

SARPY COUNTY
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April 20, 2005

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 April 20, 2005 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: Mechele Burry, Courtney Dunbar, David Fanslau, Don Fenster, Tom Hurley, Wayne Labart, Alan Wear, Tom Wees and Doug Whitfield. Absent was Brenda Kunz and Don Meyer. Lee Polikov, County Attorney, was present. Also present were Ken Tex, Planning & Building Coordinator and Cindy Gilbert, Recording Secretary.

Ken Tex and Cindy Gilbert were introduced as Planning & Building Coordinator and Planning Secretary, respectively. Also introduced was Lee Polikov, Sarpy County Attorney.

- ▶ *Chairman Wear asked for a motion to approve the agenda as submitted. Wees moved, seconded by Labart to approve the agenda as submitted. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - none. Motion carried.*
- ▶ *Chairman Wear asked for a motion to approve the minutes of the March 16, 2005 meeting. Hurley moved, seconded by Dunbar to approve the minutes as submitted. Ballot: Ayes - Burry, Dunbar, Hurley, Wees and Whitfield. Nays - none. Abstain - Fanslau, Fenster and Labart. Absent - none. Motion carried.*

Chairman Wear asked for commissioner reports.

Don Fenster noted he had attended the Nebraska Planning & Zoning Association (NPZA) seminar in early April. He posed the question to David Ptak, Attorney and Seminar Speaker, asking if the Planning Commission could use a proposed Land Use Map as a guide for making zoning decisions, but amend the current Land Use Map. Mr. Ptak indicated that would be no problem. Don mentioned that there were several items on the agenda that would need to have the comprehensive plan amended if approved and wanted to make sure the audience and the rest of the Planning Commission knew that this approach was acceptable.

Tom Wees also stated he attended the same conference with Mr. Fenster, Courtney Dunbar, Ken Tex, Cindy Gilbert and Tamra Madsen, Deputy County Attorney. Tom reiterated Mr. Fenster's comments and noted how important he thought this was in order for the County to continue to move forward in development.

I. CONSENT AGENDA ITEMS: Note: All consent items are automatically approved when the consent agenda is approved unless removed by a board member. Removed items will be placed under Regular Agenda Items for action by the Planning Commission. None.

Cindy Gilbert read into record the rules of the public hearing portion of the meeting.

II. REGULAR AGENDA ITEMS:

1. **Terry Lewis, 3106 S. 121st 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 44AP, Vencils Island, located in Sec 20, Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (252nd Street, south of Harrison Street)**

Ken Tex stated this and the next two applications are a change in ownership and the trailers have been sitting there for several years already. These are typically allowed for a period of three years and they are renewable upon publication.

Public Hearing Closed at 7:11p.m.

- *Labart moved, seconded by Fenster, to recommend approval of a Special Use Trailer Permit to park a single wide mobile home for recreational use only for a period of three years, renewable by publication. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*
2. **William Stack, 1221 N. Poinsettia Pl., West Hollywood, CA, 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 3A, Kelly's Replat, located in Sec 27, Twp 13N, Rng 13E of the 6th P.M., Sarpy County, Nebraska. (17112 Platte River Road, Hanson's Lake)**

Public Hearing Closed at 7:13 p.m.

- *Labart moved, seconded by Fenster, to recommend approval of a Special Use Trailer Permit to park a single wide mobile home for recreational use only for a period of three years, renewable by publication. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*
3. **John Marky, Jr. and Barbra Bostwick, 12330 W. Lake Leven Road, Villard, MN, request 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 7, City Retreat, located in Sec 16, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (168th Street, south of Highway 31)**

Public Hearing Closed at 7:15p.m.

- *Fenster moved, seconded by Burry, to recommend approval of a Special Use Trailer Permit to park a single wide mobile home for recreational use only for a period of three years, renewable by publication. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*
4. **VAW, LLC, dba Verizon Wireless, 14301 FNB Parkway, #100, Omaha, request approval of a Special Use Permit to operate an existing communications tower as the new owner on the following described property, to wit: Lot 1, Valley Ridge Business Park Replat 1, located in Sec 24, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (142nd & Cornhusker Road)**

Mark Maenner, agent for Verizon Wireless, told the Planning Commission they were the new owners of an existing tower.

