

MINUTES OF PLANNING & ZONING COMMISSION
MAY 19, 2016
BUFFALO COUNTY COURTHOUSE
7:00 P.M.

Chairperson Scott Brady opened the meeting at 7:00 P.M. at the Buffalo County Courthouse in Kearney, NE with a quorum present on May 19, 2016.

Present were: Scott Brady, Marlin Heiden, Richard Skelton, Paul Steinbrink, Sr., Randy Vest and Loye Wolfe. Absent: Willie Keep, Leonard Skov and Mark Vacek. Also attending were Deputy County Attorney Andrew Hoffmeister, Zoning Administrator LeAnn Klein and 2 members of the public.

Notice of the meeting was given in advance thereof by publication in the legal newspaper. A copy of the proof of publication is on file in the Zoning Administrator's office. Advance notice of the meeting was also given to the Planning & Zoning Commission and availability of the Agenda was communicated in the advance notice. The agenda is available for anyone wanting a copy of the agenda.

Chairperson Brady announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and we do abide by the Open Meetings Act.

The public forum was opened at 7:01 P.M. Surveyor Mitch Humphrey with Buffalo Surveying was present and addressed the Commission on utility easements. Currently we require 10' easement on all four sides of the lot. On the Standage Subdivision that was platted previously we just had the utility easements on the front of the lots. Utility companies don't want the easements on the back of lots. He handed out seven hand-outs which showed the easements. There is no need to have easements on all four sides. This encumbers a lot of the property for owners. Hoffmeister said he thinks Dawson Public Power would disagree with his statement. Hoffmeister told the Commission our fear is no easements. Humphrey said it doesn't make sense, either put them on the front or rear but not all four sides. Humphrey also told the Commission that the City of Kearney has a good plan. Humphrey contacts the utility companies and asks them to take a look at where easements should be. Brady asked what was the reason we have these easements this way. Hoffmeister responded our subdivision regulations came out of Lancaster County. We never know what's going to be built behind a lot. Humphrey would like the Commission to take a look at this. The public forum closed at 7:50 P.M.

Chairperson Brady opened the public hearing at 7:50 P.M. for a preliminary plat for Prairie Acres Second submitted by Surveyor Chad Dixon on behalf of Travis A. Mason and Heather R. Mason on the following legal description: a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) and part of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) and part of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska, containing 34.35 acres, more or less.

Surveyor Chad Dixon with Miller & Associates was present to address the Commission. He told the Commission this preliminary plat was located at the Prairie Hills Golf Course south of Pleasanton. The drive-way for Clubhouse Drive is off of Pole Line Road. He has a letter from an engineer addressing the drainage issues and he has also put the easements on all four sides. Hoffmeister asked if there was development on either side of the lots. There was an administrative subdivision on the west side and also an acreage on the east side of this preliminary plat. The golf course abuts the west side of the lots.

Skelton asked where the clubhouse was located. Dixon told him it is right north of the cul-de-sac.

Hoffmeister said this is more of an AGR area since there are many homes in this area.

Brady asked how far this was from a public road. Dixon said this is about ¼ mile from Highway 10.

Skelton asked if there were any other areas that might have homes. Dixon said probably not.

Wolfe said there were a couple of nonconformance issues. One is Section 4.03 which says a cul-de-sac shall not be longer than 600'. This may be extended when topographical rise and fall of cul-de-sac does not exceed 6 feet from highest elevation to lowest elevation. Another is under Section 4.06 no block shall be longer than 1320 feet. This may be extended when topographical rise and fall of street does not exceed 6 feet from highest elevation to lowest elevation of block measured from center of intersections of intersecting streets at opposite ends of the block. Another is Section 4.08 which says the names or designation of cul-de-sacs shall be given the suffix "Circle", "Court" or "Place". The last item was Section 4.12 for the street and road design. The only non-conformance to this design standard is horizontal curves numbers 2, 5, and 13. They fall under the 764.5' centerline radius standards for a 50 mph road.

Hoffmeister said the line of site would not be a problem since the line of site falls and then rises. Dixon said the fall of the street is 34'. The line of site is there and shouldn't be a problem in seeing into the subdivision.

Hoffmeister said it would be a fall and rise but emergency vehicles would be able to see into the subdivision. The road into the development is located on the top of the subdivision.

Dixon said this is a residential road and will have a much slower speed limit that does not require such a large radius. With the added cost of reconstructing the road and the lands adjoining the existing easement do not belong to the developer it would be difficult to change the current design. He also told the Commission they plan to have the County accept the road.

Wolfe asked if there would be a speed limit sign put up and who takes care of this road now.

Hoffmeister said the County could put up a speed limit sign after county acceptance of the road, whether the Highway Department would do it would depend upon that department's policies.

Dixon replied the golf course currently takes care of this road. The width of this road is 66'. Travis Mason has talked to John Maul at the Highway Department.

Vest also said traffic would increase.

Dixon said there would be restrictive covenants filed on this subdivision.

Hoffmeister referred to Section 7.02 D. which states these provisions may be waived by zoning administrator, planning & zoning commission, and/or Buffalo County Board when satisfactory pre-existing studies, infrastructure, and/or accessible data from other sources exists. This provision could apply to the three noted areas of waiver, although Hoffmeister wasn't sure that the "fall and rise" versus a "rise and fall" situation would make one of the requested waivers unnecessary.

There was no one present that voiced a concern.

Chairperson Brady closed the public hearing at 8:20 P.M.

Motion was made by Wolfe, seconded by Vest to approve the preliminary plat for Prairie Acres Second submitted by Surveyor Chad Dixon on behalf of Travis A. Mason and Heather R. Mason on the following legal description: a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) and part of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) and part of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska, containing 34.35 acres, more or less and forward this to the County Commissioners with the following sections relaxed:

1. Relaxation of adopted subdivision standards related to maximum length of a cul-de-sac street (Section 4.03), and
2. Relaxation to maximum block length (Section 4.06), and
3. Relaxation of Section 4.12 for the street and road design

Voting yes were Wolfe, Vest, Brady, Heiden, Skelton, and Steinbrink. Voting no: none. Absent: Keep, Skov and Vacek. Motion carried.

Klein said she would check with the Sheriff's office regarding the name of Clubhouse Drive.

Klein said this would be heard by the County Commissioners on June 14, 2016 and notices will again be sent out.

Old Business: Moved by Heiden, seconded by Skelton to approve the minutes of the April 21, 2016 as mailed. Voting yes: Heiden, Skelton, Brady, Steinbrink, Vest and Wolfe. Voting no: none. Absent: Keep, Skov and Vacek. Motion carried.

Other items were discussed.

The next meeting of the Planning & Zoning Commission will be held June 16, 2016 at 7:00 P.M. if needed.

Chairperson Brady adjourned the meeting at 8:30 P.M.