

## 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, November 13, 2012, at 7:00 o'clock p.m. at City Hall, 170 North 3<sup>rd</sup> 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 November 13, 2012

1. Call meeting to order and acknowledgment of Open Meetings Act
2. Roll call
3. Approve Meeting Agenda
4. Approve Minutes of the September 11, 2012, Planning Commission Meeting
5. Public Hearings
  - A. Zoning text amendment application filed by Jerry Meisinger, applicant, to amend Springfield Zoning Ordinance Section 5.12 BH Highway Business District, Subsection D Accessory Uses, to add a new provision number 3 that states "Equine boarded on lots larger than four (4) acres as incidental use to principle use, provided, however, that no lot shall have more than four (4) equine boarded. Such principle use shall include those legal and lawful nonconforming uses."
6. New Business
  - A. Zoning text amendment application filed by Jerry Meisinger, applicant, to amend Springfield Zoning Ordinance Section 5.12 BH Highway Business District, Subsection D Accessory Uses, to add a new provision number 3 that states "Equine boarded on lots larger than four (4) acres as incidental use to principle use, provided, however, that no lot shall have more than four (4) equine boarded. Such principle use shall include those legal and lawful nonconforming uses."
7. Old Business
8. Reports and Recommendations
9. Adjournment

**Planning Commission Minutes  
November 13, 2012**

1. Meeting called to order 7:00 P M.
2. Present: David Kulm, Darren Carlson, Jerry Webster, Jim Opitz, Sue Peplow.  
Absent: Roy Swenson.
3. Motion by Webster, second by Opitz to approve November 13, 2012 Planning Commission agenda  
Ayes: All. Nays: None.
4. Motion by Opitz, second by Carlson to approve minutes of September 11, 2012 Planning Commission Meeting. Ayes: All. Nays: None.
5. Public Hearings
  - A. Motion by Peplow second by Webster to open Public Hearing for the Zoning text amendment application filed by Jerry Meisinger, applicant, to amend Springfield Zoning Ordinance Section 5.12 BH Highway Business District, Subsection D Accessory Uses, to add a new provision number 3 that states "Equine boarded on lots larger than four (4) acres as incidental use to principle use, provided, however, that no lot shall have more than four (4) equine boarded. Such principle use shall include those legal and lawful nonconforming uses." Ayes: All. Nays: None. Public Hearing opened at 7:03 PM. David Potter, City Planner provided staff comments on agenda item 5A. A majority of the Business Highway District falls within the Mixed Use and Community Commercial land use designations. Both land use classifications call for commercial and office developments. The keeping of equine is not specified in either of the land use designations. The intent of the Highway Business District "provides for a range of retail and service establishment requiring the greater land area normally available on the edges of a community." The proposed use specifies a specific number of acres and a number of horses, but nothing regarding waste. The proposed use is only to be allowed as an incidental use. So if the principle use does not exist, then the accessory use is not allowed.  
Randy Sump, RTR Enterprises, owner of Springfield Business Park, located north on Highway 50, adjacent to the Meisinger property, was unable to attend. He submitted a written letter opposing the zoning amendment. Having horses directly across from the development would not help recruit businesses. Noise, odors and flies were also a concern.  
Dooley Jolly, 711 Mulberry Lane, Springfield, NE., spoke in favor of the text amendment, stating that the horses would be on the side of the property and not on the frontage of highway 50. As development proceeds, the text amendment could then be changed back to its original status.  
Robert Winkelman, 640 N 6<sup>th</sup> Street Springfield, Ne. spoke in favor of the amendment stating that by the time property adjacent is fully developed the horses won't even be alive. Odor should not be a concern as he utilizes manure to fertilize his yard.  
Terry Kraus, tenant at 15501 So Highway 50, Springfield, Nebraska also spoke in favor and he wants to provide rides and entertainment for children in Springfield.  
Motion by Webster, second by Opitz to close Public Hearing. Ayes: All. Nays: None.  
Public Hearing closed at 7:20 PM.
6. Motion by Peplow, second by Opitz to deny the zoning text amendment application filed by Jerry Meisinger, to amend Springfield Zoning Ordinance Section 5.12 BH Highway Business District, Subsection D Accessory Uses, adding a new provision number 3 that states "Equine boarded on lots larger than four (4) acres as incidental use to principle use, provided, however, that no lot shall have more than four (4) equine boarded and that such principle use shall include those legal and lawful nonconforming uses" as the proposed amendment is not consistent with the future land use plan and the intent of the Highway Business Zoning District. Ayes: All. Nays: None.
7. Old Business-None

8. Reports & Recommendations. Darren Carlson discussed the need for two more members needed for the Planning Commission committee. Potter informed the planning commission that the City Council recently approved a contract with JEO Consulting Group, Inc. to update the Springfield Zoning Ordinance. Work on the update will start soon and the planning commission will be informed as to the proposed meeting schedule.
9. Motion by Webster, second by Carlson to adjourn. Ayes: All. Nays: None.  
Meeting adjourned at 7:28 PM.