

SARPY COUNTY
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May 18, 2005

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

DRAFT

To The Sarpy County Board of Commissioners:

The Sarpy County Planning Commission held its regular monthly meeting on May 18, 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: David Fanslau, Don Fenster, Tom Hurley, Wayne Labart, Alan Wear, Tom Wees and Doug Whitfield. Absent was Mechele Burry, Courtney Dunbar, Brenda Kunz and Don Meyer. Tamra Madsen, Deputy County Attorney, was present. Also present were Ken Tex, Planning & Building Coordinator and Cindy Gilbert, Recording Secretary. Although Ken Tex was in the building, he did not enter the Board Room until 8:37 p.m.

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

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

Chairman Wear asked for commissioner reports. There were none.

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. **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, stated he was representing Kenneth Reese and Ken Tex. He stated that the allegations of a conflict of interest have already been checked into and determined there is none on Mr.

Tex's part. He has the same rights as any other citizen in this county. Mr. Sullivan then asked the Planning Commission to dismiss the fact that Ken Tex is the Planning Director for the County and concentrate on the application for the change of zone and the preliminary plat. He noted this plat is located at 174th & Cornish Road. It consists of approximately 60 acres and his client would like to subdivide this into 5-acre lots. He indicated that some of the lots along Cornish Road were slightly smaller than 5 acres due to the Right-Of-Way dedication. Therefore, a change of zone from AG to AGR & RE 2 would be required. This would also require an amendment to the comprehensive development plan on the future land use map. Some consultants are showing that the topography will make it very difficult to serve this area with municipal sewer service. It doesn't appear this area is likely to develop into an urban area. It is more conducive to 5-acre development. Individual wells and septic systems would also be conducive to the area. The development would be 1 1/4 mile from a hard surface road. The interior streets of this development would be gravel. This is the most appropriate use for the area. There is a high demand for smaller acreages. The 5-acre lots are more manageable for most people. He then asked the Planning Commission to consider a favorable vote for this application.

Tom Urwin said his concern is that waste water will find its way to the drinking water source when more people start moving in. His other concern deals with wells. His well only pumps about 8 gallons a minute. He feels too many additional users will dry his well up. He wants assurance from the County that his well will not go dry. He is also concerned about fire department response time. Will there be enough water to put out a fire? And, he wants to know if additional police officers will be needed to patrol the area? Mr. Urwin also wants the people moving to this area know that the wildlife will eat the vegetation and that the snow drifts can reach up to 12 feet. He also noted that houses can't be kept as clean because of the dirt roads. He feels the County needs to control growth in order to take care of the citizens.

Jarel Vinduska stated he was not criticizing any particular item but is not happy with the fact that the Planning Commission received a letter from the County Board that instructs them to use the new comp plan as a guide, even though it has not been approved. He quoted a part of a letter written to the Planning Commission by the County Board of Commissioners talking about the current comprehensive development plan and the proposed plan saying the proposed plan is extremely relevant in their decision making process. He thinks this is legally and ethically wrong. He also quoted the intent and purpose of the Agricultural Farming District from the current Sarpy County Zoning Ordinances. He also referred to Don Fenster's comments from the previous Planning Commission meeting that stated several items on the agenda 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.

Chairman Wear asked Mr. Vinduska to be seated as his time was up.

Stephen Smith stated this reeks of corruption adding that a public official is using his office for personal financial gain. Others come in and try to develop their property by doing things right and they get turned down and then Ken Tex comes in here and because of his position he plans on making a fortune at the end of his career. That is fundamentally wrong. They have drilled 15 wells out there and wanted to know how many more they have to drill before they find water? He indicated he doesn't care what Ken has done for the County over the years, but he is not a developer and he has no right to come in and use his position to get a development going. He said the Planning Commission pays no attention to anyone else's rights. He indicated that the Planning Commission would be seeing him forever more. He noted this was unethical and immoral.

John Knapp corrected Mr. Sullivan, saying that this area is in an agricultural area, not a transitional agriculture area. He asked the Planning Commission if they were supposed to be protecting the citizens. He noted there is a poor water situation and that infrastructure for water is needed before development comes in. The studies have not been completed yet and this goes against the current comp plan. Urban areas have too much traffic. He is opposed to the project.

