

SARPY COUNTY
Department of Planning & Building
Sarpy County Courthouse Annex
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Ken Tex, Planning & Zoning Coordinator

August 17, 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 August 17, 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: Courtney Dunbar, Don Fenster, Scott Irwin, Wayne Labart, Alan Wear, Tom Wees and Doug Whitfield. Absent were Michelle Burry, Dave Fanslau and Don Meyer. Tamra Madsen, Deputy 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. Tamra Madsen was introduced as Deputy County Attorney.

- ▶ *Chairman Wear asked for a motion to approve the agenda as submitted. Wees moved, seconded by Fenster to approve the agenda as submitted. Ballot: Ayes - Dunbar, Fenster, Labart, Irwin, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- ▶ *Chairman Wear asked for a motion to approve the minutes of the June 15, 2005 meeting. Cindy Gilbert stated that Tamra Madsen wanted the wording changed in the paragraph asking for a new item to be placed on the agenda, noting that it was information that had been received that day, which constituted an emergency. Labart moved, seconded by Dunbar to approve the June 15, 2005 minutes as corrected. Ballot: Ayes - Dunbar, Fenster, Labart, Irwin, Whitfield and Wear. Nays - none. Abstain - Wees. Absent - Burry, Fanslau and Meyer. Motion carried.*

Chairman Wear asked for commissioner reports. Chairman Wear welcomed Scott Irwin as the newest member of the Planning Commission.

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.

II. REGULAR AGENDA ITEMS:

1. **Kenneth Tex, 17406 Cornish Road, Springfield, requests approval of a Final 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 & 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)**

Mr. Tex's request for a Final Plat was withdrawn.

2. **Pinnacle Towers Acquisition, LLC (Mike Raia), 301 N. Cattleman Road, #300, Sarasota, FL,**

requests approval of a Special Use Permit to operate an existing communications tower as the new owner on the following described property, to wit: Lot 22, Lite Limited Industrial Condo Park, a subdivision surveyed, platted and recorded in Sarpy County, Nebraska. (177th & Storage Road)

Ken Tex stated Mr. Raia, with Pinnacle Towers Acquisition, was unable to attend. Mr. Tex noted this was a change of ownership. The tower is located in an industrial area and the same rules still apply. When asked about needing permits for co-locating, Ken explained that we only issue a building permit for the tower itself and that a special use permit is only for the tower itself. It will be the responsibility of the company's engineer to make sure any antennae being added to the structure can be accommodated.

****Public Hearing Closed at 7:07p.m.****

- *Wees moved, seconded by Labart to recommend approval of a Special Use Permit to own and operate an existing tower as long as they own it. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- 3. **Helen Timm (with Lapke-Jeck, LLC), 8908 Platteview Road, Papillion, request approval of a Final Plat for a subdivision to be known as Kennebec Estates on the following described property, to wit: Being 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 & Platteview Road)**

Pat Sullivan, Attorney for Lapke-Jeck, LLC, stated nothing had changed from the Preliminary Plat. He noted there were some concerns on the re-alignment of Platteview Road. Together with Tom Lynam, County Surveyor, they will put an agreement for a 50' no-build easement for any structure that requires a footing. If the County needs the additional ground for improvements to Platteview Road, they won't have to buy any houses. The Surveyor's Office agrees if they don't need the ground, it will revert back to the owner. The other issue is water, of which the details are being worked out with the City of Papillion. Mr. Sullivan indicated the desire to approve the plat with the stipulation that an agreement for water be signed before the plat is filed.

****Public Hearing Closed at 7:15 pm****

After some discussion concerning the cul-de-sac, no-build easement and the water issue,

- *Fenster moved, seconded by Wees to recommend approval of a Final Plat for Kennebec Estates as it meets the subdivision regulations, with the stipulation that a signed agreement with the City of Papillion be provided and an agreement for a no-build easement be provided prior to filing the plat. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- 4. **Giles Corner, Inc., 16255 Woodland Drive, Omaha, requests approval of a Change of Zone from AG to RS-72, RG-25 and BG on the following described property, to wit: Being a platting of Tax Lot 5, located in the NE1/4 of Sec 20, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (180th & Giles Road)**

Robert Peterson, Attorney, stated he was representing Giles Corner, Inc. (Melvin Sudbeck). He noted this parcel of land consisted of approximately 116 acres. It will represent a combination of general business, multi-family and 235 single family homes. They are currently seeking approval of Phase I of this project, which is to change the zone to BG (General Business). It is their intent to put up storage units. The storage units don't require water or sewer. At a time when streets and public improvements are brought to this area, they will come back to final plat the rest of the land. Mr. Peterson said it was his understanding that storage units do not fit in a general business zoning in the current comp plan, but it is a risk they are willing to take.

