

	"OPEN MEETINGS ACT" Planning Commission Regular Meeting City Council Chambers August 4, 2026 - 7:00 PM
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A Copy of the "Open Meetings Act" Has Been Posted at Both Exits

AGENDA

NOTE: A current copy of the agenda can be obtained at the City Clerk's Office at 218 S. 16th Street, Blair, Nebraska or on the City website at www.blairne.gov. The City Council reserves the right to go into Executive Session at any time.

- 1.Meeting called to order and introductions at 7:00 p.m. by Chairman Boesiger.
- 2.Roll call of members.
- 3.Approval of minutes from the July 7, 2026, meeting.
- 4.Chairman Boesiger opens a public hearing to consider an amendment to the City of Blair Zoning Regulations, Article 8, Section 801.04 Exceptions: Changing Exception (19) from "Rental and lease establishments, outside storage; provided, however, no rental or lease establishments for construction equipment shall be allowed," to "Rental and Leasing Establishments, Outside and Inside Storage" to align with the definition in Chapter 3.
- 5.Report from Staff
- 6.Motion and second by Commission members to adjourn the meeting.

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Planning Commission Regular Meeting

Tuesday, July 7, 2026

Chairman Boesiger called the Blair Planning Commission to order at 7:00 P.M. Members present were Darrel Boesiger, Milt Heinrich, Jim Pounds, Travis Radnor, and Richard Zelensky. Chris Boswell, Melanie Kaeding, Joe Peleska, and Ryan Schroeter: Absent. Others present were City Administrator Green, Deputy City Administrator Barrow, Community Development Director Beiermann, and City Attorney Talbott.

The Chairman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. Notice of the meeting was given in advance thereof by publication in the Enterprise or the Pilot -Tribune as shown by the affidavit of publication filed in the City Clerk's office. Notice of the meeting was simultaneously given to the Planning Commission members, and the agenda is filed in the City Clerk's office. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Agenda Item #1 & 2 – Chairman Boesiger called the meeting to order at 7:00 p.m., followed by a roll call of members.

Agenda Item #3 – Motion by Travis Radnor, second by Rich Zelensky to approve the June 2, 2026, minutes as presented. Commission members voted as follows: Darrel Boesiger: Yea, Chris Boswell: Absent, Milt Heinrich: Yea, Melanie Kaeding: Absent, Joe Peleska: Absent, Jim Pounds: Yea, Travis Radnor: Yea, Ryan Schroeter: Absent, Rich Zelensky: Yea. Commission members present voted: Yea: 5, Nay: 0, Absent: 4. Chairman Boesiger declared the motion carried.

Agenda Item #4 – Chairman Boesiger opens a public hearing to consider a Conditional Use Permit renewal application submitted by Dennis Fenderson, 5020 Hillcrest Drive, Blair, Nebraska, for the continued use of a 60'x 120' building and lot for "Storage, Indoor and Outdoor" on the Easterly 20' of Lot 17, along with all of Lots 18 through 21, all lying in Block 52, Original Townsite of the City of Blair, Washington County, Nebraska, along with the vacated northerly 10' of Grant Street right-of-way, adjacent thereto (275 S. 11th Street) for 20 years. Community Development Director Beiermann stated the zoning district is currently A/CH - Agricultural/Highway commercial. This is a renewal, although for a new owner. "Storage, Indoor and Outdoor" is an Exception in A/CH, requiring a conditional use permit. The first conditional use permit required trees along Grant Street, but city utilities prevented the trees from being planted. Staff requests the stipulation be removed from the renewal conditional use permit. Community Development Director Biermann explained that the original conditional use permit was held by Bob Pearson, who sold the business and property to Mr. Fenderson. Because the conditional use permits travel with the land, Fenderson was required to apply for renewal. Steve Stadola, 652 N. 10th Avenue, who has managed the property since its original construction, confirmed the fence with blue blocking material was required at initial construction

to shield the interior from public view. He noted OPPD is planning utility work along 11th and Grant Streets, which would further disrupt any plantings. Discussion included the possibility of alternative screening such as bushes, but commissioners noted concerns about placing vegetation in the city right-of-way given utility activity. There were no other comments from the floor or in writing. Chairman Boesiger closed the public hearing. Motion by Jim Pounds, second by Travis Radnor, to recommend approval of the Conditional Use Permit renewal application submitted by Dennis Fenderson, as presented, with the exception of removing the trees stipulation. Commission members voted as follows: Darrel Boesiger: Yea, Chris Boswell: Absent, Milt Heinrich: Yea, Melanie Kaeding: Absent, Joe Peleska: Absent, Jim Pounds: Yea, Travis Radnor: Yea, Ryan Schroeter: Absent, Rich Zelensky: Yea. Commission members present voted: Yea: 5, Nay: 0, Absent: 4. Chairman Boesiger declared the motion carried.

