



DRAFT AGENDA (as of April 16, 2014)

DOUGLAS COUNTY PLANNING COMMISSION
3015 Menke Circle, Omaha, Nebraska 68134
(1 block north of 93rd and Maple)

May 14, 2014

6:00 p.m.

A copy of the "Open Meetings Act" is posted on the north wall of the meeting room

Commission Members: Dave Lanoha – Chair, Bill Bowers, Bob Bruhn, Luke Janke, Bill Julien, Robert Lanphier, Stephen Lichter, Murray McArdle, Bob Woody

Planning Coordinator certifies publication of the agenda in the Douglas County Post-Gazette and the Omaha Daily Record on April 22, 2014.

The Planning Commission agenda, staff reports and other information regarding the Planning Commission and Planning Department is available at www.dcplanning.org. The agenda, staff reports and other information available on the internet is subject to change and are for convenience purposes only. A copy of the official agenda, staff reports, etc., kept continually current, is available for public inspection at the Douglas County Environmental Services Department, 3015 Menke Circle, Omaha, during normal business hours.

To all applicants: Attend the meeting to present your item to the Commission. Decisions to approve, deny or continue the request for additional information will be made tonight.

The Douglas County Board of Commissioners has the final decision on the items on tonight's agenda. Check the Department's website at www.dcplanning.org for the specific day and time.

COMMISSION ACTION:

1. Welcome to new member Robert Lanphier (replacing Anne Houlihan who has resigned)
2. Roll call of members
3. Election for Vice-Chair (position formerly held by Anne Houlihan)
4. Approval of March 12, 2014 meeting minutes
5. Approval of agenda

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"Commission members receive staff reports approximately one week prior to the meeting."

PUBLIC HEARINGS

Agenda item #1

A final plat request application for Kent and Peggy Merryweather and Edward and Darlene Andersen

A final plat request of Andersen Acres, a proposed residential subdivision consisting of Lots 1 through 4 and Outlot A, in the SE1/4 NE1/4 and the NE1/4 SE1/4, Section 19-Township 15 North-Range 10 East of the Sixth P.M. (general location: 102, 204 and 626 S. 264th Street)

- a) recognition of staff report in the Commission's packet
- b) staff presentation
- c) comments from the Commission

- d) Chair opens the public hearing
- e) comments from the floor or in writing
- f) additional comments from the Commission
- g) Chair closes the public hearing
- h) action by Commission to approve, deny or continue (for stated reasons) this final plat request

Agenda item #2

A preliminary plat request application for 203rd Plaza LLC c/o Frank Krejci

A preliminary plat request of Forest Glen, a proposed residential subdivision consisting of 23 residential lots and Outlots A and B, in the NE1/4 NE1/4, Section 9-Township 14 North-Range 10 East of the Sixth P.M. (address/general location: 5455 S. 245th Street – a part of former Catholic Church Camp/Retreat Center property)

- a) recognition of staff report in the Commission's packet
- b) staff presentation
- c) comments from the Commission
- d) Chair opens the public hearing
- e) comments from the floor or in writing
- f) additional comments from the Commission
- g) Chair closes the public hearing
- h) action by Commission to approve, deny or continue (for stated reasons) this preliminary plat request

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REPORT FROM STAFF

- 1. April 29th County Board action on the Commission's March 12, 2014 recommendations:

ITEMS FROM THE PUBLIC

ITEMS FROM THE MEMBERSHIP

ADJOURNMENT

APPLICATIONS & PLATS BELOW

AGENDA ITEM # 1

**MERRYWEATHER &
ANDERSEN**

FINAL PLAT

DOUGLAS COUNTY PLANNING AND ZONING

3015 Menke Circle, Omaha, Nebraska 68134

(402) 444-3531

Subdivision Application (page 1)

