

**Village of Eagle
Planning Commission Meeting Minutes
August 9, 2018
Eagle Fire & Rescue Department -7:00 P.M.**

The Village of Eagle Planning Commission Meeting was called to order by Chairman Terry Caddy at 7:00 p.m. on August 9, 2018. The three locations of meeting notices were identified as the Eagle Village Office, Fire Department notice board, and Eagle State Bank. The Open Meetings Act location was announced as being on the east wall of the meeting room. Roll call of Commission members: Terry Caddy - present, John Surman - present, Randy Todd - absent, Clifford Schildt - present, Doug Cummins - absent, Dale Ellwanger - present, and Willa Dicostanzo - Present.

Guests in Attendance:

Leo Pelds
Justin Stark
Bob Bleicher
Nick Nystrom
Travis Moore
Ken Halvorsen
Dave Halvorsen
Sandy Weyers
Rick Hestermann

The first item of business was the Public Hearing which was opened at 7:05 p.m. for the purpose of hearing testimony concerning a Preliminary Plat for Tax Lot 1 located in a portion of the N ½ of the SW ¼ of Section 28, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska.

Bob Bleicher spoke on the purpose of the request. John Surman raised the issue of possible long term problems of selling the 3 acre parcel as it is situated and with the ingress and egress as it presently is if ownership of Eagle Nursery were to change. Bob Bleicher indicated that the owners of Eagle Nursery have the first right of refusal on the 3 acre property and that his intentions are to remain on the property for 20 more years if health conditions permit.

Caddy reviewed well set backs from adjoining properties which require a 5' setback according to Rick Hestermann and these are adequate. Caddy reviewed sewer set

backs from adjoining properties which require a 5' set back according to Rick Hestermann and these are adequate. Caddy had the Justin Stark address the driveway easement issue - ROW along with the Final Plat Specifications checklist from Olsson Associates which are attached to the minutes. It was discussed that since this was a single lot being split off with no other development plans that the 20' drive easement along with the 20' utility easement was sufficient at this time and if future development was to take place in the future these issues would be addressed at that time. The Public Hearing was closed at 7:14 P.M.

The second Public Hearing was called to order at 7:15 for the purpose of hearing testimony concerning a zoning change and amendment of the Eagle Zoning Map from AG to RE for Tax Lot 1 located in a portion of the N ½ of the SW ¼ of Section 28, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Caddy indicated that a chicken coop was located on the property and indicated to Mr. Bleicher that no livestock are allowed on RE zoned property, however, realizing it is non-conforming the planning commission was in agreement that the coop with the 20 hens would be allowed since it is a grandfathered issue and indicated that no expansion of the number of chickens would be allowed. Seeing no other discussion the Public Hearing was closed at 7:17 P.M.

The third Public Hearing was called to order at 7:18 P.M. for the purpose of hearing testimony concerning a Final Plat/Subdivision Application for a portion of Tax Lot 12 located in the SE ¼ of Section 20, Township 10 North, Range 9 East of the 6th P.M., Village of Eagle, Cass County, Nebraska.

Leo Pelds representing Casey's was present replacing Wally Pelds for the evening because of back issues, presented an overview of the Final Plat. Sandy Weyers was present and questioned Mr. Pelds as to increased water issues being a problem for her basement because of the water retention devices in the plans to meet DOT requirements for the Casey's project. Mr. Pelds explained that the water retention devices being planned should not cause increased problems for her. Justin Stark from Olsson Associates went over the Final Plat Comments two page letter presented to the Planning Commission which is attached to the minutes. There are a number of smaller items to be addressed before the August 20th Village Board Meeting and Casey's will need to address these items before that meeting.

The Village Engineer indicated two issues not addressed in the letter that also should be added, 1. The sizing and materials to be used for the screening fence and plantings between Casey's and local neighbors. 2. The County Surveyor is to review the Legal

Description and give his approval for the way it has been presented or give advice on any changes.

Seeing no further discussion the Public Hearing was closed at 7:51 P.M.