Virginia Miller stated she had attended the May 10 County Board meeting and the April 20 Planning Commission meeting. The green spot on the map is zoned agricultural (20 acres). There are 14 statutory factors when deciding the intent and purpose of re-zoning. The health, safety and public

welfare; securing safety from fire and other dangers; excessive and wasteful scattering of people and the fostering of the state's agriculture, recreation and other industries. Farmers have been here for generations. The water quality and quantity is spotty. The solution is to get rural water lines, but the NRD (Papio-Missouri Natural Resource District) said that was too costly.

Connie Anderson said she lives one mile west of the applicants property and stated her well pumps only 11 gallons a minute and she might have to install a cistern so her water don't run dry.

Bernie Citta feels that all the infrastructure needs to be in place first. The current families should not be harmed by the lack of water created by more users. He said he was told by a county employee that he had no water rights. He doesn't feel any changes should be made until all the facts are in. Peoples habits are going to have to change in order to live in the country.

Maureen Larsen states her well has just enough water for them. She said there is a 20-acre minimum lot size out there because there is not enough water. They bought in this area because there weren't many people. She would like the Planning Commission to wait until the water study is done before they make any decisions out in that area.

Shirley Smith noted a comment from Marty Shukert that we (Sarpy County) should not be the back door for Omaha.

Judy Citta stated there is minimal water in that area and her concern is safety. They had a robbery and it took the police 45 minute to find there house. She is also concerned about what the fire department is going to do with more houses. Their response time is already slow.

****Public Hearing closed at 8:00p.m.***

Pat Sullivan, in his rebuttal, indicated most of the objections concern the water supply. He stated each owner has water rights to his own land. He feels there is very little chance for water contamination. He also noted he takes offense to the comments about his client. He went on to comment on the people buying property in the country saying they understand that safety is riskier. He feels the tax base is being protected. He also indicated there would be no need for a Planning Commission if the comprehensive plan was never changed. Mr. Sullivan asked the Planning Commission not to freeze in fear of making a mistake. He said it makes sense to change it.

Cindy Gilbert read into record comments from Tom Lynam, County Surveyor , stating that access on to Cornish Road will need to be checked for sight distance and, if culverts are needed. No direct access will be allowed on to Cornish Road from Lots 1 & 5.

Tom Hurley wanted to know about the water issue.

Pat Sullivan said if the wells are adequate, the application will move forward. If not, they will not even bring it back to the Planning Commission.

Doug Whitfield questioned Tamra Madsen, Deputy County Attorney, about spot zoning.

Ms. Madsen indicated she did not feel this was spot zoning.

More discussion was held by the Planning Commission.

- *Fenster moved, seconded by Wees to recommend approval of an amendment to the comp plan from Agricultural to Residential Low as it is the best use of the land. Ballot: Ayes - Fanslau, Fenster, Labart, Wees and Wear. Nays - none. Abstain - Hurley. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- *Fenster moved, seconded by Wees to recommend approval of a Change of Zone from AG to AGR & RE 2 as it meets the amended comp plan. Ballot: Ayes - Fanslau, Fenster, Labart, Wees*

and Wear. Nays - none. Abstain - Hurley. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.

2. **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 Wees to recommend approval of a Preliminary Plat for a subdivision to be known as Cornish Acres because it meets the comp plan and the zoning and subdivision regulations. Ballot: Ayes - Fanslau, Fenster, Labart, Wees and Wear. Nays - none. Abstain - Hurley. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
3. **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, stated he was representing Bob Lapke and Rod Jeck. He said this property is located at 87th & Platteview Road. He noted that the developers are looking at lots of approximately 1 acre in size and indicated this was very feasible given its close proximity to Papillion. It would access onto a paved road and the interior streets would be paved with curb and gutters. The subdivision would have a community sewer system and they are looking to hook on to municipal water. They would probably need to go with a community water system for the time being until they can get an agreement with the City of Papillion to hook up to their water. If they can't get water from the City, they will decide whether or not to proceed with the development. Platteview Road will change somewhat, but these issues have been discussed with Tom Lynam, Sarpy County Surveyor's Office and Don Heine, Engineer, Hill-Farrell Associates. Mr. Lynam indicated to the developers that their plan for the subdivision would be acceptable to him. Mr. Sullivan added this development meets another market demand for large lots.