Preliminary Plat X

Final Plat X

Owner's Name: Edward + Darlene Andersen

Address: 102 S. 264th St

City: WATERLOO State: NE Zip: 68069

Telephone Numbers: 402-359-5181

Engineer's Name: T.D. To Chris Dornet

Address: 10836 Old Mill Road

City: OMAHA State: NE Zip: 68154

Telephone Numbers: 402-330-8860

General Location of the Property: _____

Address of Subject Property: 102, 204 + 626 S. 264th Streets

Legal Description (parcel #) of Subject Property: _____

Present Zoning: AG + RR-2 Proposed Zoning: RR-2

Purpose of Request: To create a 4 lot residential subdivision and outlot A

Present Use of Subject Property: Sand Pit Lake + single-family residential

Proposed Use of Subject Property: Residential subdivision

School District and Address: DC West Community Schools PO Box 378 Valley 68064

Fire District and Address: WATERLOO VFD PO Box 273 WATERLOO 68069

Zoning / Actual Use of Adjoining Properties:

North: AG / SAND PIT LAKE

South: AG / " " " + single-family residential housing

East: RR-2 / " " " + single-family residential housing

West: AG / SAND PIT LAKE

The Planning & Zoning Coordinator, or authorized representatives of Douglas County are hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposal.

* Signature of Owner: Edward Andersen Date: 2-6-14

* Owner Name (printed): Edward Andersen

Subdivision Application (page 2)

Signature of Authorized Agent: _____ Date: _____

Authorized Agent (printed): _____

Address & phone number: 626 S. 264th St WATERLOO 402-359-2945 L

402-490-7300 C

1. Name of subdivision: Anderson Acres

2. Subdivision size: Gross Acres: 24.09 Lots: 5 Blocks: -

3. Brief description of the proposed subdivision: To create a 4 lot residential
subdivision (2 new building sites); all lots over 3 acres in size; served
by private wells + septic; and outlot it

4. Brief description of the anticipated public improvements associated with this subdivision:

5. Estimated cost of public improvements: -

6. Other Owners:

Signature of Owner: Peggy Merryweather Date: 2-6-14

Owner Name (printed): Peggy Merryweather

Signature of Owner: _____ Date: _____

Owner Name (printed): _____

Signature of Owner: _____ Date: _____

Owner Name (printed): _____

Signature of Owner: _____ Date: _____

Owner Name (printed): _____

Subdivision Application (page 3)

Signature of Authorized Agent: _____ Date: _____

Authorized Agent (printed): _____

Address & phone number: _____

Date Received: 2-6-2014 Fee Received: \$800 Received By: Douglas E. Cook

(rev 04/2013)

preliminary plat \$300
final plat 200
zoning 300

ANDERSEN ACRES

LOTS 1, 2, 3 AND 4 AND OUTLOT "A"

BEING A PLATTING OF PART OF THE SE 1/4 OF THE NE 1/4 AND PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 19, T15N, R10E DOUGLAS COUNTY, NEBRASKA.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL ACCESSIBLE CORNERS OF SAID BOUNDARY AND AT ALL ACCESSIBLE LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS ANDERSEN ACRES, LOTS 1, 2, 3 AND 4 AND OUTLOT "A", BEING A PLATTING OF THE SE 1/4 OF THE NE 1/4 OF SECTION 19, T15N, R10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE NORTH 732.06 FEET OF THE WEST 240.00 FEET OF THE EAST 932.32 FEET SAID SE 1/4 OF THE NE 1/4 AND THE NORTH 90.00 FEET OF THE WEST 284.86 FEET OF THE EAST 932.32 FEET OF THE NE 1/4 OF SAID SECTION 19, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID SE 1/4 OF THE NE 1/4; THENCE SOUTH (ASSUMED BEARING) 1320.06 FEET ON THE EAST LINE OF SAID SE 1/4 OF THE NE 1/4 TO THE SE CORNER THEREOF; THENCE NB89°55'54"W 407.41 FEET ON THE SOUTH LINE OF SAID SE 1/4 OF THE NE 1/4; THENCE SOUTH 90.00 FEET; THENCE NB89°55'54"W 284.86 FEET ON A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE NORTH 90.00 FEET TO THE NORTH LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE NB89°55'54"W 1.00 FEET ON THE NORTH LINE OF SAID NE 1/4 OF THE SE 1/4; THENCE NORTH 587.17 FEET ON A LINE 93.27 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SE 1/4 OF THE NE 1/4; THENCE NB89°59'58"W 239.05 FEET ON A LINE 732.06 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SE 1/4 OF THE NE 1/4; THENCE NORTH 732.06 FEET ON A LINE 932.32 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SE 1/4 OF THE NE 1/4 TO THE NORTH LINE THEREOF; THENCE NB89°59'58"E 932.32 FEET ON THE NORTH LINE OF SAID SE 1/4 OF THE NE 1/4 TO THE POINT OF BEGINNING.