The Planning Commission continued their meeting at 7:52 with John Surman moving and Terry Caddy seconding the approval of a Preliminary Plat for Tax Lot 1 located in a portion of the N ½ of the SW ¼ of Section 28, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Seeing no discussion the motion was voted on and carried. (Dale Ellwanger - yes, Clifford Schildt - yes, Terry Caddy - yes, Willa Dicostanzo - yes, and John Surman - yes)

Clifford Schildt moved and Willa Dicostanzo seconded the motion for the approval of zoning change and amendment of the Eagle Zoning Map from AG to RE for Tax Lot 1 located in a portion of the N ½ of the SW ¼ of Section 28, Township 10 North, Range 9 East of the 6th P.M., Village of Eagle, Cass County, Nebraska. Discussion by Caddy indicating that the Planning Commission was allowing the 20 hens as a grandfather clause, but no added poultry or other livestock was allowed following the zoning change. Seeing no further discussion the motion was voted on and carried. (Dale Ellwanger - yes, Clifford Schildt - yes, Terry Caddy - yes, Willa Dicostanzo - yes, and John Surman - yes)

Willa Dicostanzo moved and Clifford Schildt seconded the motion to give conditional approval of a Final Plat/Subdivision Application for a portion of Tax Lot 12 located in the SE ¼ of Section 20, Township 10 North, Range 9 East of the 6th P.M., Village of Eagle, Cass County, Nebraska. The conditions are those presented by the Olsson Associates letter to the Planning Commission dated August 9, 2018 attached to the minutes plus three other conditions from the Planning Commission - 1. County Surveyor review the presented legal description and make recommendations and/or approve as presented. 2. Materials and sizing of screening wall and plantings be included in the Final Plat information.

3. All DOT requirements be met as presented in the DOT letter dated July 19, 2018 to the Village of Eagle also attached to the minutes.


Seeing no further discussion the motion was voted on and carried. (Dale Ellwanger - yes, Clifford Schildt - yes, Terry Caddy - yes, Willa Dicostanzo - yes, and John Surman - yes)

Ken Halvorsen asked what the time-line progression on Casey's would be and it was indicated by the Planning Commission that Casey's would need to make the additional material available to the Eagle Village Board addressing the conditions outlined before

the August 20th Public Hearing date or the Public Hearing would need to be extended to the next Village Board Meeting in September.

Seeing no further items on the agenda the meeting was adjourned at 8:08 p.m..

This meeting was recorded by the Village of Eagle and the minutes as presented were prepared by Terry Caddy and presented to the Village of Eagle on August 10, 2018.

A handwritten signature in blue ink, reading "Terry L. Caddy". The signature is written in a cursive style with a large initial "T" and "C".



August 9, 2018

Village of Eagle
Attn: Nick Nystrom, Clerk
540 C Street
Box 130
Eagle, Nebraska 68347

Re: Casey's Addition to Eagle
Final Plat Review
Olsson Project No. 017-0115

Dear Mr. Nystrom, Planning Commission Members and Village Board Members:

We have completed our review of the submittal for the development known as Casey's Addition to Eagle.

The following items were considered for this review:

1. Final Plat dated March 15, 2018. There was one sheet included.
2. Storm Water Calculations completed by A. Leo Pelds Engineering Company dated May 17, 2018.
3. Site Improvements drawings dated July 18, 2018. There were six sheets included: cover sheet, street plan & profile, storm crossing plan & profile, jointing plan, intersection details, pavement removal & details.
4. Site Improvements drawings dated May 15, 2018. There were seven sheets included: cover sheet, topo & boundary, demolition plan, site plan, grading plan, utility plan, detail sheet.
5. Preliminary Subdivision Agreement.

The following are comments and observations related to this review. Our review was based on the 2007 Eagle, Nebraska Comprehensive Development Plan, Zoning, and Subdivision Regulations of which Olsson has a physical copy that had been obtained from the Village prior to this review.

Final Plat Comments

1. No vicinity map is included.
2. Lots A, B, and C should be defined as dedicated ROW.
3. A legal description is needed for the proposed addition. The current final plat has legal descriptions for the underlying tracts, but nothing for the proposed.

