



SPRINGFIELD

NEBRASKA

PLANNING COMMISSION REPORT OCTOBER 13, 2026 AGENDA

Agenda Item:	Subject:	Submitted By:
Agenda Items 6A & 7A	Application for Conditional Use Permit renewal submitted by Ready Mixed Concrete, applicant, and Lyman-Richey Corporation, owner, to operate a concrete construction batch plant on property generally located at 13605 Fairview Road	Kathleen Gottsch City Administrator

Synopsis

Ready Mixed Concrete, applicant, and Lyman-Richey Corporation, owner, have filed an application to renew their conditional use permit to operate a concrete construction batch plant on property zoned AR Agriculture Residential and legally described as Tax Lot F2, Section 13, Township 13 North, Range 11 East of the 6th P.M., Sarpy County Nebraska, consisting of approximately 8.11 acres, and generally located at 13605 Fairview Road.

The initial Conditional Use Permit was issued October 5, 2021.

The application was forwarded to the Planning Review Team, which is comprised of Bill Seidler, Jr. (city attorney), Jeff Ray (city planner), Jeff Thompson (engineer for Sarpy County & Cities Wastewater Agency (SCCWWA)), Brian Schuele (city engineer with Olsson), MUD, NDOT, OPPD Land Management, Papio Missouri River Natural Resources District, Sarpy County (Admin/Engineering/Public Works), Sarpy County Emergency Management Agency, Sarpy County GIS, Sarpy County Planning, Sarpy County Sheriff, Chad Zimmerman (Springfield Fire Chief), and Ryan Saunders (Springfield Platteview Community Schools).

A copy of the original synopsis of comments from the Planning Review team, as well as the application and Lyman-Richey's response letter, are attached.

Additional Information:

On October 9, the City Attorney, City Planner and I met with representatives of Lyman-Richey to discuss concerns related to staff comments and derived at the following terms:

- Lyman-Richey will meet noise, vibration, air quality, etc. regulations as outlined in the city's zoning regulations.
 - They did not realize that these requirements are outlined in the zoning regulations and were only considering the municipal code and those sections that apply to inside city limits.
 - Since their operation is within the city's extraterritorial zoning jurisdiction, they are required to meet the zoning regulations pertaining to environmental quality standards.

- Lyman-Richey and city staff propose the following language be added to the CUP agreement regarding hours of operation:
 - *“Typical hours of operation for the construction concrete batch plant shall be from 6:00 a.m. to 6:00 p.m., Monday through Friday, and 6:00 a.m. to 12:00 p.m. on Saturdays. From April through November, operations may occasionally extend until 8:00 p.m., Monday through Friday only. Operations shall not occur on Sundays. Operations outside of the approved hours may be permitted on a limited basis due to specific business demands, subject to prior City approval. Immediately upon approval of the Conditional Use Permit, the Owner/Applicant shall send written notice to the adjacent property owners identified herein requesting an email address for purposes of receiving notifications regarding operations outside of the approved hours. The Owner/Applicant shall provide both the City and the adjacent property owners with at least twenty-four (24) hours advance notice via email prior to commencing any operations outside of the approved hours.”*
 - *Adjacent property owners include those residing at 13701 Fairview Road, 13702 Fairview Road, 13517 Fairview Road, 13550 Fairview Road, and 13441 Fairview Road.*
- Lyman-Richey will reach out to Sarpy County Public Works to determine dust control requirements. Lyman-Richey requested that language be added to the CUP clarifying when dust control is warranted.

Recommendation

Planning Commission can recommend (1) approval, (2) denial, or (3) table action until the November 10 Planning Commission meeting.

Attachments

Synopsis of Comments

Lyman-Richey Corporation Response to Synopsis

Conditional Use Permit Application for Renewal

Operation & Maintenance Plan

Site Plan

Site Photographs

Conditional Use Permit Agreement – Effective 10/5/21

Letter to Lyman-Richey re Complaints Received – 11/28/25

Letter from Lyman-Richey re Complaints – 12/1/25



SPRINGFIELD

NEBRASKA

September 25, 2026

SYNOPSIS OF PROFESSIONAL STAFF COMMENTS FOR PLANNING COMMISSION & CITY COUNCIL

**Tax Lot F2 13-13-11 (8.11 AC) – 13605 Fairview Road
Ready Mix Concrete Co. (Owner)/Lyman-Richey Corporation (Successor-in-Interest)
Conditional Use Permit Renewal**

Ready Mixed Concrete submitted the following documents on September 1, 2026, on behalf of the property owner, Lyman-Richey Corporation, related to the property legally described as Tax Lot F2, Section 13, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located at 13605 Fairview Road:

1. Request for Conditional Use Permit - Renewal

The following exhibits were also provided:

1. Operation and Maintenance Plan

Applicant/Owner request a renewal of the Conditional Use Permit issued on October 5, 2021, to operate a concrete construction batch plant on the property.

The documents were forwarded to the Planning Review Team, which is comprised of Bill Seidler, Jr. (city attorney), Jeff Ray (city planner), Jeff Thompson (engineer for Sarpy County & Cities Wastewater Agency (SCCWWA)), Brian Schuele (city engineer with Olsson), MUD, NDOT, OPPD Land Management, Papio Missouri River Natural Resources District, Sarpy County (Admin/Engineering/Public Works), Sarpy County Emergency Management Agency, Sarpy County GIS, Sarpy County Planning, Sarpy County Sheriff, Chad Zimmerman (Springfield Fire Chief), and Ryan Saunders (Springfield Platteview Community Schools). Below is a synopsis of their comments.

