

WASHINGTON COUNTY PLANNING COMMISSION MINUTES

September 7, 2017

7:00 p.m.

Supervisors Room, County Courthouse, 1555 Colfax Street, Blair, Nebraska

“All Commission members receive staff reports approximately one week prior to the meeting”

MEMBERS PRESENT

Gary Lambrecht
Matt Mathiesen
Terry Rasmussen
Lyle Schjodt
Dale Albracht
Steve Neuverth

STAFF PRESENT

Ryan Sullivan
Teresa McBride

COMMISSION ACTION:

With regard to the August 3, 2017 minutes, the following action was taken:

MOTION: Schjodt

I move the minutes be approved as presented.

SECOND: Rasmussen

VOTE: Aye – Lambrecht, Mathiesen, Rasmussen, Schjodt, Albracht, Neuverth
Nay - none

MOTION CARRIED

With regard to the agenda, the following action was taken:

MOTION: Mathiesen

I move the agenda be approved as presented.

SECOND: Albracht

VOTE: Aye – Lambrecht, Mathiesen, Rasmussen, Schjodt, Albracht, Neuverth
Nay – none

MOTION CARRIED

Chairman Lambrecht welcomed everyone and stated this meeting will be conducted in accordance with the Nebraska Open Meetings Act and a copy of that Act is posted on the door; and noted that copies of material the Commission has is also available on the counter in the back of the room.

OLD BUSINESS

Conditional Use Permit reviews: Approved Administratively per County Zoning Regulations Section 6.14 and 6.18.

There were no Conditional Use Permit reviews for September 2017

PUBLIC HEARINGS

CONDITIONAL USE PERMIT

1. Request by Dustin Andersen

Conditional Use Permit request to allow an accessory building prior to new home construction in Section 29-Township 17 North-Range 12 East of the Sixth P.M. (General location: County Road P38 & County Road 39, Omaha, NE

Dustin Andersen addressed the Commission and explained that he would like to put the building up first to store building supplies.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing

Schjodt asked if there was a maximum size allowed for accessory buildings. Sullivan said no but average roof height determines the required setbacks. The sidewalls on this building are going to be 18’.

Chairman Lambrecht asked for thoughts and actions from the Commission.

MOTION: Mathiesen

I make a motion to approve the CUP as presented with a two year time limit.

SECOND: Albracht

VOTE: Aye – Lambrecht, Mathiesen, Rasmussen, Albracht, Neuverth, Schjodt
Nay - None

MOTION CARRIED

REZONE

2. Request by Marc Golden

Request to rezone from A-1 (Primary Agriculture District) to C-1 (Retail Neighborhood Commercial District) of tax lot 67 and tax lot 68 in Section 30 Township 17 North-Range 13 East of the Sixth P.M. (General location: 4509 Co. Rd. P38, Omaha, NE)

Edward Talbot, Attorney for Marc Golden, explained the request to the Planning Commission. Last month Golden requested a rezone to Industrial. After discussion with the Planning Office, it was decided that C-1 was a better fit for warehouse distribution. If the Planning Commission wants to allow this in A-1 zoning, they would have to pass an amendment to the regulations allowing warehouse distribution as an allowed item. Golden has also decreased the zone of the rezone area from 11 acres to 6.5 acres.

Chairman Lambrecht opened the public hearing.

Michael Fitzgerald, Barbara & Scott Dai, Andy Dickenson, Vance Delehoy and Ron Woracek all spoke in opposition to the rezone. Concerns sited were traffic, spot zoning, drainage issues and future development in Commercial zoning.

Bud Anderson spoke in favor of the rezone. There are many large trucks that use P38 now and a few more trucks won't make a difference.

Martin Connolly spoke against the rezone. He believes this will be a significant change of use for the area.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

Schjodt asked Sullivan if it is possible to make an exception for one CUP request without changing A-1 zoning overall. Sullivan did not believe so. Any allowance made would be to the entire zone.

Neuverth questioned the splitting of the land in the future.

Albracht would support a CUP but not spot zoning.

Lambrecht stated in the future comprehensive plan this area may have some commercial area. Our current plan does not.

Sullivan explained what would happen if an amendment was added to allow warehouse storage and distribution. It would be a conditional use, not a permitted use. Sullivan said he would look into further dividing up the Lot.

Schjodt asked Golden if he was aware the lot couldn't be split. Golden has no desire or plan to split the land.

Talbot explained that asking for an Amendment and then a CUP would take an additional two months.

MOTION: Lambrecht

I make a motion to approve the rezone from A-1 to C-1.

There was no second.

MOTION FAILS

MOTION: Rasmussen

I make a motion to deny the rezone from A-1 to C-1.