Subdivision Agreement Comments

1. An itemized cost estimate of public improvements should be included with an acceptable escrow agreement.

Site Improvements (Private Store) Comments

Sheet 1

1. The title indicates Eagle, Iowa and should be Nebraska.

Sheet 2

1. No comments on this sheet.

Sheet 3

1. Existing fence along the west side of the property needs to be addressed as remove and replace at a minimum.

Sheet 4

1. Review all curves and radii and make sure they match the public improvement plans. It appears a couple along 2nd Street are different between the two sets.

Sheet 5

1. No comments on this sheet.

Sheet 6

1. Update this sheet according to comments made on the public improvements set of drawings.
2. Preference for sanitary connection would be outside of the street. Consider running sanitary service straight west and then connect into existing sanitary outside the street.

Sheet 7

1. There are details on this sheet that are from City of Lincoln Standard drawings that contain seals without signatures. The standard details are okay to use, but you cannot include someone else's unsigned seal with the detail. These details will need to be under the engineer of record's seal.

General Comments

1. All comments from the Nebraska Department of Transportation need to be addressed and requirements met for the proposed 2nd Street access.
2. Landscape screening and fencing proposed in the preliminary plat is not shown on any drawings. This needs to be included as proposed in the preliminary plat.
3. Chain link fence should be installed along the proposed west right-of-way line along the west side of proposed 2nd Street to maintain the same level of security that this adjacent lot currently has.
4. Storm water calculations should be updated to include the predevelopment and post development runoff amounts so the potential need for detention can be verified.
5. A NPDES Storm Water Permit will be required prior to the start of construction which will require an erosion control plan for the project.



August 9, 2018

Village of Eagle
Attn: Nick Nystrom, Clerk
540 C Street
Box 130
Eagle, Nebraska 68347

Re: Eagle Nursery
Preliminary Plat Review
Olsson Project No. 017-0115

Dear Mr. Nystrom, Planning Commission Members and Village Board Members:

We have completed our review of the submittal for the development known as Eagle Nursery. Information was emailed on 6/22/18.

The following items were considered for this review:

1. Final Plat (2 sheets) dated 6/15/18

The following are comments and observations related to this review. Our review was based on the 2007 Eagle, Nebraska Comprehensive Development Plan, Zoning, and Subdivision Regulations of which Olsson has a physical copy that had been obtained from the Village prior to this review.

Final Plat Specifications

Section No.	Requirement Met	Explanation
3.05.01	Yes	Name of subdivision is included on the Final Plat.
3.05.02	Yes	North Arrow, Scale, and Date are included.
3.05.03	Yes	Lot numbers, Street Names, Location and Right-of-Way widths are shown on Plat.
3.05.04	Yes	A Boundary survey is provided.
3.05.05	Yes	Fractional lines of the Township and Section surveys are shown on Plat.
3.05.06	Yes	Boundary dimensions of platted area are shown or described on Plat.
3.05.07	Yes	Bearing on the Boundary lines are shown or noted on Plat.

Section No.	Requirement Met	Explanation
3.05.08	Yes	A legal description is provided that matches the Plat.
3.05.09	Yes	Adjacent subdivisions, streets, alleys, and easements are included. Some of these are cut off on the right side of the plat and should be revised to be completely legible.
3.05.10	No	Lot numbers within the plat are included but no block numbers are included. No streets are proposed within the plat.
3.05.11	Yes	Enough information is provided to re-establish lots and blocks in field.
3.05.12	Yes	All distances of lots and blocks are shown to the one-hundredth of a foot.
3.05.13	No	The Notary Block is not included and shall be signed with the final version.
3.05.14	Yes	A block for certification by County Treasurer is not provided and shall be signed with the final version.
3.05.15	Yes	A block for approval of the Planning Commission is provided and shall be signed with the final version.
3.05.16	Yes	A block for approval of Village Board is provided as stated in requirements and shall be signed with the final version.
3.05.17	Yes	A block for approval of the Village Engineer is provided and shall be signed with the final version.
3.05.18	Yes	A legal description is included.
3.05.19	N/A	A block for certificate of Co. Register of Deeds is not provided, but may not be required by the county anymore.
3.05.20	No	A block of review for Cass County Surveyor is not provided and shall be signed with the final version.
3.05.21	N/A	Unknown if lending institution block is required.
3.05.22	Yes	A block for surveyor's certification is provided and shall be signed with the final version.
3.05.23	No	Private restrictions or covenants (if any) are expected to be provided to Village before approval of the plat.
3.05.24	No	Mylar copy of plat is expected to be provided to the Village.
3.05.25	N/A	State plane coordinates for boundary corners and reference points are not provided, but enough information is provided to re-establish lots and blocks in the field.

