



SARPY COUNTY DEPARTMENT OF PLANNING

1210 GOLDEN GATE DRIVE, PAPILLION, NE 68046
PHONE: (402) 593-1555 FAX: (402) 593-1558
REBECCA HORNER, DIRECTOR

PLANNING COMMISSION MEETING MINUTES December 15, 2010

December 15, 2010

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 December 15, 2010, in the County Board Room at the Sarpy County Courthouse, Papillion, Nebraska. Chairman Whitfield called the meeting to order at 7:05 p.m. with the following members present: Susan Bliss, Courtney Dunbar, Donald Fenster, Pat Lichter, John Thompson, Jerry Torczon, Gary Stuart, Dennis Vanek, Alan Wear and Doug Whitfield. Absent were: Wayne Labart. Also in attendance were the staff members: Rebecca Horner, Planning Director, Todd Swirczek, Planner, Nicole O'Keefe, Deputy County Attorney and Sandra Logue, Planning Assistant.

Chairman Whitfield gave notice of the Open Meeting Law.

Chairman Whitfield asked for a motion to approve the agenda.

- *Fenster moved, seconded by Wear, to approve the agenda with the provision that the Chairman alter the order of the agenda. Ballot: **Ayes:** Bliss, Fenster, Vanek, Lichter, Stuart, Torczon, Thompson, Dunbar, Wear and Whitfield. **Nays:** None. **Abstain:** None. **Absent:** Labart. **Motion carried.***

Chairman Whitfield asked for a motion to approve the **November 17, 2010** minutes.

- *Bliss moved, seconded by Stuart, to approve the minutes of the November 17, 2010 meeting as submitted. Ballot: **Ayes:** Bliss, Fenster, Vanek, Lichter, Stuart, Torczon, Thompson and Whitfield. **Nays:** None. **Abstain:** Wear and Dunbar. **Absent:** Labart. **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: **Agenda has been changed to the following:**

A. Public Hearing & Recommendation: Special Use Permit & Flood Plain Development Permit

Western Sand & Gravel Company, requests a Special Use Permit and Flood Plain Development Permit for an existing sand mining operation located on Gov. Lot 1, Tax Lot A, S of RR & Tax Lot 1, Tax Lot A, N of RR; Tax Lot 1A2 Exc Pt for Mopack Trail; Tax Lot 1B; Tax Lot B, Gov Lot 5 S of RR & PT of SE ½ Section 18, Township 12, Range 11 of the 6th P.M. Sarpy County, Nebraska. (South 189th St, W. Hwy. 31, 19811 Fishery Rd)

Discussion:

Chairman Whitfield addressed Rebecca regarding receiving a letter from Western Sand and Gravel asking to be tabled until the January meeting.

Ms. Horner stated "that's correct".

- *Fenster* moved, seconded by *Bliss*, to recommend tabling of Western Sand and Gravel to January. Ballot: **Ayes:** *Bliss, Fenster, Dunbar, Vanek, Lichter, Stuart, Torczon, Thompson, Wear and Whitfield.* **Nays:** None. **Abstain:** None. **Absent:** *Labart.* **Motion Carried.**

B. Public Hearing & Recommendation: Special Use Permit

Renee Johnson, requests a Special Use Permit for a kennel with an outdoor run on property legally known as Lot 2 Sunridge Replat 3, NE Sec 17, Township 14, Range 11 of the 6th P.M. Sarpy County, Nebraska. (7001 S. 181st St.)

Discussion:

Chairman Whitfield addressed Rebecca that the Special Use Permit for Renee Johnson was to be tabled due to incorrect legal description?

Ms. Horner stated "that's correct".

- *Bliss* moved, seconded by *Dunbar*, to recommend tabling of Renee Johnson due to incorrect legal description, to January. Ballot: **Ayes:** *Bliss, Dunbar, Fenster, Vanek, Lichter, Stuart, Torczon, Thompson, Wear and Whitfield.* **Nays:** None. **Abstain:** None. **Absent:** *Labart.* **Motion Carried.**

C. Public Hearing & Recommendation: Change of Zone and Special Use Permit

Buck's Inc., requests a Change of Zone from Residential Estates II (RE2) to General Business District (BG) and a Special Use Permit for the retail sale of alcohol in association with a service station, on property legally known as Tax Lot 2A, located in Section 24, Township 14, Range 11 of the 6th P.M. Sarpy County, Nebraska. (NE corner of 143rd Ave and 142nd St.)

