

MINUTES OF PLANNING AND ZONING COMMISSION
MARCH 20, 2025
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 March 6, 2025. 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 Scott Brady opened the meeting at 7:00 P.M. on March 20, 2025.

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

Absent was Jeremy Sedlacek.

Quorum has been met.

Also attending were: Deputy County Attorney Josiah Davis, Deputy County Attorney Andrew Hoffmeister and Zoning Administrator Dennise Daniels. There were several 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 7:00 P.M. No one spoke. The public forum closed at 7:01 P.M.

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

Public Hearing. 5(a)

Chairperson Brady opened the public hearing for Agenda Item 5(a) at 7:02 P.M. regarding an Application for Special Use Permit to operate a Private Daycare Center, filed by Kelley and Hannah Mast, located at 29050 145th Road, Kearney, Nebraska, on tax parcel 380076000, described as a tract of land situated in the Southwest Quarter of the Southwest Quarter of Section Twenty-Four (24), Township Ten (10) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Hannah Mast, alongside her husband, Kelley Mast, who reside at 29050 145th Road, Kearney, Nebraska, stepped forward to present the application. Mr. Mast stated that they intend to operate a private daycare center, with 10 children, or less, at their residence.

Ms. Wolfe asked Mrs. Mast if she would be the one caring for the children and Mrs. Mast stated that she will be the only one caring for children. She provided a brief history on her child-caring

background, including working at her parents' childcare center that just sold. She stated that she wanted to open up her home to some of the children that she had worked with and had no care. She explained that she had started the licensing process with the state of Nebraska in January. She added that she and her husband had six kids, some of which were adopted children. Now that her children were grown, she has space in her residence and decided to open a daycare center. She stated that her residence was the old Pleasant Hill School and there was ample parking and place for the children to play.

Ms. Wolfe stated that the residence appeared to be an ideal location for the proposed use.

Mr. Mast added that Mrs. Mast was the center director for her parents' daycare for almost a year, but has been involved in daycare for the last 30 years.

Deputy County Attorney Hoffmeister asked Zoning Administrator Daniels to provide a larger view of the location of the residence on the GIS imagery, projected on the wall.

Deputy County Attorney Hoffmeister asked Mrs. Mast how far she was from a paved road and Mr. Mast stated that they were located just off Highway 10.

Ms. Wolfe asked Mrs. Mast the age range of children in her care and Mrs. Mast responded that her license allowed anywhere from six weeks to thirteen years. Primarily, she continued, she would be caring for children who are two- and three-year-old.

Deputy County Attorney Hoffmeister inquired if Mrs. Mast had intent to care for seniors and Mrs. Mast stated she did not.

Ms. Wolfe asked if Mrs. Mast could describe the setting of where children would be kept and Mrs. Mast explained that there are two entrances on their residence, one of which being in the basement. She stated that the children enter through the basement entrance. The basement, she continued, has a full kitchen and plenty of area for them to play. She added that area is separate from their living space.

Deputy County Attorney Hoffmeister reviewed the parking and added that she was compliant.

Vice-Chairperson Keep inquired if the original playground equipment was kept onsite and Mrs. Mast responded that it had all been removed prior to their purchase. Mr. Mast also added there was a basketball court, but no additional permanent playground equipment.

Vice-Chairperson Keep asked if there was fencing by the highway to keep children from wandering onto the highway and Mrs. Mast confirmed there was fencing along the highway, on the north end, and east end of the property.

Deputy County Attorney Hoffmeister advised both The Commission and the public on special use permitting.

Chairperson Brady asked if The Commission had further questions. No one spoke.

Chairperson Brady asked if their applicants had additional information to discuss and Mrs. Mast declined.

Chairperson Brady inquired if anyone from the public was in favor of or against the proposed application. No one spoke.

Chairperson Brady asked if anyone wished to comment. No one spoke.

Chairperson Brady closed the public hearing at 7:11 P.M.

Deputy County Attorney Hoffmeister disclosed that the signs regarding the public hearings were posted a day late on all of the public hearings held on this evening, to satisfy 10-days' notice. He advised that state statute only required a public notice in the newspaper. That publication timely occurred and it was done satisfactorily. By local rule, and not a state law, Buffalo County, with 10 days' notice, mailed neighbor notices. He added that The Buffalo County Zoning Administrator reached out to both applicants whether they wished to proceed with the hearings and both applicants agreed to advancing their applications.