Agenda Item #5 – Chairman Boesiger opens a public hearing to consider a Conditional Use Permit application submitted by Kenner Hatfield, 1987 Kellie Drive, Blair, Nebraska, for a Home Occupation to sell firearms to law enforcement agencies, friends and family on Tax Lots 81 & 82 in Section 23, Township 18 North, Range 11 East of the 6th P.M., in the City of Blair, Washington County, Nebraska, (1987 Kellie Drive) for five (5) years. Community Development Director Beiermann stated the zoning district is RM - Residential Medium Density. In the RM District, a Home Occupation is an Excepted use requiring a conditional use permit. A similar conditional use permit request was granted and then renewed at a home on N. 23rd Street in 2015 & 2016. A similar conditional use permit request was denied on a home in the 66 Heights neighborhood in 2022, the latter drawing over a dozen neighborhood opponents. The applicant has a Federal Firearm License which will not expire until after the length of this conditional use permit request. The applicant has the necessary safes and alarms for secure storage of any firearms. Kenner Hatfield, 1987 Kellie Drive, stated he is a 27-year Omaha Police Department officer, firearms instructor at the Field and Pistol Academy, operating this business for approximately 20 years with a federal firearms license held for approximately 15 years. He stated 95% of his business is law enforcement, including past work with Chief Kinsey. Firearms are delivered via FedEx or UPS and transferred out the same way or picked up in person, with FBI NICS or police chief purchase permit checks completed at pickup. Volume ranges from 5 to 20 transfers per week, higher toward year-end when budgets are finalized. Hatfield confirmed he has a secure facility in Omaha with perimeter alarms, cameras, and reinforced doors. Commission member Pounds noted a new residential neighborhood is being developed nearby but acknowledged it would take time within the 5-year permit window. There were no other comments from the floor or in writing. Chairman Boesiger closed the public hearing. Motion by Travis Radnor, second by Rich Zelensky to recommend approval of the Conditional Use Permit application submitted by Kenner Hatfield, as presented. Commission members voted as follows: Darrel Boesiger: Yea, Chris Boswell: Yea, Milt Heinrich: Yea, Melanie Kaeding: Absent, Joe Peleska: Yea, Jim Pounds: Yea, Travis Radnor: Yea, Ryan Schroeter: Absent, Rich Zelensky: Yea. Commission members present voted: Yea: 7, Nay: 0, Absent: 2. Chairman Boesiger declared the motion carried.

Agenda Item #6 – Chairman Boesiger opens a public hearing to consider an ordinance adopting an updated Future Land-Use Map for Tax Lots 143, 145 & 146, located in Section 23, Township 18 North, Range 11 East of the 6th P.M., Washington County, Nebraska (12645 US Highway 30 & 9325 State Highway 133 area), changing the future land use from Residential/Commercial to all Commercial. City Administrator Phil Green presented a staff-

initiated request to update the future land use map, changing the designation from a split residential/commercial to entirely commercial. The lots are within city limits and were formerly owned by Gordon Soderberg, who passed away last year. His son Troy and wife are in the process of selling their property. The parcels are approximately 12.75 acres (Gordon's lot), just under 6 acres (lower lot), and just over 3 acres (Troy's lot), totaling 20+ acres. Blair Crossing apartments are immediately to the north, with Honey B Lane already partially installed (about two-thirds poured) providing access. Highway improvements to Highway 30 are currently underway, with the connector road over Highway 30 to be poured afterward. Staff explained that Blair has historically designated only a commercial strip along highway frontage rather than entire lots, but now that lot configurations are better understood, full commercial designation is recommended. The current owners object to the rezoning, fearing it will impede the sale of their residential properties. Green argued that marketing as residential means commercial buyers will not find the listings, and that commercial zoning would yield higher per-acre value. There were no other comments from the floor or in writing. Chairman Boesiger closed the public hearing. Motion by Jim Pounds, second by Travis Radnor to recommend approval of the ordinance adopting an updated Future Land-Use Map for 12645 US Hwy 30 & 9325 St Hwy 133 area, changing the future land use from Residential/Commercial to all Commercial. Commission members voted as follows: Darrel Boesiger: Yea, Chris Boswell: Absent, Milt Heinrich: Yea, Melanie Kaeding: Absent, Joe Peleska: Absent, Jim Pounds: Yea, Travis Radnor: Yea, Ryan Schroeter: Absent, Rich Zelensky: Nay. Commission members present voted: Yea: 4, Nay: 1, Absent: 4. Chairman Boesiger declared the motion carried. City Administrator Green questioned the nay vote from Commission member Zelensky. Commission member Zelensky explained that potential buyers should be allowed to make their own decisions about land use.

