



---

**PLANNING COMMISSION AGENDA**

Tuesday, July 13, 2021 at 7:00 p.m.  
Springfield City Hall  
170 North 3<sup>rd</sup> Street

1. Call meeting to order and acknowledgment of Open Meetings Act
2. Roll call – Elizabeth Chartier, Kyle Fisher, David Kulm, Jim Opitz, Susan Peplow, David Skorcz, Jerry Webster
3. Approve Meeting Agenda
4. Approve Minutes of the June 8, 2021, Planning Commission Meeting
5. Public Hearings
  - A. The Planning Commission will hold three public hearings associated with the applications filed by the City of Springfield requesting the following items (i thru iii) all on property legally described as Tax Lot 37A1A2 24-13-11 (the southern portion of said lot in the Pflug Road corridor); Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138<sup>th</sup> Street and Pflug Road:
    - (i) comprehensive plan amendment changing the future land use designation from Rural Residential to Rural Arts; and
    - (ii) zone change from Agriculture Residential to Rural Arts and Tourism; and
    - (iii) amendment to Section 5.06 RT Rural Arts and Tourism District of the Springfield Zoning Ordinance to revise subsection D to state “Permitted Accessory Uses” instead of “Permitted Conditional Uses”; to allow special event venues as a permitted conditional use; and to revise subsection H to note that all other provisions of the Zoning Ordinance shall apply unless otherwise permitted by the Conditional Use Permit.
  - B. The Planning Commission will hold a public hearing to consider a conditional use permit application submitted by Veseli, applicant, and Keyes Enterprises, LP, owner, for a special event venue located at Tax Lot 11, Section 25, Township 13, Range 11, East of the 6<sup>th</sup> P.M. Sarpy County, Nebraska, generally located at 17017 S. 138<sup>th</sup> Street.
  - C. The Planning Commission will hold a public hearing to consider an application filed by the City of Springfield to amend Section 5.09 R87 Single-Family Residential District of the Springfield Zoning Ordinance to decrease the front yard setback for a single-family dwelling from 35’ to 25’.

6. New Business

- A. The Planning Commission will consider action on applications filed by the City of Springfield requesting the following items (i thru iii) all on property legally described as Tax Lot 37A1A2 24-13-11 (the southern portion of said lot in the Pflug Road corridor); Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138<sup>th</sup> Street and Pflug Road:
- (i) comprehensive plan amendment changing the future land use designation from Rural Residential to Rural Arts; and
  - (ii) zone change from Agriculture Residential to Rural Arts and Tourism; and
  - (iii) amendment to Section 5.06 RT Rural Arts and Tourism District of the Springfield Zoning Ordinance to revise subsection D to state "Permitted Accessory Uses" instead of "Permitted Conditional Uses"; to allow special event venues as a permitted conditional use; and to revise subsection H to note that all other provisions of the Zoning Ordinance shall apply unless otherwise permitted by the Conditional Use Permit.
- B. The Planning Commission will consider action on a conditional use permit application submitted by Veseli, applicant, and Keyes Enterprises, LP, owner, for a special event venue located at Tax Lot 11, Section 25, Township 13, Range 11, East of the 6<sup>th</sup> P.M. Sarpy County, Nebraska, generally located at 17017 S. 138<sup>th</sup> Street.
- C. The Planning Commission will consider action on an application filed by the City of Springfield to amend Section 5.09 R87 Single-Family Residential District of the Springfield Zoning Ordinance to decrease the front yard setback for a single-family dwelling from 35' to 25'.

7. Old Business

8. Reports and Recommendations

9. Adjournment

**PLANNING COMMISSION MINUTES  
July 13, 2021**

1. Meeting called to order at 7:00 p.m.
2. Present: Jim Opitz, Kyle Fisher, Sue Peplow, Dave Kulm, Dave Skorcz  
Absent: Elizabeth Chartier, Jerry Webster
3. Motion by Peplow, 2<sup>nd</sup> by Fisher to approve meeting agenda. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried.

