

MINUTES OF PLANNING & ZONING COMMISSION  
NOVEMBER 18, 2021  
BUFFALO COUNTY COURTHOUSE  
5:00 P.M.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice. 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.

Chairperson Scott Brady opened the meeting at 5:03 p.m. with a quorum present on November 18, 2021.

In Attendance: Kurt Schmidt, Francis "Buss" Biehl, Loye Wolfe, Scott Brady, Tammy Jeffs, Randy Vest, & Marc Vacek.

Willie Keep attended at 5:09 p.m.

Quorum was met.

Also attending were: Deputy County Attorney Andrew Hoffmeister, Zoning Administrator Dennise Daniels, Scott Stubblefield, and via ZOOM, Hanna:Keelan Associates Planners: Tim Keelan, and Keith Carl.

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

**Public Hearing. 3(a)**

Chairperson Brady opened the public hearing for Agenda Item 3(a) at 5:04 p.m. regarding Buffalo County Comprehensive Plan, or the general plan for the improvement and development of the county outside of the jurisdiction of any city or village, as required per Neb. Rev. Stat. §23-174.06.

Hanna:Keelan, Associates' Planners, Tim Keelan & Keith Carl, appeared via ZOOM. Keith Carl took possession of the ZOOM screen to provide the agenda and data in the packet. Tim Keelan reviewed the Comprehensive Plan Agenda for tonight's meeting. Mr. Keelan notified The Commission that he made some changes to the original preliminary data to remove any potential growth from rural Buffalo County and a created a separate and distinct portion for the extra-territorial jurisdictions. The newly-revised Population Trends and Projections were highlighted. Mr. Keelan asked if The Commission had any comments or concerns. Secretary Wolfe asked how large the community planning jurisdictions were. Deputy County Attorney Hoffmeister reviewed the jurisdictions' limits.

Chairperson Brady asked if Hanna:Keelan expected Rural Buffalo County would grow significantly. Mr. Keelan stated that the rural area would continue to grow and Hanna:Keelan

would be having discussions with the communities in Buffalo County to get a better idea of what the growth would look like.

Mr. Keelan also reviewed Specific Household Characteristics Table with The Commission. He advised The Commission that Hanna:Keelan would continue to review census information and revise the table, as needed. He asked The Commission if they had any other questions or concerns. No one spoke.

Mr. Carl reviewed the generalized proposed Buffalo County, Nebraska, County-Wide Opinion Survey with The Commission and invited any amendments from The Commission. Zoning Administrator Daniels proposed including both a one-mile and two-mile jurisdiction question. Mr. Carl said that would be amended.

Mr. Carl opened the floor to The Commission requesting any questions or concerns. He stated that Hanna:Keelan would like to get the survey finalized tonight, if possible. Deputy County Attorney Hoffmeister said he would like to add the question, "Are you familiar with Buffalo County Zoning Regulations?" Mr. Keelan stated it could be added and asked The Commission if they wished to add questions regarding the awareness of the need for building permits. Discussion occurred the definition of Building Permits versus Zoning Permits. Deputy County Attorney Hoffmeister stated he would like to see the question added. Chairperson Brady agreed.

Secretary Wolfe asked for clarification of Alternative Energy Systems. She wondered if the question regarding Alternative Energy Sources was for commercial farms or personal systems. Mr. Carl stated that he could divide them out in Question #4.

Mr. Keelan evaluated #4 more closely and advised The Commission about the rating system. He opened the floor to recommendations on changes to this portion. Vice-Chairperson Keep testified he believed it needed to be reworded as he would be more willing to mark the questions "extremely important", but could provide a different answer if the proposed development was next to his residence. Mr. Keelan stated that he and Mr. Karl would rework this question. Secretary Wolfe asked if, perhaps, some similar issues could be grouped and Chairperson Brady agreed. Mr. Keelan reported he and Mr. Karl would continue to work through the survey. He asked for other thoughts and no one spoke.

Chairperson Brady stated that he had concerns regarding the wordage in Question #5, "...are effective in controlling growth..." He asked if that could be changed. Deputy County Attorney Hoffmeister recommended, "...are effective in managing growth..." Mr. Keelan advised he would make the amendment.

Mr. Keelan spoke regarding the implementation of the survey. He stated, in his opinion, he would allow the survey to remain open for 60 days. He also recommended locations of notifying the public: Community Websites, Facebook, Internet, hard copies at strategic locations, news releases. He reported he would like to get around 600 surveys back.

