

**SARPY COUNTY**  
**Department of Planning & Building**

Sarpy County Courthouse Annex  
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Ken Tex, Planning & Zoning Coordinator

**January 21, 2004**

**Sarpy County Board of Commissioners**  
**Sarpy County Courthouse**  
**1210 Golden Gate Drive**  
**Papillion, Nebraska 68046**

To The Sarpy County Board of Commissioners:

The Sarpy County Planning Commission held its regular monthly meeting on Wednesday, January 21, 2004 in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wear called the meeting to order at 7:00 p.m. with the following members present: Don Fenster, Tom Hurley, Brenda Kunz, Wayne LaBart, Marcia Matthies, Don Meyer, Tom Wees, Alan Wear and Doug Whitfield. Absent was: David Fanslau. Mike Smith, Deputy County Attorney was present. Also present were Ken Tex, Planning & Building Coordinator and Cindy Gilbert, Recording Secretary.

Chairman Wear asked for commissioner reports. There were none.

- < *Chairman Wear asked for a motion to approve the agenda as submitted. Meyer moved, seconded by Wees to approve the agenda as submitted. Ballot: Ayes - Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - Fanslau. Motion carried.*
  
- < *Chairman Wear asked for a motion to approve the minutes of the December 17, 2003 (January 7, 2004) meeting. Fenster moved, seconded by Hurley to approve the minutes as submitted. Ballot: Ayes - Fenster, Hurley, Kunz, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - LaBart. Absent - Fanslau. Motion carried.*

\*David Fanslau joined the meeting at 7:04 p.m.\*

**I. CONSENT AGENDA ITEMS:**

None.

**II. REGULAR AGENDA ITEMS:**

1. **Gerard Wemhoff, 15010 S. 63<sup>rd</sup> St., Papillion, requests approval a Change of Zone from AG to AGR & RE 2 on the following described property, to wit: Being a platting of part of the NE1/4 of the SW1/4 of Sec 23, Twp 14, Rng 10E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (225<sup>th</sup> & Centennial Road)**

Gerard Wemhoff said he has 37 acres and wants to split it into seven 5-acre lots. He stated this land is in an area that requires a 5-acre minimum.

Ken Tex noted that it meets the comp plan and zoning regulations and that there will be only one access off the main road. The interior street will be a 66' wide ingress/egress easement.

Charles Allner stated he lives next to this property and the new driveway will run right along his property and is concerned about the added dust it will create. He wants to know if the County will use better dust control methods like crushed asphalt.

\*Public Hearing Closed at 7:11 p.m.\*

Mr. Wemhoff said he had already talked to Mr. Kersten about this and Mr. Kersten said it is not a good idea to use the crushed asphalt until a good base has been established.

< *LaBart moved, seconded by Fenster to recommend approval of a Change of Zone from AG to AGR & RE 2 as it meets the comp plan. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

2. **Gerard Wemhoff, 15010 S. 63<sup>rd</sup> St., Papillion, requests approval a Preliminary Plat for a subdivision to be known as Centennial Acres on the following described property, to wit: Being a platting of part of the NE1/4 of the SW1/4 of Sec 23, Twp 14, Rng 10E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (225<sup>th</sup> & Centennial Road)**

< *LaBart moved, seconded by Hurley to recommend approval of a Preliminary Plat for a subdivision to be known as Centennial Acres as it meets the subdivision and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

3. **Barbara Udes Shaw (with Engineering Design Consultants), 4650 S. 132<sup>nd</sup> St., Omaha, requests approval of a Change of Zone from BG to RS-72 on the following described property, to wit: Lot 31, Sugar Creek Addition, located in Sec 17, Twp 14N. Rng 11E, Sarpy County, Nebraska. (Approximately 189<sup>th</sup> & Edna Street)**

Brian Corzine, Engineering Design Consultants, stated they would like to change the zone on Lot 31 to accommodate housing and an outlot. Lot 31 and Lot 59 together would create 13 residential lots and one outlot to be used for recreation. It would have a trail that continues through the neighborhood and some playground equipment. It conforms to the lots already being built on in the neighborhood.

