

**SARPY COUNTY**  
**Department of Planning & Building**  
Sarpy County Courthouse Annex  
1261 Golden Gate Drive, Suite 2E  
Papillion, Nebraska 68046  
Phone (402) 593-2156 - Fax (402) 593-4335  
Ken Tex, Planning & Zoning Coordinator

**May 19, 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, May 19, 2004 in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wear called the meeting to order at 7:03 p.m. with the following members present: Brenda Kunz, Don Fenster, Tom Hurley, Wayne LaBart, Marcia Matthies, Don Meyer, Tom Wees, Alan Wear and Doug Whitfield. Absent was David Fanslau. Tamra Madsen, 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 LaBart 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 April 21, 2004 meeting. Wees moved, seconded by Hurley to approve the minutes as submitted. Ballot: Ayes - Fenster, Hurley, LaBart, Matthies and Wees. Nays - none. Abstain - Kunz, Meyer and Whitfield. Absent - Fanslau. Motion carried.*

**I. CONSENT AGENDA ITEMS:**

None.

**II. REGULAR AGENDA ITEMS:**

- 1. Todd Lynes, 7920 S 71<sup>st</sup> Ave., LaVista, requests approval of a Special Use Trailer Permit to park a single wide mobile home for recreational use only on the following described property, to wit: Lot 10, Lake Olivo, located in Sec 28, Twp 13N, Rng 12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (99<sup>th</sup> Street, south of Mitchell Road)**

Ken Tex explained that all of the Special Use Trailer Permit applications coming before them tonight were all existing trailers with new owners. He stated these permits are generally approved for a period of three years and renewable upon a legal publication.

- < *Wees moved, seconded by LaBart to recommend approval of a Special Use Trailer Permit for a period of three years, renewable by publication, as it meets the zoning ordinances. Ballot: Ayes -*

*Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - Fanslau. Motion carried.*

2. **Steve Gewinner, 3084 S 33<sup>rd</sup> Street, Omaha, requests approval of a Special Use Trailer Permit to park a single wide mobile home for recreational use only on the following described property, to wit: Lot 18W, Carl Schmid Park, located in Sec 28, Twp 13N, Rng 12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (99<sup>th</sup> Street, south of Mitchell Road)**

*\*\*David Fanslau joined the meeting at 7:10 p.m.\*\**

Ken Tex said this was also an existing trailer with a new owner.

- < *LaBart moved, seconded by Hurley to recommend approval of a Special Use Trailer Permit for a period of three years, renewable by publication, as it meets the zoning ordinances. Ballot: Ayes - Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - Fanslau. Absent -none. Motion carried.*

3. **Matt Moore, 14617 Borman, Omaha, requests approval of a Special Use Trailer Permit to park single wide mobile home for recreational use only on the following described property, to wit: Lot 40E, Vencil's Island, located in Sec 28, Twp 14N, Rng 10E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (252<sup>nd</sup> Street and Harrison)**

Matt Moore said he purchased this structure in 2001. His tax statement indicated that he was paying real estate tax for improvements on leased land. He doesn't feel he should be paying real estate taxes and special use permits on the same structure.

Ken Tex reviewed Mr. Moore's tax statement and agreed it was real estate taxes. Ken advised Mr. Moore to contact the County Assessor's Office for any inquiries relating to his tax statement. He also added that it was moved in as a trailer, and regardless of any additions, the original structure is a trailer, which is subject to the fees we require in the Zoning Ordinances.

Chairman Wear also advised Mr. Moore to consult with the County Assessor's Office concerning any tax questions he has.

- < *Hurley moved, seconded by Wees to recommend approval of a Special Use Trailer Permit for a period of three years, renewable by publication, as it meets the zoning ordinances. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Absent - none. Abstain - none. Motion carried.*

4. **Landco, Inc., 810 N. 96<sup>th</sup> Street, Omaha, requests approval of a Final Plat for a subdivision to be known as Stonecrest on the following described property, to wit: Being a platting of part of the N1/2 of Sec 22, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (156<sup>th</sup> & Giles Road)**

John Fullenkamp, Attorney representing the developers of Stonecrest, noted this subdivision is generally located at 168<sup>th</sup> Street & Giles Road. The County Board approved the Preliminary Plat the day before. There has been a slight change from the Preliminary. On the south side of the development, they will enlarge some of the lots. He also noted there is a cul-de-sac they need to make larger as it does not meet the minimum requirement. They also would like to add some ground to this portion of the Final Plat. Their contract with the seller had indicated their first phase of development would be on 70 acres. They were just short of that and would like to add one more street to the west side of this plat that would add about 3 acres to the portion they would like to have final approval. And, since that street will continue with the next phase, they will construct a temporary cul-de-sac until they are ready to continue the

development. He also noted that they would cost share with on the Giles Road project and construct turn lanes as needed.

Ken Tex added that they can approve the Final as is or allow them to add the rest of the ground they are requesting. He also noted that, even with the additional portion, it still conforms to the Preliminary Plat.