JANUARY 25, 2014



CHRIS E. DORNIER
NEBRASKA RLS 507



Thompson, Dreesen & Dornier, Inc.
10830 Qth Rd
Omaha, NE 68154
p.402.330.8850 f.402.330.5886
tdco.com

ANDERSEN ACRES
LOTS 1, 2, 3 AND 4 AND OUTLOT "A"



Revision	Date

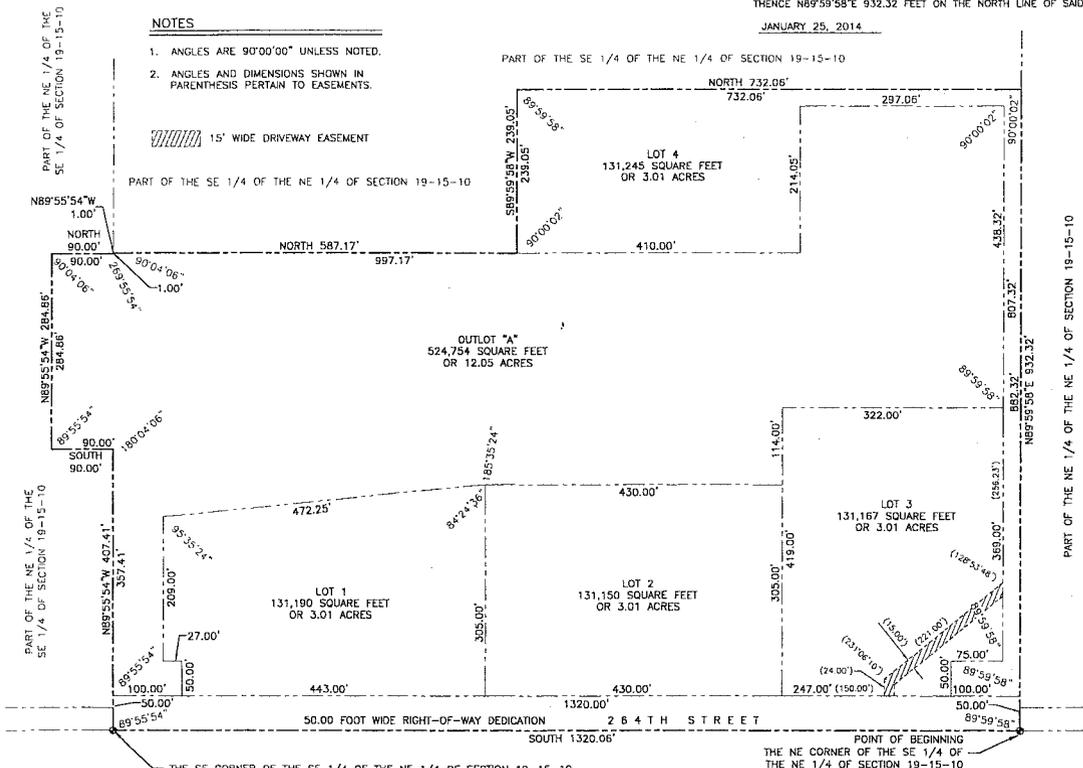
Job No.: A1436-157-1A
Drawn By: MRS
Reviewed By: CED
Date: 01/25/2014
Book: 13-35
Pages: 40-43

DOUGLAS COUNTY
FINAL PLAT

SHEET 1 OF 1

- NOTES**
1. ANGLES ARE 90°00'00" UNLESS NOTED.
 2. ANGLES AND DIMENSIONS SHOWN IN PARENTHESIS PERTAIN TO EASEMENTS.