Mr. Carl asked if anyone had any other questions or concerns. Chairperson Brady asked how successful the surveys are. Mr. Carl stated it all depends on how saturated the market is for the survey.

Mr. Keelan opened the floor again for any other questions or concerns and said he and Mr. Karl would rework the survey and submit it to Zoning Administrator Daniels to distribute to the members for finalization.

Mr. Keelan and Mr. Carl thanked The Commission for their time and signed off ZOOM.

The Commission continued the conversation regarding implementation of the survey. Chairperson Brady stated Buffalo County needs to approach all the public entities and request their assistance. He testified hard copies need to be made available to those that don't have direct access to a computer or the internet. He recommended having each member of The Commission distribute the surveys in their respective areas. Zoning Administrator Daniels stated she could reach out to the communities and notify them of the survey.

Secretary Wolfe asked when The Commission would receive the data from the survey and Zoning Administrator Daniels stated that it probably won't be available until March. Scott Stubblefield recommended reaching out to the public power entities and requesting their assistance. Secretary Wolfe and Chairperson Brady agreed it was a good idea.

Deputy County Attorney Hoffmeister reviewed the survey and its questions. He also reviewed the existing Future Land Use Map, locations of development occurrences, the city of Kearney expansions, and conservation easements.

Secretary Wolfe asked to see all subdivisions in Buffalo County. Zoning Administrator Daniels showed The Commission the subdivisions on GIS via the projector. Deputy County Attorney Hoffmeister reviewed several existing subdivisions and the growth in Buffalo County.

Chairperson Brady closed the public hearing for Agenda Item 3(a) at 6:22 p.m.

Chairperson Brady recessed the meeting at 6:22 p.m. until 7:00 p.m.

The Planning and Zoning Commission reconvened at 7:00 p.m. with the following members in attendance: Kurt Schmidt, Francis Biehl, Willie Keep, Loye Wolfe, Scott Brady, Tammy Jeffs, Marc Vacek and Randy Vest.

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

The public forum was opened at 7:01 p.m. The public forum closed at 7:01 p.m.

Chairperson Brady welcomed the city of Kearney's Planner, Melissa Dougherty-O'Hara to The Planning and Zoning Commission meeting.

**Public Hearing. 9(a)**

Chairperson Brady opened the public hearing for Agenda Item 9(a) at 7:02 p.m. regarding an Application for Zoning Map Amendment, filed by Jeffrey R. Albers, for property described as Part of Government Lot 4 in Section Eighteen (18), Township Twelve (12) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 24.39 acres from AG – Agriculture to AGR – Agricultural Residential.

Chairperson Brady asked someone to step forward to present the application. No one stepped forward.

Chairperson Brady asked the public if anyone wished to speak in opposition of this application. Chairperson Brady reviewed an inquiry made by a party that couldn't attend regarding the intent of the rezone. Chairperson Brady testified the inquiring party had no issues with the proposed development.

Chairperson Brady requested a motion to table the discussion.

Chairperson Brady closed the discussion on this agenda item at 7:05 p.m.

Motion was by Mr. Vest, seconded by Mr. Biehl, to table the discussion to a later date.

Voting yes: Schmidt, Vest, Biehl, Keep, Vacek, Wolfe, & Jeffs.

Voting no: None.

Abstain: None.

Absent: None.

**Public Hearing. 9(b)**

Chairperson Brady opened the public hearing for Agenda Item 9(b) at 7:05 p.m. regarding an Application for Zoning Map Amendment, filed by Jana L. Owens, CFO and Treasurer for Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., for property identified as tax parcel 660286130, and described as Part of Government Lot 1 in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 3.05 acres from AG – Agriculture to I – Industrial.

Chairperson Brady asked anyone, presenting the application, to step forward. Mark Van Slyke and Aaron Foster, on behalf of Simplot AB Retail Sub, Inc., stepped forward. Mr. Van Slyke testified that Simplot wishes to rezone the property to put a fertilizer facility at this location. He referenced the Master Plan, which was viewable by the public.

Secretary Wolfe asked Mr. Van Slyke to provide additional information on the load and unload bays. Mr. Van Slyke answered that #4 of the Master Plan is the unload bay and #6 is the offload bay for the chemical in the building. Mr. Foster explained that the building would be contained.

Deputy County Attorney Hoffmeister asked if there are any structures on the property. Mr. Foster stated there is just one existing building.

Deputy County Attorney Hoffmeister reminded The Commission that rezoning to Industrial allows several uses-by-right.

Secretary Wolfe asked about traffic and requested additional information regarding the project. Mr. Van Slyke stated the fertilizer facility (as represented on Master Plan, #3), where the 12 tanks are located, is going to be a little different than what was provided. The containment size will be 125' x 53'. The contained area would be a plastic container with plastic liner and concrete to hold the tanks down. Additionally, the south side of #3 of the Master Plan, there will be an offload bay, which will be contained and is 80' x 15'. The Load Bay, #4, is also contained and will be 80' x 50'.

Deputy County Attorney Hoffmeister asked the size of the lot. Mr. Foster stated 3.05 Acres. Mr. Van Slyke stated Building #5 will be contained.

Deputy County Attorney Hoffmeister asked how much and what kind of truck traffic will this project foresee. Mr. Van Slyke stated it will be mostly tanker trucks, dry fertilizer tenders, and straight trucks. He also testified there will be dry chemicals in transit.

Deputy County Attorney Hoffmeister asked what the previous owner used the structure for. Mr. Foster stated it was a seed company. Mr. Van Slyke added it was used for storage and had minimal truck traffic. He went on to say that their proposed business would have significant truck traffic between February and September.

Deputy County Attorney Hoffmeister inquired the office location and Mr. Van Slyke affirmed the office will be located on #2 on the Master Plan. However, he added, the applicants wish to add to the existing structure. He stated that the east half of the building will be used for offices: three offices, a main lobby, a breakroom and two bathrooms. Deputy County Attorney Hoffmeister asked how many existing restrooms were located in the structure. Mr. Van Slyke stated there is one. Deputy County Attorney Hoffmeister asked where his septic was located. Mr. Van Slyke declared it is located along the east side of the fence and is a 1,250-gallon tank. He added that he discussed the septic system with the Department of Environment and Energy and the representative he spoke confirmed the existing tank would allow for approximately 7-8 people.

Deputy County Attorney Hoffmeister asked how they access water and Mr. Van Slyke stated it is an individual well.

Chairperson Brady asked for clarification if this business would be retail or wholesale development. Mr. Foster confirmed it would be a retail development.

Mr. Schmidt asked if the driveway is constructed of crushed rock and Mr. Foster and Mr. Van Slyke both confirmed. Mr. Van Slyke stated Mr. Neil Koster currently maintains the road that abuts this property and it is not a county-maintained road. Deputy County Attorney Hoffmeister provided some background on this road.

Ms. Jeffs asked if there will be adequate signage and turn offs. Mr. Van Slyke stated there are turning lanes available. Mr. Vacek asked if primary ingress and egress would be off Keystone Road. Mr. Foster confirmed. Mr. Vest asked if truck drivers would be aware of the recommended access and Mr. Foster confirmed. Deputy County Attorney Hoffmeister provided some background on this area of development.

Vice-Chairperson Keep asked if the welding shop, near the proposed development, was zoned Industrial and Zoning Administrator Daniels stated it was not; that property was issued a Special Use Permit. Deputy County Attorney Hoffmeister reviewed the Future Land Use Map with The Commission. He also reviewed other properties near the proposed development which are zoned Industrial.

Chairperson Brady requested that Zoning Administrator Daniels project the Industrial Uses by Right on the screen for The Commission and the public to review. Zoning Administrator Daniels provided the request.

Chairperson Brady asked if the applicants wished to add anything additionally. He requested confirmation the applicant wishes to put in a retail fertilizer chemical operation and to rezone to industrial. Mr. Van Slyke and Mr. Foster agreed.

Chairperson Brady asked if anyone from the public wished to ask questions or provide comment of the applicant.

Mr. Neil Koster addressed The Commission. He stated he highly recommends the approval of the rezone. He testified he believes the Industrial rezone would be a good fit for this area and the applicants have maintained the property wonderfully. Chairperson Brady asked Mr. Koster when his property was rezoned to Industrial and Mr. Koster stated it was approximately 5-6 years ago. The prior rezone for Mr. Koster was revisited.