Discussion:

Chairman Whitfield addressed Rebecca regarding receiving a letter from Buck's Inc. to be tabled until the January Meeting.

Ms. Horner stated we spoke to them and they indicated they are going to work with the Nebraska Hwy of Roads to get additional information and did not oppose the delay.

Chairman Whitfield asked if anyone from Buck's Inc. was there to dispute the matter. No one available.

- *Bliss* moved, seconded by *Vanek*, to recommend tabling of Buck's Inc, Change of Zone and Special Use Permit, to January. Ballot: **Ayes:** *Bliss, Dunbar, Fenster, Vanek, Lichter, Stuart, Torczon, Thompson, Wear and Whitfield.* **Nays:** None. **Abstain:** None. **Absent:** *Labart.* **Motion Carried.**

Chairman Whitfield addressed the next meeting will be January 12, 2011.

D. Public Hearing & Recommendation: Preliminary Plat, Change of Zone & Conservation Overlay

Advantage Development, Inc., requests a Preliminary Plat and Change of Zone from AG to RE2 with a conservation development overlay for River Ranch on property legally known as Tax Lot 13A, located in Section 10, T2 and P3 located in Section 11, Township 12 N, Range 11E of the 6th P.M. Sarpy County, Nebraska. (Hwy 50 & Riha Road)

Introduction:

Ms. Horner explained the item and indicated the staff recommendation. The staff reports indicates several items that need to be resolved prior to moving the items to the County Board.

Applicant Presentation:

Derek Goff an engineer with Thompson, Dreessen and Dorner, Inc. introduced himself as representing the applicant.

Discussion:

- Wear asked if they had problem with staff recommendations.
- Lichter asked if the lots could be adjusted.
- Goff indicated that it was an easy fix.
- Thompson asked about the access road.
- Horner indicated extension of the road is required for internal access.
- Torczon asked about the turnaround details and whether or not it was wide enough for fire apparatus.
- Horner indicated the turnaround is 54' wide.
- Fenster asked about the need for two entrances.
- Horner indicated it was not required because the length of the road did not exceed standard and the access spacing is adequate.
- Bliss asked the applicant if seven lots were necessary.
- Goff indicated yes.

Public Hearing Opened at 7:19 p.m.

Public hearing Comment:

- Jill Nelson, (20201 Meadow Ridge Dr.) neighbor, indicated concerns with density. Nelson questioned the compatibility with the comprehensive plan. Nelson questioned Tables 4-11 and 4-12 regarding acreage permitted and septic systems. She asked how long it would take to develop the property. Nelson noted erosion problems due to terracing and questioned whether or not the terracing, which was part of the NRCS program, maintained. Concerns included terracing and whether or not rezoning is appropriate at this time.
- Jim Jaros, (15709 Meadow Ridge Dr.) Lot 17, Meadow Oaks. Jaros indicated Table 4-11 that 3-5 acre lots are not permitted. Jaros believes it's illegal to allow lots less than 5 acres. Jaros disagrees with Horner's interpretation and asks the Planning Commission to address the discrepancy. Jaros also questioned table 4-12.
- Tamara Torskey, (20408 Meadow Ridge Dr.) Meadow Oaks Homeowners Association. Torskey questioned whether or not there was enough water available. Torskey noted that one resident, living outside of Meadow Oaks, has an issue with a shortage of water.
- Patty Miller, (16304 Ramblewood Dr.) neighbor. Miller asked to give Springfield has an opportunity to respond to the request. Miller is concerned about fire apparatus egress. Miller noted that drainage was an issue during last summer which was corrected with the ditch and terracing. Miller indicated she was still concerned about the drainage and safety of the road in the area.

Whitfield closed the hearing.

