

**PLATTSMOUTH PLANNING COMMISSION**  
**JANUARY 17, 2013**

Meeting convened at 7:30 p.m. on January 17, 2013 at Plattsmouth City Hall, 136 N. 5<sup>TH</sup> Street, Plattsmouth, Nebraska. A copy of the agenda for the meeting is attached to these minutes. Notice of the meeting, which communicated the availability of the agenda, was published in *The Plattsmouth Journal*, Plattsmouth, Nebraska, on January 3, 2013, with the Affidavit of Printer as proof of publication attached to these minutes. Notice of the meeting and the agenda were provided to all members in advance, and their acknowledgment of receipt is attached hereto. All proceedings were taken while convened with attendance open to the public.

ITEM 1

Chairman Marc Nichols called the meeting to order at 7:30 p.m.

ITEM 2

Nichols announced the location of the Open Meetings Act and of documents pertaining to the planning agenda.

ITEM 3

Answering roll call were Robert Rice, Richard McKinley, Billy Hale, Dewayne Prince, Sharon Kief, Jeff Kindig, Karen Weaver, Marc Nichols. Absent was Paul Lambert.

Also present was City Inspector Kevin Larson.

ITEM 4

MOTION BY WEAVER, SECONDED BY KINDIG, TO APPROVE THE MINUTES OF THE DECEMBER 20, 2012 MEETING. A voice vote in favor was unanimous, MOTION CARRIED.

Nichols asked the members of the planning commission if any had ex-parte contact regarding the agenda items. McKinley stated he had spoken to City Administrator Erv Portis. Nichols stated he had received a letter regarding an agenda item.

ITEM 5

Nichols read from the agenda, "Consider a recommendation to the Plattsmouth City Council regarding a special use permit application by Cheryl Dorff for a stable in a RR (Rural Residential) Zoning District on property located at 18621 Deer Ridge Drive, Plattsmouth, legally described as Lot 23, Swallow Hills Estates, Cass County, Nebraska."

Weaver opened discussion stating the application meets the conditions for a special use permit, Swallow Hills Estates was designed for horses and training potential riders is a good thing, that denying the special use permit would set a precedent, Swallow Hills Estates has 50 foot setbacks from the posted 15 mile per hour public roads, home businesses happen in all neighborhoods, horses are allowed on public streets, and there are bridle trails in Swallow Hills Estates.

Kief said the application meets the conditions of a special use permit and suggested some conditions, such as annual inspections, be applied to lessen the stable's impact.

McKinley suggested limiting the number of participants to two per horse. Prince asked about enforcement.

Nichols suggested spot checks by the city.

Weaver mentioned bedding and manure disposal.

McKinley suggested no more than seven horses.

Prince said city ordinance limits the number of horses in a RR District to five.

Nichols compared the stable special use permit to a kennel special use permit, in that the maximum number of animals is at the city's discretion.

Prince said the ordinance refers to hooved animals.

McKinley suggested the number of vehicles not owned by the residents be limited to two per animal, the hours be 8 a.m. to 7 p.m. Monday through Thursday, 8 a.m. to 9 p.m. Friday and Saturday, and closed on Sunday, that the stable be inspected by a licensed veterinarian every two years in addition to inspections by the city, and the applicant provide proof of the veterinarian inspection to the city.

Prince suggested quarterly inspections by the city.

Kindig suggested limiting the number of horses to seven and the number of participants to 12.

Weaver suggested the veterinarian inspections be the responsibility of the owner.

Kief asked about signage and Nichols suggested it be addressed by the sign ordinance.

Weaver asked about the quarterly inspections being diminished after a year and Nichols suggested the schedule be set by city staff.

Following discussion, MOTION BY RICE, SECONDED BY MCKINLEY TO RECOMMEND TO THE PLATTSMOUTH CITY COUNCIL APPROVAL OF A

SPECIAL USE PERMIT APPLICATION BY CHERUL DORFF FOR A STABLE IN A RR (RURAL RESIDENTIAL) ZONING DISTRICT ON PROPERTY LOCATED AT 18621 DEER RIDGE DRIVE, PLATTSMOUTH, LEGALLY DESCRIBED AS LOT 23, SWALLOW HILLS ESTATES, CASS COUNTY, NEBRASKA, WITH THE FOLLOWING CONDITIONS:

