

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 acting Chair Tracy Pfligler 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: Kleffner, DuBois, Pfligler, Vculek, Vaught, and Houfek. Travis Beavers, Building Inspector/Zoning Administrator, was also present.

Public hearing on application for change of zoning from TA-Transitional Agricultural to LLR-Large Lot Residential on property described as **Tract 1**- a 3.01 acre parcel more or less, in the Northwest Quarter of the Northwest Quarter of Section 33, Township 15 North, Range 7 East of the sixth principal meridian, Saunders County, Nebraska and **Tract 2**- a 6.02 acre parcel more or less in the Northeast Quarter of Section 33, Township 15 North, Range 7 East of the sixth principal meridian, Saunders County, Nebraska, as filed by Glenda and Roger Harders, was declared open at 7:03 p.m. The Chair called for comments from the public. Roger Harders spoke in favor of the zoning change and explained that tract 1 is on the West side of his residence and tract 2 is on the East side. The Harders residence is already zoned LLR. Dennis Brabec stated that there has been 2 new driveways installed and there are concerns with the location of the driveways due to visibility. Brabec questioned if there could be a frontage road rather than the driveways. Harders stated that permits have been issued and approval was obtained from the county for the placement of the driveways. A motion was made by Kleffner, seconded by Houfek, to close public hearing at 7:09 p.m. Roll call vote: Kleffner, yes; Houfek, yes; DuBois, yes; Vaught, yes; Pfligler, yes; and Vculek, yes. Absent and not voting: Wilcox, Krueger and Gigstad. Motion carried.

Discussion was held regarding the zoning change. Members reviewed the zoning map and future land use map. A motion was made by Kleffner, seconded by Vaught, 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 Glenda and Roger Harders. Roll call vote: Kleffner, yes; Vaught, yes; Vculek, yes; Pfligler, yes; Houfek, yes; and DuBois, yes. Absent and not voting: Gigstad, Wilcox and Krueger. Motion carried.

Public hearing on application for change of zoning from TA-Transitional Agricultural to C-2 Highway Commercial on property described as **Tract 3** - a 63.04 acre parcel, more or less, in the Northwest Quarter and the North half of the Southwest Quarter of Section 33, Township 15 North, Range 7 East of the sixth principal meridian, Saunders County, Nebraska, **Tract 6** - a 4.18 acre parcel, more or less in the Northwest Quarter of the Southwest Quarter and the West 5.00 acres of the Northeast Quarter of Section 33, Township 15 North, Range 7 East of the sixth principal meridian, Saunders County, Nebraska, and **Tract 7** - a 4.55 acre parcel more or less in the Northwest Quarter of the Southwest Quarter and the West 5.00 acres of the Northeast Quarter of the Southwest Quarter of Section 33, Township 15 North, Range 7 east of the sixth principal meridian, Saunders County, Nebraska, as filed by Glenda and Roger Harders, was declared open at 7:17 p.m. The Chair called for comments from the public. Mike Johnson and Steve Sallenbac expressed concerns with the area abutting 17<sup>th</sup> avenue and county road M being zoned commercial due to the possibility of increased traffic, noise and lights in the middle of an area that is zoned residential. Ed Nemecek also expressed concerns with the commercial zoning regarding traffic and noise due to the close proximity of the St. Wenceslaus cemetery and how it would affect services that are being held. Harders stated that the only access to the property is on 17<sup>th</sup> Avenue but if he could get access off of the expressway for the remainder of tract 3, he would withdraw the C-2 Commercial zoning request from the corner and leave it as TA-Transitional Agricultural. A motion was made by Houfek, seconded by Kleffner to close public hearing at 7:26 p.m. Roll call vote: Houfek, yes; Kleffner, yes; Pfligler, yes; Vculek, yes; Vaught, yes; and DuBois, yes. Absent and not voting: Wilcox, Gigstad, and Krueger. Motion carried.

Discussion was held regarding the zoning change. Members reviewed the zoning map and future land use map. Access to the property along the expressway was discussed. The state would regulate and limit any access off of the expressway. A motion was made by Kleffner, 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 TA-Transitional Agricultural to C-2 Commercial, as filed by Glenda and Roger Harders, with

the Northeast corner of tract 3 being changed to LLR-Large Lot Residential with a 100' wide area being provided and designated, on the South side of the parcel, for access of the commercial property as a frontage road. Roll call vote: Kleffner, yes; Houfek, yes; Vaught, yes; Vculek, yes; Pfligler, yes; and DuBois, yes. Absent and not voting: Wilcox, Gigstad, and Krueger. Motion carried.

Public hearing on application for change of zoning from TA-Transitional Agricultural to C-3 General Commercial on property described as **Tract 4** - a .35 acre parcel more or less in the Northeast Quarter of the Northwest Quarter of Section 33, Township 15 North, Range 7 East of the sixth principal meridian, Saunders County, Nebraska and **Tract 5** - a 9.58 acre parcel, more or less, in the Southeast Quarter of the Northwest Quarter of Section 33, Township 15 North, Range 7 East of the sixth principal meridian, Saunders County, Nebraska, from TA-Transitional Agricultural to C-3-General Commercial, as filed by Glenda and Roger Harders, was declared open at 7:38 p.m. The Chair called for comments from the public. Harders explained the location of the property and explained that the request of zoning change follows the City of Wahoo future land use map. A motion was made by Kleffner, seconded by Houfek, to close public hearing at 7:41 p.m. Roll call vote: Kleffner, yes; Houfek, yes; Pfligler, yes; DuBois, yes; Vaught, yes; and Vculek, yes. Absent and not voting: Wilcox, Gigstad and Krueger. Motion carried.

