

Village of Eagle
Planning Commission Meeting Minutes
May 2, 2024 Start Time 7:00 P.M.
Eagle Fire & Rescue Department- 705 S 1st Street, Eagle, NE

The April 23, 2024 Planning Commission Meeting was called to order at 7:00 P.M. by Chairman, Terry Caddy. The chairman made the announcement that the Open Meetings Act is posted on the east wall of the Fire Hall meeting room and that the meeting announcement and agenda were posted at the announcement boards located at the Eagle Park, Village of Eagle Office, and the Village of Eagle Fire Department.

Roll call of Planning Commission Members present included: Terry Caddy, Justin Davison, Randy Todd, Willa DiCostanzo, Austin Beck and Ashley Moyer as well as an alternate of John Surman. The record show John Sermon is sitting in for the vacant seat. Additional attendees included: Joe Flaxbeard, Martin Pelster, Barbara Johnson, Ray Althouse, Verda Umland, Maureen Caddy, Josh Rowell, Camille Sass, Ray Althouse, Rick Hesterman and James Dobbins.

Public hearing opened at 7:02PM for the purpose of hearing testimony concerning an Application for Final Plat and Subdivision Application submitted by MDC Eagle One, LLC, pertaining to 60.560 acres located in part of Tax Lot 22 and part of Tax Lot 35, all in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska.

Joe Flaxbeard on behalf of the developer and the development here, Eagles landing at the 27 lot acreage development. Same thing that you saw here a few times prior. What we have here is a development of 1 1/2 acre minimum lots, we do have some larger lots on the west to kind of provide a natural transitions of neighboring properties to the west there. Some things that we've been working on in detail since the preliminary plat hearings where we had approval. You know, we submitted plans again from the final plat submittal. Some of those looked really familiar outside of you know, the lot lines changing. Also submitted plans just earlier this week for both the internal water system to serve the development as well as the booster station and then the what I call the external water main improvements offsite water main along the road A St. to connect this development into the system and then move it further. We're asking the waivers that were approved at preliminary plat to carry through to the final plat. I did receive comments from the Village of Eagle Engineer. We submitted a letter, just our response to those comments and it's easier for us to correct on our plan documents and on the plat some additional information on easements. I'll continue to work with Barbara and make sure that those were satisfactory with the village. Maureen had questions about how we're going to handle some of the easements on the plat. We came to agreement that as we kind of give Barbara's blessings on how these easements were created, what those are will be submitting separate easement documents to a record with the plat. That way it's very clear to the property owners they have a drainage easement on their property. Terry made Joe aware of some correspondence with the lower plat South NRD about our trail connections. Joe will be in contact with them to work out any kind of easements there

Terry asked if Barbara had any comments and she addressed that Joe covered them. Most of them were plain comments or small things to address in the plans. The only one that I would maybe draw attention to is a little bit more is where the drainage basins will outlet.

Joe stated he would anticipate Barbara will have the update sometime towards the end of next week.

Maureen Caddy weighed in on the rear and side yard easements that weren't were shown in the dedication. Joe noted these would be addressed next week along with the subdivision agreement. Maureen noted concern of having all the permissions from the Lower Plat South NRD. The easements for the water main project that's going to come out of Eagle and they're going to be working on getting the legal descriptions for that and then praising that to figure out what they're going to need to do to deal with the two or three property owners that they have to go through for that water main that's going to be on the north side of Eagle Rd/A Street. Maureen asked who will own and maintain the booster station. Joe stated the SID will own this.

Terry Caddy addressed the waivers that were forwarded to the town board from the Planning Commission meeting held on 12/7/23. We had a Public hearing on the preliminary plat. It was forwarded, with a recommendation for approval by the Planning Commission to the Village Board. Three waivers that were: Waiver of maximum block lengths, waiver of the minimum of two vehicular access points to a subdivision because of a narrow access that they have to 200 2nd St and the recommendation was to make it a three lane ingress and egress. The next was the sidewalk requirement waived. The final waiver was the fire hydrant placement having a 300' radius which gives us the same number of hydrants.

The ground went from agricultural to residential states and that was passed and forwarded to the village board. Street lights were talked about those and we decided that there should be two street lights at the entrance and the curve also had one. Barbara confirmed.

James Dobbins arrived at 7:08 and Rick Hesterman arrived at 7:13.

It was also generally agreed that a deferral of paving of Robin and Sparrow St. stubs going north would not need to be paid at this particular time. If any development to the north of that was to take place, they would then be paved at that point.

Terry Caddy stated that someone needs to talk to the post office. He also asked if anyone has talked to the county about asphaltting passed Eagle Road. Joe Flaxbeard stated he has had conversations with them in the past and would be happy to follow up with them and ask again.

Terry Caddy asked if Joe knows where the monument would be as someone reached out about placement of this and it sounded like it would be big. Joe stated that's outside of the SID so he doesn't have any guidance on that. Terry stated they would need a signage permit.

