

MINUTES OF PLANNING AND ZONING COMMISSION
JUNE 18, 2026
BUFFALO COUNTY COURTHOUSE
7:00 P.M.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, on June 4, 2026. 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 and Zoning Commission and availability of the Agenda was communicated in the advance notice. The Agenda is available for anyone wanting a copy.

Chairperson Brady opened the meeting at 7:03 P.M. on June 18, 2026.

In Attendance: Joshua Chaney, Willie Keep, Tim Kreutzer, Marc Vacek, Loye Wolfe, Scott Stubblefield, Tammy Jeffs, Jeremy Sedlacek, and Scott Brady.

Quorum was met and none were absent.

Also attending were: Deputy County Attorney Josiah Davis and Zoning Administrator Dennise Daniels. There were a few members of the public present.

Chairperson Brady announced The Open Meetings Act and agendas were available if anyone wished to have one.

The public forum was opened at 7:03 P.M. No one spoke. The public forum closed at 7:03 P.M.

Chairperson Brady announced the procedure and etiquette for the upcoming public hearings.

Public Hearing. 5(a)

Chairperson Brady opened one consolidated public hearing for the purpose of gathering evidence for Agenda Items 5(a) and 5(b) at 7:04 P.M., regarding a Termination for Special Use Permit Application to operate a ready-mix concrete plant, and an Application for Zoning Map Amendment, filed by Shane Roach located at 4785 Keystone Road, on part of tax parcel 660289100, described as a tract of land situated in part of Government Lot Two (2), now known as part of Lot One (1) Roach Administrative Subdivision, located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Mitch Humphrey, licensed land surveyor, of Buffalo Surveying Corporation, located at 5308 Parklane Drive, Kearney, Nebraska, and Shane Roach, of 4785 Highway 10, Gibbon, Nebraska, stepped forward to present the application. Mr. Humphrey provided a brief history on the zoning and subdivision of this particular tract and the abutting tracts. He added that Mr. Roach had originally requested a special use permit to operate a ready-mix concrete plant on his residential tract, which is now known as Roach Administrative Subdivision, Lot 1. That special use permit,

he continued, includes his existing residence. However, he added, the special use permit has hampered his ability to add to his existing residence.

Mr. Humphrey testified that Mr. Roach would like to terminate the special use permit and rezone the southern portion of the proposed tract to industrial for Mr. Roach to continue to use it for his ready-mix concrete plant, while terminating the special use permit so Mr. Roach can add to his existing residence in the near future.

Vice-Chairperson Keep asked if the tract would be split and Mr. Humphrey explained that it would not be subdivided, but the south part would be zoned to industrial. Vice-Chairperson Keep asked if it was allowable to allow two different zoning districts on the same tract and Deputy County Attorney Davis confirmed. Mr. Chaney asked for clarification if the residence would be included on the industrial tract and Mr. Humphrey stated that it would be left to agricultural zoning and not included in the industrial-zoned tract. Mr. Chaney asked if the tract would need to be split to accommodate the two different districts and Mr. Humphrey stated that they would not. Deputy County Attorney Davis explained that it was allowable based on a historical map amendment just to the north, which was included on the same tract, but rezoned to industrial.

Discussion occurred if Roach Administrative Subdivision, Lot 1 could or would be further subdivided. Vice-Chairperson Keep asked Mr. Humphrey how many acres would be included in the agricultural tract where the residence was situated and Mr. Humphrey explained that there was just over an acre. Vice-Chairperson Keep stated that if the owner ever intended to subdivide, having a tract under three acres could present an issue for the owner and Mr. Humphrey agreed.

Ms. Wolfe asked if there would be a revision of entrances or exits and Mr. Humphrey stated there were no planned revisions.

Mr. Sedlacek asked Mr. Roach if the ready-mix plant was there prior to his residence or if it was created after Mr. Roach lived there. Mr. Roach explained that the residence and plant were put there about the same time, with the residence being placed first.

Vice-Chairperson Keep asked Zoning Administrator Daniels to review the zoning districts around the proposed map amendment. Zoning Administrator Daniels explained that there were several industrial-zoned tracts on the north side of Highway 30 and there was one industrial-zoned tract to the south of the proposed rezone. She added that the Future Land Use Map shows this particular area zoned Industrial. Vice-Chairperson Keep stated that based on the information, he has been provided that the proposed map amendment would be a good fit for this area.

Chairperson Brady asked if the applicant wishes to add anything. Mr. Roach declined.

Chairperson Brady asked if anyone wished to comment. No one stepped forward in opposition or support.

Chairperson Brady closed the public hearing at 7:19 p.m.

Motion was made by Mr. Stubblefield, and seconded by Mr. Sedlacek to recommend favorably the proposed Termination for Special Use Permit Application to operate a ready-mix concrete plant, filed by Shane Roach located at 4785 Keystone Road, on part of tax parcel 660289100, described as a tract of land situated in part of Government Lot Two (2), now known as part of Lot One (1) Roach Administrative Subdivision, located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

Motion was made by Mr. Stubblefield, and seconded by Mr. Kreutzer to recommend favorably the proposed Application for Zoning Map Amendment, filed by Shane Roach, for property described as a tract being part of Lot One (1), Roach Administrative Subdivision, a subdivision located in part of Government Lot Two (2) of Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to rezone approximately 1.38 Acres, more or less, from Agriculture (AG) to Industrial (I), to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

Chairperson Brady opened the public hearing for Agenda Item 5(c) at 7:22 P.M., regarding code amendments to The Buffalo County Subdivision Regulations, with renumbering as necessary, under "Exhibit E", The Subdivision Agreement for Road Maintenance, to add a return address to the front page of the document for recording purposes and to correct the resolution template on the notary.

Zoning Administrator Daniels presented the proposed code amendments to The Commission. She explained that the template Road Maintenance Agreement, under the exhibits, in the Buffalo County Subdivision Regulations needed some administrative revisions. She stated that she had recently attempted to work with the exhibit and noticed some missing components, while trying to record in the Register of Deeds Office. She noticed that the return address on page 1 was missing, along with a three-inch margin inclusion. She stated that the notarial acknowledgement needed to be corrected to accurately reflect the resolution number.

Mr. Vacek asked the significance of the three-inch margin. Zoning Administrator Daniels stated that in order to record a document in the Register of Deeds Office, there needs to be a minimum of a three-inch margin to ensure satisfactory space for recording data.

Vice-Chairperson Keep inquired if Zoning Administrator Daniels would include additional grammatical corrections for the amendment. She agreed. Vice-Chairperson Keep recommended adding an apostrophe to “County’s” under Section 1(a). Zoning Administrator Daniels notated the revision request.

Vice-Chairperson Keep also inquired about removing duplicate wording, “per hour” under Section 1(E). Zoning Administrator Daniels notated the revision request.

Vice-Chairperson Keep asked how many regular subdivisions Buffalo County has received since the implementation of the Road Maintenance Agreement. Zoning Administrator Daniels stated that Eagle Hill Estates First is the second final plat for a regular subdivision. She provided the documentation via the projector to The Commission.

Chairperson Brady asked if anyone wished to comment. No one stepped forward.

Chairperson Brady closed the public hearing at 7:33 p.m

Motion was made by Vice-Chairperson Keep, and seconded by Mr. Chaney to recommend favorably the proposed code amendments to The Buffalo County Subdivision Regulations, with renumbering as necessary, under “Exhibit E”, The Subdivision Agreement for Road Maintenance, to add a return address to the front page of the document for recording purposes and to correct the resolution template on the notary, along with the following recommended revisions: including addition of a three-inch margin on the front page, adding an apostrophe to “County’s” under Section 1(a), and removing duplicate wording, “per hour” under Section 1(E) to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted “Aye”: Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

Old Business

Minutes

Motion was made by Ms. Wolfe and seconded by Vice-Chairperson Keep to approve the April 16, 2026 meeting minutes, with the following revisions: remove the word “Interim” in paragraphs two and six on the first page of the document.

Upon roll call vote, the following Board members voted “Aye”: Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

New Business

Report on Previous Hearings

Zoning Administrator Daniels reported that Application for Zoning Map Amendment, filed by Dave Wilke, for property described as a tract of land located in the Northwest Quarter of Section Two (2), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to rezone approximately 7.28 Acres, more or less, from Agricultural - Residential 2 (AGR - 2) to Commercial (C) was approved by the Board of Commissioners on April 28, 2026.

Zoning Administrator Daniels reported that the Application for Vacation, Application for Zoning Map Amendment, and Application for Preliminary Subdivision filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., to vacate, rezone approximately 4.29 Acres, more or less, from Agriculture (AG) to Agricultural – Residential 1 (AGR - 1) and create a preliminary plat for Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska were approved by the Board of Commissioners on May 26, 2026.

The Planning Commission discussed the Land Use Forum that was presented by the Nebraska Association of County Officials on June 3, 2026.

The Commission then discussed data centers and battery energy storage centers and their impact on communities. They, as a whole, stated that they wanted Zoning Administrator Daniels to relay to The Board of Commissioners that they would like to see more regulatory standards on data centers and battery energy storage centers as soon as possible. Zoning Administrator Daniels said that the Board of Commissioners share the same concerns as The Commission and she would pass the message on to see if something could be submitted to them as quickly as possible for review, study, and discussion.

Zoning Administrator Daniels reviewed two Dawson County Notices for code amendments and provided the email inquiring the subject of the amendments to The Commission.

Zoning Administrator Daniels reviewed a proposed extra-territorial jurisdictional subdivision, presented by the city of Kearney, Butler Fourth Subdivision. She reviewed the letter, prepared and sent on their behalf.

Zoning Administrator Daniels discussed three subdivisions that were annexed: 12 Kids Addition, Fountain Hills Sixteenth Addition, and Spruce Hollow Estates Ninth Addition.

Zoning Administrator Daniels highlighted a proposed extra-territorial jurisdictional subdivision, Arbor View Fifth and the proposed response. The Commission reviewed the letter and found it to be satisfactory. Zoning Administrator Daniels stated that the proposed letter would be put in the mail on Monday, June 22nd, 2026, due to the holiday on Friday.

Next Meeting

The next meeting is scheduled for July 16, 2026. Zoning Administrator Daniels stated that she has not received any applications for public review, as of that evening. However, she added, she intended to have code amendments prepared for that meeting.

Adjourn

Chairperson Brady adjourned the meeting at 8:12 P.M.

Scott Brady, Chairperson
Buffalo County Planning Commission

Tammy Jeffs, Secretary
Buffalo County Planning Commission