

Eagle Planning Commission

April 18, 2017

The Eagle Planning Commission met in regular session at 7:00 PM on April 18, 2017 with Terry Caddy, John Surman, Randy Todd, Clifford Schildt, Douglas Cummins & Willa DiCostanzo present. Dale Ellwanger was absent. The Agenda items listed thereon were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. The Chair, at the beginning of the meeting, informed the public about the location of the posted current copy of the Open Meetings Act. Chairperson Caddy named the three (3) areas where the agenda was posted as follows: Village Clerk's Office, Eagle Fire & Rescue Department and Eagle State Bank.

PUBLIC HEARING for the purpose of hearing testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG (Agricultural) to I1 (Light Industrial) for the following described property: Tax Lot 23 (Outside City) located in the Southwest Quarter of Section 21, Township 10 North, Range 9 East of the 6th Principal Meridian, Eagle, Cass County, Nebraska, containing 9.62 acres.

Chairperson Caddy opened the Public Hearing at 7:00 p.m. to discuss hearing testimony concerning a zoning change from AG (Agricultural) to I1 (Light Industrial) for Tax Lot 23 (Outside City) located in the Southwest Quarter of Section 21, Township 10 North, Range 9 East of the 6th Principal Meridian, Eagle, Cass County, Nebraska. Dave Halvorsen was present and introduced himself as the property owner of Tax Lot 23 and the adjoining property to the west which is residentially zoned. Halvorsen said his intentions for Tax Lot 23 are to create an outdoor storage facility for boats, campers, trailers, and etcetera. The facility would be surrounded by a 10-foot high fence with barbed wire as well as an electronic gate on the west end of the property for access. Halvorsen said he has spoken with OPPD on leasing lighting for the area. The property currently contains a 40' x 80' Morton building which may be used for some smaller storage items. Halvorsen said the yard has been cleaned of debris and his plan would include installing rock as a driving surface. Tax Lot 23 shares a driveway with the residential property to its west and the plan is to obtain a permanent easement for this driveway. Caddy asked if the idea was to fence the entire perimeter of the facility. Halvorsen said yes. Caddy cited Zoning Section 9.04.01.04 which states, in part, fences constructed along and parallel to lot lines separating a residential lot from property located in an industrial district shall be a minimum of 6-feet and shall not exceed 8-feet in height. Surman cited Zoning Section 9.04.01.03 which states, in part, where it is demonstrated for security purposes the perimeter fencing in an industrial district may be higher than 8-feet in height if approved through a Conditional Use Permit. The Planning Commission agreed that a recommendation to the board would include the installation of a 10-foot fence. DiCostanzo cited Zoning Section 9.04.04 which states, in part, the use of barbed wire is prohibited except when used with perimeter security fencing in an industrial district and plans and specifications for such fencing must be approved by the Village before commencement of construction. DiCostanzo asked what precautions will be taken concerning Eagle Elementary when spraying for weeds

prior to installation of the rock driving surface. Halvorsen said he will coordinate with the school and plans to utilize the local farmer's cooperative for spraying. Caddy said any lighting installed on the property cannot illuminate on neighboring properties. Caddy said a 50-foot front yard setback is required between the Light Industrial and Residential Urban zoning districts. Caddy cited Zoning Sections 9.05.02 and 9.05.03 pertaining to screening requirements and suggested planting evergreen trees or shrubs to divide the two zoning districts and school property. Surman said vinyl fence slats are also an option to reduce visibility on the south side. Halvorsen asked if the fencing can be placed on the property line. Caddy said yes. Todd noted that the north side of the property which faces the MoPac Trail has some screening already in place from trees and berms. Caddy said the MoPac Trail is surrounded by agricultural land and shouldn't need any extra screening at this time.

Motion by Caddy, second by Cummins, to close the public hearing at 7:30 p.m.
Voting: Ayes – 6. Motion carried.

Motion by Surman, second by Schildt, to approve the recommendation of zoning change from AG (Agricultural) to I1 (Light Industrial) for Tax Lot 23 (Outside City) located in the Southwest Quarter of Section 21, Township 10 North, Range 9 East of the 6th Principal Meridian, Eagle, Cass County, Nebraska, containing 9.62 acres contingent upon obtaining a permanent easement for the associated driveway and allowing for a 10-foot high fence for security purposes. Voting: Ayes – 6. Motion carried.

The meeting was adjourned at 7:40 p.m.

Terry Caddy
Chairperson

Nick Nystrom
Village Clerk