Bill Seidler, Jr., City Attorney

Items to Consider

1. The original conditional use permit was for five years.
2. The city received complaints from an adjacent property owner about noise and landscaping.

- a. The city sent a letter to Lynam-Richey on November 18, 2025, regarding hours of operation repeatedly exceeding 6:00 a.m. to 6:00 p.m., landscape screening, and noise.
 - i. Lyman-Richey responded by letter on December 1, 2025. It acknowledged limited circumstances where operation exceeded 6:00 a.m. to 6:00 p.m. on weekdays and past 12:00 p.m. on Saturdays. It requested the city's input on perimeter vegetation and explained vegetation removal. It recognized the horn honking but stated it would comply with applicable noise regulations.
- b. The property is within the City of Springfield's Extraterritorial Zoning Jurisdiction, but not within its corporate limits so determining an "applicable noise regulation" is difficult.
 - i. Springfield Municipal Code §6-333 only applies within the corporate limits.
 - ii. Sarpy County Zoning Code provides for General Nuisance violations.
 - iii. The current operating plan does not provide for requiring measurable standards.
3. The Planning Commission and City Council will have to make a factual determination in regards to Section 6.06 – Conditional Use Permit – Standards in Springfield Zoning Ordinance.
4. It may be that the OSHA standards for a minimum buzzer or horn noise are incompatible with the orderly development of surrounding properties.

Recommendations

If the City staff, in its report, determines that under certain circumstances or operating plans the use meets is consistent with Section 6.06 – Conditional Use Permit – Standards in Springfield Zoning Ordinance, then I suggest the following additions to the Conditional Use Permit:

1. Establishing a maximum sound level, measured in decibels, at the perimeter of the property, to be measured using a decibel meter.
2. Establishing a maximum vibration at the perimeter to be measured using an accelerometer or similar device.
3. A detailed landscaping plan with exact planting locations, maintenance, spacing, and species description.
4. Establishing a maximum discharge of suspended particulates at the perimeter to be measured using a meter chosen by the City Engineer.
5. All annual or periodic inspections to be performed by the City Engineer as well as other city staff.

Jeff Ray, City Planner

Language in the Conditional Use Permit (Renewal) should be modified to address the hours of operation.

1. Current language states:
 - a. *"Typical hours of operation for the construction concrete batch plant will be from 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to 12:00 p.m.*



on Saturdays, with occasional earlier starts or later finishes as specific business demands arise.”

2. Revised language should state:

- a. *“Typical hours of operation for the construction concrete batch plant shall be from 6:00 a.m. to 6:00 p.m., Monday through Friday, and 6:00 a.m. to 12:00 p.m. on Saturdays. From April through October, operations may occasionally extend until 8:00 p.m., Monday through Thursday only. Operations shall not occur on Sundays.”*

Jeff Thompson, SCCWWA Engineer

If the property owner applies for a building permit, SCCWWA fees may apply at that time.

Brian Schuele, City Engineer w/ Olsson

No comments.

MUD

No comments.

NDOT

No comments.

OPPD

No comments.

Papio Missouri River Natural Resources District

No comments.

Sarpy County Admin/Engineer/Public Works

Language in the Conditional Use Permit (Renewal) should be modified to address the following two items:

1. The weight limit on 132nd Street in Sarpy county is 20 tons.
 - a. All trucks and other heavy equipment should access the plant from the west (Hwy 50).
 - b. Request to add the following language to the CUP agreement:
 - i. *“The weight limit on 132nd Street in Sarpy County is 20 tons. All truck traffic shall exit on Fairview Road, travel west, and utilize Hwy 50 for north/south travel through Sarpy County.”*
2. Owner/Applicant should contribute toward dust control along Fairview Road between 132nd Street and Hwy 50.
 - a. Request to add the following language to the CUP agreement:
 - i. *“Roads onsite are paved to minimize dust from truck traffic. Owner/Applicant is responsible for dust control and shall coordinate dust control measurers on Fairview Road between 132nd Street and Hwy 50 with Sarpy County Public Works.”*

No additional response was received from Sarpy County Admin.



Sarpy County Emergency Management Agency

No comments.

Sarpy County GIS

No comments.

Sarpy County Planning

No comments.

Sarpy County Sheriff

No comments.

Springfield Fire Chief

No comments.

Ryan Saunders (Springfield Platteview Community Schools)

No response was received.

Attachments:

- Application for CUP Renewal
 - Operation & Maintenance Plan
 - Site Plan
 - Site Photographs
- November 18, 2025, letter from city to Lyman-Richey regarding complaints
- December 1, 2025, letter from Lyman-Richey to city addressing complaints



**Ready Mix Concrete Co.
Lyman-Richey Corporation
2625 S 158th Plaza
Omaha NE 68130**

September 29, 2026

**Springfield Planning Commission / Sarpy County Planning Department
170 N. 3rd Street
Springfield, NE 68059]**

RE: Conditional Use Permit – Response to Requested Conditions

To Whom It May Concern:

The applicant respectfully submits the following responses regarding several proposed conditions associated with the Conditional Use Permit review for the existing construction concrete batch plant. After careful evaluation, we have identified concerns with certain requested provisions and offer the following formal rebuttals for consideration.

1. Establishing a Maximum Sound Level

The applicant acknowledges the City's interest in ensuring that the operations do not create unreasonable noise impacts on surrounding properties. The proposal to establish a maximum sound level at the property perimeter, measured in decibels, presents a significant practical challenge. It is important to note that Sarpy County does not have an adopted countywide noise ordinance, nor does the State of Nebraska maintain any statewide environmental noise standard establishing measurable decibel limits for industrial or commercial operations.

Without an established benchmark, enforcement would be subjective, inconsistent, and potentially arbitrary. Concrete batch plants operate within a range of normal industrial sound levels influenced by equipment type, ambient environmental conditions, and surrounding land uses. Establishing a numerical limit without a regulatory framework would not provide meaningful guidance to either the operator or the County.

The applicant will continue to comply with all applicable state and federal noise-regulation requirements and will maintain reasonable operational practices to minimize off-site noise impacts. The applicant typically conducts noise monitoring on an as-needed basis or when facility changes are made to ensure ongoing compliance with OSHA 29 CFR 1910.95, *Occupational Noise Exposure*,

Should the City or County adopt a formal, uniformly applicable noise standard in the future, the applicant is prepared to evaluate the requirement and comply accordingly.

2. Establishing a Maximum Vibration Level

The request to establish a maximum vibration level at the property perimeter, measured using an accelerometer or similar device, is not practicable. No municipal, county, or state standard currently exists for vibration limits applicable to industrial facilities. Vibration readings vary significantly based on soil composition, moisture levels, weather conditions, equipment type, and measurement methodology. Without a defined regulatory threshold, any numerical limit would be arbitrary and unenforceable.

The applicant will continue to operate equipment consistent with industry norms and will address any verified vibration concerns should they arise.

3. Detailed Landscaping Plan

The request for a detailed landscaping plan specifying exact planting locations, maintenance procedures, spacing, and species is not applicable to this application. The facility is an existing, fully developed site with established landscaping already in place. Requiring a new, design-level landscaping plan for an unchanged, long-standing site would not provide meaningful benefit and would be inconsistent with typical Conditional Use Permit expectations for existing facilities.

The applicant maintains the current landscaping in accordance with standard property-maintenance practices and will continue to do so. In the past 6 months, 12 additional trees were planted along the west border of the property to improve landscaping and provide sound and visual barriers. While a full redesign is not warranted, the applicant is open to reasonable, minor enhancements to the existing landscaping where practical and beneficial. Any such improvements can be coordinated during future site-development or review processes to ensure alignment with actual site conditions and operational needs.

4. Maximum Discharge of Suspended Particulates

The proposal to establish a maximum discharge level of suspended particulates at the property perimeter, measured using a meter selected by the City Engineer, is not feasible. Neither the City nor the County has adopted a standard methodology or regulatory threshold for perimeter-based particulate measurements applicable to concrete batch

plant operations. Without an established benchmark, any numerical limit would be arbitrary, unenforceable, and inconsistent with recognized air-quality regulatory frameworks.

Concrete batch plants are already subject to comprehensive state and federal air-quality regulations administered by the Nebraska Department of Water, Energy, and Environment (NDWEE) and the U.S. Environmental Protection Agency (EPA). These permits include defined emission limits, monitoring requirements, reporting obligations, and compliance protocols based on scientifically validated methods. Imposing an additional, undefined perimeter-based particulate standard would duplicate existing regulatory oversight and introduce uncertainty in enforcement.

The applicant will continue to comply fully with all applicable NDWEE and EPA air-quality requirements and will maintain dust-control practices consistent with industry standards. The applicant applied for and was issued an Air Quality General Construction Permit from the NDWEE. The applicant operates under a Concrete Batch Plant (Controlled Loadout) air permit (Permit Number GCP-CBPCL-2) which was issued on November 3, 2025. The general construction permit has specific conditions for concrete production which include required control equipment and operational limits to control particulate matter emissions. The permit requires that all permitted emission units and control equipment be properly installed, operated, and maintained. Section J of the permit states that “No person shall cause or allow emissions, from any source, which are of an opacity equal to or greater than twenty percent (20%), as evaluated by an EPA approved method...” Personnel are trained in EPA Method 9 procedures to ensure that opacity requirements are met. The applicant is also required to submit emission inventories to the NDWEE when requested, typically once a year, to show compliance with the air permit limits.

5. Hours of Operation

Typical hours of operation for the construction concrete batch plant will be from **6:00 a.m. to 6:00 p.m., Monday through Friday**, and **6:00 a.m. to 12:00 p.m. on Saturdays**. These hours reflect established industry practice and support normal construction scheduling within Springfield, Sarpy County, and surrounding areas. On occasion, earlier start times or later end times may be required to accommodate specific project demands, address logistical considerations, or respond to urgent or emergency operational circumstances, including equipment failures, time-sensitive project requirements, or other unforeseen conditions necessitating immediate action to maintain safe and compliant operations.

Any such deviations will be infrequent and managed in a manner that minimizes potential impacts to surrounding properties while remaining fully compliant with all applicable county regulations.

We appreciate the opportunity to provide clarification and respectfully request that these considerations be incorporated into the final review of the Conditional Use Permit. The applicant remains committed to operating responsibly, maintaining regulatory compliance, and working cooperatively with the City and County.

Please feel free to contact us should additional information or discussion be required.

Sincerely,

Matthew Cone
Plant Engineer & Land Manager
Lyman-Richey Corporation
A CRH COMPANY
2625 S 158th Plaza
Omaha NE 68130
T +1 (402) 616-4005
E Matthew.cone@lymanrichey.com



REQUEST FOR CONDITIONAL USE PERMIT
(please print or type)

Applicant's Name Ready Mixed Concrete
Address 2625 S. 158th Plaza, Omaha, NE 68130
Phone (402) 558 - 2727 ext.

Owner's Name Lyman-Richey Corporation
Address 2625 S. 158th Plaza, Omaha, NE 68130
Phone (402) 558 - 2727 ext.

Agent's Name
Address
Phone () - ext.

Hereby request the Planning Commission and City Council to consider the following Conditional Use:

Renewal of the current conditional use permit for a ready-mix concrete construction batch plant to be operated under the
previously approved operation and maintenance plan.

The Conditional Use Permit is requested for the property legally described as the following:

Tax Lot F2, Section 13, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska and generally located
southeast of 138th Street and Fairview Road.

Current zoning of said property: Agriculture Residential

Description of existing use of said property:

Current use of the property is the operation of a ready-mix concrete construction batch plant under the conditional use permit
issued in 2021.

REQUEST FOR CONDITIONAL USE PERMIT

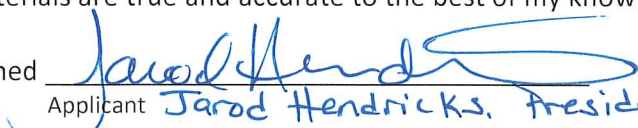
- ☐ Please check here if Conditional Use request is for residential renovation in an older single family residence built prior to the adoption of the zoning regulations. Refer to Springfield Zoning Ordinance - Residential Renovation for further information.

NOTICE: Applications will be processed according to the city's review schedule. Please see the attached Application Checklist for a complete list of required documents. Complete information must be provided by the applicant or no action will be taken.

I hereby certify that all required information and materials are herewith attached and said materials are true and accurate to the best of my knowledge.

Signed

Applicant


Jarod Hendricks, President.

Date

September 1, 2026

Application Fees:

Original Application - \$300.00 (under 1 acre); \$500.00 (over 1 acre)

Amendments & Renewals - \$150.00

*fees are nonrefundable

All fees are due and payable to the City Treasurer upon application.

Springfield CUP Application – Ready Mix Concrete Co.
Operation and Maintenance Plan
13605 Fairview Road
08/12/2026

Hours and Working Days

Typical plant hours are from 6 am – 6 pm with occasional earlier starts or later finishes as specific business demands arise such as night pours for a highway, or interstate. Working days are typically 5 ½ days a week; Monday-Saturday noon.

Number of Employees

We anticipate up to 15 employees will be working onsite, depending on business demand.

Security & Lighting

Security and safety lighting are used on site. They are laid out to minimize light pollution beyond property lines. Trees surrounding the area help reduce visual impact. The site has a security fence on the north and east property lines, and a creek and trees line our west property line. Two gates on the north fence are locked when employees are not present.

Landscaping

The grassy areas will be regularly mowed and kept clean. Trees surrounding the area will reduce visual impact. While some underbrush and smaller trees were removed in the fall of 2025, twelve new trees were planted along the West property line in 2026.

Environmental

The batch plant is equipped with baghouses that catch dust and are routinely inspected in accordance with environmental standards. We will comply with all applicable state and federal environmental regulations. The plant site entrance and exit are already paved to reduce fugitive dust. There is a current stormwater permit, and plans remain in place to address drainage.

Truck Traffic/Parking

Truck traffic will enter and exit off Fairview Road. Traffic will be one way with a separate entrance and exit to keep traffic more segregated. This site is not expected to increase traffic more than when the plant was operational in the past. Trucks will be kept on site as the need arises.

Noise

Will comply with all applicable noise regulations, including OSHA standards. Operations are anticipated to end at 6:00 pm Monday through Friday, and noon on Saturday, with exceptions as needed when night pours are required for a highway, or interstate. Trees surrounding the area will help mitigate noise. The buzzer on the plant has been disabled to help reduce noise.

Energy/Public Utilities

Plant is expected to operate on electric line power. Water supply will be from an on-site well. A port-a-john will be used in place of public sewer or septic tank. This site is currently a ready-mix plant and is not expected to increase the burden on any public utility.

Section 5.05 AR Agriculture Residential District

A. *Intent.* Provides for agriculture, low density residential development; minimum lot area of 5 acres, and interim uses under special conditions.

B. *Permitted Uses*

1. Agricultural farms, truck gardens, green houses, pasture, plant nurseries, orchards, grain storage facilities, and the usual agricultural farm buildings and structures
 2. Single-family dwellings
 3. Roadside stands offering for sale agriculture products produced on the premises
 4. Church, seminary and convent, including residences for pastors and teachers
 5. Public and parochial school; college
 6. Fire Station
 7. Public parks and recreation areas, playgrounds, forest and conservation areas, including commercial uses and campgrounds under franchise of the County or State government agencies
 8. Private recreation areas and facilities, including lakes, ponds, country clubs, golf courses, and swimming pools
 9. Public utility distribution systems, substations, terminal facilities, and reservoirs
 10. Railroads
 11. Irrigation facilities
 12. Agricultural Processing as relating to a winery
 13. Home occupations subject to Section 8.07
- (Ordinance No. 1164 11/19/2024)

C. *Permitted Conditional Uses*

1. Cell/telecommunication towers
 2. Airport
 3. Private and commercial kennels and facilities for raising, breeding, and boarding of dogs, and other small animals; provided all buildings and facilities are at least 100 feet from any property line, and 300 feet from any residential zoning district
 4. Extraction and processing of rock, gravel, sand, clay, and dirt
 5. Temporary trailer
 6. Commercial recreational areas including facilities for fishing, shooting, hunting, auto racing, cycle clubs, bridal clubs, etc.
 7. Commercial camping areas
 8. Billboards
 9. Signs
 10. Private barns, and associated livestock, for not more than one (1) animal for the first acre of land, and one (1) additional animal for every two (2) additional acres of land
 11. Planned Development District
 12. Satellite dish antennas that conform to the supplementary regulations of this Ordinance
 13. Child care home
 14. Licensed Recreational Vehicle Storage- Out of Doors and/or Within an Enclosed Building
 15. Unlicensed Recreational vehicle Storage – Within and Enclosed Building
 16. Bed and Breakfast
 17. Concrete recycling and distribution plant
 18. Alternative Energy Production
 19. Concrete Construction Batch Plant
 20. Veterinary Services, Regular with Livestock
- (Ordinance No. 1055, 11/17/2020; Ordinance No. 1066, 6/1/2021; Ordinance No. 1164 11/19/2024; Ordinance No. 1182, 3/18/2025)

D. *Accessory Uses*

1. Buildings and uses customarily incidental to the permitted and conditional uses

2. Temporary buildings and uses incidental to construction work or in the event of an emergency as determined by the Board which shall be removed upon the completion or abandonment of the construction work
3. Private swimming pool, tennis courts, and other recreational facilities in conjunction with the permitted use

E. *Height and Area Requirements*

	<u>Area</u>	<u>Lot Width</u>	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>	<u>Maximum Height</u>
Dwelling	5 Acres***	300'	50'	20'	25'	2 ½ stories or 35'
Other Permitted Uses*	---	400'	50'	15'	25'	65'
Accessory Buildings**	---	---	70'	5'	5'	30'

* Agricultural uses are exempt from maximum height requirements.

**Including provisions listed in Section 4.14 pertaining to Accessory Building and Uses

***Excluding road right-of-way.

1. A one (1) or one and one-half (1 ½) story single-family house with slab on grade or with no basement shall contain at least 1,200 square feet of floor area on one level, exclusive of garages and other attached accessory floor area; a split-level or multi-level single-family house shall contain at least 1,200 square feet as the total sum of the nearest floor levels separated by not more than five (5) vertical feet, provided that the floor level or levels nearest the grade or ground lines used for living purposes shall contain at least 600 square feet, exclusive of garages and other accessory floor area; and a two (2) or two and one-half (2 ½) story single-family house with or without a split-entry shall contain at least 1,000 square feet or floor area on the lower story, if more than 50% of the space is finished and used for living purposes, all exclusive of garages and other attached accessory floor area.
2. A lot used for a residential dwelling which is connected to a community sanitary sewer system and a community water system approved by the city, may have a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet. No structure may be located closer than 40 feet to any side street line.

F. *Other Applicable Provisions*

1. Only one building for living purposes shall be permitted on one zoned lot, except as may be otherwise provided herein.
2. Private wells subject to review in Article 6 may be authorized where the following additional standards are met:
 - a. All wells must meet Nebraska Department of Health and Human Services and Department of Environmental Quality standards for quality, design, and operation.
 - b. No well shall be allowed within 1,000 feet of an existing or designated municipal well site.
 - c. The proposed location shall not create a negative impact on adjacent properties.
 - d. Authorized permits shall be reviewed for renewal on an annual basis and shall be discontinued when city water services are adjacent to the property or right-of-way contiguous to the property.
3. Screening of Recreational Vehicle Storage shall be in compliance with Article 9.04 Fences, Wall, and Similar Structures.



Ready Mix Concrete Co.
13905 Fairview Rd.
Springfield, NE 68059

Subject Property dimension:

- Irregular shape parcel
- Width: 355 ft (max)
- Depth: 1,457 ft (max)

Adjacent parcel to East dimensions:

- Irregular shape
- Width: 98 ft
- Depth: 1,563 ft (approx.)

Adjacent parcel to West dimensions:

- Irregular shape
- Width 624 feet wide (max)
- Depth 2,354 (max)



28 Acres

Fairview Road

SAND PILE

ROCK PILE

CONEX SHOP
OFFICE

Ready Mix Concrete Co,
13905 Fairview Rd
Springfield Ne 68059
5/28/2026



— Aggregate Truck Traffic
— Mixer Truck Traffic





















City of Springfield

Conditional Use Permit

Conditional Use Permit for a Concrete Construction Batch Plant in the Agriculture Residential Zoning District

This Conditional Use Permit issued this 5th day of October, 2021, by the City of Springfield, a municipal corporation in the County of Sarpy County, Nebraska ("City") to Lyman-Richey Corporation, a Delaware Corporation, successor-in-interest to Ready Mixed Concrete Co., a Nebraska Corporation, ("Owner"), and Ready Mixed Concrete Co. ("Applicant") pursuant to the Springfield Zoning Ordinance.

WHEREAS, Owner/Applicant wishes to operate a concrete construction batch plant in the Agriculture Residential Zoning District as a permitted conditional use upon the following described tract of land within the City of Springfield zoning jurisdiction:

Tax Lot F2, Section 13, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, and generally located southeast of 138th Street and Fairview Road.

