

PLATTSMOUTH PLANNING COMMISSION MINUTES
October 20, 2016

Meeting convened at 7:30 p.m. on October 20, 2016 at the Plattsmouth City Hall, 136 N. 5th 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 October 6, 2016, 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. All proceedings were taken while convened with attendance open to the public.

ITEM 1

Chairman Jeff Kindig called the meeting to order at 7:30 p.m.

ITEM 2

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

ITEM 3

Answering roll call were Angie Minahan, Richard McKinley, Robert Rice, Mike Bowman, Heather Herlick, Dewayne Prince, Jeff Kindig, Karen Weaver, Mary Harding.

ITEM 4

MOTION BY RICE, SECONDED BY HARDING, TO APPROVE THE MINUTES OF THE AUGUST 18, 2016 MEETING. A VOICE VOTE WAS UNANIMOUS, MOTION CARRIED.

ITEM 5

Kindig read from the agenda, "A public hearing regarding a request for a special use permit (kennel) in a RR (Rural Residential) District by Brenda Carroll on property located at 3317 Horning Road, legally described as 32-12-14 Lot 11 NW1/4 NE/14."

Kindig opened a public hearing at 7:31 p.m. Applicant Brenda Carroll spoke in favor of the application, noting that she is licensed by the State of Nebraska as a dog breeder. City Administrator Erv Portis spoke, stating Carroll has been very cooperative since being informed that she needs a special use permit to continue her kennel operations. No one else spoke, and Kindig closed the hearing at 7:35 p.m.

Following discussion: MOTION BY MCKINLEY, SECONDED BY BOWMAN, TO

RECOMMEND TO THE PLATTSMOUTH CITY COUNCIL APPROVAL OF A SPECIAL USE PERMIT (KENNEL) REQUEST BY BRENDA CARROLL WITH THE CONDITIONS THAT: (1) CARROLL MAINTAINS A STATE OF NEBRASKA COMMERCIAL BREEDER LICENSE; (2) CARROLL PROVIDES COPIES OF HER STATE INSPECTION REPORTS TO THE CITY OF PLATTSMOUTH ON AN ANNUAL BASIS; (3) THE SPECIAL USE PERMIT FOR A KENNEL WILL BE SPECIFIC TO BRENDA CARROLL AND NOT THE PROPERTY; (4) THE MAXIMUM NUMBER OF CANINES EXCEEDING FOUR MONTHS OF AGE WILL BE NOT MORE THAN 25; (5) CARROLL PROVIDES PROOF OF A STATE OF NEBRASKA BREEDER LICENSE. On roll call, VOTING YES, MCKINLEY, RICE, BOWMAN, HERLICK, PRINCE, KINDIG, WEAVER, HARDING, MINAHAN; VOTING NO, NONE; ABSENT AND NOT VOTING, NONE; MOTION CARRIED.

ITEM 6

Kindig read from the agenda, "A public hearing regarding the annexation of property legally described as: BEGINNING AT A POINT OF INTERSECTION OF THE SOUTH R.O.W. OF 1ST AVENUE AND THE EAST R.O.W. LINE OF 1ST STREET; THENCE EASTERLY ON THE EXTENDED SOUTH R.O.W. OF 1ST AVENUE TO THE INTERSECTION OF THE SOUTHERLY EXTENDED WEST LINE OF KIM SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHERLY ALONG THE WEST LINE OF KIM SUBDIVISION TO THE NORTHWEST CORNER OF LOT 4 OF KIM SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF LOT 4 KIM SUBDIVISION TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 4 OF KIM SUBDIVISION TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTHEASTERLY TO A POINT ON THE EAST R.O.W. OF RIVER ROAD, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 118 PAGE 661 CASS COUNTY REGISTER OF DEEDS; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF AFORESAID TRACT OF LAND TO THE WEST BANK OF THE MISSOURI RIVER; THENCE NORTHEASTERLY ALONG THE WEST BANK OF THE MISSOURI RIVER TO THE SOUTHEAST CORNER OF LOT 23 OF CASTAWAY COTTAGES SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHEASTERLY ALONG THE EAST LINE OF THE AFORESAID LOT 23 TO THE SOUTHEAST CORNER OF OUTLOT 1 OF CASTAWAY ESTATES SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHEASTERLY ALONG THE EAST LINE OF AFORESAID OUTLOT 1 TO THE NORTHEAST CORNER OF SAID OUTLOT 1; THENCE NORTHEASTERLY ALONG THE WEST BANK OF THE MISSOURI RIVER TO THE NORTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED BOOK 141 PAGE 82 CASS COUNTY REGISTER OF DEEDS, ALSO KNOWN AS THE PLATTSMOUTH BOAT LAUNCH AREA, TO THE NORTHEAST CORNER OF SAID TRACT; THENCE NORTHWESTERLY ALONG SAID NORTH LINE OF THE AFORESAID TRACT OF LAND TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID TRACT TO