15' WIDE DRIVEWAY EASEMENT



DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, AXEL E. ANDERSEN AND DARLENE B. ANDERSEN, HUSBAND AND WIFE, AND KENT C. MERRYWEATHER AND PEGGY L. MERRYWEATHER, HUSBAND AND WIFE, AND ANDERSEN ESTATES, LLC, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A LOTS AN OUTLOT AND A STREET TO BE NUMBERED, LETTERED AND NAMED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS ANDERSEN ACRES, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREET AS SHOWN HEREON, AND WE DO FURTHER GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, CENTURYLINK CO. AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5') FOOT WIDE STRIP OF LAND ABUTTING THE FRONT AND SIDE BOUNDARY LOT LINES OF LOTS 1, 2, 3 AND 4. NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

ANDERSEN ESTATES, LLC

BY: AXEL E. ANDERSEN AXEL E. ANDERSEN, MANAGER
BY: KENT C. MERRYWEATHER
BY: DARLENE B. ANDERSEN
BY: PEGGY L. MERRYWEATHER

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA) NOTARY PUBLIC
COUNTY OF DOUGLAS)
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2014 BY AXEL E. ANDERSEN AND DARLENE B. ANDERSEN, HUSBAND AND WIFE.

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA) NOTARY PUBLIC
COUNTY OF DOUGLAS)
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2014 BY KENT C. MERRYWEATHER AND PEGGY L. MERRYWEATHER, HUSBAND AND WIFE.

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA) NOTARY PUBLIC
COUNTY OF DOUGLAS)
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2014 BY AXEL E. ANDERSEN, MANAGER OF ANDERSEN ESTATES, LLC ON BEHALF OF SAID LLC.

COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS ___ DAY OF _____, 2014.

DOUGLAS COUNTY TREASURER

APPROVAL OF DOUGLAS COUNTY PLANNING COMMISSION

THIS PLAT OF ANDERSEN ACRES WAS APPROVED BY THE DOUGLAS COUNTY PLANNING COMMISSION ON THIS ___ DAY OF _____, 2014.

REVIEW BY THE DOUGLAS COUNTY ENGINEER
THIS PLAT OF ANDERSEN ACRES WAS REVIEWED BY THE DOUGLAS COUNTY ENGINEER.

APPROVAL OF DOUGLAS COUNTY BOARD
THIS PLAT OF ANDERSEN ACRES WAS APPROVED BY THE DOUGLAS COUNTY BOARD ON THIS ___ DAY OF _____, 2014.

DATE _____ DOUGLAS COUNTY ENGINEER _____ CHAIRMAN _____ COUNTY CLERK _____ CHAIRMAN _____

AGENDA ITEM # 2

203rd PLAZA c/o
FRANK KREJCI

PRELIMINARY PLAT

Type of Application:

Zoning Subdivision Special Use

Name 203RD PLAZA LLC

Address 1505 N 203RD STREET

City ELKHORN State NEBRASKA Zip 68022

Telephone Number 402.493.6165 (Business) SAME

Address of Subject Property 5455 S. 245TH ST. DOUGLAS COUNTY NE. 68022

Legal Description of Subject Property

PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 9, TOWNSHIP 14N, RANGE 10E OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA.