Agenda Item #7 – Chairman Boesiger opens a public hearing to consider a Rezone application submitted by the City of Blair for Tax Lots 143, 145 & 146, located in Section 23, Township 18 North, Range 11 East of the 6th P.M., Washington County, Nebraska (12645 US Hwy 30 & 9325 St Hwy 133 area), changing the zoning districts from Residential Medium Density to Agricultural/Highway Commercial. City Administrator Green stated that following the future land use map vote, the Commission considered the actual rezoning of the same tax lots from residential medium density (RM) to agricultural highway commercial (ACH). Green explained the implications of grandfathered non-conforming residential uses under commercial zoning: mortgage companies may refuse to issue residential mortgages on commercially zoned properties; if a structure is damaged more than 50% of assessed value, it cannot be rebuilt for residential use; and if a property sits vacant for 12 months after rezoning, it loses its grandfather rights entirely. Green noted that if the City Council approves the rezoning at the end of July, the 12-month clock would begin then, potentially forcing the loss of residential rights before a sale is completed. The Sederbergs are currently listing their properties as residential. Troy's house sits on approximately 12.75 acres; Gordon's former property is approximately 6 acres with the residential structure on lot 146; and lot 145 (about 3+ acres) has no residential structure on it. Green stressed that rezoning now signals to commercial buyers that the land is available for commercial use and avoids the friction of a future zoning change process for developers. Commission members Boesiger and Zelensky expressed discomfort with changing zoning underneath current owners without consent, particularly during an active sale process, citing concerns about disrupting financing mid-sale. Commissioner member Radnor proposed a compromise: rezone only Tax Lot 145 (no structures) to ACH while leaving Tax Lots 143 and 146 (containing the residential structures) at their current RM designation. This would give the

city some commercial-zoned land while protecting current owners from the risks of non-conforming status during their sale. There were no other comments from the floor or in writing. Chairman Boesiger closed the public hearing. Motion by Travis Radnor, second by Rich Zelensky to recommend approval only for Tax Lot 145, changing the zoning districts from Residential Medium Density to Agricultural/Highway Commercial. Commission members voted as follows: Darrel Boesiger: Yea, Chris Boswell: Absent, Milt Heinrich: Yea, Melanie Kaeding: Absent, Joe Peleska: Absent, Jim Pounds: Yea, Travis Radnor: Yea, Ryan Schroeter: Absent, Rich Zelensky: Yea. Commission members present voted: Yea: 5, Nay: 0, Absent: 4. Chairman Boesiger declared the motion carried.

Agenda Item #8 – Report from staff. City Administrator Green stated there was nothing to report.

Agenda Item #9– Motion by Milt Heinrich, second by Travis Radnor to adjourn the meeting 7:59 pm. Commission members voted as follows: Darrel Boesiger: Yea, Chris Boswell: Absent, Milt Heinrich: Yea, Melanie Kaeding: Absent, Joe Peleska: Absent, Jim Pounds: Yea, Travis Radnor: Yea, Ryan Schroeter: Absent, Rich Zelensky: Yea. Commission members present voted: Yea: 5, Nay: 0, Absent: 4. Chairman Boesiger declared the motion carried.

Shelly Jones, Secretary

Article 8, Section 801.04 Exceptions (19)

RED LINE:

(19) Rental and ~~lease- leasing~~ establishments, ~~outside storage; provided however,~~
~~no rental or lease establishments for construction equipment shall be allowed.~~
outside and inside storage.

CLEAN COPY:

(19) Rental and leasing establishments, outside and inside storage.

Executive Summary

Request:

Amend Article 8 – ACH Agricultural Business & Commercial District - Section 801.04, **Exceptions (19)** of the City of Blair Zoning Regulations to change the permitted use from:

"Rental and lease establishments, outside storage; provided however, no rental or lease establishments for construction equipment shall be allowed."

to:

"Rental and Leasing Establishments, Outside and Inside Storage"

to align with the use definition contained in Chapter 303 **Definitions, (125)** of the Zoning Regulations.

Background

The current language in Article 8, Section 801.04(19) “**Rental and Leasing Establishments, Outside and Inside Storage**” permits rental and lease establishments with outside storage but includes a prohibition on construction equipment rental or lease establishments. Staff has identified that this language is inconsistent with the defined use category contained in Chapter 3, **Definitions**, which recognizes "Rental and Leasing Establishments, Outside and Inside Storage."

Purpose of the Amendment

The proposed amendment is intended to:

- Ensure consistency between Article 8 and Chapter 3 of the Zoning Regulations.
- Eliminate conflicting terminology within the zoning code.
- Clarify the land use for property owners, developers, and staff.
- Improve administration and interpretation of the zoning regulations.
- Modernize the “use” classification to reflect common rental and leasing business operations that may include both indoor and outdoor storage areas.
- This amended use does not eliminate the requirement for a Conditional Use Permit.

Recommendation

The amendment aligns the language of Section 801.04(19) with the existing definition already established in Chapter 303: **Definitions**. By referencing both inside and outside storage, the regulations will more accurately reflect the operational characteristics of rental and leasing establishments and leaves the decision of whether there should be outdoor storage of construction equipment to the Planning Commission and City Council because what may work in one location, may not work in a different location.