

MINUTES OF PLANNING & ZONING COMMISSION  
SEPTEMBER 16, 2010  
BUFFALO COUNTY HIGHWAY DEPARTMENT  
7:00 P.M.

Chairperson Wietjes opened the meeting at 7:00 P.M. at the Buffalo County Highway Department Building in Kearney, NE with a quorum present on September 16, 2010. Present were: Ken Erickson, Willie Keep, Leonard Skov, Paul Steinbrink, Sr., Gwen Stengel, Craig Wietjes and Loye Wolfe. Absent: Karin Covalt and Marlin Heiden. Also attending were Deputy County Attorney Andrew Hoffmeister, Zoning Administrator LeAnn Klein and eight members of the public.

Wietjes announced there was a copy of the open meetings act posted on the bulletin board and we do abide by the open meetings act and a copy is posted as required by law.

Agenda for such meeting was regularly posted as required by law and the agenda is available for anyone wanting one.

Karin Covalt arrived at 7:01 P.M.

The public forum was opened at 7:01 P.M. No one was present to address the Commission. The public forum closed at 7:01 P.M.

Chairperson Wietjes opened the public hearing at 7:02 P.M. for approval of a preliminary plat for Standage Country Estates for property located in the East Half of the Southwest Quarter of Section Twenty Four (24), Township Nine (9) North, Range Seventeen (17) West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska.

Mitch Humphrey with Buffalo Surveying, and Roger and Patricia Standage were present at the meeting. Humphrey told the Commission he would speak on behalf of Mr. & Mrs. Standage. He told the Commission this proposed development is located 2 ½ miles west of the intersection of Cottonmill Ave. and 56<sup>th</sup> Road between Evergreen and Sartoria Road. It is located on the north side of 56<sup>th</sup> Road and is relatively flat in nature. There are currently corrals located at the point of entry to the subdivision. The Engineer suggested the drive should be moved slightly to the west to allow a better line of site to the west. There will be nine lots located in this subdivision ranging from 7 acres to 10 + acres off of 56<sup>th</sup> Road. This subdivision adjoins Bridle Acres on the west and the north property is owned by Randall Alexander. There are a number of lots surrounding this subdivision. They would put large curves in the road leading into the subdivision to flatten out the contours of the land. They had contacted the owner to the north but he does not want the road extended to the north, so that is why the proposed subdivision ends in a cul-de-sac. It wouldn't be possible to put a road on the north side of this property due to the costs involved.

Humphrey handed out a booklet to the Commission which shows pictures of the area and how flat it actually is. He realizes the cul-de-sac is longer than the required 600' but the pictures do show how flat this property is and you can see the distance from 56<sup>th</sup> road to the end of the cul-

de-sac. If this would be a city setting with more lots, than it might be a problem with the visibility to the end of the cul-de-sac.

The power lines and the telephone lines will be buried and they have already spoken to the power company.

Humphrey also noted there is an open 40' road in width for a distance of 1700' to the north of this property that the County Board opened back in June 21, 1954.

Hoffmeister thought the best action for this is to have the County Board vacate this road.

Humphrey explained the process of the preliminary plat to the Commission.

They will stage the development of the lots and Lots 1, 2, 3, 8 and 9 will be developed first once the final plat is approved by the County Board. This area is already zoned Agricultural-Residential (AGR) which allows more density.

A drainage study was completed by Olmsted & Perry, an engineering company from Omaha, Nebraska. Humphrey told the Commission the amount of water shed from this site will not increase significantly. The west side of the lots drains to the north and the east side of the lots drain to the south. They will have corrugated metal pipe in two places. Profiles are also shown in this study. The ditches will be built to County standards.

Hoffmeister explained the process of the preliminary plat. If no recommendation is made within 60 days, the preliminary plat will automatically go to the County Board. The Planning & Zoning may make recommendations to the County Board.

Erickson asked what the surface of the roads will be. Humphrey responded the road will be gravel.

Steinbrink questioned what the elevation is. Humphrey responded the elevation by 56<sup>th</sup> Road is 164' and the sag point is 152'. The north sag is 153' with the cul-de-sac being 158'.

