

The Wahoo Planning Commission met in special 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 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, Pfligler, Blum and Wilcox. Absent: Nielson, Wiebold, Phelps, and Libal. Travis Beavers, Building Inspector/Zoning Administrator, was also present.

Libal entered at 7:01 p.m.

Public hearing on Conditional Use application for a ground monument sign in the C-1 Downtown Commercial District on Lots 1, 2, 3, 10, 11, and 12 Block 136 County Addition to Wahoo, commonly known as 637 N Maple Street, as filed by Wahoo Public Library, was declared open at 7:02 p.m. Dennis Jeppson spoke on behalf of Wahoo Public Library. Jeppson stated the sign would be located five feet south of the flag pole and power for the message board would come from there. The message board will be five and one half feet wide and two foot four tall therefore keeping it at or below the six foot maximum height requirement. The message board will be electronic with two lines for messaging. Beavers stated that breakaway requirements don't apply since the ground monument sign will not be adjacent to a major arterial route. No other public comments were offered. A motion was made by Blum, seconded by Libal, to close the public hearing at 7:07 p.m. Roll call vote: Blum, yes; Libal, yes; Pfligler, yes; Wilcox, yes; Cady, yes; and Vculek, yes. Absent and not voting: Wiebold, Nielson and Phelps. Motion carried.

Discussion was held on the Conditional Use. Cady stated the main reason for a conditional use permit would be due to the electronic message board and he doesn't see a problem with it. A motion was made by Cady, seconded by Libal, to recommend approval of conditional use application for a ground monument sign as presented. Roll call vote: Cady, yes; Libal, yes; Wilcox, yes; Pfligler, yes; Vculek, yes; and Blum, yes. Absent and not voting: Phelps, Nielson and Wiebold. Motion carried.

Public hearing on Conditional Use application for an auto glass repair and installation shop in the C-3 General Commercial District on property commonly known as 430 E 5th Street and surrounding property owned by the association, as filed by Joel Lindstrom, was declared open at 7:09 pm. Jerry Johnson stated he owns the building to the west of the proposed auto glass repair and installation shop and thinks it will be a good business to have in the area. No other public comments were offered. A motion was made by Blum, seconded by Libal, to close public hearing at 7:10 p.m. Roll call vote: Blum, yes; Libal, yes; Cady, yes; Wilcox, yes; Vculek, yes; and Pfligler, yes. Absent and not voting: Wiebold, Nielson and Phelps. Motion carried.

Discussion was held on the Conditional Use. Wilcox stated the auto glass repair and installation shop would fall under section 15.14.03 Conditional Uses #15, service station and minor automobile repair services, in the C-3 zoning district. Cady questioned if parking requirements would be met. Beavers stated three spaces per repair stall would be required and parking regulations could be met if there is one or two repair stalls. A motion was made by Blum, seconded by Libal, to recommend approval of the Conditional Use application for an auto glass repair and installation shop. Roll call vote: Blum, yes; Libal, yes; Wilcox, yes; Cady, yes; Vculek, yes; and Pfligler, yes. Absent and not voting: Phelps, Nielson, and Wiebold. Motion carried.

Public hearing on Conditional Use application for auto repair and service in the NRC Neighborhood Residential Commercial District on Lots 11 and 12 Block 2 Stockings Addition to Wahoo, commonly known as 215 W 1st Street, as filed by David Voboril, was declared open at 7:14 p.m. David Voboril stated that after he broke his back and was unable to get hired, he decided to open a repair shop at the location. His dad had operated a plumbing business out of the building for years. Bob Urban questioned how long a Conditional Use Permit is good for. Beavers stated that a review period may be requested until conditions are met and if the use does not continue for a period of twelve months, the permit would become invalid. No other public comments were offered. A motion was made by Libal, seconded by Cady, to close public hearing at 7:17 p.m. Roll call vote: Libal, yes; Cady, yes; Blum, yes; Pfligler, yes; Vculek, yes; and Wilcox, yes. Absent and not voting: Wiebold, Phelps, and Nielson. Motion carried.

Discussion was held on the Conditional Use. Libal stated that with an implement dealer and a car dealer next to the business, it fits in the area. Wilcox stated the area is mowed, clean, and in overall good repair. A motion was made by Libal, seconded by Vculek, to recommend approval of the Conditional Use application for auto repair with added

stipulation that the grounds and buildings stay in good repair. Roll call vote: Libal, yes; Vculek, yes; Wilcox, yes; Pfligler, yes; Cady, yes; and Blum, yes. Absent and not voting: Phelps, Nielson, and Wiebold. Motion carried.

