

PLATTSMOUTH PLANNING COMMISSION MINUTES
July 18, 2013

Meeting convened at 7:30 p.m. on July 18, 2013 at Plattsmouth City Hall, 136 N. 5TH Street, Plattsmouth, Nebraska. A copy of the agenda for the meeting is attached to these minutes. Notice of the meeting, which communicated the availability of the agenda, was published in *The Plattsmouth Journal*, Plattsmouth, Nebraska, on July 3, 2013, with the Affidavit of Printer as proof of publication attached to these minutes. Notice of the meeting and the agenda were provided to all members in advance, and their acknowledgment of receipt is attached hereto. All proceedings were taken while convened with attendance open to the public.

ITEM 1

Chairman Marc Nichols called the meeting to order at 7:30 p.m.

ITEM 2

Nichols announced the location of the Open Meetings Act and of documents pertaining to the planning agenda.

ITEM 3

Answering roll call were John Baroni, Rich McKinley, Robert Rice, Billy Hale, Dewayne Prince, Sharon Kief, Jeff Kindig, Karen Weaver, Marc Nichols. Absent was Angie Minahan.

Also present was City Inspector Kevin Larson.

ITEM 4

MOTION BY PRINCE, SECONDED BY KIEF, TO APPROVE THE MINUTES OF THE JUNE 20, 2013 MEETING. A voice vote in favor was unanimous, MOTION CARRIED.

ITEM 5

Nichols said documents related to the application were not given to the applicant in a timely manner, so hearings would be held on items 5 and 7, and requested a motion to lay over items 6 and 8.

Nichols explained the hearing process and read from the agenda, "A public hearing regarding a request for rezoning by Schmidt Transportation Inc. from AG (Agricultural) to GC/MU (General Commercial/Mixed Use) on property located south of 108 East Bay Road, legally described as Lots 1 and 2 Schmidts Commercial, being a platting of part of the West ½ of the Northwest ¼ of Section 1 and part of Lots 6 and 14 in the East ½ of the Northeast ¼ Section 2, Township 12 North, Range 13 East of the 6th P.M., Cass County,

Nebraska.”

Nichols opened the public hearing at 7:34 p.m.

William Reinsch, attorney for the applicant, spoke, calling the application a fairly straight forward proposal.

Joe Foley, engineer for the applicant, said the plan was to divide off two useable lots on the northern portion of the property. The west lot would be developed into a public fast-fill compressed natural gas (CNG) facility and the second lot would become a low-pressure, slow fill CNG facility for use when the demand arrived.

Harriett D. Holman, an adjoining property owner, spoke in opposition to the rezoning, stating the land is farm ground located in a flood plain. The development would change the way water runs in the area and push it onto adjoining property. She felt a more appropriate location for the development would be along Highway 75.

Wes Gradoville requested that some kind of limitations be place on the development, stating the land is in the flood plain and flood waters are dumped onto properties along the river.

No one else spoke, and Nichols closed the public hearing at 7:45 p.m.

ITEM 7

Nichols read from the application, “A public hearing regarding a request for a minor subdivision by Schmidt Transportation Inc. on property located south of 108 East Bay Road, legally described as Lots 1 and 2 Schmidts Commercial, being a platting of part of the West ½ of the Northwest ¼ of Section 1 and part of Lots 6 and 14 in the East ½ of the Northeast ¼ Section 2, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska.”

Nichols opened the public hearing at 7:46 p.m.

William Reinsch, attorney for the applicant, said Lot 1 would be used for a fast-fill CNG facility, and Lot 2 would be used for a time fill CNG facility.

No one else spoke, and Nichols closed the hearing at 7:47.

Larson read his report regarding the application.

Nichols asked City Engineer Steve Perry to present his comments on the application.

Perry spoke, stating:

1. An additional 17 feet of right-of-way dedication is required for East Bay Road on the north side of Lot 2
2. The proximity of the development’s access drive from Webster Boulevard is too close to the intersection of the public connection to East Bay Road to the west. The location is less than 330 feet from the intersection and conflicts with the proposed turning lanes at this intersection.
3. The extension of the East Bay Road paving and improvements to 3rd Avenue need to be addressed in the subdivision agreement.

4. A traffic impact analysis is required for the development.
5. The proposed drainage for the northwest portion of Lot 3 should be identified as part of the overall drainage plan for this development.
6. The proposed landscaping and fencing need to be reviewed for Lot 2. The south lot line will require landscaping per the City code. The proposed fencing needs to be staggered and contain an architectural element that is integrated into the landscaping plan.
7. The proposed lighting plan for Lots 1 and 2 needs to be submitted for review.

Nichols asked Foley to respond to the comments.

Foley said:

1. The additional right-of-way would not be a problem.
2. An alternate access point 1,000 feet away from the intersection is being designed and turning lanes are being discussed.
3. A traffic study will be difficult, as the Highway 75 reconstruction project is not complete.

Discussion continued:

Weaver asked if the proposed new entrance crossed a pipeline and Foley said it did.

McKinley asked if there would be above or below ground tanks. Applicant Roger Schmidt said there would be no storage tanks, the fuel lines are connected directly to the Black Hills Energy pipelines and the only tanks are small pressure tanks which are part of the fueling apparatus.

Schmidt said:

50 to 60 trucks using the facility daily, and it would also be open to the public.

There will be some signage and a canopy on the site.

The gas is never liquefied, it is simply compressed gas.

Methane detectors are part of the system and if a leak is detected, the system shuts off.

In the event of a flood, the system would be shut off. Foley added, in the event of a flood, Black Hills Energy shuts off the pipeline.

Weaver encouraged foliage by the fence on Lot 2 and some variations in the fencing.

MOTION BY WEAVER, SECONDED BY KINDIG, TO LAY OVER TO THE NEXT MEETING OF THE PLATTSMOUTH PLANNING COMMISSION ITEM 6, "CONSIDER A RECOMMENDATION TO THE PLATTSMOUTH CITY COUNCIL REGARDING A REQUEST FOR REZONING BY SCHMIDT TRANSPORTATION INC. FROM AG (AGRICULTURAL) TO GC/MU (GENERAL COMMERCIAL/MIXED USE) ON PROPERTY LOCATED SOUTH OF 108 EAST BY ROAD, LEGALLY DESCRIBED AS LOTS 1 AND 2 SCHMIDTS COMMERCIAL, BEING A PLATTING OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 1 AND PART OF LOTS 6 AND 14 IN THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA," AND ITEM 8, "CONSIDER

APPROVAL OF A REQUEST FOR A MINOR SUBDIVISION BY SCHMIDT TRANSPORTATION INC. ON PROPERTY LOCATED SOUTH OF 108 EAST BY ROAD, LEGALLY DESCRIBED AS LOTS 1 AND 2 SCHMIDTS COMMERCIAL, BEING A PLATTING OF PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 1 AND PART OF LOTS 6 AND 14 IN THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA,” On roll call, “VOTING YES, MCKINLEY, RICE, HALE, PRINCE, KIEF, KINDIG, WEAVER, NICHOLS, BARONI. VOTING NO, NONE. ABSENT AND NOT VOTING, MINAHAN. MOTION CARRIED.

ITEM 9

MOTION BY HALE, SECONDED BY BARONI, TO ADJOURN. A voice vote in favor was unanimous, MOTION CARRIED. Meeting adjourned at 8:36 p.m.

Jeff Kindig
Secretary

Minutes recorded and typed by Kevin Larson