

**SARPY COUNTY**  
**Department of Planning & Building**  
Sarpy County Courthouse Annex  
1261 Golden Gate Drive, Suite 2E  
Papillion, Nebraska 68046  
Phone (402) 593-4169 - Fax (402) 593-4335  
Ken Tex, Planning & Zoning Coordinator  
Richard A. Houck, AICP, Planning & Building Director

**December 21, 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 December 21, 2005 in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wear called the meeting to order at 7:01 p.m. with the following members present: Courtney Dunbar, Dave Fanslau, Scott Irwin, Wayne Labart, Alan Wear, and Doug Whitfield. Absent were: Mechele Burry, Don Fenster, Tom Wees and Don Meyer. Brett Charles, Deputy County Attorney, was present. Also present were Rick Houck, Planning & Building Director, Ken Tex, Planning & Building Coordinator and Cindy Gilbert, Recording Secretary.

Rick Houck, Ken Tex and Cindy Gilbert and Brett Charles were introduced as Planning & Building Director, Planning & Building Coordinator, Planning Secretary and Deputy County Attorney, respectively.

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

**II. REGULAR AGENDA ITEMS:**

**Arthur and Mary Jean Land, 15552 S. 120<sup>th</sup> Street, Springfield, request approval of a Change of Zone from AG to AGD and AGR and a Preliminary/Final Plat for a subdivision to be known as Land-Maier Acres on the following described property, to wit: Being a platting of the N1/2 of the SE1/4 of the NE1/4 of Sec 19, Twp 13N, Rng 12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (120<sup>th</sup>**

**Street, 1/4 mile north of Main Street)**

Mary Jean Land stated she wanted to give her son 5 acres out of their 20 acres so he can build a house.

Rick Houck explained this as a request for 2 lots. The lot sizes are 14.31 and 5.02 acres. They will need a zone change to AGD and AGR, respectively. He also indicated they meet the old and new comprehensive plan and zoning regulations. (application submitted under old comp plan)

\*Public Hearing Closed at 7:10 p.m.\*

- ▶ *Labart moved, seconded by Fanslau to recommend approval of a Change of Zone from AG to AGD & AGR as it meets the comprehensive plan. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*
  
- ▶ *Dunbar moved, seconded by Irwin to recommend approval of a Preliminary/Final Plat for a subdivision to be known as Land-Maier Acres as it meets the comp plan and subdivision regulations. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*

**Hoich 192<sup>nd</sup> Street, LLC, 5915 S. 118<sup>th</sup> Circle, requests approval of a Change of Zone from AG to RG-25 and a Preliminary Plat for a subdivision to be known as Sugar Creek Neighborhood Center on the following described property, to wit: Being a platting of the NW1/4 of the NW1/4 of Sec 17, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (SE corner of 192<sup>nd</sup> & Harrison Street)**

Mike Sexton, RD Engineering, representing the applicants, stated this is a commercial piece of land at 192<sup>nd</sup> & Harrison Street. This plat is a part of the Sugar Creek S.I.D. (Sanitary Improvement District). The change of zone is for Lot 9 only as the entire commercial area is already approved for a BG (General Business) District. Although the zone change is for multi-family, there has been no commitment on any project as of yet. They preferred to go with the zoning that be would be most flexible. He displayed a map showing a layout of the area and indicated the landscaping that was absent on the plat is because the Corps of Engineers won't allow that on their easement.

Rick Houck noted there are eight commercial lots, one multi-family lot and three outlots being proposed under the Sugar Creek S.I.D.. The two accesses are at 192<sup>nd</sup> Street and 189<sup>th</sup> Street. There is no direct access onto Harrison Street because of the easement maintained by the State Corps of Engineers. The multi-family lot could potentially support 170 units generating up to 1,000 trips a day on local streets. The concerns are accessing those local streets. Although a BG (General Business) District doesn't require sidewalks, they are needed in this development. Additional landscaping is also needed. The facts of finding are that it meets the comprehensive plan and zoning regulations.

Courtney Dunbar asked if we can enforce sidewalks to be built in a BG District?

Rick Houck said no, but he was recommending it anyway.

David Fanslau asked if we can refuse them direct access to 189<sup>th</sup> Street?

Doug Whitfield didn't feel like we could force a developer not to use a public street. He commented he doesn't care for conditions being placed on the developer that aren't in the regulations.

Mike Sexton indicated he had been talking to Tom Lynam, County Engineer, over the last month and he

didn't have any problem with the layout of the streets. The developer has also agreed to put in sidewalks. The developer feels distributing the access to three streets would reduce some of the traffic backup. He also noted 192<sup>nd</sup> Street is a section line road and is scheduled to get a traffic light in the near future. He also indicated the Corps will not allow direct walking access to the Day Care Center as it crosses their easement and would require a walking bridge.

Scott McConnel, resident of Sugar Creek, stated a Neighbor Association had been formed about six months ago and he was representing that group. He indicated that 90% of the current homeowners were most concerned about the traffic that will be generated from 170 apartments. There is a park adjacent to the commercial area and they are concerned about the safety of the children at the park. He also stated the Corps of Engineers does not have a problem in regards to access off Harrison Street.

It was also noted the zoning hearing sign had been covered up by the snow for a few days.

Darrel Swenson voiced his concern, and several neighbors, about the traffic issue and suggested a lower density such as RG-35 or RD-50 being a partial solution. He added that widening 189<sup>th</sup> Street at Edna with turning lanes might be another solution. They don't want to see Lots 8 and 9 and the outlot having access to 189<sup>th</sup> Street.

