

SARPY COUNTY
Department of Planning & Building
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March 15, 2006

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 March 15, 2006 in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wear called the meeting to order at 7:03 p.m. with the following members present: Mechele Burry, Courtney Dunbar, David Fanslau, Don Fenster, Scott Irwin, Alan Wear and Tom Wees. Absent were: Don Meyer and Doug Whitfield. Mike Smith, Deputy County Attorney, was present. Also present were Rick Houck, Planning & Building Director and Cindy Gilbert, Recording Secretary and were introduced accordingly.

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

Doug Whitfield joined the Planning Commission at 7:07 p.m.

- ▶ *Chairman Wear asked for a motion to approve the minutes of the February 15, 2006 meeting. Cindy Gilbert noted some non-substantive changes (typographical and grammatical) and changed the motion on agenda item #B from "carried" to "failed". Wees moved, seconded by Irwin to approve the minutes as corrected. Ballot: Ayes - Burry, Fenster, Irwin, Wees and Wear. Nays - none. Abstain - Dunbar and Fanslau and Whitfield. Absent - Meyer. 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.

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

II. REGULAR AGENDA ITEMS:

- A. John Vandembroucke, Andy Harpenau and Kenneth Harpenau, P. O. Box 124, Gretna, request approval of a Change of Zone from AG to AGR on the following described property, to wit: Part of Tax Lot 1A1A, together with part of vacated Heisner 1st Subdivision, now known as Tax Lot 1A1C, all being located in a part of the NW1/4 of the SE1/4, the SW1/4 of the NE1/4 and the SE1/4 of the NW1/4 of Sec 18, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (196th & W. Highway 31) ***Tabled from February meeting*****

Chairman Wear noted the public hearing portion would not be re-opened as this application has already been through a public hearing.

Rick Houck noted his revised report and how the tree canopy was figured by one of the employees of the G.I.S. Department (Geographical Information Systems, Sarpy County). He stated his recommendation was to approve the application for a Change of Zone and a Preliminary Plat.

Lynn Moorer, Attorney for S.A.V.E. (Schramm Association for a Viable Environment) declared a "Point of Order", noting an objection to the fact that the public hearing laws were not being followed.

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

B. John Vandembroucke, Andy Harpenau and Kenneth Harpenau, 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: Part of Tax Lot 1A1A, together with part of vacated Heisner 1st Subdivision, now known as Tax Lot 1A1C, all being located in a part of the NW1/4 of the SE1/4, the SW1/4 of the NE1/4 and the SE1/4 of the NW1/4 of Sec 18, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (196th & W. Highway 31)
****Tabled from February meeting****

- ▶ *Fenster moved, seconded by Whitfield to recommend approval for a Preliminary Plat for a subdivision to be known as Platford Hills as it meets the zoning regulations. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Irwin, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Meyer. Motion carried.*

C. John & Sherri Larkin, 4814 Douglas Street, Omaha, request approval of a Change of Zone from AG to AGR & RE 2 on the following described property, to wit: Part of the E1/2 of the NE1/4 of Sec 7, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (192nd & Cornish Road)

Rick Houck gave excerpts from his report, noting this will be a conservation development and is giving his recommendation for approval.

John Larkin, applicant, noted how the subdivision was laid out and why it was done that way.

Lynn Moorer, Attorney for S.A.V.E., objected the application for various reasons, including being inconsistent with the comprehensive development plan and the zoning ordinances and an ample water supply and noted the "Stakeholders" will look at the legal deficiencies of the Schramm Park Area.

Public Hearing Closed at 7:49 p.m.

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

D. John & Sherri Larkin, 4814 Douglas Street, Omaha, request approval of a Preliminary Plat for a subdivision to be known as Little Prairie on the following described property, to wit: Part of the E1/2 of the NE1/4 of Sec 7, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska. (192nd & Cornish Road)

- ▶ *Wees moved, seconded by Burry to recommend approval of a Preliminary Plat for a subdivision to be known as Little Prairie as it meets the comp plan and zoning regulations. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Irwin, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Meyer. Motion carried.*

E. Richard & Mary Jansen, 20801 Ruff Road, Gretna, 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 W1/2 of the NE1/4 of Sec 36, Twp 13N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (204th & Ruff Road)

Rick Houck noted this was kind of a unique situation in that it is only a three acre lot, but it will be sharing a well with Mr. & Mrs. Jansen, which will fit the comp plan guidelines. The stipulation on approval is to coordinate access and the possible need for a culvert with the County Surveyor's Office.

Richard Jansen noted he wants to split off three acres for his daughter to build a home.

Lynn Moorer, Attorney for S.A.V.E., objected to this application for reasons including not complying with the comp plan, the future land use map, water supply, etc. and to respect the County Board's direction to re-look at the comprehensive development plan in the Schramm Park Area.

Ron Patterson stated that farmers should be allowed to divide their land for their family without having to actually subdivide it.

Public Hearing Closed at 8:25 p.m.

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

F. Richard & Mary Jansen, 20801 Ruff Road, Gretna, request approval of a Preliminary/Final Plat for a subdivision to be known as Jansen Place on the following described property, to wit: Being a platting of part of the W1/2 of the NE1/4 of Sec 36, Twp 13N, Rng 10E of the 6th P.M., Sarpy County, Nebraska. (204th & Ruff Road)

- ▶ *Fenster moved, seconded by Fanslau to recommend approval of a Preliminary/Final Plat for a subdivision to be known as Jansen Place as it meets the subdivision regulations. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Irwin, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Meyer. Motion carried.*

G. Amendment to Section 7.6 of the Sarpy County Subdivision Regulations allowing up to two (2) ninety (90) day extensions to file the Final Plat with the Register of Deeds once it has been approved by the County Board.

Rick Houck stated he would like to see an additional ninety (90) day extension added to the current regulation. That would give them a total of 180 days, if needed. There would be no additional fees involved.

Mike Smith, Deputy County Attorney, noted that subdivision agreements can sometimes hold up the process, which could cause them to need extra time.

Public Hearing Closed at 8:32 p.m.

- ▶ *Fanslau moved, seconded by Burry to recommend approval to amend Section 7.6 of the Sarpy County Subdivision Regulations to allow up to two (2) ninety (90) day extensions to file the Final Plat with the Register of Deeds once it has been approved by the County Board. Ballot: Ayes - Burry, Dunbar, Fanslau, Fenster, Irwin, Wees, Whitfield and Wear. Nays - none. Abstain - none. Absent - Meyer. Motion carried.*

A break was taken at 8:34 p.m.

Meeting resumed at 8:43 p.m.

III. CORRESPONDENCE.

Rick Houck discussed the proposed Zoning Ordinances. The packet has included an equivalency chart that shows what the current zoning districts are and how they will fit into the new districts being created. The biggest changes will occur in the Highway Overlay District. A “Build Through” District and a “Conservation” District will be added. It is the intent to add this to the agenda at the April meeting.

Marlin Petermann and Paul Woodward, NRD (Papio-Missouri River Natural Resource District) gave a presentation on the Storm Water and Sedimentation Policies and Guidelines that should be put into place by the First of August.

Rick Houck noted that the Storm Water Policies and Guidelines will also be added to the agenda in April.

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 9:38 p.m.

Respectfully Submitted,

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

