

Wayne Planning Commission Meeting Minutes
Monday, November 14, 2011

Vice-Chair Lee Brogie called the regular meeting of the Wayne Planning Commission to order at 7:00 P.M., on Monday, November 14, 2011, in the Council Chambers of the Municipal Building. Roll call was taken with the following members present: Mark Sorensen, Jill Sweetland, Jessie Piper, Breck Giese, Jeff Carstens, Bill Kranz, Lee Brogie, and Inspector/Planner Joel Hansen. Absent: Pat Melena and Derek Hill.

Motion was made by Commissioner Sorensen and seconded by Commissioner Sweetland to approve the minutes for October 3, 2011, with one correction to the first paragraph and second paragraph, "...Monday, **October 3** ~~July 18~~, 2011, in ...". Vice-Chair Brogie stated the motion and second. All were in favor; motion carried unanimously.

Vice-Chair Brogie read the Open Meetings Act and advised that anyone desiring to speak should limit themselves to three minutes and wait until being recognized by the Chair.

Vice-Chair Brogie stated the time was at hand to open the public hearing for a rezoning request from I-1 Light Industrial to I-2 Heavy Industrial and Manufacturing, applicant being City of Wayne.

Inspector Hansen stated for the Commission that the city is requesting that the entire Industrial Park area be rezoned to I-2 Heavy Industry; the area being east of North Centennial Road, North of East Highway 35, and south of 14th Street over to the Logan Creek. Currently the area is split and it appears that years ago someone wanted to make a buffer but no lot lines were followed. Presently there is a potential buyer for the spec building who has some questions about what their property is zoned. It appears that what the buyer wants to do, which is confidential, would be allowed under either I-1 or I-2. So it does not create an issue, the buyer could do what they are doing there, without the map change. However, the city feels at this time, it makes things cleaner and it does address if there are any other issues down the road for other properties. It is very clear that this split would follow property lines, which would mean Centennial Road and Highway #35. The actual legal description would be the Southwest Quarter of Section of 8, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska that is west of the Logan Creek. Part of the city's thought is that this is the only I-2 area in the city of Wayne. It would not be appropriate to shrink this area any further, as there are other areas of I-1, it would be better to make this all I-2 and clean up the map. The area shaded in green on the map enclosed in the packet is I-1. Other areas of I-1 would be Great Dane and Heritage Homes. The area down around the Summer Sports Complex and the Wastewater Treatment

Plant and some areas down around the old REA yard on South Lincoln Street is I-1.

Commissioner Piper asked for a quick re-cap on the difference between the two zoning districts.

Inspector Hansen stated the main major difference between the two, was for example Gerhold Concrete. Presently, they are an illegal use where they are located. I-2 would allow them to emit particulate or odor or loud noises whereas in the I-1 that is not allowed, such as concrete grinding. Heavy manufacturing, if someone came in and wanted to smelt iron, where there was a lot of odor or heat, specifically where it was going to leave the property, would affect the neighbors.

Vice-Chair Brogie mentioned that in the zoning they are reviewing now, only calls it industrial not I-1 or I-2.

Inspector Hansen mentioned that if that happens, what the recommendation was to classify it by uses, light industrial, general industrial, and heavy industrial. If you had anything that was heavy industrial, you could make it a use by exception and place conditions on it, such as how close to a school or how close they could be to any adjacent neighbors or homes. But as of now that is not in the zoning code.

Commissioner Kranz questioned if maybe the I-2 zone should be expanded and if the business would want it zoned the either way.

Inspector Hansen noted that the prospective business owner want this area cleaned up one way or the either. Staff did not see any reason to shrink the area, if it were all rezoned to I-1 then there would be less I-2 zones in the city. This is the only area out there, staff thought it better to be all I-2.

Commissioner Sorensen questioned if the prospective buyer would be okay with all I-2.

Inspector Hansen stated that the buyer would prefer all I-2. Then if someone would challenge the ruling that what they are doing may not fit, they just want to make sure that what they are doing is without question.

Commissioner Piper commented that as it stands now, the buyer should be good under I-1 or I-2.

Inspector Hansen stated that was correct.

Commissioner Sweetland questioned if there was anyone out there that the Commission would need to worry about if they do make the area I-2.

Inspector Hansen stated that he has spoken with Virgil Kardell, Rod Tompkins, Stan Johnson who lives to the northwest of the area, and all were neutral and okay with the re-zoning. None seemed to have any issues with it. Someone from Concord Components also phoned and they were okay with the re-zoning as well.

Inspector Hansen stated that Virgil Kardell questioned the storage units he was putting up, but they are okay under I-1 and I-2.

Vice-Chair Brogie closed the public hearing and opened discussion up among the Commission members. There being none, Vice-Chair Brogie stated she would entertain a motion.

There being no further discussion, motion was made by Commissioner Sweetland and seconded by Commissioner Sorensen to approve and forward a recommendation of approval to the City Council to rezone the area on the attached map from I-1 Light Industrial to I-2 Heavy Industrial and Manufacturing, with the area described as the part of the SW1/4 of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska, with the findings of fact being staff's recommendation, consistency with the Comprehensive Plan, and the current and future land use maps. Vice-Chair Brogie stated the motion and second. Roll call vote was taken with the following: Commissioner Kranz – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Sweetland – aye; Commissioner Sorensen – aye; and Vice-Chair Brogie – aye. All were in favor; Vice-Chair Brogie declared the motion carried unanimously.

There being no further business, motion was made by Commissioner Sweetland and seconded by Commissioner Carstens to adjourn the meeting. All were in favor; motion carried unanimously; meeting was adjourned.