Size of Land Parcel 33.35 ACRES

Present Zoning AG Proposed Zoning R-1

Present Use of Subject Property AG

Proposed Use of Subject Property RESIDENTIAL

School District and Address GRETNA

Fire District and Address WATERLOO

Describe Zoning and Actual Use of Adjoining Properties:

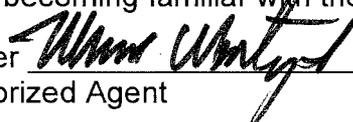
North AG

South AG

East R-1 RESIDENTIAL

West ELKHORN RIVER

The Chief, Permits and Inspection Division, or authorized representative of Douglas County are hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposal.

Signature of Owner  Date 3-27-14
Signature of Authorized Agent _____

(For Office Use)

Date Received 3-27-14
Fee Received 3-27-14 \$1,800
Received By DEC rev. 11/99

SUBDIVISION APPLICATION

1. Name of subdivision.

Forest Glen _____

2. Complete legal description of subject property

Part of the NE 1/4 of the NE 1/4 of Section 9, Township 14N, Range 10E of the 6th P.M., Douglas County, Nebraska

3. Subdivision size: 33.35 Acres 23 Lots 1 Blocks _____ Av Sq ft/lot

4. Please give a brief description of the proposed subdivision.

Large Lot, 3/4 acre +/-, subdivision with R-1 zoning. Water and sanitary sewer services provided. Minimal grading and tree removal consistent with conservation design practices.

5. Please give a brief description of the anticipated public improvements associated with this subdivision.

MUD Water
Sanitary sewer with pumping station to convey sanitary flow into the South Hamptons public system.
22' wide, rural section concrete paving
No storm sewer, all streets sheet flow

6. Estimated cost of public improvements.

\$641,000, paid privately

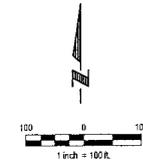
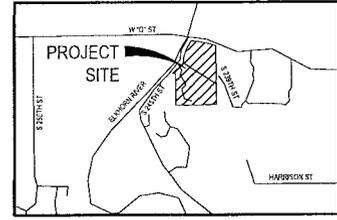
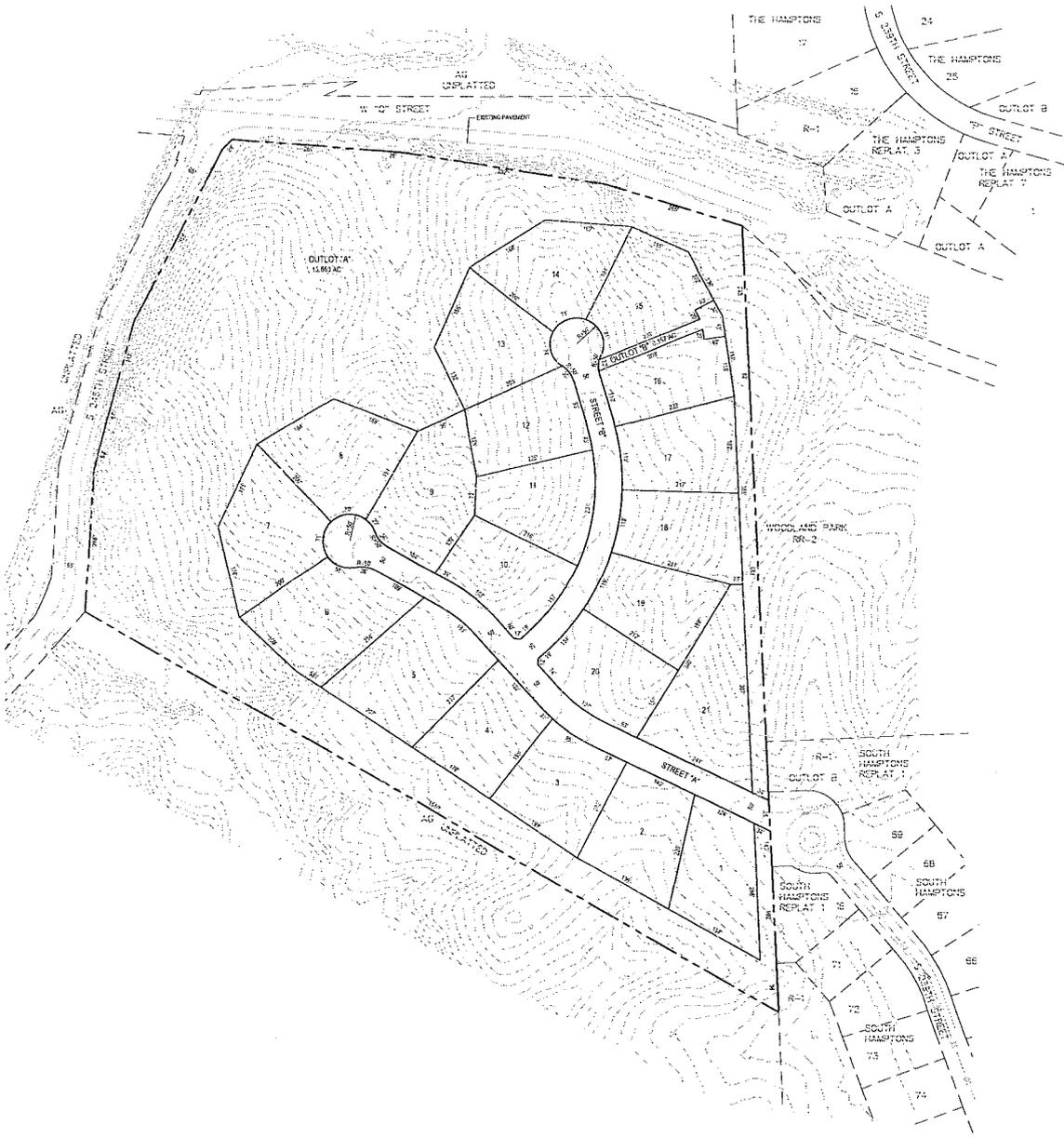
7. Names, addresses and phone numbers of owners of lands to be subdivided (if more than shown on the first page of this application).