4. Motion by Fisher, 2<sup>nd</sup> by Skorcz to approve June 8, 2021, Planning Commission meeting minutes. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried.

5. Public Hearing

A. Motion by Kulm, 2<sup>nd</sup> by Skorcz to open a public hearing to discuss applications filed by the City of Springfield requesting the following items (i thru iii) all on property legally described as Tax Lot 37A1A2 24-13-11 (the southern portion of said lot in the Pflug Road corridor); Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138<sup>th</sup> Street and Pflug Road:

- (i) comprehensive plan amendment changing the future land use designation from Rural Residential to Rural Arts; and
- (ii) zone change from Agriculture Residential to Rural Arts and Tourism; and
- (iii) amendment to Section 5.06 RT Rural Arts and Tourism District of the Springfield Zoning Ordinance to revise subsection D to state "Permitted Accessory Uses" instead of "Permitted Conditional Uses"; to allow special event venues as a permitted conditional use; and to revise subsection H to note that all other provisions of the Zoning Ordinance shall apply unless otherwise permitted by the Conditional Use Permit.

Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Public hearing opened at 7:02 p.m.

Kathleen Gottsch, City Administrator, reviewed the future land use amendment for the property located at 17017 South 138<sup>th</sup> Street and the surrounding area. Gottsch noted this change would be suitable for the area, since there is already a property with this designation and an established arts business located on Pflug Road. She said that this amendment would not affect current use of existing properties. Gottsch also reviewed the zone change for this area and stated when the city looks at re-zoning a district, there are certain standards and guidelines that are followed to ensure unwanted businesses are not allowed to pop up randomly.

Linda and Chris Scholting, 16909 S 138<sup>th</sup> Street, inquired about permitted uses in the new Rural Arts and Tourism District and expressed concern with some of the new allowed business types. They had previously inquired if this change would affect property taxes. Gottsch had contacted the Sarpy County Assessor and they said that use affects taxes not zoning. They also expressed concern with the new two acre minimum for the district. They don't want surrounding properties to be split up into smaller parcels; therefore, affecting the density of the area.

Jim Shaw, 17145 S 138<sup>th</sup> Street, owner of Soaring Wings Winery, stated that years ago, when the area was re-zoned, it was approved in the minutes as "farm winery" for his business, Soaring Wings Winery, but it apparently didn't encompass everything they had envisioned for the business.

Ken Erdman, 13501 Pflug Road, expressed concern about the future development and subdivision of his property.

Donnie Keyes, 1600 Capehart Road, inquired if homes would still be allowed with the re-zone. Gottsch noted that current single-family dwellings are a permitted use in both the current Agricultural Residential District and proposed Rural Arts and Tourism District. She further stated that resident operated commercial operations related to arts, crafts and tourism and limited commercial operations are permitted. Gottsch said she had received inquiries from people interested in property to live on while having a business on the same property.

Scholting inquired who was responsible for the roads. Gottsch stated that 138<sup>th</sup> and Pflug Roads are currently maintained by the county since they are outside Springfield corporate limits. These applications were submitted to Sarpy County Planning and Public Works, but no comments had been received.

Property owners in attendance expressed concern with allowing a two acre minimum in the Rural Arts and Tourism District, as opposed to the currently required five acre minimum. Skorcz inquired if a two acre minimum could be allowed along Pflug Road and keep the five acre minimum on South 138<sup>th</sup> Street. Gottsch said she would discuss that concept with Jeff Ray, City Planner with JEO Consulting Group. Residents and Planning Commission Members were receptive of this idea.

No further comments or questions were received.

Motion by Peplow, 2<sup>nd</sup> by Fisher to close the public hearing. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Public hearing closed at 7:59 p.m.

- B. Motion by Peplow, 2<sup>nd</sup> by Skorcz to consider action on a conditional use permit application submitted by Veseli, applicant, and Keyes Enterprises, LP, owner, for a special event venue located at Tax Lot 11, Section 25, Township 13, Range 11, East of the 6<sup>th</sup> P.M. Sarpy County, Nebraska, generally located at 17017 S. 138<sup>th</sup> Street. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Public hearing opened at 7:59 p.m.

