

The Wahoo Planning Commission met in special session and in accordance with agenda posted at City Hall, Post Office, and First Bank of Nebraska with each board member being notified of the agenda prior to the meeting. Meeting was called to order by Chair Glen Wilcox at 7:00 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: Cady, Vculek, Kleffner, Houfek, Pfligler, Meyer and Wilcox. Absent: Libal, and Nielson. Travis Beavers, Building Inspector/Zoning Administrator, was also present.

Public hearing on application for change of zoning from NRC-Neighborhood Residential Commercial to I-1-Light Industrial on property described as lot 2 Burkley Subdivision, better known as 1740 N Chestnut and approximately 3.57 acres more or less in the SW  $\frac{1}{4}$  of Section 34, Township 15 North, Range 7 East of the 6<sup>th</sup> P.M., Saunders County, Nebraska, better known as 1600 N Chestnut, as filed by Robert Burkley was declared open at 7:01 p.m. The Chair called for comments from the public. Robert Burkley stated that the property was industrial when he purchased it in the 80's and the buildings are designed for an industrial use. Burkley stated that there is a warehousing and distribution company from Colorado that would like to purchase the warehouse building at 1740 N Chestnut. Burkley also stated that business has changed and the whole facility located at 1600 N Chestnut is no longer needed for envelope manufacturing, therefore he would like to be able to lease a portion of the building out to another use. Kleffner questioned why Burkley decided to apply for a rezone rather than a conditional use permit. Burkley stated that the potential buyer of the 1740 N Chestnut property would like the option to expand in the future and the NRC zoning is more limiting. A motion was made by Cady, seconded by Meyer, to close the public hearing at 7:08 p.m. Roll call vote: Cady, yes; Meyer, yes; Kleffner, yes; Houfek, yes; Pfligler, yes; Vculek, yes; and Wilcox, yes. Absent and not voting: Libal, and Nielson. Motion carried.

Discussion was held regarding the zoning change. Wilcox stated that this is an opportunity to zone a piece of property according to its use without affecting adjoining property owners. A motion was made by Meyer, seconded by Houfek, to recommend approval, to the City Council, of the requested change of zoning and amendment of the official Zoning Map for the above described property from NRC-Neighborhood Residential Commercial to I-1-Light Industrial, as filed by Robert Burkley. Roll call vote: Meyer, yes; Houfek, yes; Wilcox, yes; Pfligler, yes; Vculek, yes; Cady, yes; and Kleffner, no. Absent and not voting: Nielson, and Libal. Motion carried.

Public hearing on conditional use application to add additional parking within the city right of way on property in the NRC-Neighborhood Residential Commercial District described as lot 12 and East  $\frac{1}{2}$  of lot 11 Block 11, Original Town, Wahoo, Nebraska, commonly known as 611 N Walnut, as filed by Jim Wambold, was declared open at 7:14 p.m. The Chair called for comments from the public. Jim Wambold stated that he currently owns the 4-plex located at 611 N Walnut which consists of 3-2 bedroom apartments and 1-1 bedroom apartment. Currently there are 5 parking stalls in the city right of way and Wambold would like to add 3 more stalls next to the stalls already existing so that the tenants will not have to park in the yard since on street parking is not allowed. Wambold also stated that the proposed parking stalls will be surfaced with concrete. A motion was made by Vculek, seconded by Houfek, to close the public hearing at 7:18 p.m. Roll call vote: Vculek, yes; Houfek, yes; Cady, yes; Pfligler, yes; Kleffner, yes; Meyer, yes; and Wilcox, yes. Absent and not voting: Nielson and Libal. Motion carried.

Discussion was held regarding the conditional use application. It was questioned if the sidewalk on the East side of the property should be installed at the same time the parking stalls were installed. A motion was made by Houfek, seconded by Meyer, to recommend approval of the conditional use application to add 3 parking stalls within the city right of way on property described above as presented. Roll call vote: Houfek, yes; Meyer, yes; Kleffner, yes; Wilcox, yes; Pfligler, yes; Vculek, yes; and Cady, yes. Absent and not voting: Nielson and Libal. Motion carried.

Public hearing on conditional use application to operate an automobile repair shop on property in the C-1 Downtown Commercial District described as a part of Block 120, County Addition to Wahoo, commonly known as 859 N Maple, as filed by Larry Cuda, was declared open at 7:23 p.m. The Chair called for comments from the public. Shane Hake spoke in favor of the automobile repair shop. Hake stated that he leases the bay from Larry Cuda and assumed that the property was zoned properly for a repair shop since similar businesses had previously occupied the same building. Hake also stated that he understands the process for a conditional use permit and wants to do the necessary steps to follow the rules in order to be a legal business. A motion was made by Meyer, seconded by Houfek, to close the public hearing at 7:27 p.m. Roll call vote: Meyer, yes; Houfek, yes; Wilcox, yes; Pfligler, yes; Vculek, yes; Kleffner, yes; and Cady, yes. Absent and not voting: Nielson and Libal. Motion carried.

Discussion was held regarding the conditional use application. Beavers stated that three parking stalls per service bay are needed to meet parking requirements therefore six stalls would need to be provided with one of them meeting ADA requirements. Members reviewed the parking plan and additional information provided. A motion was made by Kleffner, seconded by Houfek, to recommend approval of the conditional use application to operate an automobile repair shop in the C-1 Downtown Commercial District on property described above as filed. Roll call vote: Kleffner, yes; Houfek, yes; Wilcox, yes; Cady, yes; Vculek, yes; Meyer, yes; and Pfligler, yes. Absent and not voting: Nielson and Libal. Motion carried.

Joseph Vculek withdrew himself from the table at 7:40 p.m.

Public hearing on application for change of zoning from TA-Transitional Agricultural to LLR-Large Lot Residential on property described as approximately 3.01 acres in the SW ¼ of the SE ¼ of Section 3, Township 14 North, Range 7 East of the 6<sup>th</sup> P.M., Saunders County, Nebraska, better known as 500 N Pine, as filed by Joseph Vculek, was declared open at 7:41 p.m. The Chair called for comments from the public. Joseph Vculek explained that he wanted to get a loan and since his house is in the floodway, he would be required to purchase flood insurance if the dwelling was used for collateral. Since flood insurance is very expensive, he decided to split the dwelling and outbuildings from the farm ground so that the farm ground could be used for the collateral. Vculek stated that by doing the lot split an under sized parcel, per Trans Ag zoning regulations, would be created. Therefore a zoning change is needed before the lot split can take place. A motion was made by Meyer, seconded by Houfek, to close public hearing at 7:44 p.m. Roll call vote: Meyer, yes; Houfek, yes; Pfligler, yes; Kleffner, yes; Cady, yes; and Wilcox, yes. Absent and not voting: Vculek, Libal, and Nielson. Motion carried.

Vculek left the council chambers.

Discussion was held regarding the zoning change. Members reviewed the zoning map and future land use map. A motion was made by Cady, seconded by Kleffner, to recommend approval, to the City Council, of the requested change of zoning and amendment of the official Zoning Map for the above described property from TA-Transitional Agricultural to LLR-Large Lot Residential, as filed by Joseph Vculek. Roll call vote: Cady, yes; Kleffner, yes; Wilcox, yes; Pfligler, yes; Houfek, yes; and Meyer, yes. Absent and not voting: Vculek, Nielson and Libal. Motion carried.

Vculek reentered at 7:48 p.m.

Discussion was held regarding freedom of speech signs and options for regulating them. City attorney, Jovan Lausterer, explained the problems, concerns and liability that are associated with regulating freedom of speech signs. NDOR does not regulate signs of this nature, as long as it does not create a safety issue and is not of commercial intent. Members questioned if freedom of speech is being limited by enforcing our current sign regulations and are we opening ourselves up for a lawsuit by doing so. Agenda item was for discussion only, no action was taken.

Beavers reported one new home permit was issued for March. Beavers stated he has been working on several nuisances throughout the city with deadlines for abatement of those properties quickly approaching.

Beavers informed members that Michelle Libal would be leaving the Planning Commission. Michelle Libal, Scott Nielson and Mark Meyer have Planning Commission terms ending July 2016.

A motion was made by Meyer, seconded by Cady, to approve minutes of the March 3, 2016 meeting. Roll call vote: Meyer, yes; Cady, yes; Kleffner, yes; Vculek, yes; Wilcox, yes; Houfek, yes and Pfligler, yes. Absent and not voting: Nielson and Libal. Motion carried.

Meeting adjourned at 8:17 p.m.

Approved:

Travis Beavers  
Building Inspector/Zoning Administrator