Chairperson Brady asked if anyone else wished to comment on the proposed project. A gentleman from the public stepped forward and addressed The Commission. He identified himself as Allen Boe, of Elyria Gardens. He asked if herbicides would be sold at this location. Mr. Van Slyke and Mr. Foster confirmed there would be. Mr. Boe went on to explain the herbicide drifting could be detrimental to his greenhouse inventory and his business. Mr. Van Slyke and Mr. Foster assured him it would not happen because all of their products would be pre-packaged and in containers. Deputy County Attorney Hoffmeister asked if any bulk-loading sprayers would be used. Mr. Van Slyke stated there would not. Chairperson Brady asked Mr. Boe if he was more comfortable with the knowledge it was a retail operation. Mr. Boe stated he was not.

Chairperson Brady asked if anyone else wished to step forward. Mr. John Gangwish, who resides at 5965 Keystone Road, stepped forward. He currently farms the parcel to the north of the proposed project. He stated there are several fertilizer dealers located all along the road from Shelton to Kearney. He testified he believed they "stick out like a sore thumb". He added he does not believe this structure or property was designed to handle a fertilizer operation. He specified he is opposed because the facility is not aesthetic, excessive traffic, and any potentially

hazardous material run-off onto his farmland. He said, to this day, he cannot get portions of his farmland to grow anything on parts of his property that abuts this area, due to other spillages.

Mr. Boe also addressed The Commission and testified there is flooding to be aware of in this location. Mr. Gangwish confirmed Mr. Boe's testimony and showed The Commission where the rainwater runs during a flood. Mr. Gangwish thanked The Commission for their time. Mr. Koster stepped forward and referenced Mr. Gangwish's testimony regarding the flooding. He stated that the 2019 floodwaters did not reach the road. In fact, he stated, his property to the south was primarily under water. He stated, in recent years, there have been many improvements to this area, such as planting trees for aesthetic purposes and adding larger culverts to allow for proper drainage. Mr. Vest asked for clarification of where the rainwater drains. Mr. Koster assured The Commission the water runs easterly and runs south to Highway 30 through multiple culverts.

Mr. Schmidt asked if tankers would be full or empty on site and asked if they would be providing anhydrous. Mr. Keep requested confirmation that there would not be anhydrous on this site. Mr. Van Slyke declared chemical is not transferred without being pre-packaged. They use double-cone fertilizer trailers and leave them at a farmer's site. He added that fertilizer would be allowed only in the containment load area. Mr. Vest asked if the trailers are emptied at the farmer's field before returning the trailers. Mr. Foster confirmed. Mr. Vest asked if those trailers would be stored at this location during the winter. Mr. Foster stated they aren't stored there. They are refilled and sent back out.

Chairperson Brady asked if anyone else wished to speak. Mr. Biehl asked if the applicants discussed any run-off issues with DEQ. The applicants stated they are following the requirements of DEQ with containment. Mr. Vest requested confirmation they are complying with all containment laws and the presenters confirmed.

Chairperson Brady asked if dry product, as well as liquid, would be handled. Mr. Van Slyke stated they would, but the dry product would be shipped and received at night via tender trailers.

Chairperson Brady asked if anyone additional wished to speak.

Chairperson Brady closed the discussion on this agenda item at 7:37 p.m.

Chairperson Brady asked if The Commission wished to make other comments or questions. Secretary Wolfe stated she appreciated the contents were pre-packaged.

Chairperson Brady addressed the public, asserting The Commission appreciated the sensitivity of the situation, with consideration given to the horticultural, agricultural, and business interests. He wanted to thank all who attended to provide testimony and for addressing their concerns with The Commission.

Discussion occurred regarding the Industrial nature of this area.

Chairperson Brady requested a motion from The Commission.

Deputy County Attorney Hoffmeister reminded The Commission that both The Commission and The Buffalo County Board of Commissioners must approve this application to make the zoning map amendment.

Motion was made by Mrs. Jeffs, seconded by Mr. Vest, to recommend favorably the Application for Zoning Map Amendment, filed by Jana L. Owens, CFO and Treasurer for Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., for property identified as tax parcel 660286130, and described as Part of Government Lot 1 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.

Voting yes: Vest, Biehl, Keep, Vacek, Wolfe, Jeffs, & Schmidt.

Voting no: None.

Abstain: None.

Absent: None.

