

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 Chair Mike Kleffner 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: Woita, Wilcox, Gigstad, Cervený, and Kleffner. Absent were: Pfligler, Books, Reece, and Gabel. Travis Beavers, Building Inspector/Zoning Administrator, was also present.

Public hearing on proposed amendment of the Wahoo Official Zoning Map and Ordinance 1886, the Wahoo Zoning Ordinance, to include a Wellhead Protection Overlay District to protect the source water for the City of Wahoo Water System was declared open at 7:02 p.m. Chair Kleffner called for comments from the public and none were presented. A motion as made by Cervený, seconded by Woita, to close the public hearing at 7:03 p.m. Roll call vote: Cervený, yes; Woita, yes; Wilcox, yes; Gigstad, yes; and Kleffner, yes. Motion carried.

Jon Mohr with JEO Consulting Group was present to review the highlights of the plan and enforcement ordinance (Wellhead Protection Overlay District). He explained the area the overlay district would be in place and allow for the enforcement of the regulation in those areas within the City's ETJ as well as within the Wellhead Protect District as defined by the NE Department of Environment and Energy. Mohr suggested that if we did adopt the ordinance that next steps would be to work Saunders County to adopt the map and enforcement as part of their Zoning Regulations. Harrell explained outreach that has been going on with property owners and that there are currently funds available for capping of any abandoned wells. Requests should be submitted to the City of Wahoo or to Lower Platte North NRD.

Motion by Wilcox, seconded by Gigstad to recommend adoption of the proposed amendment to the Wahoo Official Zoning Map and Ordinance 1886, the Wahoo Zoning Ordinance, to incorporate a Wellhead Protection Overlay District to protect the source water for the City of Wahoo Water System, including but not limited to adoption of zoning regulations providing for regulation of the Wellhead Protection Area. Roll call vote: Wilcox, yes; Gigstad, yes; Cervený, yes; Kleffner, yes; and Woita, yes. Motion carried.

Motion by Wilcox, seconded by Cervený, to take discussion and action to recommend or not recommend a proposed amendment to Ordinance 1886, the Wahoo Zoning Ordinance, Section 5.12 C-1 Downtown Commercial Zoning District to include apartments and condominiums on the first floor (ground level) as a conditional use off the agenda as a tabled matter and proceed with discussion and recommendation. Roll call vote: Wilcox, yes; Cervený, yes; Gigstad, yes; Woita, yes; and Kleffner, yes. Motion carried.

Members of the Planning Commission continued discussion on the pros and cons of considering this amendment. Written comments from Pfligler, a member of the Commission absent from the meeting, were reviewed by the Commission. Travis Beavers reported he had checked with other communities as to whether it is allowed there and he found that Lincoln does allow ground level apartments, Seward does not, and Plattsmouth and Wayne he was unable to determine. After some discussion on the concerns of having ground level residences on main streets in the downtown area, Wilcox presented a list of options for the Planning Commission to consider. The Commission could do nothing and deny the request for the amendment. The Commission could do nothing and a potential developer could apply for a change of zoning for particular parcels of property on the fringe of the C-1 Downtown Commercial District where ground level apartments may make sense. The Commission could approve the request as presented. Or the Commission could consider a way to allow ground level apartments or condominiums on fringe areas of the C-1 District as a conditional use, which would then give the Commission the ability to provide additional regulation or guidance as to how the property would be developed through the Conditional Use. Concern was expressed by members about existing properties that may take advantage of a change to regulations that would

result in ground level apartments in many of the “man cave” style buildings. Additionally, the Commission was very adamant they did not want residential apartments or condos on the main/ground level along 5th Street, Chestnut Street, or along Maple, Broadway, Linden, or Beech in the heart of downtown. They did not want to see residences infringe on the availability of commercial space in the heart of downtown. Mike Sullivan was present to answer any questions the Commission had with regard to his submitted proposed amendment.

Motion was made by Wilcox, seconded by Cervený, to recommend approval of an amendment to Section 5.12 C-1 Downtown Commercial Zoning District by adding a provision to the conditional use permit section as follows: “Apartments and condominiums on the ground floor in properties located adjacent to NRC, R-1, R-2, and R-3 zoning districts, excluding any properties located along Chestnut Street or 5th Street”. Roll call vote: Wilcox, yes; Cervený, yes; Woita, no; Kleffner, no; and Gigstad, no. Motion failed. There were not further motions made regarding this issue.

Beavers reviewed his recent building permits and stated he had issued 6 permits for new homes in March. Pfligler and Brooks attended the spring NPZA on-line conference. He suggested the City should move forward with an update to our Comprehensive Plan and Commission members agreed. He also reported staff is continuing to work on the rezoning of properties along Chestnut Street.

Motion by Gigstad, seconded by Woita to approve the minutes of the March 3, 2022 meeting. Roll call vote: Gigstad, yes; Woita, yes; Kleffner, yes; Wilcox, yes; and Cervený, yes. Motion carried.

Chairperson Kleffner declared the meeting adjourned at 8:05 p.m.

Approved:

Travis Beavers
Building Inspector/Zoning Administrator