WHEREAS, Owner/Applicant has applied for a conditional use permit for the purpose of operating a concrete construction batch plant in the Agriculture Residential District based upon the criteria prescribed in the Springfield Zoning Ordinance; and

WHEREAS, the Mayor and City Council of the City of Springfield are agreeable to the issuance of a conditional use permit to the Owner/Applicant for such purposes, subject to certain conditions and agreements as hereinafter provided and prescribed in the Springfield Zoning Ordinance.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the Owner/Applicant to operate a concrete construction batch plant on the property legally described as Tax Lot F2, Section 13, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, and generally located southeast of 138th Street and Fairview Road in the Agriculture Residential Zoning District, said use hereinafter being referred to as "Permitted Use or Use".

Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are not transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
 - a. Only concrete and related items shall be crushed, recycled and distributed. The production of asphalt and the operation of an asphalt batch plant are prohibited.
 - b. A site plan showing the boundaries of the property, proposed structures, building configuration, parking, access points, drives and landscaping is provided and attached to the permit as "Exhibit A".
 - c. Parking shall be provided for said use as prescribed in the Springfield Zoning Ordinance.
 - d. An operation and maintenance plan has been provided to the City and is attached hereto as Exhibit "B".

- e. Typical hours of operation for the construction concrete batch plant will be from 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to 12:00 p.m. on Saturdays, with occasional earlier starts or later finishes as specific business demands arise.
 - f. Truck traffic shall enter and exit off Fairview Road. Traffic will be one way with a separate entrance and exit to keep traffic segregated. Onsite traffic signage shall be installed to direct traffic accordingly.
 - g. The weight limit on 132nd Street is 20 tons so all vehicles over that weight shall exit onto Fairview Road, travel west and utilize Hwy 50 for north/south travel.
 - h. The driveway entrance off Fairview Road shall be kept clear for fire, rescue and public access.
 - i. Roads onsite are paved to minimize dust from truck traffic. Owner/Applicant shall coordinate dust control measures on Fairview Road between 132nd Street and Hwy 50 with Sarpy County Public Works.
 - j. All structures and fencing shall comply with the maximum height standard and setbacks of the Agriculture Residential Zoning District.
 - k. All storage, vehicles, buildings and equipment associated with the use shall be located on designated property.
 - l. All lighting associated with the use shall be directed on site.
 - m. Landscape screening, including trees, shall be planted along the perimeter of the property to reduce noise and light pollution.
 - n. Owner/Applicant shall obtain a Floodplain Development Permit as the site is located within the flood fringe.
 - o. The premises shall be developed and maintained in accordance with the approved conditional use permit. Any modifications must be submitted to the City for approval and must adhere to the current zoning regulations.
 - p. An annual inspection should be conducted to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
 - q. All structures shall be constructed, maintained and operated in a safe and responsible manner, and in accordance with any applicable laws, rules or regulations, including, but not limited to, applicable environmental or safety laws, as amended or in effect from time to time, and shall not cause, or create risk of injury or damage to, or loss of life, property or the environment.
 - r. Owner/Applicant shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations, and proper regulatory approval for construction of both a private septic system and a well.
 - s. Owner/Applicant hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.
3. The Owner's/Applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
- a. Review of the permit every five (5) years from the date of execution by the City to determine if the use is in compliance or if additional conditions are required for the use to continue.
 - b. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.

- c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.
4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner's/Applicant's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's/Applicant's construction or placement of a storage tank, structure or other improvement on the premises not specified in this permit.
 - d. Owner's/Applicant's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.
5. In the event of the Owner's/Applicant's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner/Applicant hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner of the property.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Applicant Name and Address: Ready Mixed Concrete Co.
2625 S. 158th Plaza
Omaha, NE 68130

Owner Name and Address: Lyman-Richey Corporation
2625 S. 158th Plaza
Omaha, NE 68130

Effective Date

This permit shall take effect upon the approval of the Springfield City Council and the filing hereof with the City Clerk.

Date of Execution: October 5, 2021

THE CITY OF SPRINGFIELD



Robert Roseland, Mayor

Attest:



Kathleen R. Gottsch, City Administrator/Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Applicant: Ready Mixed Concrete Co.,
aka Lyman-Richey Corporation
By: 
Title: President - Concrete Companies
Name: Jarod Hendricks
Date: 10/19/21

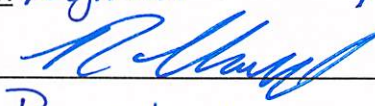
Owner: Lyman-Richey Corporation
By: 
Title: President
Name: Rich Umbel
Date: 10/19/21

Exhibit "A"

