

PLANNING COMMISSION MINUTES
October 21, 2019
5:00 o'clock p.m. Meeting

At 5:00 o'clock p.m., Chairman Dev Sookram called the meeting to order. He stated a copy of the Open Meetings Act is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Chairman Sookram and Commissioners, Landholm, Bowen, Carlson, Gifford, and Borisow were present. Six Commissioners present – a quorum was established.

Chairman Sookram read the item: disclosure of Ex Parte communication regarding any item on the agenda into the record. There were no Ex Parte communications stated.

Chairman Sookram read the item: dispense with the reading of the minutes of the September 16, 2019 Planning Commission Meeting as prepared into the record. It was moved by Commissioner Gifford and seconded by Commissioner Landholm to approve the minutes of the September 16, 2019 Planning Commission Meeting as prepared. A roll call vote showed all six present Commissioners voting aye. Motion carried unanimously.

City Attorney Tim Buckley noted that the agenda stated the minutes were from the August 19, 2019 Planning Commission agenda instead of the September 16, 2019 agenda. Motion by Landholm, seconded by Borisow to correct the agenda to reflect the September 16, 2019 minutes instead of August 19, 2019. A roll call vote showed all six present Commissioners voting aye. Motion carried unanimously.

Chairman Sookram read the items:

- A request by Steve Dodd on behalf of Charles H. Diers for a final plat to be known as Brooks Hollow Second Addition consisting of 18 lots on a 5.76 acre parcel of ground located in the southwest quarter of the southwest quarter of S18, T17N, R9E generally located north of the intersection of Brooks Hollow Drive and Aberdeen Street.
- An application by Steve Dodd on behalf of Charles H. Diers for a change of zone from R, Rural to SR, Suburban Residential on a 5.76 acre parcel of ground located in the southwest quarter of the southwest quarter of S18, T17N, R9E generally located north of the intersection of Brooks Hollow Drive and Aberdeen Street.
- A request by Steve Dodd on behalf of Charles H. Diers for the voluntary annexation of a 5.76 acre parcel of ground located in the southwest quarter of the southwest quarter of S18, T17N, R9E generally located north of the intersection of Brooks Hollow Drive and Aberdeen Street.

The Planning Director presented her staff report on these three items. She recommends approval of the Brooks Hollow Second Addition final plat with conditions that sanitary sewer service to lot 1 was provided in a previous phase; consideration be given for sanitary service north of Lot 3 and Lot 6; barricades and "end of road" signs be installed by the developer at the north end of Heatherwood and Aberdeen Streets; an approval letter must be received from the Nebraska Department of Environment & Energy for Sanitary Sewer prior to construction; approval of Notice of Intent and development of a SWPPP is received from the Nebraska Department of Environment & Energy prior to grading; approval of the Change of Zone, and;

approval of the Voluntary Annexation contingent upon approval of the Final Plat and Change of Zone.

Chairman Sookram opened the public hearing on the final plat. No one spoke on the matters. Chairman Sookram closed the public hearing and asked for Planning Commission discussion of the item. Commissioner Borisow moved to approve the Brooks Hollow Second Final Plat with the conditions that sanitary sewer service to lot 1 was provided in a previous phase; consideration be given for sanitary service north of Lot 3 and Lot 6; barricades and "end of road" signs be installed by the developer at the north end of Heatherwood and Aberdeen Streets; an approval letter must be received from the Nebraska Department of Environment & Energy for Sanitary Sewer prior to construction; approval of Notice of Intent and development of a SWPPP is received from the Nebraska Department of Environment & Energy prior to grading. The motion was seconded by Gifford. Motion carried unanimously.

Chairman Sookram opened the public hearing on the Change of Zone. No one spoke on the matter. Chairman Sookram closed the public hearing and asked for Planning Commission discussion of the item. Commissioner Borisow moved approval, seconded by Commissioner Landholm. Motion carried unanimously.

Chairman Sookram opened the public hearing on the Conditional Annexation. No one spoke on the item. Chairman Sookram closed the public hearing. Motion by Gifford to approve the annexation conditioned upon approval of the Change of Zone and Final Plat. Seconded by Bowen. Motion carried unanimously.

Chairman Sookram read the item: A request by Megan Flower on behalf of Crown Castle USA, Inc for an amendment to a conditional use permit to replace an existing cell tower with a new tower with an overall height of 129 feet on property described as a part of Tax Lot 119 located in the northeast quarter of the northwest quarter of 24, T17N, R8E, Fremont, Nebraska, generally located in Memorial Field at 1600 E Military Avenue. The planning director presented her staff report. Chairman Sookram opened the public hearing. No one spoke. Chairman Sookram closed the public hearing and asked for Planning Commission discussion. Commissioner Borisow noted that the staff report stated that landscaping around the base of the facility had previously been waived. The Planning Director stated that was the case. Commissioner Borisow indicated that he thought that landscaping was needed. He moved approval with the condition that a landscape buffer be installed around the base of the facility and that no strobe lighting be installed on the tower. Bowen seconded the motion. The motion passed 5 to 1 with Gifford dissenting.