Name 203 Plaza, LLC, Frank Krejci Address 1505 N. 203rd ST. Elkhorn, NE. Phone (402) 493-6165

Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____



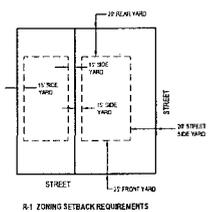
- LEGEND**
- BOUNDARY LINE
 - LOT LINE
 - EASEMENTS
 - EXIST. MAJOR CONTOURS
 - EXIST. MAJOR CONTOURS
 - EXIST. STORM SEWER
 - EXIST. SANITARY SEWER

LEGAL DESCRIPTION
 PART OF THE NE 1/4 OF SECTION 9, TOWNSHIP 14N, RANGE 11E OF THE 5TH P.M. DOUGLAS COUNTY, NEBRASKA,
 CONTAINING AN AREA OF 1,452,654 SQ. FT. OR 33.344 ACRES, MORE OR LESS.

DEVELOPER
 R4 PALADA LLC
 185 N. 203RD STREET
 ELKHORN, NE 68222

ZONING:
 EXISTING: AG
 PROPOSED: R-1 LOTS 1-21 & OUTLOTS "A" & "B"

- NOTES:**
1. DIRECT VEHICULAR ACCESS WILL NOT BE ALLOWED TO S 24TH STREET OR TO W 10TH STREET FROM ANY LOTS ADJACENT SAID STREETS.
 2. THE CHANGERS FOR SIDEYARDS ON CORNER LOTS ARE SET AT EIGHT AND A HALF FEET (8.5) INCH FROM THE INTERSECTION OF RIGHT-OF-WAY LINES.
 3. OUTLOT "A" IS DESIGNATED AS OPEN SPACE AND IS NOT BUILDABLE.
 4. OUTLOT "B" IS TO BE USED FOR A SANITARY SEWER, FORCED MAIN, AND SANITARY PUMPING STATION.