Ken Tex explained the Special Use Permit going from person to person, not the land use, so that any

special considerations can be passed on to the new owner by the Planning Commission, not the previous owner.

Public Hearing Closed at 7:19 p.m.

- *Whitfield moved, seconded by Labart, to recommend approval of a Special Use Permit to operate an existing communications tower for as long as VAW, LLC, dba Verizon Wireless, owns the tower and it meets zoning regulations. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Brenda Kunz and Don Meyer. Motion carried.*
5. **Coreslab Structures, Inc., 802 Allied Road, Bellevue, request approval of a Special Use Trailer Permit for 14 trailers to be used as temporary offices on the following described property, to wit: Tax Lot 15, located in Sec 26, Twp 13N, Rng 13E of the 6th P.M., Sarpy County, Nebraska. (802 Allied Road, LaPlatte)**

Jeff Bishop, Coreslab Structures, stated to the Planning Commission that plans are being made to build permanent structures, but will not get rid of all the trailers.

Ken Tex explained that this facility is very spread out, and to build one permanent place for all employees wouldn't be productive. He stated that LB 511 would allow certain trailers to be made permanent if they met certain criteria.

Jeff Bishop stated Coreslab would like to bring these trailers into compliance while plans are being made for something more permanent. He stated some of these trailers were leased and would not be in place permanently anyway.

Public Hearing Closed at 7:28p.m.

- *Wees moved, seconded by Fenster, to recommend approval for a Special Use Trailer Permit for 14 trailers to be used as temporary offices to be reviewed in two years. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Brenda Kunz and Don Meyer. Motion carried.*
6. **Krajicek, Inc., 19204 S. 204th Street, Gretna, requests approval of a Change of Zone from AG to AGD on the following described property, to wit: Part of the NE1/4 of the SW1/4 and Part of the SE1/4 of the SW1/4, all located in Sec 6, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (204th Street, 1 mile south of Buffalo Road)**

Ken Tex explained to the Planning Commission that Mr. Krajicek only wants to Final Plat one lot, but has brought in a Preliminary Plat to show what his plans were for the property.

Joe Krajicek stated he had originally planned for 20-acre lots, but most of the young couples he spoke to didn't want and couldn't afford 20 acres, so he decided to put them into 10-acre lots. He said his plat shows the 66' wide ingress/egress easement that runs for 1/2 mile, eventually extending from 204th Street to 192nd Street. He does intend to have covenants for this subdivision.

David Fanslau asked how the ten acre lots go with the proposed land use map noting that this area could have lots as small as two to four acres in size?

Ken Tex stated that a portion of the County, particularly in the southern part, will never have sewer lines, so larger lots are preferable. Even though these lots are ten acres in size now, they can still be sub-divided at a later date.

John Larkin, land owner, stated he had just purchased the Sedlacek farm just south of this property and he would also like to sub-divide his property into 5-acre lots. He feels it makes good sense to have acreages. It would increase the population in the Springfield schools and add to the tax base. He

indicated he was strongly in favor of this subdivision.

Maureen Larsen said she recently purchased 20 acres and noted the area was completely agriculture. Subdivisions will overcome the road situation.

Virginia Miller agrees that the road are an issue. There are too many cars already. The water supply is also an issue. The higher density will deplete the water supply. She feels it puts a burden on the schools.

Del Hodgins says we need to consider the greenbelt laws and to not make changes to the comp plan by chopping it all up.

In his rebuttal, Mr. Krajicek stated he chose ten acres instead of twenty to try to make it more affordable

Public Hearing Closed at 8:07 p.m.

Discussion took place concerning the current comprehensive development plan, the proposed plan, density, hard surface roads, septic systems, wells and community systems, etc.

- *Whitfield moved, seconded by Fanslau, to recommend denial of a Change of Zone from AG to AGD as it does not meet the comprehensive development plan. Ballot: Ayes - Burry, Dunbar, Fanslau, Hurley and Whitfield. Nays - Fenster, Labart and Wees. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

- 7. **Krajicek, Inc., 19204 S. 204th Street, Gretna, requests approval of a Preliminary Plat for a subdivision to be known as Krajicek Acres on the following described property, to wit: Part of the NE1/4 of the SW1/4 and Part of the SE1/4 of the SW1/4 , all located in Sec 6, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (204th Street, 1 mile south of Buffalo Road)**
 - *Whitfield moved, seconded by Fanslau, to recommend denial of a Preliminary Plat as it does not meet the comp plan, zoning regulations and subdivision regulations. Ballot: Ayes - Burry, Dunbar, Fanslau, Hurley and Whitfield. Nays - Fenster, Labart and Wees. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