- NO MORE THAN SEVEN (7) HOOVED ANIMALS
  - HOURS OF OPERATION FROM 8 A.M. TO 7 P.M. MONDAY THROUGH SATURDAY, WITH THE STABLE CLOSED ON SUNDAY
  - CLIENT PARKING ON SITE LIMITED TO 12 VEHICLES
  - ALL STABLE OPERATIONS TAKE PLACE ON SITE (LOT 23, SWALLOW HILLS ESTATES)
  - QUARTERLY INSPECTIONS BY CITY DURING FIRST YEAR OF OPERATION, ANNUAL INSPECTIONS THEREAFTER
  - ANNUAL INSPECTIONS BY A VETERINARIAN AT OWNER'S EXPENSE, WITH A COPY OF THE INSPECTION REPORT PROVIDED TO THE CITY
  - THE NUMBER OF CLIENTS ON SITE SHALL NOT EXCEED 12
- RICE AMENDED HIS MOTION, SECONDED BY MCKINLEY, TO INCLUDE AN ADDITIONAL CONDITION:
- SPECIAL USE PERMIT IS ISSUED TO THE APPLICANT AND DOES NOT TRANSFER WITH THE LAND.

On roll call: VOTING YES; RICE, MCKINLEY, HALE, PRINCE, KIEF, KINDIG, WEAVER, NICHOLS. VOTING NO; NONE. ABSENT AND NOT VOTING, LAMBERT. MOTION CARRIED.

#### ITEM 6

Nichols read from the agenda, "A public hearing regarding The City of Plattsmouth One and Six Year Road Plan.

Nichols opened the public hearing at 8:35 p.m. Plattsmouth Assistant Public Works Director Alan Aylor spoke in favor of the proposed plan. No one else spoke either in favor or in opposition to the proposed plan, and Nichols closed the hearing at 8:35 p.m.

#### ITEM 7

Following discussion, MOTION BY WEAVER, SECONDED BY RICE, TO RECOMMEND TO THE PLATTSMOUTH CITY COUNCIL APPROVAL OF THE CITY OF PLATTSMOUTH ONE AND SIX YEAR ROAD PLAN WITH THE ADDITION TO THE SIX YEAR PLAN OF PAVING OF AVENUE A EAST OF N. 3<sup>RD</sup> STREET TO THE ALLEY.

On roll call: VOTING YES, MCKINLEY, HALE, PRINCE, KIEF, KINDIG, WEAVER, NICHOLS, RICE. VOTING NO, NONE. ABSENT AND NOT VOTING, LAMBERT. MOTION CARRIED.

ITEM 8

Nichols read from the agenda, "Consider a resolution commemorating Charlie Warga's civic service to Plattsmouth."

Nichols read resolution P2013-001,

"Whereas, Charles (Charlie) Warga Jr. is a lifelong Plattsmouth resident:

"Whereas, Mr. Warga has demonstrated a lifelong commitment to the economic and community development of Plattsmouth and the surrounding area;

Whereas, several different mayors nominated and many city council members confirmed Charlie's nomination to serve on The City of Plattsmouth Planning Commission;

Whereas, in his many years of service, Charlie faithfully and diligently worked with his planning commission peers to apply quality principles of regional and municipal planning to assure smart and well-managed growth and long-term prosperity for Plattsmouth;

Whereas, Charlie Warga is trusted, admired, and respected by his planning commission peers, and the Plattsmouth community for his many contributions to Plattsmouth.

Now, therefore, be it resolved by The City of Plattsmouth Planning Commission that Charlie Warga is appreciated, recognized, and thanked for his service and let the minutes of the January 17, 2013 planning commission accurately memorialize this resolution of appreciation.

Passed and approved this 17<sup>th</sup> day of January, 2013."

MOTION BY WEAVER, SECONDED BY MCKINLEY TO ADOPT RESOLUTION P2013-001 AND THAT THE RESOLUTION BE PRESENTED TO CHARLIE WARGA AT THE NEXT PLANNING COMMISSION MEETING.

On roll call: VOTING YES, HALE, PRINCE, KIEF, KINDIG, WEAVER, NICHOLS, RICE, MCKINLEY. VOTING NO, NONE. ABSENT AND NOT VOTING, LAMBERT. MOTION CARRIED.

Nichols announced the upcoming NPZA convention would take place in Kearney March 27-29.

ITEM 9

MOTION BY HALE, SECONDED BY MCKINLEY, TO ADJOURN. A voice vote in favor was unanimous, MOTION CARRIED. Meeting adjourned at 8:52 p.m.

---

Marcus Nichols  
Chairman

Minutes recorded and typed by Kevin Larson