Chairperson Brady inquired if anyone on The Commission wished to speak. Ms. Wolfe stated that she appreciated the site. She added the fence was satisfactory and the driveway was highly accessible for daycare drop off.

Chairperson Brady stated he appreciate the practicality and use of the existing structure, with consideration given to the prior usage of a school.

Motion was made by Ms. Wolfe, and seconded by Mr. Kreutzer to favorably recommend the Application for Special Use Permit to operate a Private Daycare Center, filed by Kelley and Hannah Mast, located at 29050 145th Road, Kearney, Nebraska, on tax parcel 380076000, described as a tract of land situated in the Southwest Quarter of the Southwest Quarter of Section Twenty-Four (24), Township Ten (10) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska with no additional conditions.

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

Voting "Nay": None.

Abstain: None.

Absent: Sedlacek.

Motion carried.

Chairperson Brady opened the public hearing for Agenda Items 5(b) regarding an Application for Special Use Permit to operate an Agricultural Service Establishment, filed by Craig Bennett, of Miller & Associates Consulting Engineers, P.C., on behalf of Mark H. Meyer and C. Jayne Meyer, also known as Claudia Jayne Meyer, and Loren Bakko, Manager of Bakko Land, L.L.C., for property described as part of the Southwest Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska and Agenda item 5(c) Application for Special Use Permit to operate an Agricultural Service Establishment, filed by Craig Bennett, of Miller & Associates Consulting Engineers, P.C., on behalf of Mark H. Meyer and C. Jayne Meyer, also known as Claudia Jayne Meyer, and Loren Bakko, Manager of Bakko Land, L.L.C., for property described as the Northwest Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska at 7:14 P.M.

Craig Bennett, of Miller & Associates Consulting Engineers, P.C., at 1111 Central Avenue, Kearney, Nebraska on behalf of Mark H. Meyer and C. Jayne Meyer, also known as Claudia Jayne Meyer, and Loren Bakko, Manager of Bakko Land, L.L.C., of 28958 198th Avenue, Glenwood, Minnesota, stepped forward to present the application.

Mr. Bennett explained that the applicant had submitted a prior application for a rezone on tract of land from Agricultural – Residential (AGR) to Commercial (C). He added that The Buffalo County Board of Commissioners denied that application for rezoning after an influx of concerns from the public, as well as from the commissioners. He testified that the commissioners recommended submitting a special use permit during the public hearing of the rezoning. After discussion with the applicants, it was decided that they would resubmit an Application for Special Use Permit for an agricultural service establishment. He stated that he believed the use that Mr. Bakko intended was an agricultural service establishment. He testified that the applicants have provided a building plan, location and layout for two different locations.

Mr. Bennett testified that Mr. Bakko has submitted two different Applications for Special Use Permit for two different locations, but for the same use. He said that the “A” plan was the allowance of the structure to be situated on the north side. However, he continued, the “B” plan was to have the structure situated to the south, placed directly behind his residence, in Onion Field Acres. He added that Mr. Bakko would much prefer the south location to the north.

Deputy County Attorney Hoffmeister asked if Mr. Bakko intended to have just the one structure. Mr. Bennett confirmed. Mr. Bennett added that the application that was received was intended to reduce the impact of the structure and use.

Mr. Bennett reviewed the proposed site plans for each site. He testified that the structure at the north location would be situated 350 feet from the center of both 100th Street and Cottonmill Avenue. However, he continued, the south site would be situated 450 feet from the center of Cottonmill Avenue and 300 feet north of the south line of the Northwest Quarter.

Mr. Bennett reviewed the proposed structure plans. He stated that the proposed structure would be a 200 feet by 180 feet structure and made of either pre-cast steel or metal. He added that the applicant has not determined which construction would fit better in that neighborhood.

Deputy County Attorney Hoffmeister requested clarification on if the footprint of the structure would change with consideration given to the construction type. Mr. Bennett testified the footprint would not change either way.

Mr. Bennett reviewed the southern parking plan/site plan with The Commission. He added that the structure as concerned the south location would be situated behind other metal buildings and trees.

Deputy County Attorney Hoffmeister inquired the need for electrical at this particular site. Mr. Bakko testified that the chief building representative reached out to the power company and it was determined it would be a three-phase underground brought to the facility. Deputy County Attorney Hoffmeister asked Mr. Bakko if three-phase power was available at that site already and Mr. Bakko confirmed.

