

DOUGLAS COUNTY PLANNING COMMISSION

3015 MENKE CIRCLE
OMAHA, NE 68134

October 12, 2005
6:00 p.m.

The meeting was called to order by Chair Hayes with roll call vote.

Members Present: Bob Boozer, Bob Bruhn, Michael Gerdes, Barbara Hayes, Anne Houlihan, Luke Janke, Joe Roberts, and Milo Vacanti.

Members Absent: Dave Lanoha

Other County Officials and Staff Present: Barb Frohlich and Kent Holm (Douglas County Environmental Services), Don Nielsen (Engineer's Office), and Bernie Monbouquette (County Attorney Office).

Motion by Commissioner Roberts, seconded by Commissioner Boozer to approve minutes of the September 14, 2005 meeting with correction to page 9 to add Commissioner Vacanti's name to those voting yes.

Voting Yes: Bruhn, Gerdes, Houlihan, Roberts and Vacanti..

Voting No: None

Abstain: Boozer, Hayes, and Janke.

APPLICATION PZ-4-05 (laid over from September 14, 2005)

REQUEST: Preliminary Plat, Southhampton Subdivision, 93.7 acre parcel, 110 single family lots (0.4 acres to 1 acre in size) with community water and sewer, rezoning from Agricultural Farming-1 (AF-1) to Single Family-1 (SF-1).

LEGAL: Part of S ½ of NW ¼ and part of the N1/2 of NW ¼ of Section 10, Township 14, Range 10 E. of the 6th P.M

LOCATION: Between 234th and 240th south of West Q Road

APPLICANT: Boyer-Young Development Co., 9805 Giles Road, LaVista, NE 68128

Chair Hayes stated that the applicant had requested the application be laid over because of issues to be resolved regarding wastewater treatment plan proposed for the Hamptons and that Bob Doyle was present to answer questions. She also stated that she had talked

to Steve Jensen, City of Omaha Planning Department, and presented an e-mail from Mr. Jensen regarding the City's position. She further related that the City of Omaha's policy in their master plan has been for two watersheds, the Elkhorn and Papio to remain distinctly separate. This policy was based on the premise that this area of Douglas County would develop like Ponca Hills with individual wells and septic systems. When the Hamptons subdivision was proposed, the City's position was that they would not accept sewage from the Elkhorn watershed area. The City is now reconsidering their long term policy. Boyer Young is meeting with the City of Omaha to discuss hooking up to the interceptor system and Mr. Holm will also attend that meeting.

Chair Hayes asked for a show of hands from the audience to indicate those that were in attendance to speak regarding the Southhamptons. She announced that the meeting was publicly noticed so comments could be made tonight but that someone speaking tonight would not be allowed to speak at the next meeting. She also reminded the audience that the Southhamptons' application will probably be modified for the next hearing.

Ms. Frohlich also stated that notices would be sent for the next hearing on the Southhamptons.

Chair Hayes asked those in attendance who wanted a notice to give their names and addresses.

Chair Hayes asked Mr. Monbouquette if the public hearing should be held before or after the vote on the layover request. Mr. Monbouquette stated the public hearing should be opened for the members of the public who want to comment tonight and then have a motion and vote to continue the public hearing to another date.

Chair Hayes opened the public hearing.

Judy Huber, 6446 Pine Ridge Road, Elkhorn, NE 68022 made the following comments:

Expressed concern about the traffic on West Q Road and pointed out that one of the entrances for the Hamptons is located on a curve. Pointed out that this area is a high traffic area with gravel trucks going at a high speed as they cross the bridge in order to get up the hill. Also commented that roads should be designed to accommodate traffic from subdivisions.

Don Nielsen, Douglas County Engineer's Department, commented on the offset entrances at 234th Street and 235th Street. The County traffic engineer met with the engineers for the developers in regard to left turn lanes, deceleration lanes, and the western entrance. These designs have been accepted by our office

Chair Hayes explained to Ms. Huber that she could contact the Douglas County Engineer's office at any time regarding traffic concerns.

Chair Hayes closed the public hearing and explained to the public in attendance that amended plans will be submitted by the applicant.

Motion by Commissioner Vacanti to suspend the public hearing and layover the application to the January 11, 2006 meeting, seconded by Commissioner Boozer.

Voting Yes: Boozer, Bruhn, Gerdes, Hayes, Houlihan, Janke, Roberts and Vacanti.

Voting No: None.

Abstain: None.

APPLICATION

C-9-05

REQUEST: Conditional Use Permit for Wireless Communication Facility

LEGAL: East ½ of Section 4, Township 16 N, Range 9 E. of the 6th P.M.

LOCATION: 0.3 mile west of Highway 36 on north side Pawnee Road

APPLICANT: Dan Dunne, 2611 South 117th Street, Omaha, NE 68144
representative for Ackerlund Farms, Inc., 31798 Pawnee Road,
Valley, NE 68-064

Ms. Frohlich stated the applicant has requested layover of the application until the November 9, 2005 meeting.

Motion by Commissioner Vacanti to layover the application until the November 9, 2005 meeting, seconded by Commissioner Janke

Voting Yes: Boozer, Bruhn, Gerdes, Hayes, Houlihan, Janke, Roberts, and Vacanti.

Voting No: None.

Abstain: None.

APPLICATION

C-10-05

REQUEST: Conditional Use Permit for Wireless Communication Tower,
107.07 acres, AF-1 zoning

LEGAL: NW ¼ of SE ¼ and N ½ of SW ¼ of Section 7, Township 16,
Range 11 E. of the 6th P.M.

