

To Attend the Village of Mattawan  
Planning Commission  
Wednesday, March 17 @ 7:00 PM

Join Zoom Meeting

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Meeting ID: 868 0521 0940

Passcode: 304088

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Passcode: 304088

**VILLAGE OF MATTAWAN  
PLANNING COMMISSION MEETING**

**MARCH 17, 2021**

***DUE TO THE CURRENT ORDERS PUT IN PLACE BY MDHHS AND THE GOVERNOR'S OFFICE DUE TO COVID 19, THE PLANNING COMMISSION IS BEING CONDUCTED VIA ZOOM***

**MINUTES**

1. CALL TO ORDER @ 7:09 PM
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE *Forst, Mattawan; Fournier, Mattawan; Lamb, Southerland Nebraska*  
ABSENT: *Wheeler*  
OTHERS PRESENT: *Manager McLean, Village Hall; Engineer Woodhams, Robert Parshall, Midway Storage Mattawan; Gary Walton, Midway Storage Mattawan. Andrew Rossell, Gobles*
4. WELCOME TO THE PUBLIC
5. ANNOUNCEMENT OF MEETING BEING RECORDED
6. ADDITIONS TO THE AGENDA *None*
7. APPROVAL OF THE AGENDA  
*Motion by Forst, supported by Lamb to approve the Agenda. All members voted in favor. Motion carried.*
8. APPROVAL OF THE MINUTES OF FEBRUARY 17, 2021  
*Motion by Fournier, supported by Forst to approve the minutes as amended. All members voted in favor. Motion carried.*
9. COUNCIL LIAISON REPORT- *Liaison Wheeler was not in attendance.*
10. OLD BUSINESS  
NONE
11. NEW BUSINESS
  - A. APPROVE FINDINGS OF FACTS FOR MIDWAY STORAGE  
*Motion by Forst, supported by Lamb to amend the Findings of Facts, Conclusion #4,*
12. COMMUNICATIONS *None*
13. COMMENTS FROM VISITORS *None*

14. COMMENTS FROM MEMBERS *None*

15. ADJOURN @ **7:29**



## VILLAGE OF MATTAWAN PLANNING COMMISSION

### FINDINGS REGARDING THE APPLICATION FOR AN AMENDED SPECIAL USE PERMIT BY MIDWAY STORAGE

After consideration of the information presented on the application for an Amended Special Land Use Application, the Village of Mattawan Planning Commission makes the following findings:

1. The applicant owns the property in question.
2. The property is in the HBD district.
3. The applicant has submitted a form as required by the Village.
4. The application form is accompanied by plans or data required by the Village.
5. **The** application meets the requirements of Article 15 regarding site plans.
6. The applicant provided evidence demonstrating that the proposed special use conforms with the standards set forth in this article.
7. The required fees have been paid.
8. The zoning official has reviewed the application and recommended approval with conditions.
9. The planning commission has considered recommendation.
10. The special use will promote the use of land in the village in a socially and economically desirable manner for persons who will use the property, for landowners and residents who are adjacent to the property, and for the Village as a whole.
11. The special use is compatible and in accordance with the goals objectives and policies of the villages land use plan and comprehensive plan.
12. The special use will be compatible with the adjacent uses of land.

13. The special use will be operated in a manner that is compatible with the existing or intended character of the general vicinity so as not to change the essential character of the area in which it is proposed.
14. The special use will be of a location, size, and character that will be in harmony with the appropriate and orderly development of the district in which it is situated.
15. The special use will not be detrimental to the orderly development of adjacent districts.
16. The special use is designed, located, and proposed for operation in a way that will protect public health, safety and welfare.
17. The special use will be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.
18. The special use will not cause any injury to the value of other property in the neighborhood in which it is located.
19. The special use will not be hazardous to the district, hazardous to a specific use, hazardous to property within the district, or incongruous with or in conflict with the normal traffic of the district.
20. The special use protects the natural environment, help conserve natural resources, and comply with the performance measured performance measures established in article 14 of the zoning ordinance.
21. The vehicular circulation associated with the special land use is in the best interest of the public health, safety, and welfare in relationship to ingress and

egress to the site, turning movements, related street intersections street gradient, site distance, and potential hazards to normal traffic flow.

22. The use is in harmony with uses of other property within the Village based on the purposes of the zoning ordinance.

23. There is sufficient landscaping, buffering, and other means of separation that will allow the use of neighboring properties as authorized in the zoning ordinance.

24. The Planning Commission finds that the special use affirmatively meets the criteria set forth in Article 21 of the zoning ordinance.

### **Regarding the Midway Request**

25. The property is larger than one acre in size.

26. The minimum building and parking setback is 40 feet from any public street right-of-way, 50 feet from any residential zoning district, and 21 feet from any non-residential zoning district.

27. All storage is completely within enclosed buildings or structures.

28. The use is limited to storage only.

### **Conclusion**

The Planning Commission finds that the amended special land use application affirmatively meets the criteria set forth in Article 21 of the zoning ordinance and the request is granted, subject to the following conditions:

- I. Midway's use of the property must at all times comply with all Village Ordinances.
2. Midway shall execute a written agreement providing that any violation of a Village Ordinance or violation of this permit shall be a nuisance that is subject to an action for abatement by the Village.

3. Midway shall comply with all aspects of the amended site plan submitted with this request and shall have the burden of advising the Village when it is in full compliance with the site plan.

4. Midway shall use only 3,000 square feet of Unit 5.

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Clint Fornier  
Chairman  
Mattawan Planning Commission