



SARPY COUNTY DEPARTMENT OF PLANNING

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REBECCA HORNER, DIRECTOR

PLANNING COMMISSION MEETING MINUTES

May 20, 2009

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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 a regular meeting on May 20, 2009, in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Wees called the meeting to order at 7:00 p.m. with the following members present: Susan Bliss, Courtney Dunbar, Don Fenster, Greg Gonzalez, Gary Stuart, Jerry Torczon, Alan Wear, Tom Wees, and Doug Whitfield. Absent were: Stacen Gross and Bernie Marquardt. Also in attendance were the staff members: Rebecca Horner, Planning Director, Nicole O'Keefe, Deputy County Attorney and Michelle Alfaro, Planning Assistant.

Chairman Wees asked for Commissioner reports.

None.

Chairman Wees asked for a motion to approve the agenda.

- *Bliss moved, seconded by Wear to adopt the agenda as stated. Ballot: Ayes- Bliss, Dunbar, Gonzalez, Gross, Stuart, Marquardt, Torczon, Wear, Wees, Whitfield. Nays – none. Abstain – None. Absent Don Fenster–. **Motion carried.***

Chairman Wees asked for a motion to approve the **April 15, 2009**, minutes.

- *Bliss moved, seconded by Marquardt, to approve the minutes of the April 15, 2009, meeting as submitted. Ballot: Bliss, Gonzalez, Stuart, Marquardt, Torczon, Wear, Wees, Whitfield. Nays- none. Abstain –Dunbar and Gross. Absent – Don Fenster. **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. Gretna Public School District requests a comprehensive plan amendment located on the following described property to wit: S ½ of the NE ¼ and Tax Lot 2 all located in Section 29, Township 14, and Range 11 of the 6th P.M. Sarpy County, Nebraska. (North of Hwy 370 and West of 180th Street)

Discussion:

Ms. Horner stated request to approve comp plan amendment to park and school site. The site is approximately 80 acres and undeveloped and the area is designated as urban residential. The civic heart is typically located close to the center of the neighborhood but notes land location and topography may alter the location. Preapplication meeting was held.

No school site designated in nine square mile area. School presented information on future school site location which indicated a future school site in the proposed location. School site selection study led to the request. Growth patterns show school is needed in the plan and the comp plan calls for school.

No opposition received and planning staff recommended approval of the request.

Mr. Wees confirmed that no school was being drawn up currently.

Ms. Horner stated

Open pub meeting at 7:10.

No one came forward.

Public Hearing closed at 7:10 P.M.

Mr. Whitfield questioned the size of the lot and confirmed if changing entire 80 acres to school site.

Ms. Horner confirmed that was the request.

Mr. Whitfield questioned if Gretna Public schools owner of the land.

Ms. Horner stated no.

Mr. Whitfield questioned if owner was notified specifically or if know through public notification process.

Mr. Stuart questioned if landowner would be affected by land use.

Ms. Horner stated that the land use designation would be noted and would be flexible and would be reviewed upon submittal. The requests would be sent to all the school districts and the school district would have an opportunity to comment if the landowner did come forward and indicate that they wanted a change of zone.

Mr. Wees stated that this designation would not mean the school would utilize the entire 80 acres.

MS. Dunbar stated that you have to look at the general good and the greater of community and have to have those spots.

- *Whitfield* moved, seconded by *Torczon* to approve the request for a special use permit for retail alcohol sales due to compatibility with adjacent uses, conforming with the zoning regulations and is consistent with the comprehensive plan of Sarpy County. **Ayes** – Bliss, Dunbar, Gonzalez, Gross, Stuart, Torczon, Wear, Wees, Whitfield **Nays**: Marquardt, **Abstain** – none. **Absent** – Fenster **Motion Carried.**

B. M. Martian L.L. C. DBA On the Rocks, 16969 Audrey Street, requests a special use permit for a drinking establishment located on the following described property to wit: Lot 2 Harrison Wood Replat 4 located in the NW ¼ of Section 16, Township 14, and Range 11 of the 6th P.M. Sarpy County Nebraska. (168th & Audrey Street)

Discussion:

Request to This is an existing non-conforming use. On the Rocks established zoning regulations required drinking establishments to have a special use permit. Applicant requested to expand their liquor permit and after the applicant made that application a pre-application with the planning department was held. The use BG allows for drinking establishment and will be located in the commercial and garden seating area is located at rear of the building partially.

Minimum design standard for alley is 10 feet in width and is approximately 18 in width so more than meet the minimum design standard. The site plan shows enclosed outdoor seating areas. A tenant site plan was attached. The outdoor limited from noise pollution that may impact existing residential to the south and is over 230 feet from the proposed use and the outlook and separates existing use. Staff suggests lighting should be limited with light shields and noise pullotion. Staff recommends approval of the permit due to the wide separation of uses and propsed six foot high opaque wooden fence, limited noise activity and is consistenct with the plan with those contingency.

Ms. Dunbar questioned if operating in the same class for 2 years without any problem.

Ms. Horner stated will rbing existing non-confirming into conformance and expand the existing use.

Open pub meeting at 7:27 p.m.

Mr. Vic Pelster came forward and stated was an owner in the property and on the rocks has been a good tenant for 5 or 6 years and they would like to expand and have an outside seating area. He thinks it fits nicely with the property.

Mr. Stuart questioned how large the area would be.

Mr. Pelster answered

Mr. Wees questioned if fence there

Mr. Pelster answered

Mr. Fenster questioned how close the closest home was.

Ms. Horner stated approximately 230 feet and the opaque fence would provide some noise reduction.

Mr. Houston came forward, and is an owner of Own the Rocks. The area will be non-intrusive and will not interfere with the neighbors.

Mr. Stuart asked what the capacity will be.

Mr. Houston stated that more than likely it would not exceed 25 people for the outdoor portion.

Public Hearing closed at 7:31P.M.

- *Bliss* moved, seconded by *Gross* to approve the UP for On the rocks, located at as it meets the qualifications set for th in the comp plan and regulations the special use permit for a private barn for animals as outlined in agenda item 2b as it conforms with the zoning regulations and comprehensive plan of Sarpy County. **Ayes** – Bliss, Dunbar, Gonzalez, Gross, Stuart, Marquardt, Torczon, Wear, Wees, Whitfield **Nays**– none. **Absent** –Fenster. **Motion Carried.**

C. Discussion: Windmill/wind energy device regulations.

Discussion:

Mr. Nathan Preheim came forward. He is a consultant from Olsson & Associates.

D. Vote Planning Commission By-Laws Revisions.

Discussion:

Motion to accept pc by-laws as amended whitfield and fenster

- *Dunbar* moved, seconded by *Bliss* to approve the request for the change of zone from IL (Light Industrial) to BG (General Business) as it conforms with the zoning regulations and the comprehensive plan of Sarpy County . **Ayes** – Bliss, Dunbar, Gonzalez, Gross, Stuart, Marquardt, Torczon, Wear, Wees, Whitfield. **Nays: None** **Abstain** – none. **Absent** –Fenster. **Motion Carried.**

III. CORRESPONDENCE: The following items were briefly discussed to provide updates to the Planning Commissioners.

IV. ADJOURNMENT: Being no further discussion, *Bliss* moved, seconded by *Wear* to adjourn the meeting. By a unanimous oral vote, Chairman Wees declared the meeting adjourned at 9:41 p.m.

Respectfully Submitted,

Tom Wees, Chairman
Michelle Alfaro, Planning Assistant