SECOND: Albracht

Schjodt stated that they do not have to take action on an item just because it is on the agenda. He would prefer a different motion. He would like to have more research from the Planning Dept. on the process of adding an amendment and what that means. He would like a recommendation from the Planning Dept. and more information.

VOTE: Aye – Rasmussen, Neuverth, Albracht
Nay – Mathiesen, Lambrecht Schjodt

MOTION: Schjodt

I make a motion to continue this item till next month with input from the Planning Department.

SECOND: Neuverth

Sullivan explained that the request can be changed for next month. The item can go to the Board of Supervisors without a recommendation or it can be continued back to the Planning Commission next month. Continuing it allows the applicant to apply for a zoning amendment and a CUP request.

Talbot requested allowing the item to go to the Board of Supervisors without a recommendation.

VOTE: Aye – Albracht, Lambrecht, Schjodt, Neuverth

Nay – Mathiesen, Rasmussen

MOTION CARRIED

CONDITIONAL USE PERMIT

3. Request by Mark & Vicki Newstrom

Conditional Use Permit request to allow for the operation of a commercial pet boarding and pet daycare services on Tax Lot 49 in Section 2-Township 17 North-Range 11 East of the Sixth P.M. (General location: 6188 State Hwy 133, Blair, NE)

Vicki Newstrom addressed the Planning Commission and explained they plan to build a 48’ x 72’ Morton Building, climate controlled, with septic, proper ventilation, for up to 50 dogs, and all the kennels will be inside. There will be an outside play area behind the building. They are aware of the concerns about noise. They will do all they can to eliminate noise.

Chairman Lambrecht opened the public hearing.

Robert Johnson, close neighbor, has no opposition.

Trent Johnson, Jim Houser and Erik Belles all voiced concerns over the noise and smell.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

Schjodt explained that a CUP does not go with a new owner if the property is sold. A new owner would require a new CUP for any activity.

Rasmussen stated that the commission could put stipulations on the CUP.

Newstrom stated she would also have to obtain a kennel license from the State.

Sullivan stated that any major change to the CUP would require them to come back to the Commission.

The Commission discussed the basic use of the kennel, hours of operation, noise concerns, number of dogs allowed, when the dogs would be outside and in what numbers.

MOTION: Rasmussen

I make a motion to approve the CUP request with a 7:00am-5:00pm outside exercise time with a review in 10 years.

SECOND: Lambrecht

AMENDMENT TO MOTION: Lambrecht

I move to amend the motion to approve the CUP request with a 7:00am-6:00pm outside time Monday-Friday, 8:00am-6:00pm time Saturday-Sunday to be reviewed in two years.

SECOND: Neuverth

Albracht asked about the number of dogs allowed and the type of animals allowed. The request is for 50 dogs.

Schjodt wanted to make sure everyone understands that dogs will bark and you will hear them outside. The sound deadening building should help.

VOTE ON AMENDMENT:

VOTE: Aye – Lambrecht, Rasmussen, Schjodt, Neuverth, Albracht
Nay – Mathiesen

MOTION CARRIED

AMENDED MOTION: Lambrecht

I make a motion to approve the CUP request for the operation of a commercial pet boarding and pet daycare services for fifty dogs in an enclosed, sound-deadening building with an outside play area with amended hours of 7:00am-6:00pm M-F, 8:00am-6:00pm Sat-Sun. with a review in two years.

VOTE: Aye-Lambrecht, Rasmussen, Schjodt, Neuverth, Albracht
Nay – Mathiesen

MOTION CARRIED

NEW BUSINESS

ITEMS FROM THE STAFF

Sullivan discussed the upcoming chicken farms for the Costco plant. The buildings are not considered accessory buildings. They are primary buildings and a CUP is not required. The Planning Commission discussed previous operations that required CUP's and the current regulations for these types of facilities. Andy Scholting answered questions from the Commission.

Sullivan explained he would not be in town next month on October 5th and asked if the Planning Commission would want to change the date or leave it the same. Planning Commission decided to leave it the same.

Neuverth stated that the County needs to be discussing the upcoming issues involved with the byproducts of the chicken farms. Sullivan recommended adopting the Siting Matrix by the Dept of Agricultural. Neuverth would like the paperwork to review.

ITEMS FROM THE MEMBERSHIP

ITEMS FROM THE PUBLIC

ADJOURNMENT

MOTION: Rasmussen

I move to adjourn the meeting.

SECOND: Mathiesen

VOTE: Aye – Lambrecht, Mathiesen, Rasmussen, Schjodt, Albracht, Neuverth
Nay – none

MOTION CARRIED

The meeting was adjourned at 8:45 p.m.

Gary Lambrecht, Chairman