THE INTERSECTING NORTH R.O.W. LINE OF THE RELOCATION OF DOCK ROAD DESCRIBED IN MISC. BOOK 54 PAGE 241 CASS COUNTY REGISTER OF DEEDS; THENCE ALONG THE NORTH R.O.W. LINES OF DOCK ROAD AND NORTH LINES OF EAST MAIN STREET TO THE INTERESECTION OF SAID NORTH R.O.W. LINES AND THE INTERSECTING EAST LINE OF THE BNSF RAILROAD R.O.W.,THENCE SOUTHERLY ALONG THE EAST R.O.W. LINE OF THE BNSF RAILROAD R.O.W. TO A POINT OF INTERSECTION WITH THE SOUTH R.O.W. LINE OF EAST MAIN STREET; THENCE EASTERLY ALONG THE SOUTH R.O.W. LINE OF EAST MAIN STREET TO THE INTERSECTION OF SAID SOUTH R.O.W. LINE AND THE EAST R.O.W. LINE OF 1ST STREET; THENCE SOUTHERLY ALONG THE EAST R.O.W LINE OF 1ST STREET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 82.6 ACRES MORE OR LESS.”

Kindig opened a public hearing at 7:55 p.m. Portis spoke, explaining this issue had been before the planning commission at an earlier date but, due to a procedural error, had to be repeated. No one else spoke, and Kindig closed the hearing at 7:56 p.m.

Following discussion: MOTION BY WEAVER, SECONDED BY RICE, TO RECOMMEND TO THE PLATTSMOUTH CITY COUNCIL THE ANNEXATION OF PROPERTY LEGALLY DESCRIBED AS: BEGINNING AT A POINT OF INTERSECTION OF THE SOUTH R.O.W. OF 1ST AVENUE AND THE EAST R.O.W. LINE OF 1ST STREET; THENCE EASTERLY ON THE EXTENDED SOUTH R.O.W. OF 1ST AVENUE TO THE INTERSECTION OF THE SOUTHERLY EXTENDED WEST LINE OF KIM SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHERLY ALONG THE WEST LINE OF KIM SUBDIVISION TO THE NORTHWEST CORNER OF LOT 4 OF KIM SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF LOT 4 KIM SUBDIVISION TO THE NORTHEAST CORNER OF SAID LOT 4;THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 4 OF KIM SUBDIVISION TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTHEASTERLY TO A POINT ON THE EAST R.O.W. OF RIVER ROAD, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 118 PAGE 661 CASS COUNTY REGISTER OF DEEDS; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF AFORESAID TRACT OF LAND TO THE WEST BANK OF THE MISSOURI RIVER;THENCE NORTHEASTERLY ALONG THE WEST BANK OF THE MISSOURI RIVER TO THE SOUTHEAST CORNER OF LOT 23 OF CASTAWAY COTTAGES SUBDIVISION, A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA;THENCE NORTHEASTERLY ALONG THE EAST LINE OF THE AFORESAID LOT 23 TO THE SOUTHEAST CORNER OF OUTLOT 1 OF CASTAWAY ESTATES SUBDIVISION,A PLATTED SUBDIVISION IN CASS COUNTY NEBRASKA; THENCE NORTHEASTERLY ALONG THE EAST LINE OF AFORESAID OUTLOT 1 TO THE NORTHEAST CORNER OF SAID OUTLOT 1; THENCE NORTHEASTERLY ALONG THE WEST BANK OF THE MISSOURI RIVER TO THE NORTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED BOOK 141 PAGE 82 CASS COUNTY REGISTER OF DEEDS,

ALSO KNOWN AS THE PLATTSMOUTH BOAT LAUNCH AREA, TO THE NORTHEAST CORNER OF SAID TRACT; THENCE NORTHWESTERLY ALONG SAID NORTH LINE OF THE AFORESAID TRACT OF LAND TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID TRACT TO THE INTERSECTING NORTH R.O.W. LINE OF THE RELOCATION OF DOCK ROAD DESCRIBED IN MISC. BOOK 54 PAGE 241 CASS COUNTY REGISTER OF DEEDS; THENCE ALONG THE NORTH R.O.W. LINES OF DOCK ROAD AND NORTH LINES OF EAST MAIN STREET TO THE INTERESECTION OF SAID NORTH R.O.W. LINES AND THE INTERSECTING EAST LINE OF THE BNSF RAILROAD R.O.W., THENCE SOUTHERLY ALONG THE EAST R.O.W. LINE OF THE BNSF RAILROAD R.O.W. TO A POINT OF INTERSECTION WITH THE SOUTH R.O.W. LINE OF EAST MAIN STREET; THENCE EASTERLY ALONG THE SOUTH R.O.W. LINE OF EAST MAIN STREET TO THE INTERSECTION OF SAID SOUTH R.O.W. LINE AND THE EAST R.O.W. LINE OF 1ST STREET; THENCE SOUTHERLY ALONG THE EAST R.O.W LINE OF 1ST STREET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 82.6 ACRES MORE OR LESS.” On roll call: VOTING YES, RICE, BOWMAN, HERLICK, PRINCE, KINDIG, WEAVER, HARDING, MINAHAN, MCKINLEY; VOTING NO, NONE; ABSENT AND NOT VOTING, NONE; MOTION CARRIED.

ITEM 7

MOTION BY RICE, SECONDED BY WEAVER TO ADJOURN. A voice vote was unanimous, MOTION CARRIED. Meeting adjourned at 8 p.m.

Dewayne Prince
Secretary

Minutes recorded and typed by Kevin Larson