****Public Hearing Closed at 7:24 pm****

Tom Wees noted that mixed use developments are becoming more popular and need to be looked at on their own merit.

- *Dunbar moved, seconded by Whitfield to recommend approval of a Change of Zone from AG to RS-72, RG-25 and BG as it meets the comp plan. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- 5. **Giles Corner, Inc., 16255 Woodland Drive, Omaha, requests approval of a Preliminary Plat for subdivision to be known as Santa Fe Station on the following described property, to wit: Being a platting of Tax Lot 5, located in the NE1/4 of Sec 20, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (180th & Giles Road)**
- *Labart moved, seconded by Dunbar to recommend approval of a Preliminary Plat for a subdivision to be known as Santa Fe Station as it meets the comp plan and zoning regulations. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- 6. **Bellbrook Development, LLC, 10822 Old Mill Road, Omaha 68154, requests approval of a Final Plat for a subdivision to be known as Bellbrook (Lots 421-434) 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. (199th & Emiline)**

Mike Sexton, RD Engineering, representing Graves Development and Bellbrook, stated this area originally was platted for townhomes, but has been replatted for single family homes. He noted this plat complies with the Preliminary Plat.

****Public Hearing Closed at 7:31pm****

- *Wees moved, seconded by Irwin to recommend approval of the Final Plat for Bellbrook (Lots 421-434) as it meets the comp plan and subdivision regulations. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- 7. **Bellbrook Development, LLC, 10822 Old Mill Road, Omaha 68154, requests approval of a Final Plat for a subdivision to be known as Bellbrook (Lots 435-483) 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. (195th & Audrey)**

Mike Sexton, representing Graves Development and Bellbrook, LLC, stated this is the final phase of single family development in Bellbrook and conforms to the Preliminary Plat.

Ken Tex noted this was the area that was supposed to have single family homes on larger lots, but market demands have reduced the need for larger homes here, so smaller lots and homes have been platted instead.

****Public Hearing Closed at 7:34pm****

- *Whitfield moved, seconded by Dunbar to recommend approval of a Final Plat for Bellbrook (Lots 435-483) as it meets the comp plan, conforms to the Preliminary Plat and meets the zoning regulations. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*
- 8. **Barbara & Donald Story, 17120 Chalet Drive, Bellevue, request approval of a Change of Zone from RE 2 to BG on the following described property, to wit: Lot 1, Savich's 3rd**

**Subdivision, located Sec 27, Twp 13N, Rng 13E of the 6th P.M., Sarpy County, Nebraska.
(Highway 75 & LaPlatte Road)**

Ken Tex noted that Doug Hill, Hill-Farrell Associates, had planned on representing the Story's, but had to change plans at the last minute. Mr. Hill asked Ken Tex if he could either present the application or table it. Mr. Tex then explained this was a 2.9 acre tract of land that is located on the west side of Highway 73-75 and south of the Hillside Café, gas station and the mini-storage business. Mr. & Mrs. Story own the storage business and would like to expand. They understand that the intersection off the highway will be closed sometime in the future and indicated most of their business comes from the Hanson's Lake area anyway.

****Public Hearing Closed at 7:39pm****

- *Labart moved, seconded by Wees to recommend approval of a Change of Zone from RE 2 to BG as it meets the comp plan. Ballot: Ayes - Dunbar, Fenster, Irwin, Labart, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fanslau and Meyer. Motion carried.*

III. CORRESPONDENCE.

Tamra Madsen updated the Planning Commission on the status of Mr. Don Meyer noting that Commissioner Schram had visited Don in the hospital and indicated that his health was rapidly declining. She also noted that Mr. Meyer has been on the Planning Commission for twenty years.

Ken Tex stated the HDR and RDG would be holding a public forum in the 4-H Building at the Sarpy County fairgrounds on August 18 to discuss the southern portions of the Sarpy County future land use map and the water and sewer study.

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 7:43 p.m.*

Respectfully Submitted,

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