LOCATION: Northeast of existing Union Pacific Railroad Tower, north of
Bennington Road on 204th

APPLICANT: Kenneth Weber, 1524 North Willow Street, P.O. Box 428, Avoca,
Iowa 51521 and Fred and Janet Eipperle, P.O. Box 132,
Bennington, NE 68007

Ken Weber, Weber Services, 1524 N. Willow Street, Avoca, IA 51521 presented the application on behalf of U.S. Cellular with the following comments:

1. An application was previously submitted to locate this tower on Military and Bennington Road.
2. Concerns were expressed about that location by the County and neighbors.
3. The site proposed at this time is located near the existing Union Pacific tower.
4. A waiver to the required setback on the south is requested and the owner of that property has signed a letter indicating no issue or concern with the location.
5. He also presented a letter from Saber, the tower manufacture, regarding the design of the tower. The tower is designed for 85 mph wind load and designed to crumple down upon itself should there be a failure.
6. Also presented a letter explaining the need to expand coverage to an area that currently does not have coverage.
7. Introduced Michelle Roth, Project Manager form U.S. Cellular, and Patrick Armstrong, engineer, as available to answer questions.

Commissioner Boozer asked for clarification that U.S. Cellular cannot co-locate with Union Pacific. Mr. Weber stated that was correct because the only available space is at 80 to 100 feet and that U.S. Cellular needs a higher tower; the proposed tower is 250 feet and will have capacity for future carriers.

Commissioner Boozer asked if Union Pacific would be willing to attach to the U.S. Cellular tower. Mr. Weber said there is no advantage to offer Union Pacific to connect.

Commissioner Vacanti asked why the tower could not be located to meeting the setback requirement on the south side of the property. Mr. Weber stated it would be mean locating the tower in the middle of the property which makes it more difficult to work around. By staying on the property line, the utilities and access road will be on the perimeter of the property rather than the middle.

Commissioner Vacanti asked if the proposed tower would interfere with the Union Pacific tower. Mr. Weber explained that the each tower operates at different frequencies, so there would be no interference.

No one from the public spoke for or against the application.

Chair Hayes closed the public hearing.

Motion by Commissioner Boozer to recommend approval of the application, seconded by Commissioner Gerdes.

Voting Yes: Boozer, Bruhn, Gerdes, Hayes, Houlihan, Janke, Roberts and Vacanti.

Voting No: None.

Abstain: None.

Chair Hayes left the meeting and appointed Commissioner Gerdes to chair the rest of the meeting since the Vice Chair was not present.

APPLICATION P-8-05

REQUEST: Approval of Preliminary and Final Plat, Jocelyn, 40 acres, Lot 1-10.00 acres, Lot 2-1.00 acres, Lot 3-9.96 acres, and Lot 4-8.75 acres, zoning to remain AF-1

LEGAL: Part of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17, Township 16 N, Range 10 E. of the 6th P.M.

LOCATION: Between 252nd and 264th Streets on south side of Bennington Road

APPLICANT: Dave Cochran, P.O. Box 275, Bennington, NE 68007

Dave Cochran, 14605 Vane Street, Omaha, NE, presented the application with the following comments:

1. I purchased 40 acres and propose to divide it into four parcels.
2. At this time the property is farmland and propose to build residences on each parcel.

Commissioner Gerdes opened the public hearing. No one from the public spoke in favor of or in opposition to the application.

Don Nielsen made the following comments regarding the application:

1. The County Engineer's Office discussed minimizing the number of driveway connections to the county road with the applicant but didn't realize that there are existing driveway connections on the eastern and western boundaries of the property.
2. The Engineer's office would like to have those driveways closed or have one driveway connections between the two middle lots

Mr. Cochran stated that was acceptable to him.

No one from the public spoke for or against the application.

Commissioner Gerdes closed the public hearing.

Motion by Commissioner Vacanti to recommend approval of the application with revisions for one driveway access between lots 2 and 3 and required access easements, seconded by Commissioner Houlihan.

3. There have been revisions suggested by RDG to the information that was sent out in the packets and that information is at your seats.
4. The changes propose that 20 acres be required to obtain a building permit for a residence in AF-1 and AF-2 zoning districts, (i.e., the minimum lot size would be 20 acres).
5. The proposed lot width of 300 feet will correspond to our current access requirements.
6. The changes also provide for a one time farmstead lot subdivision with a maximum lot size of three acres. Farmstead lot is defined that the primary use of the original parcel must be associated with crop production, animal production, or a commercial feedlot.
7. RDG has reviewed and approved these proposed changes.

Commissioner Vacanti expressed concern about a farmer wanting to give an acreage lot to his children. Mr. Holm explained that acreage development creates obstacles to the installation of future public sewer, water and other utilities and will have lower density that what can be typically supported by public services. He also pointed out that the proposed changes are for the agricultural zoning districts only. Mr. Holm further explained that the City of Omaha has the same lot size requirements in their agricultural areas that are contiguous to the County. He also noted that this proposed change is consistent with discussions of the Comprehensive Plan Committee. Commissioner Gerdes commented that the committee had discussed the density issue and the proposed changes are consistent with those discussions.

No one from the public spoke for or against the application.

Commissioner Gerdes closed the public hearing.

Motion by Commissioner Janke to recommend approval, seconded by Commissioner Vacanti.

Voting Yes: Boozer, Bruhn, Gerdes, Houlihan, Janke, Roberts, and Vacanti.

Voting No: None.

Abstain: None.

Meeting adjourned at 6:40 p.m.

Minutes approved November 9, 2005.