< *Wees moved, seconded by Fanslau to recommend approval of a Final Plat for a subdivision to be known as Stonecrest with the following modifications: Lots 232-252 (as shown on the preliminary plat) be added to the plat and a temporary cul-de-sac be constructed at the end of the street that will continue in the next phase as it meets the comp plan and subdivision regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

**5. Western Land Company, 10502 S 147<sup>th</sup> Street, Omaha, requests approval of a Final Plat for a subdivision to be known as Wicks Southpointe on the following described property, to wit: Part of the NE1/4 of Sec 34, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (I-80 & Highway 370)**

Ken Pollard, Lamp, Rynearson & Associates, stated the Preliminary Plat was approved in September of 2003. They are now looking to get a final for Phase One of this project. Phase One will consist of 6 lots and one outlot. It is located on the south side of Highway 370 and west of I-80.

Doug Whitfield questioned the street names, particularly the street directly south of Sapp Bros. Drive. He thinks it might be confusing to change names.

Ken Tex said that Sapp Bros. Drive used to be called 'Frontage Road' until a few years ago when they asked to have the name changed. Ken doesn't feel it should necessarily continue with the same name as it identifies the commercial area people are in.

When asked, Ken Pollard stated the development does have permanent access off Highway 370.

Brenda Kunz asked if this development would fall under the Highway 370 Corridor Ordinance.

Mr. Fullenkamp stated this property was located just west of the Corridor area and would not be affected by that Ordinance, but would be complying with the Landscape Ordinance.

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

**6. RD Engineering, Inc., 11920 Burt Street, Omaha, requests approval of a Change of Zone from AG to RS-72PD and RG-35PD on the following described property, to wit: The NE1/4 and the E1/2 of the NW1/4 of Sec 18, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (192<sup>nd</sup> & Harrison)**

Robert Dean, RD Engineering, stated he was asking approval of a Preliminary Plat located at 192<sup>nd</sup> & Harrison Street, called Bellbrook. He noted this is the residential area that will be connected to the elementary school just recently platted for Millard Public Schools. He introduced Rick Harrison who created the layout for this subdivision.

Mr. Harrison said this concept was called coving and added that it was new to Nebraska. He also noted he had subdivisions similar to this in several different parts of the country, and, so far, has had a very

positive feedback. He proceeded to give a slide show presentation.

After the presentation, he offered answers to any questions there might be.

He did indicate snow removal may be slightly more difficult than standard subdivisions.

\*Tom Lynam's (Surveyor's Office) comments were read into record.\*

Robert Dean suggested they would try to keep the utilities within the easements. He also added the price range of homes would be approximately \$230,000 to \$1,000,000.

Gene Prososki didn't feel the snow removal would be a problem due to the lack of 4-way intersections.

After some further discussion,

< *LaBart moved, seconded by Meyer to recommend approval of a Change of Zone from AG to RS-72PD and RG-35PD for 2 lots for town homes 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.*

**7. RD Engineering, Inc., 11920 Burt Street, Omaha, requests approval of a Preliminary Plat for a subdivision to be known as Bellbrook on the following described property, to wit: The NE1/4 and the E1/2 of the NW1/4 of Sec 18, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (192<sup>nd</sup> & Harrison)**

< *LaBart moved, seconded by Meyer to recommend approval of a Preliminary Plat with the stipulation that the recommendations from the County Surveyor are followed as it meets the comp plan and subdivision regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Kunz, LaBart, Matthies, Meyer, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*

**\*\*The meeting took a break at 8:24 p.m.\*\***

**\*\* The meeting resumed at 8:30 p.m.\*\***

### **III. CORRESPONDENCE:**

Tamra Madsen said the County had received two proposals for revising the comp plan and zoning regulations. The two bids that came in were just under, and just over \$100,000.

Brian Hanson mentioned that some of the other companies indicated they were unable to bid the proposals for various reasons. He said that there will be meetings with each of the vendors to discuss their proposals.

After some brief discussion about the comp plan, Chairman Wear asked the Planning Commission if they would like to hold a special meeting to discuss the issues.

It was decided that a sub-committee would go to the meeting and report back to the rest of the Commission. The sub-committee that will attend the vendor meeting consists of Alan Wear, Tom Wees, David Fanslau and Don Meyer.

Tamra Madsen then touched on the role of the Planning Commission relating to packet materials, law, asking for additional information, networking and commitment to learning.

Tamra Madsen also spoke about the comp plan being a guiding tool, spot zoning, voting rights (when to abstain), looking to Ken Tex as a valuable resource and ex-parte communication.

Ken Tex stated the Planning and Building Department has been issuing a record number of permits, and, because of that, have been able to hire a temporary building inspector.

**IV. ADJOURNMENT:**

< Being no further discussion, *Wees moved, seconded by Fenster to adjourn the meeting. By a unanimous oral vote, Chairman Wear declared the meeting adjourned at 9:32 p.m.*

Respectfully Submitted,

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