Chairman Sookram read the related items:

- An application by Cris Larson of Mesner Development for a conditional use permit to construct four triplex residential buildings on property generally described as the south 135 feet of Tax Lot 38, in Section 15, Township 17 N Range 8E, generally located between K and L Streets, south of Linden Ave., Fremont, NE.
- An application by Stan Darling on behalf of the Presbyterian Church of Fremont for an amendment to a pre-existing conditional use permit for a

church on property generally located at 520 W. Linden Ave., Fremont, Nebraska.

Commissioner Bowen indicated that he is on the LifeHouse Board, the group that is proposing the triplex application. He recused himself due to a conflict of interest and left the room.

The Planning Director presented her staff reports. Chairman Sookram opened the public hearing regarding the conditional use for four triplex buildings. Tera Kucera from LifeHouse and Kelby Herman addressed the commission and offered to answer any questions. Seeing no one else wishing to speak on the matter, Chairman Sookram closed the public hearing. Gifford moved approval conditioned upon Ordinance #5507 being approved by the City Council. The motion was seconded by Landholm. Motion carried 5 to 0 with one abstention.

Chairman Sookram opened the public hearing regarding an amendment to the pre-existing conditional use permit for the Presbyterian Church. Stan Darling spoke on behalf of the church. Seeing no one else wishing to speak on the matter, Chairman Sookram closed the public hearing. Borisow moved approval conditioned upon subdividing the green space from the parking lot via an administrative plat. Seconded by Carlson. The motion was seconded by Landholm. Motion carried 5 to 0 with one abstention.

Commissioner Bowen re-entered the meeting at approximately 5:25 pm.

Chairman Sookram read the item: A request by Dan Martinez of Apex Land Surveying on behalf of Country Builders, LLC for a conditional use permit for a self-storage facility on property described as Lot 1 KM Subdivision generally located at 460 W. 52nd St, Fremont, NE. The Planning Director gave her staff report. Chairman Sookram opened the public hearing. Dan Martinez indicated that he was there on behalf of the applicant and available to answer any questions. No one else spoke on the matter. Chairman Sookram closed the public hearing. Commissioner Gifford moved approval, seconded by Commissioner Bowen. Motion carried 6-0.

Chairman Sookram read the item: An application by Gerald Kelly of the Lund Co. for a conditional use permit to add a 44 unit apartment structure to the Deerfield Clubhouse Apartment complex on property generally described as Lot 1, Deerfield 2nd Subdivision generally located at 1021 Howard St, Fremont, NE. The Planning Director gave her staff report. Chairman Sookram opened the public hearing. Gerald Kelly of the Lund Corporation gave a brief overview and offered to answer any questions. No one else spoke on the matter. Chairman Sookram closed the public hearing. Discussion amongst the Commission followed regarding the operation of the rain garden. Commissioner Bowen moved approval with the condition that the City Council approve Ordinance #5507. Commissioner Carlson seconded the motion. Motion carried 6-0.

Chairman Sookram read the related items:

- A request by Justin Stark on behalf of Lincoln Premium Poultry to annex a portion of Lot 8, Poultry Complex Addition consisting of approximately 2.82 acres and located in Sections 25, 26 and 36 all in T17N, R8E, Dodge County Nebraska.

- A request by Justin Stark on behalf of Lincoln Premium Poultry to de-annex a portion of property consisting of approximately 12.34 acres located in S26,T17N, R8E, Dodge County, Nebraska and generally located north of Hills Farm Road and east of South Main Street.

The Planning Director presented her report on both items. Chairman Sookram opened the public hearing on the request to annex a portion of Lot 8, Poultry Complex Addition. No one spoke on the matter. Chairman Sookram closed the public hearing. Commissioner Bowen moved to approve the annexation. Commissioner Gifford seconded the motion. Motion carried 6-0.

Chairman Sookram opened the public hearing on the request to de-annex a property consisting of approximately 12.34 acres located in S26,T17N, R8E, Dodge County, Nebraska and generally located north of Hills Farm Road and east of South Main Street. No one spoke on the matter. Chairman Sookram closed the public hearing. Commissioner Borisow moved to approve the de-annexation. Commissioner Landholm seconded the motion. Motion carried 6-0.

Chairman Sookram stated he would entertain a motion to adjourn the meeting. It was moved by Commissioner Landholm and seconded by Commissioner Carlson to adjourn the meeting. A roll call vote showed all six Commissioners voting aye. Motion carried unanimously. Meeting was adjourned at approximately 5:44 p.m.

APPROVED

Dev Sookram, Chairman

ATTEST

Jennifer Dam, Director of Planning