

NOTICE OF MEETING

Notice is hereby given that a meeting of the Planning Commission of the City of Springfield, Nebraska, will be held on Tuesday, April 9, 2013 at 7:00 o'clock p.m. at City Hall, 170 North 3rd Street, Springfield, Nebraska, which meeting will be open to the public. An agenda for such meeting kept continuously current is available for public inspection at the office of the Planning Commission Clerk, at City Hall, Springfield, Nebraska, during normal business hours.

Planning Commission Agenda April 9, 2013

1. Call meeting to order and acknowledgment of Open Meetings Act
2. Roll call
3. Approve Meeting Agenda
4. Approve Minutes of the March 12, 2013 Planning Commission Meeting
5. Public Hearings
 - A. Conditional use permit application filed by Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska
 - B. Conditional use permit application filed by Dobson Brothers Construction Co., applicant, and Advantage Investment Properties, LLC, property owner, for an Asphalt Distribution Plant for DOT, commercial and private paving projects to be located on a tract of land zoned Agriculture Residential and legally described as Tax Lot 3A1 and located in the SW¹/₄ of Section 25, Township 13 North, Range 11, East of the 6th P.M., Sarpy County, Nebraska, and generally located directly south of the Springfield Wastewater Treatment Plant
6. New Business
 - A. Conditional use permit application filed by Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska
 - B. Conditional use permit application filed by Dobson Brothers Construction Co., applicant, and Advantage Investment Properties, LLC, property owner, for an Asphalt Distribution Plant for DOT, commercial and private paving projects to be located on a tract of land zoned Agriculture Residential and legally described as Tax Lot 3A1 and located in the SW¹/₄ of Section 25, Township 13 North, Range 11, East of the 6th P.M., Sarpy County, Nebraska, and generally located directly south of the Springfield Wastewater Treatment Plant
 - C. Discuss zoning regulation update
7. Old Business
8. Reports and Recommendations
9. Adjournment

Planning Commission Minutes
April 9, 2013

1. Meeting called to order 7:00 PM.
2. Present: David Kulm, Darren Carlson, Jim Opitz, and Sue Peplow.
Absent: Jerry Webster and Roy Swenson.
3. Motion by Peplow, second by Opitz to approve the April 9, 2013 Planning Commission agenda.
Ayes: All. Nays: None.
4. Motion by Carlson, second by Opitz to approve the minutes of March 12, 2013 Planning Commission meeting. Ayes: All. Nays: None
5. Public Hearings
 - A. Motion by Carlson, second by Opitz to open public hearing for Conditional use permit application filed by Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska. Ayes: All. Nays: None. Public Hearing opened at 7:02 PM. David Potter, City Planner provided and discussed the staff report on agenda item 5A & 6A. Single family dwellings are permitted in R-30 District by a conditional use. Setbacks in this district include 25' front yard, 15' street side yard, and 25' rear yard. Even though the prescribed setback is 15' for street side yard, Section 4.11(A) indicates that all projections must remain 20' from any street property line. Chad Nolte, 714 Maple Street, Springfield NE, owner of lot 1, 605 So. 1st Street, Springfield Industrial Park, spoke in opposition of the conditional use permit. He feels the zoning for multiple- family should be kept in place, as it was intended to serve as a buffer for the light industrial area. The game plan was set into place for a reason and we should stick to the game plan. Steve Shriner, owner lot 17, 515 S 3rd Street, spoke in opposition, his concern was future complaints about noise, lighting and storage issues from a single family dwelling being permanently located near the light industrial area. Motion by Peplow, second by Carlson to close public hearing. Ayes: All. Nays: None. Public Hearing closed at 7:23 PM.
 - B Motion by Opitz, second by Carlson, to open public hearing for Conditional use permit application filed by Dobson Brothers Construction Co., applicant, and Advantage Investment Properties, LLC, property owner, for an Asphalt Distribution Plant for DOT, commercial and private paving projects to be located on a tract of land zoned Agriculture Residential and legally described as Tax Lot 3A1 and located in the SW¹/₄ of Section 25, Township 13 North, Range 11, East of the 6th P.M., Sarpy County, Nebraska, and generally located directly south of the Springfield Wastewater Treatment Plant. Ayes: All. Nays: None. Public Hearing opened at 7:24 PM. David Potter, City Planner provided and discussed the staff report on agenda item 5B & 6B. Present were Alan Hans property owner, Dave Olson, CEO, Todd Schlueter, plant manager and Justin England, Quality Control Manager, for Dobson Brothers Construction Co. were present. Dobson Brothers CMI Asphalt Plant is a mobile asphalt plant that has completed numerous projects in Oklahoma for the Oklahoma Dept of Transportation and various other municipal entities. Dave Olson discussed plant operations, hours of operation, the number of employees and truck traffic. Depending on plan volume, there will be 3 trucks hauling aggregates to the plant daily. These trucks will make multiple trips to the site dispensing aggregates. There will be additional 6-10 trucks that will haul asphalt to the project. Opitz, requested clarification from the city attorney on a maintenance agreement for the shared road into the plant. Carlson was concerned with environmental concerns and odor. Discussion followed on pollution control and requirements of NDEQ and EPA. Potter identified the conditions stated within the staff report, particularly those dealing with pollution control. Dave Olson said their operation will meet all of the required state and federal regulations just as in their other facilities and

that the odor dissipates very quickly and they have never had to address this problem. No one was in opposition. Motion by Opitz, second by Carlson to close public hearing. Ayes: All. Nays: None. Public Hearing closed at 7:46 PM.

6. New Business

- A. Motion by Peplow, to approve Conditional use permit application filed by Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska, subject to the conditions stated and to those within the permit, as the proposed use conforms to the Springfield Zoning Ordinance. Motion died due to lack of second.

Motion by Opitz, second by Carlson to deny application based on Section 6.05-C of the zoning ordinance (that the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district). Ayes: Opitz, Kulm, Peplow. Nays: Carlson. Motion Passed.

- B. Motion by Peplow, second by Opitz to recommend approval of Conditional use permit application filed by Dobson Brothers Construction Co., applicant, and Advantage Investment Properties, LLC, property owner, for an Asphalt Distribution Plant for DOT, commercial and private paving projects to be located on a tract of land zoned Agriculture Residential and legally described as Tax Lot 3A1 and located in the SW¹/₄ of Section 25, Township 13 North, Range 11, East of the 6th P.M., Sarpy County, Nebraska, and generally located directly south of the Springfield Wastewater Treatment Plant, subject to the conditions identified by staff and to those stated within the permit as the proposed use conforms to the Springfield Zoning Ordinance. Ayes: All. Nays: None. Motion Passed.

- C. David Potter, JEO Consulting Group, City Planner discussed the zoning ordinance update and the involvement of the planning commission in the process.

7. Old Business-None

8. Reports & Recommendations-None

9. Motion by Peplow, second by Carlson to adjourn. Ayes: All. Nays: None. Meeting adjourned at 8:25 PM.