Public hearing on Conditional Use application for auto repair and service in the C-3 General Commercial District on part of Lot 2, all of Lot 3, and part of Lot 4 Block 146 County Addition to Wahoo, commonly known as 431 E 6th street, as filed by Shane Hake, was declared open at 7:21 p.m. Shane Hake stated that he has a full time job and he is operating an auto repair business to supplement income. He does a variety of work, from tire repair to body work. Bob Urban stated there are too many vehicles on the street and would like to know if a parking plan has been presented. Gabe Kramer expressed concerns about the need for a time limit being placed on the business due to the noise and late hours that are worked. Jerry Johnson questioned where the vehicles will go and would like to see that they are licensed and pay sales tax. Hake stated some parking is available off of the alley, no one has confronted him about the noise and the repair shop is not a primary business. No other public comments were offered. A motion was made by Blum, seconded by Vculek to close public hearing at 7:28 p.m. Roll call vote: Blum, yes; Vculek, yes; Cady, yes; Libal, yes; Pfligler, yes; and Wilcox, yes. Absent and not voting: Wiebold, Phelps, and Nielson. Motion carried.

Discussion was held on the Conditional Use. A motion was made by Wilcox, seconded by Blum, to table the application due to the lack of a parking plan. Roll call vote: Wilcox, yes; Blum, yes; Pfligler, yes; Libal, yes; Vculek, yes; and Cady, yes. Absent and not voting: Phelps, Nielson and Wiebold. Motion carried.

Public hearing on proposed amendments to Ordinance 1886, the Wahoo Zoning Ordinance regarding accessory structures, off premises signs, sight triangle and fences was declared open at 7:34 p.m. Bob Urban stated that he had been cited for a bush in the sight triangle and that there was some discrepancy in the language. He would like to see some changes made. A motion was made by Libal, seconded by Blum to close public hearing at 7:38 p.m. Roll call vote: Libal, yes; Blum, yes; Vculek, yes; Wilcox, yes; Pfligler, yes; and Cady, yes. Absent and not voting: Nielson, Phelps, and Wiebold. Motion carried.

Discussion was held on the proposed amendment to section 4.08 obstructions to vision and section 2.03.371 sight triangle. Cady stated that the sight triangle is based on speed therefore the type of street determines the distance needed for vision. Beavers explained how it could be interpreted differently and the discrepancy between section 2.03.371 and section 4.08 of the zoning regulations. A motion was made by Cady, seconded by Blum, to table for time to gather more information. Roll call vote: Cady, yes; Blum, yes; Wilcox, yes; Pfligler, yes; Libal, yes; and Vculek, yes. Absent and not voting: Phelps, Nielson and Wiebold. Motion carried.

Discussion was held on the proposed amendment to section 7.12 fences. Beavers stated due to existing fences and common practice in Industrial zoned areas the height limitation on security fences in the Industrial District should be increased from six feet to eight feet. A motion was made by Cady, seconded by Pfligler, to amend section 7.12.01 #4: Where it is demonstrated that for security purposes the perimeter fencing around a plant or building located in an area zoned as an Industrial District must be higher than eight feet in height may be approved through a Conditional Use Permit and section 7.12.04 #1: The plans and specifications for any such fencing must be approved by the City Building Inspector before commencement of construction. Roll call vote: Cady, yes; Pfligler, yes; Libal, yes; Blum, yes; Vculek, yes; and Wilcox, yes. Absent and not voting: Nielson, Phelps, and Wiebold. Motion carried.

Discussion was held on the proposed amendment of section 4.12 Accessory Building and Uses and section 07.08.07 Off-Premise Signs. Beavers stated there have been several questions concerning the type of construction for accessory buildings in residential zoned areas. The regulations state detached accessory garages shall be constructed of materials customarily used in residential construction. He would like the regulations to be clear about allowing pole buildings in LLR district, not in other residential districts, which would normally be in town. Beavers also stated that Dos Margaritas has expressed the need for a sign along the highway. Unfortunately, sign regulations for off-premise signs section 07.08.07, does not allow them to put an off-premise sign at that location due to the C-1 zoning. Dos Margaritas is the only business that has concerns at this point but there have been concerns from other business owners in the past. A motion was made by Pfligler, seconded by Libal, to table due to the lack of wording. Roll call vote: Pfligler, yes; Libal, yes; Blum, yes; Vculek, yes; Cady, yes; and Wilcox, yes. Absent and not voting: Phelps, Wiebold, and Nielson. Motion carried.

Beavers discussed current projects: new garage, pole building, remodel of dentist office, several smaller projects, and crews still working at Wahoo Locker and Omaha Steel.

Mark Meyer will be the new Planning Commission member as of August 1st.

A motion was made by Cady, seconded by Libal, to approve the minutes of the July 1, 2013 meeting. Roll call vote: Cady, yes; Libal, yes; Blum, yes; Wilcox, yes; Vculek, yes; and Pfligler, yes. Absent and not voting: Wiebold, Nielson, and Phelps. Motion carried.

Meeting adjourned at 8:32 p.m.

Travis Beavers, Zoning Administrator

Approved: