

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

September 20, 2006

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 September 20, 2006 in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wear called the meeting to order at 7:02 p.m. with the following members present: Mechelle Burry, Courtney Dunbar, David Fanslau, Don Fenster, Greg Gonzalez, Alan Wear and Doug Whitfield. Absent was: Tom Wees. Brett Charles, Deputy County Attorney, was present. Also present were Rick Houck, Planning & Building Director and Cindy Gilbert, Recording Secretary. Staff was introduced. Chairman Wear noted that a copy of the Open Meeting Law is posted in the Board Room.

Commissioners Reports were given by Chairman Alan Wear. He stated Don Meyer, a Planning Commissioner for nearly twenty years, had passed away earlier in September and noted he was a dedicated member of the Planning Commission and would be sorely missed.

Read into record were the rules of the public hearing portion of the meeting.

Chairman Wear stated that the order of Items A & B should be changed because it is the intent of the applicant of Item B to table.

Fenster moved, seconded by Fanslau to reverse the order of Items A & B and approve the agenda as amended. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.

Fanslau moved, seconded by Fenster to approve the minutes of the August 16, 2006 meeting as submitted. Ballot: Ayes - Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - Burry and Dunbar. Absent - Wees. Motion carried.

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:

- A. D & D, Ltd., P O Box 288, Omaha, request approval of a Final Plat for a subdivision to be known as Hwy 31 & I-80 Business Park No. 1 Replat 1 on the following described property, to wit: Being a re-platting of Lots 1 thru 6, inclusive, Hwy 31 & I-80 Business Park No. 1, a subdivision located in the SW1/4 of Sec 13, and also being a replat of the included street right-of-way of Pat Circle located in said SW1/4 of Sec 13, all located in Twp 13N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (East side of Hwy 31, north of Platteview Rd)**

Rick Houck asked for this application to be tabled because of an ownership issue.

Jeff Elliott, E & A Consulting Group, Inc., noted they did want to table until the issue has been resolved.

► *Fenster moved, seconded by Dunbar to table the application for a Final Plat for Hwy 31 & I-80 Business Park No. 1 Replat 1 until they have resolved the ownership issue. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*

- B. Approval of a Conservation Easement for portions of the property known as Little Prairie.**

People speaking on this item were:

Rick Houck, Ken Tex, Brett Charles, John Larkin, Connie Anderson, John Knapp, Paul Wimmer and Chris .

Topics of discuss included:

- * County Attorney makes sure document is consistent with laws, consistent with comprehensive plan and land use.
- * Backlot easements, non-compliance with comprehensive plan, photos need to be provided, railroad and public parking doesn't leave any open space and storm water run-off.

Public Hearing Closed at 7:45 p.m.

► *Burry moved, seconded by Fenster to recommend approval of the easement for Little Prairie as it meets the comp plan subject to the modifications made by the County Attorney's Office. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*

- C. Proposed amendment to the Sarpy County Comprehensive Development Plan allowing a one-lot conventional subdivision in a district that requires a conservation development in an area that is more than fifteen percent constrained.**

Rick Houck explained the layout of the land and indicated there is no need to do a conservation development on this one lot. There is already a house and an out building on the property. Rick recommended approval on the comp plan change and the zoning and platting of this lot.

The applicant, Frank Krejci, stated the home was moved from another location to give to a relative. The rest of the property will be donated to the Omaha Community Foundation.

Other speakers were: John Larkin, Connie Anderson and John Knapp.

Topics included: This project is being handled in the right way under the circumstances, an aberration of

the intent of the comp plan, storm water run-off was not addressed, constrained areas should be set aside and the lack of water in the area.

Public Hearing Closed at 8:10 p.m.

Mr. Krejci, in his rebuttal, stated there is already a well and septic system there, and there is no storm water run-off issue.

► *Burry moved, seconded by Dunbar recommended approval of an amendment to the Comprehensive Plan for a one-lot conventional subdivision that applies to Cornish Valley on the recommendation of the Planning Director and it is in the best interest of the County. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*

D. F & J Enterprises, Inc., 1505 North 203rd St., Elkhorn, NE, request approval of a Change of Zone from AG to RE 2 on the following described property, to wit: Being a platting of part of the N1/2 of the NE1/4 of Sec 8, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (1/2 mile west of 180th Street, south side of Cornish Road)

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

E. F & J Enterprises, Inc., 1505 North 203rd Street, Elkhorn, NE request approval of a Preliminary/Final Plat for a subdivision to be known as Cornish Valley on the following described property, to wit: Being a platting of part of the N1/2 of the NE1/4 of Sec 8, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (1/2 mile west of 180th Street, south side of Cornish Road)

► *Dunbar moved, seconded by Burry to recommend approval of a Preliminary/Final Plat for a subdivision to be known as Cornish Valley as it complies with the amended comp plan. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*

F. Sherbrooke, Inc., 16255 Woodland Drive, 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 Tax Lot 8 in the NE1/4 of Sec 22, Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (234th & Cary Street)

Rick Houck noted that plat had stated the property had 38 1/2 acres and would not meet the minimum density requirements. The engineer sent a report stating the property is actually a little over 40 acres before the street dedication was done. Because of that report, Rick amended his report to say that the plat does meet the requirements and 8 lots could be approved.

