

The Wahoo Planning Commission met in regular session and in accordance with agenda posted at City Hall, Post Office, and First National Bank with each board member being notified of the agenda prior to the meeting. Meeting was called to order by Vice Chair Scott Nielson at 7:02 p.m. and opened with the Pledge of Allegiance. The Chair advised the public of the posted information regarding State Open Meetings Act and Title VI. The following board members were present answering to roll call: Nielson, Cady, Vculek, Blum, and Wilcox. Absent: Libal, Wiebold, Bunjer, and Phelps. Also present: Travis Beavers, Building Inspector/Zoning Administrator.

Public hearing opened at 7:04 p.m. on application for conditional use filed by Verizon Wireless to add antennas to existing Verizon tower and add seven-foot lightning rod to tower. No representatives for Verizon appeared. No public comments were offered. Moved by Cady, seconded by Wilcox, to close the public hearing at 7:05 p.m. Roll call vote: Cady, yes; Wilcox, yes; Blum, yes; Nielson, yes; and Vculek, yes. Absent and not voting: Libal, Wiebold, Bunjer, and Phelps. Motion carried.

Information submitted by Verizon, including LTE antenna installation documents and FAA Form 7460 dated 5/31/2002, were reviewed. It was noted the Form 7460 approved the height of 132 feet in 2002. Wilcox pointed out the Form 7460 states "This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA." This conditional use appears to add transmitters of a different type than the original installation, and the documents submitted do not verify that the frequencies and power are not changing.

Moved by Wilcox, seconded by Blum, to recommend approval of the application for conditional use filed by Verizon Wireless to add antennas to the existing tower and a seven-foot lightning rod, on the condition that the FAA is notified of the addition of transmitters as stated on the Form 7460 and frequencies and power are verified. Roll call vote: Wilcox, yes; Blum, yes; Cady, yes; Nielson, yes; and Vculek, yes. Absent and not voting: Libal, Wiebold, Bunjer, and Phelps. Motion carried. This will be scheduled for hearing before the City Council.

Public hearing opened at 7:12 p.m. on amendment of the Zoning Regulations regarding granting of waivers and exceptions and conditions for consideration of waivers. No members of the public appeared to comment. Moved by Wilcox, seconded by Blum to close the public hearing at 7:12 p.m. Roll call vote: Wilcox, yes; Blum, yes; Vculek, yes; Nielson, yes; and Cady, yes. Absent and not voting, Libal, Wiebold, Bunjer, and Phelps. Motion carried.

This comes on the agenda from the City Council, who determined they did not have the authority to modify the rules regarding the sign issue at 455 Commercial Park Road, but agreed the building inspector should be able to exercise discretion in some situations. This is not intended to take authority away from the Board of Adjustment and their jurisdiction over variance requests, or the conditional use process. The sign in question is much smaller than off-premises signs which would be allowed in the same area along the highway; the sign is slightly larger and taller than current on-premises sign regulations; it is comparable to other signs already in the vicinity, some of which are larger. The subdivision regulations contain a waiver/exception clause. Board members discussed whether to grant direct authority to the Building Inspector, or require hearing before the Planning Commission and City Council. Wilcox moved to recommend adding language to the zoning regulations stating, "In addition to the exceptions contained in this Ordinance, the Planning Commission may recommend and the City Council may grant waivers for use of property from the provisions of this Ordinance, but only after determining that: 1) there are unique circumstances or conditions affecting the property that are not the result of actions by the requestor and/or property owner; 2) the waivers are necessary for the reasonable and acceptable use of the property in question; 3) the granting of waivers will not be detrimental to the public or injurious to adjacent and nearby properties." Motion seconded by Cady. Roll call vote: Wilcox, yes; Cady, yes; Nielson, yes; Blum, yes; and Vculek, yes. Absent and not voting, Libal, Wiebold, Bunjer, and Phelps. Motion carried. This will be scheduled for hearing before the City Council.

Hearing opened regarding the General Redevelopment Plan for the area declared blighted in previous action, known as Study Area #7. The General Redevelopment Plan was reviewed. It was noted that Vculek owns property located within the study area, and Nielson owns property adjacent to the study area. No members of the public appeared to comment. Moved by Wilcox to approve a Resolution recommending approval of a General Redevelopment Plan for a redevelopment area; motion seconded by Blum. Roll call vote: Wilcox, yes; Blum, yes; Cady, yes; Nielson, yes; and Vculek, yes. Absent and not voting: Libal, Wiebold, Bunjer, and Phelps. Motion carried.

Hearing opened regarding the specific Redevelopment Plan for a Redevelopment Area, and approving the Redevelopment Contract. This project is for development of the Omaha Steel Casting site and infrastructure improvements to the location. The legal description was reviewed, and Cady noted the property description refers to the south half of the road right-of-

way, and questioned whether this should include the full right-of-way. No members of the public appeared to comment. Moved by Cady, seconded by Vculek, to approve a Resolution recommending approval of substantial modification to the General Redevelopment Plan for a redevelopment area; approving certain redevelopment projects within a redevelopment area; approving a redevelopment contract; and approving related matters. Roll call vote: Cady, yes; Vculek, yes; Wilcox, yes; Blum, yes; and Nielson, yes. Absent and not voting: Libal, Wiebold, Bunjer, and Phelps. Motion carried.

Beavers submitted his permit report for June, and stated there are several houses under construction.

Beavers stated several instances have come up with questions about setbacks on accessory structures. The R-1, R-2, R-3 and NRC zones list a 25-foot front yard setback for residences, but list a 50-foot front yard setback for accessory buildings. This makes it difficult for owners of corner lots to comply with setbacks if they plan to build an unattached garage. This may have been an error when regulations were adopted, and board members agreed this should be revised. Changing the accessory building setback to 25 feet, to match setback for primary structure, will be set for public hearing at the next Planning Commission meeting.

Board members discussed the meeting date in August, which falls on the same day as the County Fair parade. At this time no matters are scheduled for hearing, other than the setback change. Moved by Cady, seconded by Vculek to suspend the August meeting; if needed, a special meeting can be scheduled. Roll call vote: All yes. Absent and not voting: Libal, Wiebold, Bunjer, and Phelps. Motion carried.

A motion was made by Wilcox, seconded by Blum, to approve the minutes of the June 7, 2012 meeting as presented. Roll call vote: All yes. Absent and not voting: Libal, Wiebold, Bunjer, and Phelps. Motion carried.

Meeting adjourned at 8:10 p.m.

Lucinda Morrow, Secretary

Approved: