

The Wahoo Planning Commission met in regular 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 acting Chair Tracy Pfligler at 7:12 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: Ceverny, Gabel, Reece, Woita, and Pfligler. Travis Beavers, Building Inspector/Zoning Administrator, Melissa Harrell, City Administrator, and Jovan Lausterer, City Attorney, were also present.

Public hearing to rezone property from 15th Street to 3rd Street between Chestnut Street and Maple Street from C-1 Downtown Commercial to C-3 General Commercial and NRC Neighborhood Residential Commercial was declared open at 7:13 p.m. Brian Homes spoke on behalf of Gary Rasmussen and questioned why the rezone is being discussed. Beavers stated that C-1 zoning allows for structures to be built to the property lines with parking generally provided on the street within the right of way. This is not the intention for the Chestnut Corridor. Larry Cuda, owner of property at 830 N Chestnut "Cuda Auto", stated that this will devalue his property. Lausterer stated that the properties were zoned as NRC previously and were changed to C-1 Downtown Commercial in 2004. He stated that the existing structures, if they don't meet setbacks, will be grandfathered in, and the structures will be considered non-conforming structures. If they are damaged in any way by more than 50% the new structure will need to meet setbacks and design standards at that time. Members stated that the zoning change is geared more towards new buildings or expansions of current building and that this would be for design standards in the future. Homes asked why his building was included in the change as he is not directly on the Chestnut Corridor. Members explained spot zoning and that they were trying to avoid it with his property. Members spoke of the conditional uses that are allowed under C-3 General Commercial zoning. A motion was made by Cerveney, seconded by Woita, to close public hearing at 7:34 p.m. Roll call vote: Cerveney, yes; Woita, yes; Gabel, yes; Reece, yes; and Pfligler, yes. Absent and not voting: Brooks, Wilcox, Gigstad and Kleffner. Motion carried.

Discussion was held regarding the request and the long-term use of the corridor. A motion was made by Cerveney, seconded by Gabel, to recommend the rezone of property from 15th Street to 3rd Street between Chestnut Street and Maple Street from C-1 Downtown Commercial to C-3 General Commercial on the East side of Chestnut Street and NRC Neighborhood Residential Commercial at addresses 216 W 3rd St, 210 W 3rd St, 233 W 4th St, 225 W 4th St, and 211 W 4th St. Roll call: Cerveney, yes; Gabel, yes; Reece, yes; Woita, yes; and Pfligler, yes. Absent and not voting: Brooks, Wilcox, Gigstad, and Kleffner. Motion carried.

Discussion was held regarding whether to recommend or not recommend the approval of the final plat of Lot 789 Subdivision, a replat of lots 7, 8, and 9, Block 151 County Addition to the City of Wahoo, Saunders County, Nebraska. Members discussed that this replat is combining three lots into one parcel for building and parking requirements. Buyer will be taking down the current building and looking into building a Scooters Coffee Drive-thru in that location. Members pointed out that this replat will clean up the zoning map and make the lots more marketable. Also, members discussed that the drive-thru is not allowed in the C-1 Downtown Commercial Zoning. A motion was made by Woita, seconded by Reece, to recommend the approval of the final plat of Lot 789 Subdivision, a replat of lots 7, 8, and 9, Block 151, County Addition to the City of Wahoo, Saunders County, Nebraska and amend the official zoning map. Roll call: Woita, yes; Reece, yes; Ceverny, yes; Gabel, yes; and Pfligler, yes. Absent and not voting: Brooks, Wilcox, Gigstad, and Kleffner. Motion carried.

Discussion was held regarding whether to recommend or not recommend the amendment to Ordinance 1886, the Wahoo Zoning Ordinance, Section 4.12 Accessory Building and Uses. Members discussed the proposed wording that "All accessory buildings or structures are to be 6 ft

away from the primary structure. If the accessory structure is closer than the 6 ft, it must meet the required setbacks of the primary structure. If said accessory structure is a fire hazard, it must be 10 ft away from the primary structure.” Members discussed that this pertains more to residential structures. Members also discussed that the Fire Marshall would determine if it is a fire hazard. A motion was made by Cervený, seconded by Gabel, to recommend the proposed wording to the amendment to Ordinance 1886, the Wahoo Zoning Ordinance, Section 4.12 Accessory Building and Uses. Roll call: Woita, yes; Reece, yes; Cervený, yes; Gabel, yes; and Pfligler, yes. Absent and not voting: Brooks, Wilcox, Gigstad, and Kleffner. Motion carried.

Discussion regarding zoning of properties inside the Highway 77/92 Expressway was held. The property outside of the North Highlands subdivision is zoned as C-3 General Commercial currently. Members discussed that Residential Zoning may be better suited in that location. Members discussed that Commercial zoning would continue along Chestnut Street and possibly along Highway 77 South of the new Casey’s location. Members discussed entrances from Hackberry as development happens and utility infrastructure. Member discussed that commercial properties would make more sense towards the South Side of town.

Beavers stated several projects are underway and moving along. Work continues with Casey’s with an opening date hopefully in November. Beavers stated that he has been busy with three new homes permitted for and more plans submitted for approval.

A motion was made by Woita, seconded by Pfligler, to approve the minutes of the September 2, 2021, meeting minutes as presented. Roll call vote with verification: Woita, yes; Pfligler, yes; Cervený, yes; Gabel, yes; and Reece, yes. Absent and not voting: Brooks, Wilcox, Gigstad, and Kleffner. Motion carried.

Meeting adjourned at 8:21 p.m.

Approved:

Travis Beavers
Building Inspector/Zoning Administrator