Cindy Gilbert read into record the comments from Tom Lynam, Sarpy County Surveyor, stating that the map he was given showing one possible layout for Platteview Road is one of many of the acceptable locations for the re-alignment of the road, together other adjoining roadways, existing and future. He went on to note that the southerly tier of the lot configuration should be deeper than normal to provide adequate distance of future roadway from the houses. This would also allow some right-of-way to be purchased from those lots if needed. He added that, in most cases, we can build a (5) land section in (100) ft. of right-of-way.

Mr. Sullivan continued saying that 17 additional feet of right-of-way is shown on the preliminary plat as being dedicated. He also noted that it is not probable to see Platteview Road as one huge commercial development. He noted Highway 370 is a mixed use corridor and doesn't see Platteview Road being any heavier than Highway 370.

When asked if this development would be a Sanitary Improvement District (S.I.D.), he indicated it would be. He noted that a subdivision agreement would be done with the County.

Rich Arab spoke as a proponent of this development noting that the County needs this size lots. He said it increases the tax base and we will lose out and someone else will get them.

Steve Haffke stated he is not opposed to this development, but would like to see the water issue resolved before the plat is approved. He also is concerned about the sewage treatment system being too small to accommodate all the houses in this subdivision.

Public Hearing Closed at 9:03 p.m.

Pat Sullivan, in his rebuttal, said the water issue will be addressed first. The City of Papillion said the

developer needed to go the County first and then they would discuss the water. He also added the water issue will be aggressively addressed if the County gives the developer the "go ahead".

Don Heine, Engineer, Hill-Farrell Associates, stated the sewer will provide ample capacity. They also want to look at a secondary system that will provide 100% excess capacity when the first system is under maintenance. The sewer system will be designed to immediately connect to a municipal line when it becomes available. And the odor will be non-existent if the system is designed and maintained properly.

Ken Tex answered the question about a water tower noting the tower will be there regardless of where the water is coming from (City or community system).

Ken Tex also answered the question about why the zoning district was RS-100 instead of RE (Residential Estates). He stated that an RE zoning required a minimum lot size of one acre and this development has some lots under that.

After some further discussion,

- *Wees moved, seconded by Fenster to recommend approval of an amendment to the comprehensive plan from Residential Low to Residential High as it is conducive to the area. Ballot: Ayes - Fenster, Hurley, Labart, Wees and Whitfield. Nays - Fanslau and Wear. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- *Wee moved, seconded by Fenster to recommend approval of a Change of Zone from AG to RS-100 as it meets the amended comp plan. Ballot: Ayes - Fenster, Hurley, Labart, Wees and Whitfield. Nays - Fanslau and Wear. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 4. **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)**
- *Wees moved, seconded by Fenster to recommend approval of a Preliminary Plat for a subdivision to be know as Kennebec Estates as it meets the comp plan and zoning regulations. Ballot: Ayes - Fenster, Hurley, Labart, Wees and Whitfield. Nays - Fanslau and Wear. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 5. **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 stated they were looking to subdivide about 62 acres into 18 lots. They will average 3.4 acres. This is situated on the north side of Highway 31. It will have paved roads. It is there intent to have three wells that will serve as community wells. The wells are currently drawing about 50 gallons per minute. There will be individual septics. They also intend to have a dry fire hydrant. The pond (for the hydrant) will hold 15 to 20 thousand gallons of water. It will have a 6" liner and an engine that can draw water from the pond.

Bernie Citta said most people can't get water in this area. Governor Nelson couldn't find water on his property. He feels we need infrastructure in place before we proceed. People in the new homes will have to look at livestock.

Virginia Miller wants to know if percolation tests have been done.

Jarel Vinduska owns 200 acres of land north of this property. It is in a 20-acre Ag zoning. He indicated

he helped participate in the current comp plan. They were promised 20-acre minimums many years ago. Changing this will rub out everyone who wants to farm and keep more property.

John Knapp said that homeowners don't pay their fair share of taxes. He has a 700 gallon a minute well on his land. He also said that Western Sand and Gravel has a pit down in this area that runs a lot of trucks. Housing will add more traffic.

Public Hearing Closed at 9:42 p.m.

Andy Harpenau, in his rebuttal, indicated the man that did the test holes for the wells said the water was fine and they have had a percolation test performed. He also indicated this wasn't the best land for farming. The terrain is choppy.

It was mentioned that the sewer and water studies are proceeding, but won't be complete until late 2005 or early 2006.

Mark Wayne stated the water study isn't going to pinpoint where water holes are, rather where we will be able to have municipal (city) water.

