



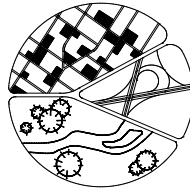
# Hall County Regional Planning Commission

Wednesday, October 11, 2017  
Regular Meeting

## Item E1

**Minutes 9-6-17**

Staff Contact: Chad Nabity



THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND,  
WOOD RIVER AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN,  
NEBRASKA

Minutes  
for  
September 6, 2017

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The meeting of the Regional Planning Commission was held Wednesday, September 6, 2017, in the Council Chambers - City Hall – Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" on August 28, 2017.

Present: Pat O'Neill	Dean Sears
Les Ruge	Derek Apfel
Hector Rubio	Tony Randone
Leonard Rainforth	Judd Allan
Dean Kjar	Jaye Monter
Carla Maurer	Greg Robb

Absent: None

Other: Hall County Supervisor Karen Bredthauer, Grand Island City  
Councilman Mitch Nickerson

Staff: Chad Nabity, Tracy Overstreet Gartner.

Press: Austin Koeller, Grand Island Independent.

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**1. Call to order.**

Chairman O'Neill called the meeting to order at 6:00 p.m.

O'Neill stated that this was a public meeting subject to the open meetings laws of the State of Nebraska. He noted that the requirements for an open meeting are posted on the wall in the room and easily accessible to anyone who may be interested in reading them.

O'Neill also noted the Planning Commission may vote to go into Closed Session on any agenda item as allowed by State Law.

The Commission will discuss and may take action on any item listed on this agenda.

The order of items on the agenda may be reorganized by the Chair to facilitate the flow of the meeting to better accommodate the public.

**2. Minutes of the August 2, 2017 meeting.**

A motion was made by Maurer and seconded by Kjar to approve the minutes of the August 2, 2017 meeting.

The motion carried with twelve members in favor (Apfel, Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Randone and Kjar) and no members voting no or abstaining.

**3. Request Time to Speak.**

Linda Uhrich, 3126 Goldenrod Drive, Item 5; Judy Herzog, 3415 Conrad Drive, Item 5; Ray Dooley, 3060 Roselawn Drive, Item 5; Zach Butz, 308 N. Locust, Item 10; Elaine Dooley, 3060 Roselawn Drive, Item 5; Mary Jo Cook, 3311 Roselawn, Item 5; Christi DePoorter, 3321 Conrad Drive, Items 5 and 6; Suzie Schank, 3040 Roselawn Drive, Item 5; Jane Richardson, 47 Kuester Lake, Item 5; Amos Anson, 4234 Arizona Avenue, Items 4, 7 and 8. The following people registered for request to speak during the discussion on Item 5: Marlin Sekutera, 3521 Primrose Drive; Steve Spaulding, 3204 S. Shady Bend Road; Rick Plambeck, 3217 Roselawn Drive.

**4. Public Hearing – Zoning Text Amendment – Grand Island –** A public hearing concerning amending Chapter 36 of the Grand Island City Code to include an R-3-SL Medium Density Residential Small Lot zoning district to provide for residential uses on lots of less than 6,000 square feet within certain areas of the city appropriate for medium density residential uses. (C-32-2017GI)

O'Neill opened the public hearing.

Nabity said the goal is to create less expensive lots and housing in Grand Island. Habitat for Humanity is in support and owns a property that could then be developed with 24 homes instead of the 18 that would fit there under current regulations, he said. The proposal doesn't deal with street width, but does allow for a lot to be used for off-street parking.

Nabity presented two options. Option A reduces the minimum lot size from 6,000 square feet to 3,000 square feet and reduces the lot width from 50 feet to 35 feet or down to 24 feet for single-family attached. Option B would reduce the minimum lot size from 6,000 square feet to 4,000 square feet, but maintain the current minimum width at 50 feet.

Amos Anson, 4234 Arizona Avenue, spoke in favor of either option and said this would give Habitat and all contractors an option to build smaller houses, which would benefit first-time home-buyers as well as retirees or empty-nesters who want to downsize.

Anson said lot prices currently start at about \$35,000, which is expensive for an \$80,000 to \$100,000 home. The hope would be to reduce that to a lot cost between \$21,000 to \$28,000 depending on the size.

O'Neill closed the public hearing.

A motion was made by Ruge and seconded by Rainforth to recommend approval of the zoning change as presented in Option A.

The motion carried with twelve members in favor (Apfel, Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Randone and Kjar) and no members voting no or abstaining.