### **Public Hearing. 9(c)**

Chairperson Brady opened the public hearing for Agenda Item 9(c) at 7:45 p.m. regarding a Special Use Permit Application to install signage, filed by Adam Marshall, on behalf of McMarshall Investments, L.L.C., for property located at 17675 Highway 30, Kearney, Nebraska, 68845, described as Part of Government Lots 2, 3, and 4, located in Section Three (3), Township Eight (8) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Adam Marshall stepped forward on behalf McMarshall Investments, L.L.C. He stated he wishes to put up two 4' x 8' signs on the north side of his property, one on the east side and one on the west side. Signage content is for his business: names, phone numbers, website, etc. He testified he spoke with Frank Stepanek, with the State of Nebraska Department of Transportation, who acknowledged he had no issues with Mr. Marshall's proposed project. Mr. Marshall showed The Commission where he intended to construct the signs on GIS Imagery. He assured The Commission the signs will be 15' from the property line and they would not be a hindrance to visibility.

Mr. Vest asked Mr. Marshall if the signs would be lighted and Mr. Marshall stated they would not be. He explained they are BBC-framed and 7' tall signs. He stated he may put up small solar lights, but that is not expected.

Deputy County Attorney Hoffmeister asked how far the signs would be from the highway. Mr. Marshall stated it was 15 feet. The formula regarding how far the sign would need to be was reviewed. Upon Zoning Administrator's review, the sign would need to be, at a minimum, of 13 feet from the lot line. Mr. Marshall's proposed signs exceed that.

Chairperson Brady closed the discussion on this agenda item at 7:51 p.m.

Deputy County Attorney Hoffmeister asked The Commission to consider the procedure today with double signs with consideration requiring two public hearings. He stated he wished to have The Commission notify him or the Zoning Administrator if having two separate public hearings for the same applicant would create issues for The Commission. No one spoke.



Chairperson Brady asked if anyone wished to oppose the Special Use Permit. No one spoke. He also asked The Commission if anyone wished to add any additional conditions. Secretary Wolfe stated she believed he exceeded all expectations.

Motion was made by Secretary Wolfe, seconded by Mr. Vacek, to recommend favorably the Special Use Permit Application to install signage, filed by Adam Marshall, on behalf of McMarshall Investments, L.L.C., for property located at 17675 Highway 30, Kearney, Nebraska, 68845, described as Part of Government Lots 2, 3, and 4, located in Section Three (3), Township Eight (8) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, with no additional conditions placed, to the Buffalo County Board of Commissioners.

Voting yes: Vacek, Wolfe, Jeffs, Schmidt, Vest, Biehl, Keep.

Voting no: None.

Abstain: None.

Absent: None.

### **Public Hearing. 9(d)**

Chairperson Brady opened the public hearing for Agenda Item 9(c) at 7:53 p.m. regarding a Special Use Permit Application to install signage, filed by Adam Marshall, on behalf of McMarshall Investments, L.L.C., for property located at 17675 Highway 30, Kearney, Nebraska, 68845, described as Part of Government Lots 2, 3, and 4, located in Section Three (3), Township Eight (8) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Chairperson Brady asked if any discussion needed to occur. No one spoke.

Chairperson Brady closed the discussion on this agenda item at 7:53 p.m.

Motion was made by Mr. Vacek, seconded by Mr. Schmidt, to recommend favorably the Special Use Permit Application to install signage, filed by Adam Marshall, on behalf of McMarshall Investments, L.L.C., for property located at 17675 Highway 30, Kearney, Nebraska, 68845, described as Part of Government Lots 2, 3, and 4, located in Section Three (3), Township Eight (8) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, with no additional conditions placed, to the Buffalo County Board of Commissioners.

Voting yes: Wolfe, Jeffs, Schmidt, Vest, Biehl, Keep, Vacek.

Voting no: None.

Abstain: None.

Absent: None.

### **Public Hearing. 9(a)**

Chairperson Brady, on Jeffrey R. Albers' attendance, requested a motion to un-table Public Hearing 9(a).

Motion was by Mr. Biehl, seconded by Mr. Vest, to un-table Public Hearing 9(a).

Voting yes: Jeffs, Schmidt, Vest, Biehl, Keep, Vacek, & Wolfe.

Voting no: None.  
Abstain: None.  
Absent: None.

Chairperson Brady re-opened the public hearing for Agenda Item 9(a) at 7:56 p.m. regarding an Application for Zoning Map Amendment, filed by Jeffrey R. Albers, for property described as Part of Government Lot 4 in Section Eighteen (18), Township Twelve (12) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 24.39 acres from AG – Agriculture to AGR – Agricultural Residential.