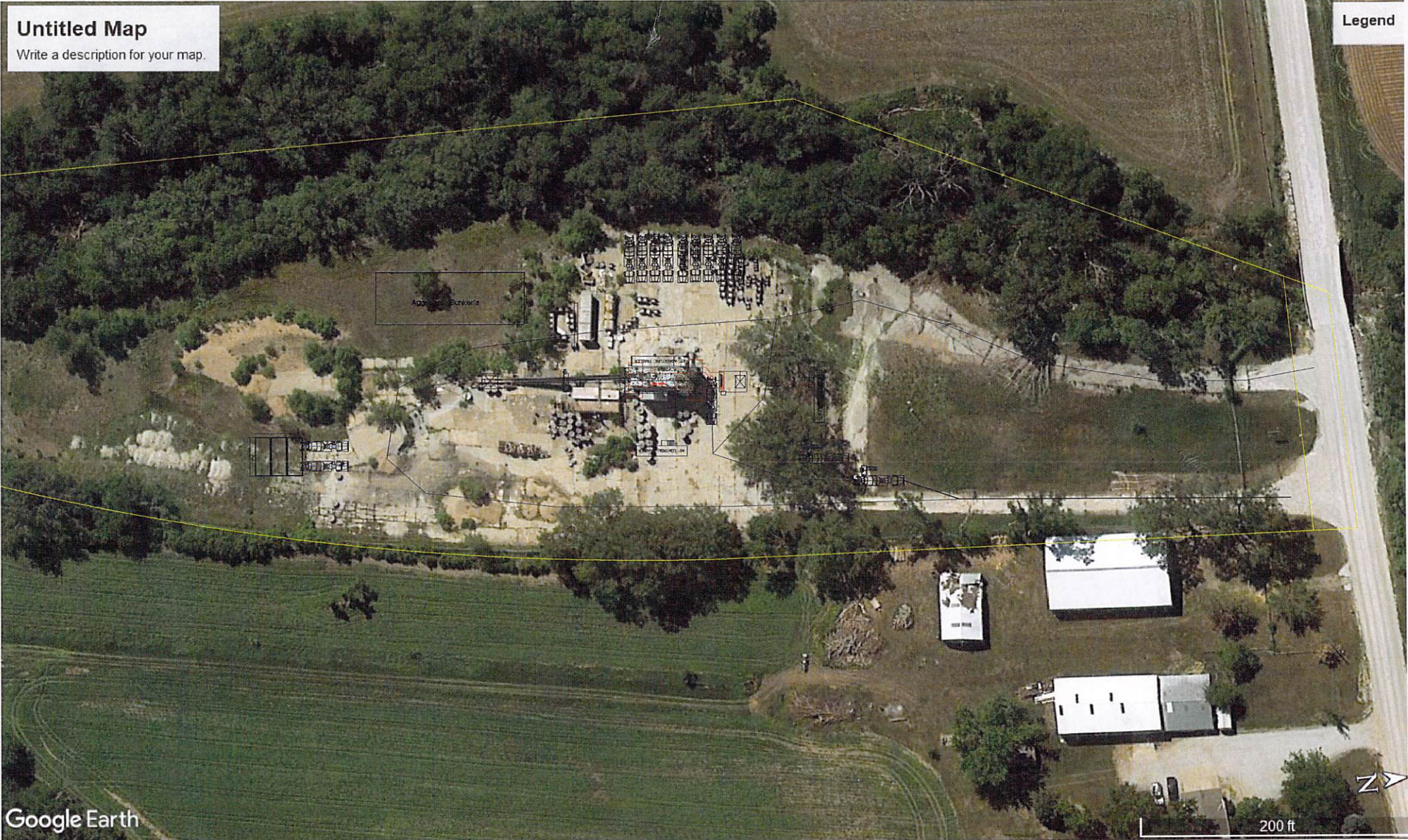


Exhibit "B"

Springfield CUP Application – Ready Mix Concrete Co.
Operation and Maintenance Plan
13605 Fairview Road
07/01/2021

Hours and Working Days

Typical plant hours are from 6 am – 6 pm with occasional earlier starts or later finishes as specific business demands arise such as night pours for a highway, or interstate. Working days are typically 5 ½ days a week; Monday-Saturday noon.

Number of Employees

We anticipate 15 employees will be working onsite, depending on business demand.

Security & Lighting

Security and safety lighting are used on site. They will be laid out to minimize light pollution beyond property lines. Trees surrounding the area will reduce visual impact. The site has a security fence on the north and east property lines, and a creek and trees line our west property line. Two gates on the north fence are locked when employees are not present.

Landscaping

The grassy areas will be regularly mowed and kept clean. Trees surrounding the area will reduce visual impact.

Environmental

The batch plant is equipped with baghouses that catch dust and are routinely inspected in accordance with environmental standards. We will comply with all applicable state and federal environmental regulations. The plant site, entrance, and exit are already paved to reduce fugitive dust. There is a current stormwater permit and a plan to address drainage.

Truck Traffic/Parking

Truck traffic will enter and exit off Fairview Road. Traffic will be one way with a separate entrance and exit to keep traffic more segregated. This site is not expected to increase traffic more than when the plant was operational in the past. The roads onsite are paved to minimize dust from truck traffic. Trucks will be kept onsite as the need arises.

Noise

Will comply with all applicable noise regulations, including OSHA standards. Operations are anticipated to end at 6:00 pm Monday through Friday, and noon on Saturday, with exceptions as need when night pours are required for a highway, or interstate. Trees surrounding the area will help mitigate noise.

Energy/Public Utilities

Plant is expected to operate on electric line power. Water supply will be from an on-site well. A port-a-john will be used in place of public sewer or septic tank. This site is current a ready-mix plant and this new plant is not expected to increase the burden on any public utility.



SPRINGFIELD

NEBRASKA

November 18, 2025

Via Certified Mail

Jarod Hendricks, President
Lyman-Richey Corporation
2625 S 158th Plaza
Omaha, NE 68130

Re: Formal Complaint Regarding Conditional Use Permit (CUP) Issued October 5, 2021 for a Concrete Construction Batch Plant Located at 13605 Fairview Road, Springfield, Nebraska

Dear Mr. Hendricks:

The purpose of this letter is to notify you that we have received complaints regarding violations of the Conditional Use Permit ("CUP") associated with the concrete construction batch plant located at 13605 Fairview Road, Springfield, Nebraska.