E & A CONSULTING GROUP, INC.
 Engineering • Planning • Environmental & Field Services

Forest Glen
 BOULDER COUNTY, NEBRASKA

PRELIMINARY PLAT

Rev.	Date	Description
1		

Title No. _____
 Date _____
 Drawn By _____
 State _____
 Scale _____
 Sheet _____ of _____

323 North 17th Street, Omaha, NE 68104
 Phone: 402.333.3333
 FAX: 402.333.3331
 WWW.EAGC.COM



Engineering Answers

E & A CONSULTING GROUP, INC.

Planning • Engineering • Environmental & Field Services

330 North 117th Street
Omaha, NE 68154-2509

www.eacg.com

Phone: 402.895.4700
Fax: 402.895.3599

March 27, 2014

Mr. Doug Cook
Douglas County Planning
3015 Menke Circle
Omaha, NE 68134

Re: Waiver Requests for Forest Glen
245th & Q
E&A File P2011.443.001

Dear Doug,

As part of the preliminary plat submittal and rezoning request for the above referenced project please let this letter serve as a formal request for the following two waivers to the Douglas County Subdivision Regulations:

Waiver of XIII.E.1.b(2) to allow a cul-de-sac length in excess of 600'.

Justification: There is no feasible second access point for the property. Going to the south would require crossing a major drainage way with a major box culvert or bridge plus significant grading and tree removals. Going to the west to 245th Street or the north to Q Street is not physically possible as the platted area lies 30' to 80' higher than the existing street grade.

Waiver of XIII.E.1.b(8) to allow a 22' wide rural section street, a reduction from 25' width.

Justification: As all streets are located along ridge lines a slightly narrower rural section street will eliminate any point discharge of storm water and allow street runoff to sheet flow off of the paved surface. A slightly less wide street will reduce the impervious area of the subdivision which is one of the objectives of "conservation" type subdivisions.

Sincerely
E&A Consulting Group

A handwritten signature in black ink, appearing to read 'Mark Westergard', is written over the typed name below.

Mark Westergard, P.E.



Nebraska Game and Parks Commission

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641 • Fax: 402-471-5528

April 1, 2014

Robert Leavell
E&A Consulting Group, Inc.
330 North 117th Street
Omaha, NE 68154-2509

Re: Forest Glen Subdivision; Douglas County, Nebraska

Dear Mr. Leavell:

Please make reference to your correspondence dated March 24, 2014. This letter is in response to your request for a review of this project's potential impacts to endangered and threatened species in Douglas County. We have completed our review of the site under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

There are several federally and/or state listed endangered or threatened species that may be found in or along the Elkhorn River adjacent to the project site. These are: river otter, interior least tern, lake sturgeon, pallid sturgeon, piping plover, and sturgeon chub. Since project activities will occur on upland areas, there should be no direct impacts to the species in the river; but, a proper SWPPP must be in place that will prevent sediment and harmful contaminants from reaching the river. While not listed, bald eagles are protected and it is illegal to disturb nesting birds. A survey of the area should be completed prior to commencing project work to ensure there are no active eagle nests in the project area. If a nest is found, the project should be delayed until the birds leave the nest sometime in June. Otherwise, it would be beneficial to commence tree removal immediately, before other migratory birds begin their nesting season. Given the quality and location of this habitat, it is expected that bird use for nesting should be high. If the project timeline is later, delaying tree removal until July or August would reduce the impacts on nesting birds.

We believe that activities at the site will have "No Effect" on state listed endangered or threatened species. Based upon the information provided, we have no objections. If new information regarding endangered or threatened species becomes available, then this determination is no longer valid and further consultation with the Nebraska Game and Parks Commission will be necessary.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5554 or Rick.Eades@nebraska.gov.

Sincerely,

A handwritten signature in black ink that reads "Rick Eades". The signature is written in a cursive style.

Rick Eades
Fish & Wildlife Specialist

CC: NDEQ (Reuel Anderson, Blayne Renner, Wendy Wulf)

See You Out There
www.OutdoorNebraska.org