Deputy County Attorney Hoffmeister asked if Mr. Bakko had an anticipated value of the proposed structure and Mr. Bakko testified that it would approximately five million. Deputy County Attorney Hoffmeister asked if that included personal property of machinery and Mr. Bakko stated that there would be no manufacturing occurring at this site. He testified it will only be repair services. He added that there may be some accessory uses to the business.

Deputy County Attorney Hoffmeister asked if the sales of machinery would be occurring and Mr. Bakko stated there will not be any sales. He said the only equipment that will be placed outside are machines that have been repaired and are ready for pickup.

Deputy County Attorney Hoffmeister, again, disclosed that the signs regarding the public hearings were posted a day late to satisfy 10-days' notice. He advised that state statute only required a public notice in the newspaper and it was done satisfactorily. Additionally, not required by state statute, Buffalo County with 10-days' notice, did mail neighbor notices. He added that The Buffalo County Zoning Administrator reached out to the applicant whether they wished to proceed with the hearings and the applicants agreed to advancing their applications. Mr. Bennett confirmed that the applicant desired to continue with the hearing.

Setbacks were re-reviewed for both sites.

Chairperson Brady inquired the applicants' intent for surface area of the parking lot and drive. Mr. Bennett explained that there would be an aggregate surface for the parking lot and primary driveway and a paved 125' concrete apron from the abutting road of Cottonmill.

Secretary Jeffs inquired how many trucks would travel to the business in a day and Mr. Bakko testified that they expected an average of 10 trucks per week. Vice-Chairperson Keep inquired if

that number was grinders or daily delivery trucks such as UPS and Mr. Bakko said that he wasn't sure about supply trucks and they are not currently on a daily route in Nebraska.

Deputy County Attorney Hoffmeister asked why Mr. Bakko wanted to relocate to Kearney and Mr. Bakko stated that shipping is more efficient and they already come to Kearney for small parts. He added that it may be easier to find labor. He expects that they will employ between four to eight employees. Deputy County Attorney Hoffmeister inquired if his employees were skilled laborers and Mr. Bakko confirmed.

Chairperson Brady inquired if Mr. Bakko intended to do any manufacturing and Mr. Bakko stated they did not.

Chairperson Brady inquired if the applicants intended to store anything outside of the structure and Mr. Bakko stated that they did not. He prefers to keep his sites orderly, neat and mowed. Chairperson Brady asked if parts and supplies will be left inside and Mr. Bakko confirmed.

Chairperson Brady asked if Mr. Bakko intended to use his site as a dealership and Mr. Bakko testified that he did not.

Mr. Chaney asked about the size of the trucks and Mr. Bakko testified that they are similar to a short semi-tractor with a 20-foot trailer. He added they are approximately 55-feet long and eight-foot standard width. He stated that the flair on the tub is approximately 10 feet on the bell. Discussion occurred regarding state laws for transportation of overweight equipment. Deputy County Attorney Hoffmeister inquired how the grinders would be transported and Mr. Bakko answered that their grinders are affixed to a truck.

Ms. Wolfe inquired about hours of operation and Mr. Bakko testified that they work eight a.m. to five p.m., eight hours a day five days a week. However, Mr. Bakko added, if a delivery is made outside of normal business hours, then business would be conducted.

Deputy County Attorney Hoffmeister inquired about lighting on the structure and Mr. Bakko explained that it would downcast, minimal lighting.

Deputy County Attorney Hoffmeister inquired about signage. The applicant stated that they were unsure about signage. Deputy County Attorney Hoffmeister stated it needed to be considered as a condition and compliant with Buffalo County zoning laws.

Mr. Bennett concluded his presentation and thanked The Commission for their time.

Michelle Widger and Sam Widger, of 9340 Cottonmill Avenue, Kearney, Nebraska, stepped forward to testify. Mrs. Widger testified that she and her husband are in opposition of the proposed development. She said that she has no issues with the proposed business, however, it will alter character of the neighborhood and compromise the rural beauty and peace. She stated

that she has concerns regarding the cost of infrastructure and safety of Cottonmill Avenue, along with the number of trucks.

Chairperson Brady asked if Mrs. Widger witnessed grain trucks on Cottonmill. Mrs. Widger stated that she did see a couple of grain trucks, but it is a seasonal use.

Chairperson Brady inquired the condition of Cottonmill Avenue and Mrs. Widger stated that the road is in poor condition as it is now. Vice-Chairperson Keep commented that regardless of Mr. Bakko's trucks, the road is still in poor condition.

Vice-Chairperson Keep inquired how many acres they had and Mrs. Widger responded that they have three.

