

BRIEFING NOTES

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, January 14, 2009, 12:25 p.m., Rm. 113, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Gene Carroll, Michael Cornelius, Dick Esseks, Wendy Francis, Roger Larson, Jim Partington and Lynn Sunderman (Leirion Gaylor Baird and Tommy Taylor absent).

OTHERS IN ATTENDANCE: Marvin Krout, Steve Henrichsen, Mike DeKalb and Teresa McKinstry of the Planning Department; Rick Peo of City Attorney's office; and Fred Hoke of Building and Safety.

STATED PURPOSE OF MEETING: **Excavation and Stone Milling Standards**

Mike DeKalb stated that soil mining has been talked about a lot lately. There have been many neighbors with many issues. Staff went to the City-County Common and was directed to work through a process to get a better package of standards. Over the last year or so, city staff has held meetings with staff from the Natural Resources District, State of Nebraska Dept. of Roads, Lancaster County Engineer, Building and Safety, stakeholders, landholders and others. City staff prepared lists of the various issues. These are available on the Planning Dept. Web site. Updates to the Lincoln Municipal Code were prepared. It has been through a number of revisions. The City and County codes are almost exactly the same with regard to special permits. Staff tried to add a definition for soil mining operation. Normal farming has been excluded. The application submittal will need to include contours, equipment descriptions and a groundwater report, amongst other things. If a pond or a lake is proposed, water adequacy must be addressed. Reclamation must be addressed.

Larson is most concerned with agricultural land being restored. This is an interest to the city and we should be careful about the land's appearance, but we do not want to end up with some useless land.

DeKalb agreed that these were questions asked at various public hearings. He believes the proposed changes will help to achieve these goals. Safety screening and hours of operation are addressed, along with a required sign for the site. There is the possibility of required traffic signs. Mud must be minimized. A Certificate of Operation must be obtained from Building and Safety before the excavating can begin. Operations must begin within one year from the date the special permit is approved or it will terminate. After the soil mining operation is completed, the land must be restored and stabilized within nine months.

The permit would be for a maximum of three years. Building and Safety will receive an annual report regarding the soil mining operations and they will also review all complaints received. The county package is very similar. He believes staff addressed all the issues raised by the Commissioners and neighbors.

Larson questioned where the amount came from for a \$525.00 per acre bond to assure compliance with the final reclamation plan. DeKalb replied that he contacted Lyle Loth who has done many of these soil mining permits. Loth provided him with a general amount of \$525.00 per acre.

Larson believes there has been a lot of dirt removed from Antelope Valley. He wondered what is happening to it. DeKalb replied that Glenn Johnson from the NRD could answer that question better. He believes the State has stored some dirt and is planning on using some for future road work.

The meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Teresa McKinstry
Planning Department