Based on these complaints, we have determined that the following conditions of the existing CUP for this property are being violated:

- **Typical hours of operation for the construction concrete batch plant will be from 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to 12:00 p.m. on Saturdays, with occasional earlier starts or later finishes as specific business demands arise:**
 - **Continual Work Past Specified Hours:** The business is repeatedly operating outside these hours, specifically with late-night activity through 9:00 p.m., and work is even occurring on Sundays.
- **Landscape screening, including trees, shall be planted along the perimeter of the property to reduce noise and light pollution:**
 - **Trees Removed:** Mature trees have been removed, and no trees have been planted to replace them.
 - **Excessive Horn Honking:** Exhibit B of the permit states "Will comply with all applicable noise regulations, including OSHA standards. Operations are anticipated to end at 6:00 pm Monday through Friday, and noon on Saturday, with exceptions as need when night pours are required for a highway, or interstate. Trees surrounding the area will help mitigate noise."
 - The current operations are generating loud noise late into the nights since hours or operations are exceeding the agreed-to hours.
 - Per **§6-333 MISDEMEANORS; LOUD, UNNECESSARY NOISES.** of the Springfield, Nebraska Municipal Code, "It shall be unlawful for any person to

make, continue or cause to be made or continued any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the City.

(1) The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of the Code, but such enumeration shall not be deemed to be exclusive, namely:

(a) Horns, Signaling, Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the City, except as a danger warning, the creation by means of any such signaling device of any unreasonably loud or harsh sound and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity, the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up."

A copy of the above-referenced ordinance is enclosed for your review.

Therefore, this letter serves as notice to you of violations of your CUP. If you fail to address these issues within ten (10) days of receipt of this notice, the CUP may be revoked.

Should you have any questions regarding this matter, please do not hesitate to contact the office.

Thank you very much for your immediate attention to this matter.

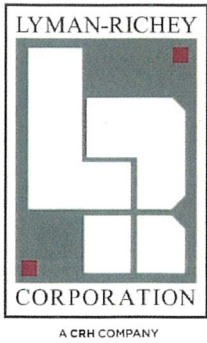
Sincerely,

A handwritten signature in blue ink, reading "Kathleen R. Gottsch".

Kathleen R. Gottsch
City Administrator

KRG/erd

Enclosures



2625 S. 158th Plaza
Omaha, NE 68130
(402) 558-2727
lymanrichey.com

December 1, 2025

Ms. Kathleen R. Gottsch
City Administrator
City of Springfield, NE
170 N. 3rd Street
Springfield, Nebraska

RE: Response to November 18, 2025 correspondence regarding Conditional Use Permit (CUP)
Concerns at 13605 Fairview Road, Springfield, NE

Dear Ms. Gottsch,

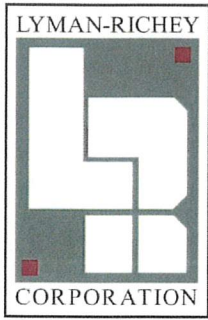
We are in receipt of your correspondence dated November 18, 2025, regarding the Conditional Use Permit (CUP) for our concrete batch plant at 13605 Fairview Road. We appreciate the opportunity to address the concerns raised and provide clarification and corrective actions based on your observations.

1. Hours of Operation

We acknowledge that there have been limited instances where operations extended beyond the permitted hours. Our records indicate several occasions where production and site activities occurred after 6:00 p.m. on weekdays and past noon on Saturdays, with some activity on Sundays. These exceptions were consistent with the CUP's allowance of "occasional earlier starts or later finishes" primarily due to business demands and site preparation needs. However, we are committed to adhering strictly to the CUP parameters moving forward and will reinforce compliance with all staff and third-party contractors.

2. Landscape Screening and Tree Removal

During recent site preparation, several volunteer trees were removed from the east fence line to prevent further damage, and some trees were cleared from the property's interior. The west and south borders were also thinned, but a perimeter of trees remains. We are prepared to plant additional trees along the perimeter and are open to any input the City may have on the quantity and size of the vegetation to ensure full compliance with the CUP and to further mitigate noise and light pollution.



2625 S. 158th Plaza
Omaha, NE 68130
(402) 558-2727
lymanrichey.com

3. Noise and Horn Honking

We recognize the concerns regarding excessive noise, particularly horn honking. To address this, when operations resume in 2026, the plant horn will be replaced with a light or electric buzzer to significantly reduce sound levels. We will continue to monitor and comply with all applicable noise regulations, including OSHA standards and the Springfield Municipal Code.

4. Contractor Site Preparation

A third-party contractor was engaged to make site improvements and crush existing concrete rubble. While some work occurred outside CUP hours, this work has now been suspended, and all future activities will be scheduled within the permitted timeframe.

5. Commitment to Compliance

We take these concerns seriously and are implementing corrective measures to ensure full compliance with the CUP. Please advise if there are specific requirements for tree planting or other mitigation steps so we can address them promptly.

Should you have any further questions or require additional information, please do not hesitate to contact us. We appreciate your guidance and look forward to resolving these matters collaboratively.

Sincerely,

Gary Loyd

Operations Manager

Lyman-Richey Corporation