- 8. **Krajicek, Inc., 19204 S. 204th Street, Gretna, requests approval of a Final Plat for a subdivision to be known as Krajicek Acres on the following described property, to wit: Lot 1, Krajicek Acres being a part of the NE1/4 of the SW1/4 and Part of the SE1/4 of the SW1/4, all located in Sec 6, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (204th Street, 1 mile south of Buffalo Road)**
 - *Whitfield moved, seconded by Fanslau, to recommend denial of a Final Plat as it does not meet the comp plan, zoning regulations and subdivision regulations. Ballot: Ayes - Burry, Dunbar, Fanslau, Hurley and Whitfield. Nays - Fenster, Labart and Wees. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

- 9. **Jak Enterprises, P. O. Box 124, Gretna, request approval of a Change of Zone from AG to RE 2 on the following described property, to wit: Tax Lot 1A1A, together with part of vacated Heisner 1st Subdivision, now known as Tax Lot 1A1C, located in part of Sec 18, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (196th Street and West Highway 31)**

Andy Harpenau introduced himself and asked the Planning Commission to table his request for a Change of Zone and a Preliminary Plat until the next regular meeting.

- *Fenster moved, seconded by Labart, to table this application until the next regular meeting.*

Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.

10. **Jak Enterprises, P. O. Box 124, Gretna, request approval of a Preliminary Plat for a subdivision to be known as Platford Hills on the following described property, to wit: Tax Lot 1A1A, together with part of vacated Heisner 1st Subdivision, now known as Tax Lot 1A1C, located in part of Sec 18, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (196th Street and West Highway 31)**

- *Fenster moved, seconded by Labart, to table this application until the next regular meeting. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

****A break was taken at 8:25p.m.****

****Meeting resumed at 8:33p.m.****

11. **Helen Timm (with Lapke-Jeck, LLC), 8908 Platteview Road, Papillion, request approval of a Change of Zone from AG to RS-100 on the following described property, to wit: A platting of the W1/2 of the SE1/4 of Sec 15, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska. (87th Street and Platteview Road)**

Pat Sullivan, attorney representing Mr. Lapke and Mr. Jeck, asked the Planning Commission to table their application for a change of zone and a preliminary plat until the next regular meeting.

- *Fenster moved, seconded by Labart, to table this application until the next regular meeting. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

12. **Helen Timm (with Lapke-Jeck, LLC), 8908 Platteview Road, Papillion, request approval of a Preliminary Plat for a subdivision to be known as Kennebec Estates on the following described property, to wit: A platting of the W1/2 of the SE1/4 of Sec 15, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska. (87th Street and Platteview Road)**

- *Fenster moved, seconded by Labart, to table this application until the next regular meeting. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

****Ken Tex left the room before the next agenda items were read.****

13. **Kenneth Reese (with Ken Tex), 17406 Cornish Road, Springfield, request approval of a Change of Zone from AG to AGR and RE 2 on the following described property, to wit: A platting of the E1/2 of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Sec 4, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (174th & Cornish Road)**

Pat Sullivan, attorney representing Mr. Reese (and Mr. Tex), asked the Planning Commission to table their application for a change of zone and a preliminary plat until the next regular meeting.

- *Fenster moved, seconded by Labart, to table this application until the next regular meeting. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

14. **Kenneth Reese (with Ken Tex), 17406 Cornish Road, Springfield, request approval of a Preliminary Plat for a subdivision to be known as Cornish Acres on the following described property, to wit: A platting of the E1/2 of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Sec 4, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (174th &**

Cornish Road)

- *Fenster moved, seconded by Labart, to table this application until the next regular meeting. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Hurley, Labart, Wees and Whitfield. Nays - none. Abstain - none. Absent - Kunz and Meyer. Motion carried.*

III. CORRESPONDENCE:

IV. ADJOURNMENT.

- *Being no further discussion, Wees moved, seconded by Dunbar to adjourn the meeting. By a unanimous oral vote, Chairman Wear declared the meeting adjourned at 8:40 p.m.*