Gina Salberg, 360 Maple Street, on behalf of Veseli, applicant, is planning to turn the home into an event venue for bridal showers, baby showers, special dinners, etc. in a relaxed, home environment. Salberg stated it would not operate as a bed & breakfast and at this time, the events would all be planned inside the home with an average of 5 to 10 people in attendance.

Scholting was concerned about the level of noise that could possibly come from event celebrations. Gottsch commented that the conditional use permit would incorporate terms to include hours of operation and noise restrictions to protect adjacent property owners. Gottsch further stated the conditional use permit, if approved, would be for a period of 12 months. At that time, the renewal application will be reviewed and issues addressed if necessary.

The planning commission recommended the conditional use permit start with the date of the opening to allow time for plans and construction to be finalized.

No other comments were made.

Motion by Fisher, 2<sup>nd</sup> by Kulm to close the public hearing. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Public hearing closed at 8:09 p.m.

- C. Motion by Fisher, 2<sup>nd</sup> by Skorcz to open the public hearing to consider action on an application filed by the City of Springfield to amend Section 5.09 R87 Single-Family Residential District of the Springfield Zoning Ordinance to decrease the front yard setback for a single-family dwelling from 35' to 25'. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Public hearing opened at 8:10 p.m.

Gottsch identified this zoning district as the main residential zoning district in town, so it encompasses a lot of older homes that may not meet the required 35' setback. When the home doesn't meet setback requirements, it restricts the homeowner's ability to make improvements. The proposal to reduce the 35' setback to 25' that would also be inline with other residential zoning districts found inside city limits.

No other comments were made.

Motion by Fisher, 2<sup>nd</sup> by Skorcz to close the public hearing. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Public hearing closed at 8:12 p.m.

## 6. New Business

- A. Motion by Peplow, 2<sup>nd</sup> by Skorcz to recommend approval of the applications filed by the City of Springfield requesting the following items (i thru iii) all on property legally described as Tax Lot 37A1A2 24-13-11 (the southern portion of said lot in the Pflug Road corridor); Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138<sup>th</sup> Street and Pflug Road:

- (i) comprehensive plan amendment changing the future land use designation from Rural Residential to Rural Arts; and
- (ii) zone change from Agriculture Residential to Rural Arts and Tourism with the stipulation that two acre minimums be allowed in the Overlay District along Pflug Road and five acre minimums be required along 138<sup>th</sup> Street; and
- (iii) amendment to Section 5.06 RT Rural Arts and Tourism District of the Springfield Zoning Ordinance to revise subsection D to state "Permitted Accessory Uses" instead of "Permitted Conditional Uses"; to allow special event venues as a permitted conditional use; and to revise subsection H to note that all other provisions of the Zoning Ordinance shall apply unless otherwise permitted by the Conditional Use Permit;

all approvals contingent upon JEO Consulting Group agreeing with the stipulation to allow two acre minimums in the Overlay District along Pflug Road and five acre

minimums along 138<sup>th</sup> Street. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried.

B. Motion by Fischer, 2<sup>nd</sup> by Skorcz to recommend approval of a conditional use permit application submitted by Veseli, applicant, and Keyes Enterprises, LP, owner, for a special event venue located at Tax Lot 11, Section 25, Township 13, Range 11, East of the 6<sup>th</sup> P.M. Sarpy County, Nebraska, generally located at 17017 S. 138<sup>th</sup> Street. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried.

C. Motion by Kulm, 2<sup>nd</sup> by Fischer to recommend action on an application filed by the City of Springfield to amend Section 5.09 R87 Single-Family Residential District of the Springfield Zoning Ordinance to decrease the front yard setback for a single-family dwelling from 35' to 25'. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried.

7. Old Business: None

8. Reports and Recommendations: None

9. Motion by Peplow, 2<sup>nd</sup> by Fisher to adjourn. Ayes: Opitz, Fisher, Peplow, Kulm, Skorcz. Nays: None. Motion carried. Meeting adjourned at 8:30 p.m.