- *Wear moved, seconded by Labart to recommend an amendment to the comprehensive plan from Agricultural to Residential High. Ballot: Ayes - Fenster, Labart, Wees and Wear. Nays - Fanslau, Hurley and Whitfield. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- *Wear moved, seconded by Labart to recommend approval of a Change of Zone from AG to RE 2 and it meets the amended comp plan. Ballot: Ayes - Fenster, Labart, Wees and Wear. Nays - Fanslau, Hurley and Whitfield. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 6. **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)**
- *Labart moved, seconded by Wear to recommend approval of a Preliminary Plat for a subdivision to be known as Platford Hills as it meets the zoning regulations. Ballot: Ayes - Fenster, Labart, Wees and Wear. Nays - Fanslau, Hurley and Whitfield. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 7. **Volvo Trucks of Omaha, 11202 S. 150th Street, Omaha, requests approval of a Special Use Trailer Permit to be used as a temporary office on the following described property, to wit: Part of Tax Lot 2D, located in Sec 35, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (150th Avenue & Shepard Street)**

Steve Christensen, Volvo Trucks, indicated that there is two years left on their lease. They are looking at alternative properties. In the meantime, they need additional office space as their business continues to grow. They would like to set up a trailer to use as temporary office space until they know where they are going to be. They had originally signed this lease with the first right to purchase. It was sold to someone else. They have approached the new owners to discuss their options. When asked, Mr. Christensen stated they would be willing to limit the Special Use Trailer Permit to two years.

Public Hearing Closed at 10:00 p.m.

- *Fanslau moved, seconded by Labart to recommend approval of a Special Use Trailer Permit for a period of two years ending July 1, 2007 as it meets the zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*

8. **Bellbrook Development, LLC, 10822 Old Mill Road, Omaha, requests approval of a Preliminary Plat for a subdivision to be known as Bellbrook on the following described property, to wit: Part of the NE1/4 of Sec 18, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (192nd & Harrison)**

Mike Sexton, representing Bellbrook, stated they originally had 1-acre lots planned here. They have since then reconfigured those lots to be slightly smaller than that. There is an access road that will run in between these homes and Harrison Street that will act as a buffer.

Public Hearing Closed at 10:08 p.m.

Following a brief discussion,

- *Fanslau moved, seconded by Hurley to recommend approval of a Preliminary Plat for a subdivision to be known as Bellbrook (Lots 435-484) as it meets the comp plan and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
9. **Bellbrook Development, LLC, 10822 Old Mill Road, Omaha, requests approval of a Final Plat for a subdivision to be known as Bellbrook on the following described property, to wit: Part of the NE1/4 and part of the NW1/4 of Sec 18, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (196th & Harrison)**

Mike Sexton, stated this application for a Final Plat in Bellbrook complies with the Preliminary Plat and asked for approval.

- *Fanslau moved, seconded by Hurley to recommend approval of a Final Plat for a subdivision to be known as Bellbrook (Lots 333-434) as it meets the zoning regulations and comp plan. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
10. **Young Farms, Inc. & Tim & Diana Young, 9805 Giles Road, LaVista, requests approval of a Change of Zone from AG to AGR on the following described property, to wit: Being a platting of the E1/2 of the SE1/4 of the SE1/4 of Sec 22 and also the S1/2 of the SW1/4 of the SW1/4 of Sec 23, all located in Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (227th Street, ½ mile north of Lincoln Road)**

****APPLICATION WITHDRAWN****

11. **Young Farms, Inc. & Tim & Diana Young, 9805 Giles Road, LaVista, requests approval of a Preliminary Plat for a subdivision to be known as Prairie View Estates on the following described property, to wit: Being a platting of the E1/2 of the SE1/4 of the SE1/4 of Sec 22 and also the S1/2 of the SW1/4 of the SW1/4 of Sec 23, all located in Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (227th Street, ½ mile north of Lincoln Road)**

****APPLICATION WITHDRAWN****

12. **Eleanor M. Pratt, 19807 Buffalo Road, Gretna, requests approval of a Change of Zone from AGD to AGR & RE 2 on the following described property, to wit: Being a re-platting of Lot 1, Elgene Estate, located in part of the NE1/2 of the NW1/4 of Sec 6, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (198th & Buffalo Road)**

Jack Koke said this belongs to his sister (Eleanor Pratt). She would like to move into Gretna and wants to sell the land. They think it will be easier to market it if the ground is split. The 3-acre piece has a house with a well and septic on it already. The other 7 acres would be split for another house. The

County Surveyor has already approved the access.

