity;
    3. Imposing any penalties that can be imposed directly by the City under this ordinance;
    4. The Building Inspector can order the removal and disposal of any sign that poses a danger to the public health or safety, or has been abandoned or is not used by the property owner for at least six months,
  - b. Procedure.

The City shall notify the property owner that the sign is considered abandoned and shall direct the property owner to have the sign removed within ten days of the date of the letter. Failure of the property owner to remove the sign shall authorize the City to enter upon the premises for the purposes of removing the sign and charging the cost of the sign removal to the property owner through the placement of a lien on the property or shall authorize the City to institute abatement procedures under the City Code to seek fines and penalties for the property owner's failure and refusal to remove the sign and to provide for Court-ordered authority for the City to remove the sign from the premises.
2. Penalties.

Any property owner, sign erector, installer or other person who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this

ordinance, shall be deemed guilty of a civil municipal infraction and upon conviction thereof shall be fined \$200 for a first offense and \$500.00 for each subsequent offense.

**2713 APPEALS & VARIANCES:**

Property owners may request a variance in this ordinance or may appeal the Planning Board's recommendation to the City Council for the Council's review and determination.

**Table 27-1:  
Permitted Signs by Type and Zoning Districts**

<b>Sign Types</b>	<b>R-1 R-2 R/CC</b>	<b>R-3 R-M</b>	<b>C/L</b>	<b>C-1</b>	<b>C-2</b>	<b>TC</b>	<b>C/A</b>	<b>BP</b>	<b>M-1</b>	<b>M-2</b>
<b>Detached Signs</b>										
Residential	P	P	P	P	P	N	N	N	N	N
Premise Identification	P(C)	P(C)	P	P	P	P	P	P	P	P
Directional	P(C)	P(C)	P	P	P	P	P	P	P	P
Ground	P(C)	P(C)	P	P	P	P	P	P	P	P
Pole	N	N	P	N	P	N	P	N	P	P
<b>Attached Signs</b>										
Awning	N	N	P	P	P	P	P	P	P	P
Banner	N	N	N	N	N	N	N	N	N	N
Building Marker	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	P	P	P	P	P	P	P	P
Premise Identification	P(C)	P(C)	P	P	P	P	P	P	P	P
Incidental	P(C)	P(C)	P	P	P	P	P	P	P	P
Marquee	N	N	P	P	P	P	P	P	P	P
Projecting	N	N	P	P	P	P	P	P	P	P
Roof, Integral	N	N	N	N	N	N	N	N	N	N
Roof, Above Peak	N	N	N	N	N	N	N	N	N	N
Wall	P	P	P	P	P	P	P	P	P	P
Window	P	P	P	P	P	P	P	P	P	P
<b>Miscellaneous</b>										
Flag Sign	N	N	N	P	P	P	P	P	P	P

P: Permitted for All Uses  
P(C): Permitted for Civic Uses  
N: Not Permitted

**Table 27-2:  
Auxiliary Sign Elements**

	<b>R-1 R-2 R/CC</b>	<b>R-3 R-M</b>	<b>C/L</b>	<b>C-1</b>	<b>C-2</b>	<b>TC</b>	<b>C/A</b>	<b>BP</b>	<b>M-1</b>	<b>M-2</b>
<b>Design Element</b>										
<b>Illumination</b>										
<b>Indirect</b>	P(C)	P(C)	P	P	P	P	P	P	P	P
<b>Direct</b>	N	N	N	N	N	N	N	N	N	N
<b>Internal</b>	P(C)	P(C)	P	P	P	P	P	P	P	P
<b>Neon</b>	N	N	P	P	P	P	P	N	P	P
<b>Flashing</b>	N	N	N	N	N	N	N	N	N	N
<b>Flame</b>	N	N	N	N	N	N	N	N	N	N
<b>Bare Bulb</b>	N	N	N	N	N	N	N	N	N	N
<b>Other</b>										
<b>Electronic Information</b>	N	N	P	P	P	P	P	P	P	P
<b>Moving</b>	N	N	N	N	N	N	N	N	N	N
<b>Rotating</b>	N	N	N	N	N	N	N	N	N	N

**P: Permitted for All Uses**

**P(C): Permitted for Civic Uses**

**N: Not Permitted**

**Table 27-3:  
Permitted Signs by Maximum Permitted Area and District**

This Maximum Permitted Area for all signs on a premises excluding directional signs, building marker signs, and US, State, or University flags shall not exceed the lesser of the following:

Zoning District	R-1 R-2 R-3 R/CC RM	C/L	C-1	C-2	TC	C/A	BP	M-1 M-2
<b>Square Feet of Signage per Linear Foot of Frontage</b>	NA	1.0	1.0	2.0	1.5	2.5	1.0	2.0
<b>Maximum Total Square Feet</b>	Note 3	300 Note 4	300 Note 5	800	500	800	300	800

**Note 1:** 200 square feet for civic or commercial uses, 2 square feet for residential uses, including home occupations.

**Note 2:** 50 square feet for project identification signs or civic uses, 2 square feet for residential uses, including home occupations.

**Note 3:** 32 square feet for civic uses, 50 square feet for project identification signs for multi-family or mobile home developments and for non-residential uses when permitted, 2 square feet for residential uses, including home occupations.

**Note 4:** Maximum limits apply to non-residential premises only. On premises with primary residential use, 50 square feet for project identification signs for multi-family developments, 2 square feet for residential uses, including home occupations.

**Note 5:** One Business Center Identification Sign with a maximum area of 100 square feet is permitted in addition to the Maximum Total Square Feet established here, subject to the regulations set forth by Table 27-4.

**Table 27-4:  
Permitted Signs by Numbers, Dimensions, and Location**

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District	R-1 R-2 R-3 R/CC RM	C/L	C-1	C-2 (Note 2)	TC	C/A (Note 2)	BP	M-1 M-2 (Note 2)
<i>Detached Signs</i>								
<b>Number Permitted Per Premise</b>	1	1	1	NA	1	NA	NA	NA
<b>Per Feet of Frontage of Property</b>	NA	NA	1	1 per 300	NA	1 per 300	1 per 300	1 per 300
<b>Maximum Size* (sq. ft.)</b>	X	100	100	300	100	300	150	300
<b>Maximum Height (feet) of Structure Above Ground</b>	10	10	10	25	25	35	15	35
<b>Front Yard Setback (feet)</b>	10	10	10	10	0	5	5	0
<b>Side Yard Setback (feet)</b>	10	10	5	5	0	5	5	0
<i>Attached Signs</i>								
<b>Maximum Size* (sq. ft.)</b>	X	50	150	NA	NA	300	300	300
<b>% of Street Facade</b>		15%	15%	20%	20%	20%	20%	20%

X See Table 27-3 for maximum sign sizes.

**Note 1:** In addition to its total permitted sign area, each premises used for a business center may have one detached center identification sign, subject to the following conditions:

1. The maximum area for a center identification sign shall be 100 square feet.
2. No center identification sign shall be within 300 feet of any other center identification sign or within 150 feet of any other detached sign on the same or adjacent premises.
3. The sign shall display no more than the name and location of the business center.
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this Article.

**Note 2:** Within the total maximum sign allowance permitted by Table 27-3, properties in the C/A district may elect to locate an outdoor advertising sign in excess of 300 square feet, subject to the conditions set forth in Section 2711.