5. **Public Hearing – Rezoning – Grand Island** – A request to rezone part of Lot 1 and all of Lot 2 of proposed Meadow Lane Seventh Subdivision between Highway 34 and Goldenrod Drive and west of Shady Bend Road from LLR Large Lot Residential to B-2 General Business Zone, in the jurisdiction of the City of Grand Island, Hall County, Nebraska. (C-33-2017GI)

O'Neill opened the public hearing.

Nabity said this rezoning is different than the one the commission saw in June that rezoned all the property to B2. This new proposal retains four housing lots along the north bordering Goldenrod Drive and Conrad Drive. There would be two lots on the south for B2 General Business. Nabity said Lot 1 would have an access onto Highway 34 from the southwest corner and there would be an access easement to Lot 2. Lot 2 would also retain a legal access onto Conrad, but the county is forbidding truck traffic from that access. Nabity said there is already B2 zoned property to the east.

Linda Uhrich, 3126 Goldrod Drive, spoke against the rezoning. She had concerns about water drainage in the subdivision.

Judy Herzog, 3415 Conrad Drive, spoke against the rezoning. She said ongoing flooding is a problem. Septic tanks in the subdivision are affected. She said she wants her house saved. She submitted flooding pictures to the commission to review.

Rainforth asked if the area is in the floodplain. Nabity said the Wood River Flood Diversion project removed it from the floodplain, but the area has high groundwater. Nabity said septic tanks there are required to be mound systems.

Ray Dooley, 3060 Roselawn, spoke against the rezoning. He questioned why Lot 2 has a Conrad access. Nabity said every lot created must front onto a road. Dooley said rural fire protects the area and they aren't that quick. He opposes additional housing. He said there's no place for rainfall to go.

Commissioners asked questions about the condition of existing ditches and culverts. Residents in the subdivision said ditches are blocked and not all driveways have culverts. Robb and Rainforth suggested that the NRD be contacted to clean out culverts.

O'Neill said he lives to the northeast and drainage in the area has been a problem for years.

Elaine Dooley, 3060 Roselawn, spoke against the rezoning. She said the subdivision has had drainage problems for 40 years. It leads to standing water and mosquitoes. She said two property owners have impaired water flow by not installing culverts in their driveways. She said the groundwater is high. She said water is intended to drain to the northeast, but it does not. She doesn't want to see businesses come into the area, which she said would be spot zoning, as there are only three businesses there now. She said traffic is a problem on Highway 34 and more business will make it worse. She reminded the commission that she submitted a petition at the previous meeting with 73 opponents to any rezoning that allows business in what is now a residential area.

Mary Jo Cook, 3311 Roselawn Drive, spoke against the rezoning. She is concerned about the additional houses with a lack of drainage already. Homeowners have already had to sandbag their homes. She said more water has come into the subdivision since the Wal-Mart was built in the area. Mosquitoes are a problem and the Health Department comes out regularly to do treatment.

Christi DePoorter, 3321 Conrad Drive, said she and her family own the area to be rezoned. She also built a house in the subdivision. She said at the last meeting, there were two potential buyers for commercial use, but both have backed out after the negative reaction from the neighbors. Her family has tried to respond to the concerns by making residential lots on the north to keep the character of the neighborhood, yet still have commercial use along the highway. She said her family does drainage for a living and understands how it works. She said she did not put a culvert in her driveway at the suggestion of the Hall County Public Works Department, which is close to having a paving district prepared for the subdivision that now has dirt roads. She said her driveway will likely be redone as part of the paving district. She said new houses there would likely be built up and be a buffer to the slough. In response to questions, DePoorter said the proposed commercial lots are currently planted to alfalfa and if not rezoned for commercial use, could be used for the construction of 20 homes on the existing Large Lot residential zoning. She said the two commercial lots just make sense along Highway 34 as a highway corridor.

Suzie Schank, 3040 Roselawn Drive, spoke against the rezoning. She is concerned that some customers will try to exit the commercial lots via Conrad. She raised concerns about noise pollution, air pollution, traffic, water drainage and a lowering of property values.

Jane Richardson, 47 Kuester Lake, said she represents the Fifth District in Hall County. She said this area has had water drainage problems since her father represented the area. She said there needs to be a balance between commercial and residential property rights. Many people have lived in the subdivision for 40 years, she said.

Marlin Sekutera, 3521 Primrose Drive, spoke against the rezoning. He said he has lived in the subdivision for 14 years and drainage is a problem. He said whether the property is residential or commercial didn't much matter to him, but the land is at a confluence

of water and that needs to be addressed.

Steve Spaulding, 3204 S. Shady Bend Road, said he is a new buyer of 12 acres to the north of Conrad and east of Shady Bend Road. He said he was there to better learn and understand the issues. He said drainage is difficult and groundwater is the problem as its only 6 feet below the surface.