Melvin Sudbeck noted there would be 8 five-acre lots, each with individual wells and septic. He is not going to be changing the water flow or drainage. The water flow should actually slow down because with the planting of grass instead of row crops.

Connie Anderson noted that if the land was already terraced, water run-off could increase due to grading.

Ken Tex mentioned that Tom Lynam, County Surveyor, is looking to charge as much as \$800 an acre for road improvements. Ken feels the Board should probably pass a resolution on the matter and maybe consider charging the fee when a building permit is taken out, making it more uniform.

Rick Houck stated the Board is concerned about development on County roads and needing additional money for the roads.

Public Hearing Closed at 8:26 p.m.

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

G. Sherbrooke, Inc., 16255 Woodland Drive, Omaha requests approval of a Preliminary Plat for a subdivision to be known as Sherbrooke on the following described property, to wit: Being a platting of Tax Lot 8 in the NE1/4 of Sec 22, Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (234th & Cary Street)

- ▶ *Fanslau moved, seconded by Whitfield to recommend approval of a Preliminary Plat for a subdivision to be known as Sherbrooke as it meets the comp plan and subdivision and zoning regulations, but NOT to include comments made by Tom Lynam, County Surveyor. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*

H. Jason Hetrick and Richard Dober, 4303 Patrick Ave, Omaha 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 34BP, Vencil's Island located in Sec 21, Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (9900 South 252nd Street)

Rick Houck noted this was a change of ownership and he recommended approval.

Public Hearing Closed at 8:31 p.m.

- ▶ *Whitfield moved, seconded by Fanslau to recommend approval of a Special Use Trailer Permit for a period of three years, renewable upon publication. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*
- I. John Vandenbroucke, Kenneth Harpenau & Andrew Harpenau, P. O. Box 124, Gretna, request approval of a Final Plat for a subdivision to be known as Platford Hills on the following described property, to wit: Being a platting of Tax Lot 1A1A, together with part of vacated Heisner 1st Subdivision now known as Tax Lot 1A1C, located in a part of Sec 18, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (196th & Highway 31)**

Rick Houck gave a brief synopsis on the votes previously taken on this subdivision and stated he was still recommending approval.

Jim Lang, Attorney, noted this plat contained 10 lots and 2 outlots. He stated it is in conformance with the comp plan and would like to see this plat go before the County Board on November 14 instead of October 10 due to a conflict.

Connie Anderson stated it is not in conformance with the comp plan.

John Knapp objected to the process in which this has come before the Board's, does not feel it complies with the comp plan, storm water runoff has not been addressed and does not meet the minimum amount required for open space.

Public Hearing Closed at 8:50 p.m.

► *Fanslau moved, seconded by Gonzalez to recommend approval of the Final Plat for a subdivision to be known as Platford Hills as it meets the comp plan, zoning and subdivision regulations to include the conditions requested in the Planning Directors report. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Gonzalez, Whitfield and Wear. Nays - none. Abstain - none. Absent - Wees. Motion carried.*

J. Proposed amendments to the Sarpy County Zoning Ordinances and the Subdivision Regulations referencing the Stormwater Management Regulations.

With no public comment,

Public Hearing Closed at 8:56 p.m.

After a brief discussion,

Dunbar moved, seconded by Fanslau to recommend approval of the amendments to the Sarpy County Zoning Ordinances and the Subdivision Regulations referencing the Storm Water Management Regulations because it is in the best interest of the County and the amendments are necessary to be able to enforce the regulations. Ballot: Ayes - Burry, Dunbar, Fenster and Gonzalez. Nays - Whitfield and Wear. Abstain - none. Absent - Wees. Motion carried.

III. CORRESPONDENCE.

Chairman Wear introduced Susan Bliss as the newest member of the Planning Commission.

Cindy Gilbert noted that the booklet "Green Essentials" had been purchased for the Planning Commission to read.

IV. ADJOURNMENT.

Being no further discussion, *Fenster moved, seconded by Fanslau to adjourn the meeting. By a unanimous oral vote, Chairman Wear declared the meeting adjourned at 9:15 p.m.*

Respectfully Submitted,

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