Public Hearing Closed at 10:24 p.m.

- *Labart moved, seconded by Fanslau to recommend approval of an amendment to the comprehensive development plan from Agricultural to Residential High. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- *Labart moved, seconded by Fanslau to recommend approval of a Change of Zone from AGD to AGR & RE 2 as it meets the amended comp plan. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 13. **Eleanor M. Pratt, 19807 Buffalo Road, Gretna, requests approval of a Preliminary/Final Plat for a subdivision to be known as Elgene Estate Replat 1 on the following described property, to wit: Being a re-platting of Lot 1, Elgene Estate, located in part of the NE1/2 of the NW1/4 of Sec 6, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (198th & Buffalo Road)**
- *Hurley moved, seconded by Fanslau to recommend approval of a Preliminary Plat for a subdivision to be known as Elgene Estate Replat 1 as it meets the comp plan and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 14. **John & Sherri Larkin, 4814 Douglas Street, Omaha, requests approval of a Change of Zone from AG to AGR & RE 2 on the following described property, to wit: Being a platting of the NW1/4 of the NE1/4, the E1/2 of the NE1/4 and the SW1/4 of the NE1/4, except the west 10.00 acres thereof, all located in Sec 7, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (192nd & Cornish Road)**

John Larkin stated he purchased this acreage with the hopes of subdividing a portion of it. There are currently three wells on the property, all with good water. He plans on putting eight lots along 192nd Street. There is currently one road coming into the subdivision and a different road easement for the farm equipment.

Virginia Miller feels this takes agricultural land out of production and it goes against the current zoning.

Jarel Vinduska said the County is allowing a windfall of profit for one man. He also read an excerpt from the letter sent to the Planning Commission from the County Board of Commissioners talking about the current and the proposed comp plan.

Tamra Madsen explained that the comprehensive development plan, which includes the future land use map, as being guiding documents, not law. It is a document that can be amended.

John Knapp would like to see more than a 20-acre minimum. He doesn't see how the Planning Commission is protecting the people that already live in the area.

Public Hearing Closed at 10:42 p.m.

In his rebuttal, Mr. Larkin said he wanted to provide his family and others an opportunity to experience living away from the city.

After some discussion,

- *Wear moved, seconded by Fenster to recommend an amendment to the comprehensive development plan from Agricultural to Residential Low. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees and Wear. Nays - Whitfield. Abstain - none. Absent - Burry, Dunbar, Kunz and*

Meyer. Motion carried.

- *Labart moved, seconded by Fanslau to recommend approval of a Change of Zone from AG to AGR & RE 2 as it meets the amended comp plan and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees and Wear. Nays - Whitfield. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*
- 15. John & Sherri Larkin, 4814 Douglas Street, Omaha, requests approval of a Preliminary Plat for a subdivision to be known as Meadowlark Hills on the following described property, to wit: Being a platting of the NW1/4 of the NE1/4, the E1/2 of the NE1/4 and the SW1/4 of the NE1/4, except the west 10.00 acres thereof, all located in Sec 7, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (192nd & Cornish Road)**
- *Hurley moved, seconded by Fenster to recommend approval of a Preliminary Plat for a subdivision to be known as Meadowlark Hills as it meets the comp plan and zoning regulations. Ballot: Ayes - Fanslau, Fenster, Hurley, Labart, Wees and Wear. Nays - Whitfield. Abstain - none. Absent - Burry, Dunbar, Kunz and Meyer. Motion carried.*

III. CORRESPONDENCE:

Tamra Madsen noted the County Board had approved everything the Planning Commission had recommended with the exception of the Krajicek application.

A small discussion of amending the comp plan led to asking that the comp plan amendment be added as an agenda item as applicable.

Ken Tex said there would be a Planning Commission meeting on June 1 to discuss zoning ordinance changes.

John Knapp wants to know who the stakeholders were in the comp plan review and if there was anyone from the rural areas being represented.

IV. ADJOURNMENT.

- * *Being no further discussion, Whitfield moved, seconded by Fanslau to adjourn the meeting. By a unanimous oral vote, Chairman Wear declared the meeting adjourned at 11:03 p.m.*

Respectfully Submitted,

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