Mr. Jeffrey Albers stepped forward to present the application to The Commission. Mr. Albers addressed The Commission stating he would eventually like to survey off 4 acres around his existing residence, do an easement by the driveway, and sell the property. He stated, when he originally purchased the property, he had several issues with getting loans on this property. He stated the house, when he purchased it, was in bad shape. Progressively, he stated, the value of the house increased due to improvements.

Deputy County Attorney Hoffmeister advised that an easement is not allowed to access that existing residence and the access will need to be deeded. He also reviewed the requirements to build in the Agriculture District versus the Agricultural – Residential District, which require residences to be separated 1,000 feet or more. Deputy County Attorney Hoffmeister requested confirmation on what Mr. Albers' intent was. He declared he intended to sell off parts and allow for more dense housing.

Chairperson Brady requested clarification of what was to be rezoned. Mr. Albers testified he wished to rezone the entire 25 acres to Agricultural – Residential and sell the 4-acre piece, in which his current residence is situated. Deputy County Attorney Hoffmeister thanked Chairperson Brady for his clarification.

Chairperson Brady asked if Mr. Albers intended to retain the commercially-zoned piece and Mr. Albers confirmed. Chairperson Brady asked the commercially-zoned property was involved in the application and Mr. Albers stated it was not.

Deputy County Attorney Hoffmeister sought clarification on the location of the property, 1 mile east of Highway 10 and 2 miles south of Sherman County line. Mr. Albers agreed. Mr. Vest added this property abuts a paved road to the south. Discussion occurred regarding the existing residences in this area and any improvements to those locations.

Chairperson Brady asked if Mr. Albers intended to sell the rest of property. Mr. Albers stated he wanted to sell the 4 acres surrounding the residence, at this time.

Deputy County Attorney Hoffmeister reminded the applicant if he subdivides the 4-acre portion, the proposed development will need to abut a public road and to be minimum of 25-foot wide.

Chairperson Brady asked if anyone had additional questions or concerns.

Chairperson Brady closed the discussion on this agenda item at 8:11 p.m.

Motion was by Mr. Vest, seconded by Mr. Biehl, to favorably recommend the Application for Zoning Map Amendment, filed by Jeffrey R. Albers, for property described as Part of Government Lot 4 in Section Eighteen (18), Township Twelve (12) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 24.39 acres from AG – Agriculture to AGR – Agricultural Residential.

Voting yes: Schmidt, Vest, Biehl, Keep, Vacek, Wolfe, Jeffs.

Voting no: None.

Abstain: None.

Absent: None.

### **Old Business**

#### **Minutes**

Motion was made by Secretary Wolfe, seconded by Ms. Jeffs, to approve the minutes of the October 21, 2021 meeting, as presented.

Voting yes: Wolfe, Biehl, Jeffs, Keep, & Schmidt.

Voting no: None.

Abstain: Vest and Vacek.

Absent: None.

Motion carried.

### **New Business**

#### **Report on Previous Hearings**

Zoning Administrator Daniels provided a report on the previous hearings from the October 21, 2021, Planning and Zoning Meeting. The UDDUP, L.L.C. Special Use Permit, Albert B. and Janice M. Loeffelholz Rezone, and code amendments under Sections 8.3, 5.16, & 5.27 will all be heard by the Board of Commissioners on November 23, 2021.

#### **New Business, Correspondence & Other Business**

Zoning Administrator Daniels highlighted the following ETJ correspondences, with a proposed letter, in response, to those proposed subdivisions: Nienaber Subdivision, Buffalo Island Subdivision, & Northeast Public Service Addition. She requested The Commission review the proposed letter and let her know if changes need to occur. Chairperson Brady and Secretary Wolfe both agreed the proposed letter was appropriate.

Zoning Administrator Daniels also provided copies of the Dawson County Notice of Public Hearing regarding code amendments.

Zoning Administrator Daniels notified The Commission that The Chairman of the Buffalo County Commissioners passed away on Friday, November 12, 2021. She invited The Commission to attend his Celebration of Life on Saturday, November 20, 2021 at 12:00 p.m. Additional information regarding the celebration is placed in their packets.

Zoning Administrator Daniels thanked Chairperson Brady, Ms. Jeffs, and Mr. Biehl for renewing their 3-year terms with the Planning and Zoning Commission.

**Next Meeting**

The next meeting will be conducted December 16, 2021.

**Adjourn**

Chairperson Brady adjourned the meeting at 8:19 p.m.

DRAFT