\*Public Hearing Closed at 7:21 p.m.\*

< *Whitfield moved, seconded by Fanslau to recommend approval of a Change of Zone from BG to RS-72 on Lot 31 of Sugar Creek as it meets the comp plan. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

4. **Engineering Design Consultants, 4650 S. 132<sup>nd</sup> St., Omaha, requests approval of a Preliminary Plat for a subdivision to be known as Sugar Creek Addition Replat 3 on the following described property, to wit: Being a replat of Lot 31 & Lot 59, Sugar Creek Addition, located in Sec 17, Twp 14N. Rng 11E, Sarpy County, Nebraska. (Approximately 189<sup>th</sup> & Edna Street)**

< *Whitfield moved, seconded by Hurley to recommend approval of a Preliminary Plat for Lots 31 & 59, Sugar Creek Replat 3 as it meets the subdivision and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none.*

*Absent - none. Motion carried.*

- 5. Merlin & Barbara Brugmann (with Cheyenne Country Estates, LLC), 14710 West Dodge Road, Omaha, requests approval of a Change of Zone from AG to RS-100 on the following described property, to wit: Being a platting of the N1/2 of the NW1/4 of Sec 27, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (SE corner of 168<sup>th</sup> & Cornhusker Road)**

Ken Pollard, Lamp, Rynearson & Associates, representing his client for Cheyenne Country Estates, stated there desire to change the zone to allow for 71 residential lots on approximately 80 acres. The lot sizes range from, not less than 32,000 square feet to approximately 54,000 square feet. The developer is working with Tom Lynam, County Surveyor, on road improvements to Cornhusker Road and a deceleration lane off 168<sup>th</sup> Street. They plan to have 25' concrete streets with curbs. Utilities will be served by M.U.D., Aquila, and the Gretna Outfall Sewer. Sidewalks will be installed and the covenants will restrict the ability to come in and split the lots into smaller ones.

\*Cindy Gilbert read into record the comments from the Papio-Missouri River Natural Resource District\*

Chad Soupir, resident of Cinnamon Acres, was interested in knowing what might happen to the tree line that currently exists along the property line of the new development.

Larry Forman, Attorney for S.I.D. 230 (Cinnamon Acres, Cinnamon Estates and part of Briarcliff), said there were three main concerns. #1: The S.I.D. is concerned that, at a later date, the lots will be able to be split into smaller ones, which they don't think would be compatible with the rest of the area. #2: They don't want the drainage that is already there to increase with this development coming in, and #3: They are not in a financial position to help make road improvements.

Dorothy Zink, resident of Briarcliff, was also concerned about drainage and wanted to make sure that issue would be addressed.

\*Public Hearing was Closed at 7:38 p.m.\*

Ken Pollard offered his rebuttal statement by noting that, typically, they will assess whether to leave existing trees with their grading plan or remove them. He thought the trees Mr. Soupir was referring to would probably be left alone. He also stated the developer was not looking for any contributions by anyone else to make the road improvements to Cornhusker, and he stated he will be happy to share the grading plan with Olmstead & Perry, engineering consultants for S.I.D. 230, when the final plans become available.

< *Fenster moved, seconded by Wees to recommend approval of a Change of Zone from AG to RS-100 as it meets the comp plan. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

- 6. Cheyenne Country Estates, LLC, 14710 West Dodge Road, Omaha, requests approval of a Preliminary Plat for a subdivision to be known as Cheyenne Country Estates on the following described property, to wit: Being a platting of the N1/2 of the NW1/4 of Sec 27, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (SE corner of 168<sup>th</sup> & Cornhusker Road)**

< *Fenster moved, seconded by Wees to recommend approval of a Preliminary Plat for a subdivision to be known as Cheyenne Country Estates as it meets the subdivision and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

### **III. CORRESPONDENCE:**

Norman Nelson, Lyman-Richey Corporation presented his zoning changes to the Planning Commission with respect to temporary concrete and asphalt plants. He felt these were fundamental changes needed to address safety, environmental and noise issues.

After considerable discussion including hours of operation, size of area to be used, setback requirements from residential areas, issuance of such applications by the Building Inspectors Office, etc., the general consensus was to leave it in the hands of the Building Inspector.

### **IV. ADJOURNMENT:**

< Being no further discussion, *Matthies moved, seconded by Whitfield to adjourn the meeting. By a unanimous oral vote, Chairman Wear declared the meeting adjourned at 8:29 p.m.*

Respectfully Submitted,

Sarpy County Planning Commission  
Alan Wear, Chairman  
Cindy Gilbert, Recording Secretary