Rick Plambeck, 3217 Roselawn, said his property fronts the commercial lot. He is concerned about noise and pollution from a commercial use. He said property owners are on private wells in that area.

O'Neill closed the public hearing. The commission continued its discussion.

A motion was made by Ruge and seconded by Robb to approve the rezoning and find that the rezoning is consistent with Grand Island's Comprehensive Plan.

The approval motion deadlocked in a tie with six members in favor (Apfel, Ruge, Robb, Rainforth, Rubio and Sears) and six members voting no (Allan, O'Neill, Maurer, Monter, Randone and Kjar) and no one abstaining.

A motion was made by Monter and seconded by Maurer to deny the rezoning.

The denial motion failed with two members voting in favor (Monter and Maurer) and nine members voting no (Apfel, O'Neill, Ruge, Robb, Rainforth, Rubio, Sears, Randone, and Kjar) and one member (Allan) abstaining.

No consensus was reached so a recommendation of no recommendation will be forwarded to the Grand Island City Council.

6. **Final Plat – Meadow Lane Seventh Subdivision** – Located north of Highway 34 and west of Shady Bend Road in the jurisdiction of Grand Island, in Hall County, Nebraska. (6 lots and 11.68 acres)

Nabity said the plat was valid with or without the rezoning.

A motion was made by Ruge and seconded by Apfel to recommend approval of the final plat to the Grand Island City Council and Hall County board.

The motion carried with eleven members in favor (Apfel, Allan, O'Neill, Ruge, Maurer, Robb, Rainforth, Rubio, Sears, Randone and Kjar) and one member voting no (Monter) and no members abstaining.

7. **Preliminary Plat – Millennial Estates - Grand Island** – Located north of 13<sup>th</sup> Street and east of North Road in Grand Island, Hall County, Nebraska. (153 lots and 49.8 acres)
8. **Final Plat – Millennial Estates Subdivision** – Located north of 13<sup>th</sup> Street and east of North Road in Grand Island, Hall County, Nebraska. (38 lots and 15.68 acres)

Nabity said this subdivision first came forward about 10 years ago by developer Joel Shafer. The Starostka family is now moving forward with the project for single-family lots. Amos Anson spoke in favor of the development. Ruge said he would have liked to see Sagewood Avenue be connected instead of having a T intersection on the north end that will lead to headlights in front windows of houses built there.

A motion was made by Robb and seconded by Rainforth to approve the preliminary and final plat for Millennial Estates Subdivision.

The motion for the preliminary plat carried with eleven members in favor (Apfel, Allan, O'Neill, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Randone and Kjar) and one member voting no (Ruge) and no one abstaining.

The motion for the final plat carried with twelve members in favor (Apfel, Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Randone and Kjar) and no members voting no or abstaining.

9. **Final Plat – Prairie Creek Meadows Subdivision** – Located south of One-R Road and east of Webb Road, in Hall County, Nebraska. (9 lots and 55.09 acres)

A motion was made by Randone and seconded by Apfel to approve the final plat of Prairie Creek Meadows Subdivision.

The motion carried with twelve members in favor (Apfel, Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Randone and Kjar) and no members voting no or abstaining.

#### **Consent Agenda**

10. **Final Plat – Krohn Subdivision** – Located east of Highway 281 and south of Loup River Road in Hall County, Nebraska. (1 lot and 4.424 acres)

11. **Final Plat – Hatti's Homestead Subdivision** – Located east of Buffalo Road and north of Rosedale Road in Hall County, Nebraska. (1 lot and 1.735 acres)

A motion was made by Rainforth and seconded by Maurer to approve the consent agenda.

The motion carried with twelve members in favor (Apfel, Allan, O'Neill, Ruge, Maurer, Robb, Monter, Rainforth, Rubio, Sears, Randone and Kjar) and no members voting no or abstaining

12. **Director's Report.**

Nabity said the county budget was approved July 31 and the city budget is to be approved Sept. 12. New planning fees were proposed and have been approved by the

city and go to the county Sept. 19. Gov. Pete Ricketts declared Hall County as a Livestock Friendly County on August 27 at the Nebraska State Fair. Long-time Regional Planning technician Ed Maslonka retired on September 1. He had served the 50-year-old Regional Planning Department for 49 years and seven months. Naby said a new job description is being prepared for a second planner position. The upcoming October 11<sup>th</sup> Regional Planning meeting will include a 50<sup>th</sup> anniversary celebration for the department and the annual Community Beautification awards. Beautification award nominations are being accepted.

**13. Next Regular Meeting October 11, 2017.**

**14. Adjourn**

O'Neill adjourned the meeting at 7:54 p.m.

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Leslie Ruge, Secretary  
By Tracy Overstreet Gartner