Discussion was held regarding the zoning change. Members reviewed the zoning map and future land use map. Kleffner questioned access to the South portion of tract 5. Harders stated that the state has provided access. A motion was made by Kleffner, 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 TA-Transitional Agricultural to C-3 General Commercial, as filed by Glenda and Roger Harders. Roll call vote: Kleffner, yes; Houfek, yes; Vaught, yes; Vculek, yes; Pfligler, yes; and DuBois, yes. Absent and not voting: Wilcox, Gigstad, and Krueger. Motion carried.

Public hearing for change of zoning on property described as a 90 acre parcel, more or less in the SW1/4 OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 7 EAST, SAUNDERS COUNTY, NE, from TA-Transitional Agricultural to LLR-Large Lot Residential, as filed by Richard & Karen Ludvik, was declared open at 7:45 p.m. The Chair called for comments from the public. Dan Martinez briefly explained the reason for a zoning change request. Martinez explained that the Ludvik's would like to develop a subdivision that would consist of 24 residential lots that would meet the City of Wahoo zoning requirements for LLR-Large Lot Residential. The subdivision will include some highway frontage for commercial zoning but not in this phase. Martinez also explained the roads, drainage, building setbacks, as well as septic system and well requirements associated with the subdivision. Dennie Phelps, Byron Nordstrom, Jim Kreifel, Lynn Brazda, and Roy Robbins all expressed concerns with increased traffic, road maintenance, the need to preserve agricultural property, water levels and contamination to ground water due to the increased number of septic systems. Andrew Phelps also questioned what the setback requirements are between residential and the fireworks business that the Ludvik's operate just to the North of the proposed subdivision. It was questioned if developers would be willing to look into the option of city water and sewer being extended to serve the subdivision. Martinez stated that NDEQ has regulations that must be followed regarding septic systems and with the minimum 3acre parcel, well and septic separation requirements can be met. A motion was made by Kleffner, seconded by Vaught, to close public hearing at 8:39 p.m. Roll call vote: Kleffner, yes; Vaught, yes; Vculek, yes; DuBois, yes; Houfek, yes; and Pfligler, yes. Absent and not voting: Krueger, Gigstad and Wilcox. Motion carried.

Discussion was held regarding the zoning change. Members reviewed the zoning map and future land use map. Kleffner questioned if the NRD would suspend the well permit for the newly installed high capacity irrigation well if it is causing interference with nearby well owners. Members questioned the enlarged setback requirements and enforcement, due to the minimum lot frontage requirement not being met. The accuracy of the drainage study was also questioned due to all of the wooded areas remaining rather than taking into consideration the removal of trees for the construction of buildings. A motion was made by Kleffner, 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 TA-Transitional Agricultural to LLR-Large Lot Residential, as filed by Richard and Karen Ludvik. Roll call vote: Kleffner, yes; Houfek, yes; Vculek, yes; Pfligler, no; Vaught, yes; and DuBois, yes. Absent and not voting: Gigstad, Wilcox and Krueger. Motion carried.

Public hearing on an application for subdivision known as Timber Ridge Estates, a parcel of land containing 129.5 acres more or less, in the SW1/4 OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 7 EAST, SAUNDERS COUNTY, NE, as filed by Richard and Karen Ludvik was declared open at 9:00 p.m. The Chair called for comments from the public. Lynn Brazda, Dennie Phelps and Ryan Hrdlicka expressed concerns with the protection of waterways, increased runoff and the separation between residential and industrial zoned properties. A motion was made by Kleffner, seconded by Vaught, to close public hearing at 9:11 p.m. Roll call vote: Kleffner, yes; Vaught, yes; Pfligler, yes; Vculek, yes; DuBois, yes; and Houfek, yes. Absent and not voting: Wilcox, Krueger, and Gigstad. Motion carried.

Discussion was held regarding the subdivision application. A motion was made by Kleffner, seconded by Houfek, to table the subdivision application until the July 6<sup>th</sup> Planning Commission meeting so that additional information could be provided. Additional information to be provided shall include a drainage report with the wooded areas being removed, culvert sizes, separation requirements between fireworks operation and residential per state fire marshal, written statement regarding the impact of wells, conditions regulating the high capacity irrigation well once new wells are established and all of the comments from the city engineer being addressed. Roll call vote: Kleffner, yes; Houfek, yes; Pfligler, yes; Vaught, yes; Vculek, yes; and DuBois, yes. Absent and not voting: Gigstad, Wilcox, and Krueger. Motion carried.

Beavers presented his monthly report. Dirt work will begin soon for the new Bomgaars location. Several nuisances are still being addressed.

A motion was made by Kleffner, seconded by Houfek, to approve minutes of the May 4, 2017 meeting. Roll call vote: Kleffner, yes; Houfek, yes; Vculek, yes; Pfligler, yes; Vaught, yes; and DuBois, yes. Absent and not voting: Wilcox, Gigstad, and Krueger. Motion carried.

Meeting adjourned at 9:34 p.m.

Approved:

Travis Beavers  
Building Inspector/Zoning Administrator