Lonty Bryant, a neighbor to the east of this proposed subdivision, was present and asked if this is a done deal. He is representing a couple of adjoining land owners who couldn't be at the meeting tonight. He told the Commission he wouldn't have bought his lot if he knew there would be more development in this area. He has concerns of the amount of water in this area since it is close to the City of Kearney well fields. He asked what school district this was and also questioned if this subdivision would have covenants. He also had concerns with the amount of increased traffic in this area.

Hoffmeister said this property is currently in the Elm Creek school district. Hoffmeister reminded everyone the County does not control covenants.

Mr. Standage responded there would be covenants placed on this subdivision.

Bryant said the roads are not in as good of shape since the well fields were put in.

Stengel agreed the roads in this area are not the best. She also agreed water issues are a concern for the entire County and the State.

Wolfe agreed water issues are very important and we should protect the quality of water in Buffalo County.

Erickson commented these nine lots would not use as much water as a pivot would. There is a hydrant directly across to the south from this proposed subdivision.

Dave Covert was also present and lives to the west of the proposed subdivision and told the Commission he doesn't want these lots any smaller.

Humphrey said when he initially met with Mr. & Mrs. Standage, their intent were larger lots.

Rosanne Cunningham told the Commission she also has concerns with the speed people drive on gravel roads. Safety is an issue. People don't know how to drive on gravel roads.

According to Section 4.03 of the Subdivision Regulations, a cul-de-sac shall not be longer than six hundred feet. This may be extended when topographical rise and fall of cul-de-sac street does not exceed six feet from highest elevation to lowest elevation.

The Commission agreed the basis for the 600' was to be able to see a line of sight for emergency vehicles.

Skov felt as long as the visual issues are met, the distance of the cul-de-sac could be longer. Judgment needs to come into play. We should have the ability to change this based on line of sight.

Keep had concerns of being able to access the north lots. Emergency vehicles could access the north lots from the east.

Keep questioned what the standard width of the road leading into the subdivision was.

Humphrey responded the road is 66' and the radius of the cul-de-sac is also 66'.

Wietjes commended Humphrey on the good presentation.

Wietjes closed the public hearing at 8:15 P.M.

Motion made by Steinbrink, seconded by Skov to forward the preliminary plat of Standage Country Estates to the County Board with approval for property located in the East Half of the Southwest Quarter of Section Twenty Four (24), Township Nine (9) North, Range Seventeen (17) West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska with the following suggestions:

1. A subdivision resolution amendment to Section 4.03 that now places a 600' length limit for cul-de-sac street unless that street does not rise and fall more than six feet. In the subdivision proposed the street design is more appropriately described as a "sag".
2. A subdivision resolutions amendment for Section 4.06 that places a 1320' limit for maximum block length.
3. Both of the above should be based on line of sight type analysis.
4. For items #1 and #2, there should be an increased length of an allowed block and/or cul-de-sac street when there is a low density of residential housing development as requested on this subdivision. Perhaps a limit on the number of lots on a cul-de-sac or block might be a more appropriate way to regulate development in rural areas.
5. The Board should consider vacation of 40-foot wide unimproved public road on the books, but not now in use, that might touch the proposed subdivision's north boundary. Vacation of that road would eliminate any title issues with the proposed Lot 6 together with any need to change the northern lot lines of the proposed subdivision.

Voting yes were Steinbrink, Skov, Covalt, Erickson, Keep, Stengel, Wietjes and Wolfe. Voting no: none. Absent: Heiden. Motion carried.

Klein said this will be heard by the County Board on October 12, 2010.

Old Business: Moved by Erickson, seconded by Covalt to approve the minutes of the August 19, 2010 as mailed. Voting yes: Erickson, Covalt, Keep, Skov, Steinbrink, Stengel, Wietjes and Wolfe. Voting no: none. Absent: Heiden. Motion passed.

Klein also reported the outcome of the hearings heard by the County Board at previous meetings.

The next meeting of the Planning & Zoning Commission will be October 21, 2010 at 7:00 P.M. at the Highway Department.

Moved by Stengel to adjourn at 8:32 P.M.