- Goff indicated the owner would maintain compliance with the agreement with the terracing. Goff indicated the existing access would be removed and the issues with the erosion would be corrected.
- Whitfield asked about the terrace and whether or not the agricultural use.
- Goff indicated that each lot would be graded individually and include a post construction stormwater management plan.
- Lichter asked about the stormwater detention cell.
- Goff indicated it is temporary and that the sediment ditch will be removed and that there will be no permanent basin.
- Bliss asked Goff about the density.
- Goff indicated they agree with the Planning Department's determination that three acres is allowed.
- Lichter asked about test water wells.
- Goff indicated they are currently performing testing and the client will do everything necessary to serve the lots with water.

- Whitfield asked Horner whether or not the request is in conformance with the comprehensive plan. Horner indicated the request is in conformance with the Comprehensive Plan.
- Horner explained Tables 4-11 and 4-12 further. Horner noted that table 4-11 appears to be an anomaly in terms of lot acreage. Horner further indicated that 4-12 allows either community or individual systems.
- Fenster asked whether or not the Comprehensive Plan was a guide or regulation. Horner indicated the Comprehensive Plan is a guide.
- Thompson asked about the lot sizes surrounding the proposed project area. Horner indicated the adjacent lot sizes range from one to three acres.
- Whitfield noted the adjacent zoning, including the large light industrial in the area.
 - Whitfield moved, seconded by Stuart to recommend approval of the change of zone from AG to REII as it conforms to the Comprehensive Plan, Subdivision and Zoning Regulations of Sarpy County. . *Ballot: Ayes: Fenster, Dunbar, Vanek, Lichter, Stuart, Torczon, Thompson, Wear and Whitfield. Nays: Bliss. Abstain: None. Absent: Labart. Motion Carried.*
 - Whitfield moved, seconded by Stuart to recommend approval of the Preliminary Plat for a subdivision to be known as River Ranch as it conforms to the Comprehensive Plan, Subdivision and Zoning Regulations of Sarpy County. *Ballot: Ayes: Fenster, Dunbar, Vanek, Lichter, Stuart, Torczon, Thompson, Wear and Whitfield. Nays: Bliss. Abstain: None. Absent: Labart. Motion Carried.*

E. Public Hearing & Recommendation: Final Plat

Beacon View Inc, requests a Final Plat for Beacon View 2nd Addition on property legally known as Tax Lot D1 located in SW Section 29 and Outlot 6, Beacon View Lot 27 Addition, located in NW Section 29, all of Township 13, Range 10 of the 6th P.M. Sarpy County, Nebraska. (255th & Highway 6)

Horner indicated that some of the staff comments were resolved prior to the meeting, including conditions B and C which are no longer needed.

Art Beccard, TD2, indicated this finalizes a project that started in 2001, asks for approval and offered to answer questions.

- Thompson asked about the street name and access point.
- Beccard indicated the road is Ridgeway Road and is not platted.
- Horner indicated that staff comments would resolve the reference to the street.
-

Whitfield opened public hearing
 No one came forward
 Whitfield closed the public hearing

- Bliss asked about the need for a subdivision agreement
- Beccard indicated he did not know if one would be required but does not object to an agreement if it is necessary. Beccard did not believe there was a need.
- Horner indicated staff does not yet know whether or not an agreement is necessary.

Bliss moved, seconded by Dunbar to recommend approval of the Final Plat for Beacon View Second Addition as it conforms to the Comprehensive Plan, Subdivision and Zoning Regulations of Sarpy County. . *Ballot: Ayes: Bliss, Dunbar, Fenster, Vanek, Lichter, Stuart, Torczon, Thompson, Wear and Whitfield. Nays: none. Abstain: None. Absent: Labart. Motion Carried.*

III. CORRESPONDENCE

Horner indicated a calendar would be mailed for the next year's meeting dates. Horner also indicated that staff will email the agenda as soon as the agenda is set, which is at the same time publications are due.

Horner asked if the timing of packet deliver is sufficient for the commission. Commission indicated it was good.

Wear asked if meetings will remain the third week of the month.

Horner indicated the meetings remain on the third Wednesday.

- IV. **ADJOURNMENT:** Being no further discussion, *Dunbar moved, seconded by Torczon to adjourn the meeting.* Motion carried by a unanimous oral vote. Chairman Whitfield declared the meeting adjourned at 8:15p.m.

Respectfully Submitted,

Doug Whitfield, Chairman
Sandra Logue, Recording Secretary