

MINUTES OF PLANNING & ZONING COMMISSION
DECEMBER 19, 2013
BUFFALO COUNTY COURTHOUSE BOARD ROOM
7:00 P.M.

Chairperson Scott Brady opened the meeting at 7:00 P.M. at the Buffalo County Courthouse board room in Kearney, NE with a quorum present on December 19, 2013.

Present were: Scott Brady, Ken Erickson, Willie Keep, Richard Skelton, Leonard Skov, Paul Steinbrink Sr., Gwen Stengel and Loye Wolfe. Absent: Marlin Heiden. Also attending were Deputy County Attorney Andrew W. Hoffmeister, Deputy County Attorney Kari Fisk, Zoning Administrator LeAnn Klein and five 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. There was no one present to address the Commission. The public forum closed at 7:01 P.M.

Chairperson Brady opened the public hearing at 7:01 for preliminary plat approval for Bruner Lakeside Estates located in part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼), part of Government Lot 1, part of Government Lot 2 and part of accretion lands of Section Twenty four (24), Township Nine (9) North, Range Thirteen (13) West of the 6th p.m., Buffalo County, Nebraska.

Mitch Humphrey, with Buffalo Surveying, James Bruner, Gayle Knoll Bruner, and Paul Brungardt, with Brungardt Engineering, were present to address the Commission.

Humphrey explained to the Commission they have been working on this project quite some time. This land was rezoned to AGR about a year ago. They have obtained approval from the Nebraska Department of Environmental Quality on October 23, 2013. This site is approximately 119 acres. There has been gravel mining on this property in the past. Bruner lives on 13 acres in the northwest corner of this property. Bruner's Father has a cabin on the east side, not part of this development. This plat will be done in two phases. Nine to ten lots on the north side of this project will be developed first and the balance of the lots will be in the second phase. The utility companies have already been contacted and the roads have been started. There will be two accesses off the highway which are existing driveways. Some of these lots will be 1.6 acres but with DEQ approval, they are allowed to exist in AGR zoning. Humphrey said this is a nice development and is well above the floodplain.

Hoffmeister questioned if the streets had been named yet. He also questioned if the lots had side and back easements reserved on the lots. Humphrey had said he had talked to the utility companies and they don't like easements on the side and back of lots, they would rather have them against the roads. It is easier for maintenance.

Skelton asked if the utilities would be underground. Humphrey replied they would be.

Erickson and Keep questioned how the homes would face.

Hoffmeister stated the roads can't be too high so they will block water runoff.

Paul Brungardt with Brungardt Engineering spoke to the Commission regarding the road plan and profile. He explained the roadway is 2 10' sections and the ditches are each 5'. He said the road is 66' in width. He showed the Commission where drainage will occur. Sheets 1-4 of the hand out show the profile of the north road and Sheets 5-11 show the concept of the south road. The radius of the cul-de-sac is 66' in width.

Erickson asked if Bruner's home was high enough. Humphrey responded it is 1 foot above the base flood elevation.

Brady asked if the north road has permanent drainage. Brungardt explained there is a drainage ditch that runs between Bruner's house and the north road. They are not changing the storm water drainage.

Steinbrink asked how long the north road was and Brungardt replied it is 2800 linear feet.

Chairperson Brady read the letter from the State Department of Roads regarding the number of access roads currently at this location. This development should use existing driveways and no new driveways will be considered.

Humphrey said the existing driveways have been permitted through the State Department of Roads.

Wolfe questioned the maintenance of the roads.

Kari Fisk asked about the access to Lot 3, Block 2. It should not have an access off the highway.

The roads will be built to specifications, signs will be put up and then they can request the County to maintain the roads.

Skelton asked if the roads would be deeded. Humphrey said they would be dedicated.

Erickson asked if there were any challenges with the North Channel.

Humphrey replied they are staying away from any development in the North Channel.

Brady questioned if they would have individual wells and septic systems. Humphrey replied they would have separate wells and septic systems.

Wolfe asked how deep the wells would have to be. Bruner replied his well was 150' deep.

Erickson asked if obtaining flood insurance was a problem.

Wolfe said this subdivision will be in the Shelton School District.

Brady also questioned if they would have covenants on this subdivision. Bruner replied they would have covenants as far as no modular or mobile homes.

Hoffmeister asked how many lots there were. Humphrey said there are 27 lots in this subdivision.

Wolfe commended the applicants on the presentation.

Brady asked how deep the pit area was. Bruner said they were approximately 35' feet. Skov also asked about the drainage in this area. There is a channel on the north between the development and Bruner's home and also the north channel of the Platte is to the south of the development.

Brady closed the public hearing at 7:38 P.M.

Keep asked about the industrial use across the road.

Hoffmeister explained the process of this preliminary plat to the Commission.

Motion was made by Skelton, seconded by Erickson, to approve this preliminary plat filed on behalf of James Bruner and Gayle Knoll-Bruner and forward to the County Board with approval on the following legal description: Part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼)part of Government Lot 1, part of Government Lot 2 and part of accretion lands of Section Twenty-four (24), Township Nine (9) North, Range Thirteen (13) West of the 6th Principal Meridian, Buffalo County, Nebraska with the following conditions:

1. Rear and side easements are addressed to be eliminated or removed.
2. Streets will be named with 911 approval.
3. Lot 3, Block 2 access is addressed.

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

Old Business: Moved by Erickson, seconded by Steinbrink to approve the minutes of the November 21, 2013 as mailed. Voting yes: Erickson, Steinbrink, Brady, Keep, Skelton, Skov, Stengel and Wolfe. Voting no: none. Absent: Heiden. Motion carried.

Other items were discussed.

The next meeting of the Planning & Zoning Commission will be January 16, 2014 at 7:00 P.M. if needed.

Chairperson Brady adjourned the meeting at 7:55 P.M.