Todd Meyer, Sugar Creek resident, was interested in knowing if resale values on the residential homes would go up or down, move slower or faster and if the property values would go up or down.

Pamela Foral noted that two schools were also being built in the neighborhood and was concerned that the traffic from the schools, apartments and businesses would be too much for those roads to handle.

\*Public Hearing Closed at 7:45 p.m.\*

In his rebuttal, Mike Sexton indicated there are other ways to create "traffic calming". He also stated the developer will be happy to meet with the neighbors to work through some of these issues. He noted that Mr. Hoich, the developer, already said he would go to an RG-35 zoning if it would help.

Rick Houck stated he won't let the signs be hidden in the snow again. He also noted he wasn't aware the Corps would allow access onto Harrison Street over their easement. He included that his recommendation is to approve the change of zone and the preliminary plat with conditions.

After further discussion,

- ▶ *Fanslau moved, seconded by Dunbar to recommend approval of a Change of Zone from AG to RG-35, instead of the proposed RG-25, at it meets the comp plan and zoning regulations. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*
- ▶ *Fanslau moved, seconded by Labart to recommend approval of the Preliminary Plat with the following conditions: 1) a meeting be held between the developer and the concerned neighbors, 2) a landscape plan is provided for the commercial lots, 3) a plan for the internal water/sewer lines to serve the development, 4) a sediment and erosion control plan and storm sewer and culvert design details for review by the Papio-Missouri River Natural Resource District, 5) put in sidewalks around the development, 6) access to the day-care facility be finalized, and, 7) changes made to the plat concerning access onto 192<sup>nd</sup> Street be reviewed by Tom Lynam. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart and Wear. Nays - Whitfield. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*

*\*A break was taken at 8:10 p.m.\**

*\*Meeting resumed at 8:18 p.m.\**

**Janet Goldenstein (with Southern Pines Development, LLC), 8990 S. 168<sup>th</sup> Street, Omaha, request approval of a Change of Zone from AG to RS-72 and BG and a Preliminary Plat for a subdivision to be known as Southern Pines on the following described property, to wit: Being a platting of part of the E1/2 of the NE1/4 of Sec 21, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, together with Lot 1, Goldenstein's Addition, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, except Lots 1 & 2, Goldenstein's 2<sup>nd</sup> Addition, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, and also except those parts taken for 168<sup>th</sup> Street right of way. (SW corner of 168<sup>th</sup> & Giles Road)**

Nancy Pridal, representing Southern Pines Development, Inc., stated the applicant has about 70 acres they would like to develop. The plan is to have 114 residential lots and five outlots consisting of approximately 11 acres to maintain the tree canopy. There are also two commercial lots on 7.9 acres. There will be three access points and there is also an O.P.P.D. easement along the south property line. In addition, she noted the streets in this subdivision do line up with the development to the east.

Rick Houck stated this request was for an RS-72 zoning for 114 residential lots and a BG zoning for two commercial lots. They will be hooking to the Gretna Sewer. They should be participating in road and traffic signal improvements. Sidewalks should be provided around the development. It meets the comp plan, zoning and subdivision regulations. Rick is recommending approval. Rick also noted that letters had been received from Lamp, Rynearson & Associates responding to Rick's report and Dave Potter, Planning Director for the City of LaVista, who made comments on the plat. Rick noted that the Southern Pines development did not fall within the future growth area of the City of LaVista, but it is next to their boundary for future growth.

- ▶ *Whitfield moved, seconded by Dunbar to recommend approval of a Change of Zone from AG to BG & RS-72 as it meets the comp plan. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*
- ▶ *Whitfield moved, seconded by Labart to recommend approval of a Preliminary Plat for a subdivision to be known as Southern Pines as it meets the comp plan and zoning regulations. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*

**Duane Dowd, Michael Huber, Lawrence Dowd, Jeffrey Farnham & Grand Prix, Inc., 220 N. 89<sup>th</sup> St, Omaha, request approval of a Preliminary Plat for a subdivision to be known as Stonecrest West on the following described property, to wit: Being a platting of part of Tax Lot 3A1, a tax lot located in the NW1/4 of Sec 22, Twp 14N, Rng 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. (SE corner of 168<sup>th</sup> & Giles Road)**

Cindy Gilbert read into record the letter received from Michael Huber asking to lay over the application for a Preliminary Plat for Stonecrest West until the next regularly scheduled meeting.

- ▶ *Labart moved, seconded by Fanslau to table the application for Stonecrest West at the request of owner, Michael Huber, until January 18, 2006. Ballot: Ayes - Dunbar, Fanslau, Irwin, Labart, Whitfield and Wear. Nays - none. Abstain - none. Absent - Burry, Fenster, Wees and Meyer. Motion carried.*

### **III. CORRESPONDENCE.**

Rick Houck told the Planning Commissioners he would like to get away from mailing the large maps. Instead he will be printing the 8 1/2" x 11" from an electronic version. He feels like all the information they need to view will be available on a smaller map. He will be continuing to send the large paper copies for a while.

Doug Whitfield asked why the format for the agenda had changed?

Cindy stated she was trying to work with the office personnel for the County Board to eliminate a double numbering system on Board agendas.

Some of the Planning Commissioners suggested it be put back the way it was.

Cindy agreed to put the agenda back the way it had been done.

**IV. ADJOURNMENT.**

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

Respectfully Submitted,

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