

Sidney, Nebraska, April 20, 2015

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 P.M. on April 20, 2015 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Spiker and Commissioners: Cortney, Egging, McCarville, Phillips, Sherlock, and Smith. Absent: England & Volkmer. Others present: City Manager Person, Zoning Administrator Dayton, City Attorney Leef, and Deputy Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Spiker announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Egging moved, Phillips seconded, "That the minutes of the March 16, 2015 meeting be approved." Roll call vote: Yeas: All commissioners present. Absent: England and Volkmer.

Chairman Spiker announced that the Planning Commission would now consider the Preliminary Plat application of Randy Miller to subdivide an unplatted tract of land located within the Southwest Quarter of Section 32, Township 14 North, Range 40 West of the 6th P.M., along Keller Drive, for residential construction; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Randy Miller.

Randy Miller gave the history of the property, noting that it operates on a septic system which has been approved by the City Council. He stated that it is currently zoned R-1a and will remain as such. He stated that there is no alley behind the proposed subdivision which butts up against his property along the creek bed. He indicated that he has a party interested in purchasing the three lots for residential development.

There being no further questions or comments, Chairman Spiker closed the public hearing and asked for a motion on the request.

McCarville moved, Smith seconded "That the Planning Commission recommend to the City Council that the Preliminary Plat application of Randy Miller to subdivide an unplatted tract of land located within the Southwest Quarter of Section 32, Township 14 North, Range 40 West of the 6th P.M., along Keller Drive, for residential construction, be approved." Roll call vote: Yeas: All commissioners present. Absent: England and Volkmer.

Chairman Spiker announced that the Planning Commission would now consider the Conditional Use Permit of Sporer Land Development, Inc. to stockpile and process (crush) concrete that will be removed from the demolition and construction of Interstate 80 this year on a site located at the end of Hoffies Drive on Block 2, Hoffies Subdivision, consisting of 9.8 Acres more or less; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of

Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Jay Sporer.

Mr. Sporer described the project which consists of the demolition and reconstruction of a portion of Interstate 80 beginning 1 mile east of Sidney, and the storage and re-purposing of the concrete removed in the demolition on the proposed location. He described their agreement with Floyd's Sales and Service as being allowed to stockpile and process (crush) the concrete removed from the interstate, in exchange for finishing the entire 9.8 acre site with the crushed product for a truck parking lot upon completion of the I-80 project. He stated that all the required permit applications have been filed with NDEQ, and that the project will not commence until they are all in place. He noted that they have a water source to the site and a dust control management plan. He estimated that the crushing of concrete would be completed in the fall of 2016, with the total time frame for completion of the project coinciding with the termination of their lease with Floyd's in April, 2017.

Mr. Sporer stated that they had requested and been granted a similar permit by Cheyenne County earlier in the day on a location 1/1/2 miles south of the I-80 and Hwy 19 interchange, on property owned by Lorraine Brauer. The site is currently the location of an existing asphalt/sand pit and is needed in the I-80 project because of the planned total removal and repair of 5 bridges involved in the project. If there were not two sites, Sporer's would be forced to reroute the trucks carrying demolition material through Sidney to one specific site.

Zoning administrator Dayton explained that the current C-3 zoning of the proposed storage/processing site allows for the storage of product, but not crushing. Therefore, a Conditional Use Permit is required.

City Attorney Leef recommended that conditions be placed on times of operation and dust control.

There being no further questions or comments, Chairman Spiker closed the public hearing and asked for a motion on the request.

Phillips moved, Spiker seconded "That the Conditional Use Permit of Sporer Land Development, Inc. to stockpile and process concrete removed from the demolition and construction of Interstate 80, on a site located at the end of Hoffies Drive on Block 2, Hoffies Subdivision, consisting of 9.8 Acres more or less, be approved with the conditions that (1) hours of operation be limited to 6 a.m. to 7:00 p.m., Monday through Friday (5 days a week), (2) permit expires on April 1, 2017, and (3) If complaints about dust are raised, the permit will be revisited." Roll call vote: Yeas: All commissioners present. Absent: England and Volkmer.

The meeting adjourned at 6:07 P.M.

CHAIRMAN

DEPUTY CLERK