Terry opened up for public comment:

Rand Todd asked if the county isn't going to asphalt the road passed the entrance of the development will the developer do anything about this. Joe had previously talked to the county about having 202nd in the counties one and six year plan and he can't remember what they indicated to him. He stated that he isn't the fiscal agent on the project but with pretty good confidence he did mention that the project doesn't have the financial means to pave this themselves and maintain within the debt ratio. Joe said he'd be happy to take charge with the

county and make the request in regard to the one in six year and see what we can do there. Todd stated it's something that he's been thinking about.

The next item that was addressed was how reimbursement will work for the water line going from 5th St. out to 200 2nd St. in the Subdivision agreement. The list of benefited properties would be, reading the last 4 of the parcel number: 3661 to the north of A street and east of what's being developed and that's really old houses on the 80 acre farm. The next one to the east of the last numbers are 3653 is also really old houses on 88 acres again. Then to the right of that is Wenzl's farm which is basically right north of 202nd St. and north of the current village and that 61.61 acres. Now we'll go on the South side of Eagle Rd. We'll start back up by 202nd St with parcel ending in 3726 which is Gary Kreisers ground where the cell tower is and that's 8.91 acres. The next one to the east is the bigger chunk, 29.14 acres and then there's 3688 and continue on East from Kreisers to parcel ending in 2721 that happens to be 13.83 acres. Then you can go south of the development off 202nd and that is also owned by Gary Kreiser and is 25.88 acres right on the corner there's a little square. The last numbers of it are 3750 and it's 4 1/2 acres. Now the reason I bring this up to all those that I've mentioned add up to 303.94 acres depending on interest. In order for the developer to get reimbursed for putting in 3/4 of the cost of the water line going out for the 5th St. and Eagle Rd. Here at Eagle out to 2, 102nd St. which is roughly \$1,000,000 project, which you're paying roughly 3/4 of and Eagle's paying roughly 1/4 of that. They want to get reimbursed for that in some manner and so they are painting acres with intent they may be developed some day and they'd have to hook on that water line and benefit from it. In other words, if very old House decided to sell to the developer the city has up to 202nd he would need water and they could tap into the line and have water, but if they tap into the line they would have to pay 8/3 for every acre. Most likely they would tap into that line and use it so to offset their cost of 3/4 of those plus they would like reimbursed for that and that was that is the plan to do that. So each of the parcels discussed would have to pay a fee per acre. Now I didn't understand some of the fees in in your cost analysis thing but I took 1.2 million and divide it by 303 acres. I came up with I remember somewhere between 4 and 5000 acres, so it would cost the developer to build houses on each pieces that I talked about. So, you buy the ground and then if you wanted water you'd have to pay 4-5,000 per acre to get the water, which offsets what they pay to get the water line put in. Terry has an issue with this because particularly when you go to the properties in the new development that have not been built yet whether or not Eagle Landing was done, the Village can supply water to these properties.

Flaxbeard addressed that the properties in the new development have already been omitted by the village engineer and the village attorney think we've already omitted those properties they have their finger on in the new development in an offline conversation.

Public hearing closed at 7:50.

The next item of business is: Discuss/possible action: Approval/recommendation of a Final Plat and Subdivision Application submitted by MDC Eagle One, LLC, pertaining to 60.560 acres located in part of Tax Lot 22 and part of Tax Lot 35, all in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska.

DiCostanzo motioned to approve the Final Plat and Subdivision Application submitted by MDC Eagle One, LLC, pertaining to 60.560 acres located in part of Tax Lot 22 and part of Tax Lot 35, all in the East Half of Section 19, Township 10 North, Range 9 East of the 6th P.M., Cass County, Nebraska. Moyer Seconded. The motion was approved with 5 members of the

Planning Commission voting in favor that the standards for conditional use permit have been met.

Caddy - yes
Davison – yes
Surman – Yes
Todd – Yes
DiCostanzo – yes
Moyer – yes
Beck – yes

Discuss/possible action: Approve minutes as typed for the previous meeting.

Surman addressed that the minutes were incorrect in the voting at the last meeting for Vice Chair and Secretary. The minutes should be updated to read:

Todd nominated for Willa DiCostanzo and DiCostanzo nominated Justin Davison to be named as Vice Chair. The ballot vote was a vote taken with four votes for DiCostanzo and 1 vote for Davison and the motion was approved for DiCostanzo as Vice Chair.

Caddy - yes
Davison – yes
Surman – Yes
Todd – Yes
DiCostanzo – yes

Davison nominated Randy Todd, Randy Todd nominated for Justin Davison and Willa DiCostanzo nominated John Surman to be named as Secretary. The ballot vote was a vote taken with two votes for Todd, 3 votes for Davison and the motion was approved for Davison as Secretary.

Caddy - yes
Davison – yes
Surman – Yes
Todd – Yes
DiCostanzo – yes

Moyer motioned to approve the amended minutes. DiCostanzo seconded. The motion was approved with all members of the Planning Commission voting in favor.

Caddy - yes
Davison – yes
Surman – Yes
Todd – Yes
DiCostanzo – yes
Moyer – yes
Beck - yes

Meeting adjourned at 8pm