Section No.	Requirement Met	Explanation
3.05.26	N/A	Estimated costs for improvements were not provided and not expected since no major development is expected with this acreage development as indicated on the plat.
3.05.27	N/A	No public improvements are included with the plat so financial data of such is not expected.
3.05.28	No	A subdivision agreement was not provided for Village Engineer review.
3.05.29	Yes	A waiver request for sidewalks is included on the plat. It is reasonable to accept this request due to the nature of this subdivision being an acreage development.
3.05.30	N/A	Construction plans were not provided since no public improvements are included with the plat.
3.05.31	N/A	A drainage summary was not provided and is not expected since there are no proposed grading changes with this plat as indicated.
3.05.32	No	A final version of the final plat shall be submitted to the Village prior to approval.

Streets

A 20-foot ingress/egress easement over an existing gravel drive is proposed to provide access to the proposed lots from Hwy 43 (214th Street). Private roadways are allowed per Section 4.13 if authorized by the Village Board. The existing aggregate surfacing is proposed to remain, and this is acceptable given the nature of the subdivision creating two total lots with this gravel drive primarily serving Lot 1 which is an acreage lot of greater than 3 acres.

The comprehensive development plan currently shows a future collector street across the southern boundary of this addition. The Village should consider the possibility of future roadways in this area and evaluate the need to dedicate right-of-way as part of the platting process.

Normally, the ROW for such collector street would be split evenly across a property line. This plat does not currently show any proposed ROW for this future collector street. The Beetison Addition to the south was recently platted to include a 50-foot wide blanket utility and public access easement for a private roadway. A minimum of 60 feet of ROW is required for a collector street. Construction of the collector street would not be required as part of this plat.

A masterplan of the adjacent property to the west has also been recently completed and should be considered for connectivity of the future roadway network. The masterplan currently shows a street that would generally match the northern boundary of this subdivision. The Village should consider this when making decisions related to dedication of street ROW within subdivisions.

An update to the comprehensive development plan is also being considered by the Village at the time of this review, so it may be beneficial to consider the timing of this related to the proposed locations of the future collector streets.

Access/Egress

Section 4.09 requires two (2) vehicular access points per platted subdivision. The current plat only shows one point of vehicular access, the private driveway. Given the location and nature of this addition being platted into two total lots of larger than 3 acres, only one point of vehicular access is sufficient. Future development of this general area would open the opportunity to provide additional vehicular access.

Sanitary Sewer

The plat indicates the existing private sewer system to remain in place. Section 5.08 requires the developer to connect to sanitary sewer if accessible to gravity flow within 500 feet of the plat. Lot 1 of this plat is beyond the 500 feet distance and therefore the lots can utilize the existing onsite system that meet NDEQ Standards. It is the responsibility of the property owner to ensure the onsite system meets NDEQ Standards.

Water

The plat indicates the existing private water supply to remain in place. Section 5.09 requires the subdivision shall provide adequate water supply. This private water supply can be utilized if it meets all state and local standards. It is the responsibility of the property owner to ensure the private water supply meets all state and local standards.

We appreciate this opportunity to be of service to your community. If you have any questions or concerns, please feel free to contact me at 402.458.5697.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin R. Stark". The signature is fluid and cursive, with the first name "Justin" being more prominent.

Justin R. Stark, PE

CC: Maureen Freeman Caddy, Village Attorney