Chairperson Brady inquired if they had an outbuilding and Mrs. Widger stated that they have a shed. Chairperson Brady advised that several residences in this area have large accessory structures on their property.

The Commission had no other questions.

Mr. and Mrs. Widger thanked The Commission for their time.

Jeff Rogers, of 9325 Lindsay Road, Kearney, Nebraska, stepped forward to testify. Mr. Rogers testified that he is in opposition of the proposed development. Mr. Rogers stated that he does not believe there is any change from the prior application and the reasons for denial should be the same. He reinforced that it will alter character of the neighborhood and compromise the rural beauty and peace.

Chairperson Brady asked Mr. Rogers if Buffalo County should keep business out of the rural areas and Mr. Rogers explained that he believed that businesses could exist in the rural area, just not in this area because it is too densely populated.

Chairperson Brady referenced an existing business, Apple Acres. He asked if Apple Acres had structures and Mr. Rogers confirmed. Deputy County Attorney Hoffmeister advised that Apple Acres was also an agricultural use.

The Commission had no other questions.

Mr. Rogers thanked The Commission for their time.

Dana Van Dyke, of 9336 Cottonmill Avenue, Kearney, Nebraska, stepped forward to testify. Mr. Van Dyke testified that he is in opposition of the proposed development. He stated that he believes the application is geared more towards an industrial use, not an agricultural use. He

added he is concerned about truck traffic and the safety of walkers along Cottonmill Avenue. He added that he does have an outbuilding.

Deputy County Attorney Hoffmeister inquired the number of acres Mr. Van Dyke has and Mr. Van Dyke said he has approximately 16 or 18 acres. He testified that he has some livestock and would like The Commission to deny the application.

Vice-Chairperson Keep asked why Mr. Van Dyke feels it is industrial and Mr. Van Dyke said that, after review of the applicant's website, it appears to be more of an industrial use, even though they are repairing agricultural equipment. Discussion occurred on the difference between industrial and agricultural.

Mr. Van Dyke asked how many structures the applicants can put up and Deputy County Attorney Hoffmeister advised that the applicants can only put up what is approved on their application. He added that special use permits are more heavily regulated. Deputy County Attorney Hoffmeister reviewed the regulatory standards with a special use permit.

The Commission had no other questions.

Mr. Van Dyke thanked The Commission for their time.

Jayne Meyer, who did not identify her address, stepped forward to testify. Ms. Meyer inquired generally about the permitting process. Deputy County Attorney Hoffmeister advised that accepted testimonies were regarding the opposition or support of the proposed special use permit and nothing else.

Ms. Meyer thanked The Commission for their time.

Terry Braden, of 7120 W. 100th Street, Kearney, Nebraska, stepped forward to testify. Mr. Braden testified that he is in opposition of the proposed development. Mr. Braden reinforced the concerns regarding Cottonmill Avenues: no shoulders, poor state of condition, and heavy machinery further deteriorating the road.

Discussion occurred regarding existing roads in Buffalo County and heavy truck traffic.

Mr. Braden testified that it wasn't just the condition of the roads, it's the safety of walkers and young drivers on Cottonmill. He added that industrial buildings should not be allowed in a residential area and the proposed use would disrupt the peace and quiet of the neighborhood.

The Commission had no other questions.

Mr. Braden thanked The Commission for their time.

Jamie Cudaback and Shawn Cudaback, of 5465 W. 100th Street, Kearney, Nebraska, stepped forward to testify. Mr. and Mrs. Cudaback testified that they are in opposition of the proposed development. Mrs. Cudaback stated they shared the concerns of others regarding the safety of Cottonmill Avenue. She added that there will be several young drivers, in the abutting subdivisions, that are driving to school and are not well-versed on driving on Cottonmill Avenue. Mr. Cudaback agreed with the presented concerns.

Chairperson Brady inquired if the issues that had been presented would deteriorate if the permit was denied and Mr. Cudaback testified that there would be less. Mrs. Cudaback agreed that approving the permit would increase the degree to issues.

Mrs. Cudaback also stated that 100th Street, which abuts her residence, already has issues with flooding. She stated that if the structure is built on the north side, it will potentially cause additional flooding issues for their property.

Deputy County Attorney Hoffmeister advised that adding residences to this tract of land would actually increase the impact of the concerns, as opposed to the proposed structure and use.

The Commission had no other questions.

Mr. and Mrs. Cudaback thanked The Commission for their time.

Doug Deterding, who did not disclose his address, stepped forward to testify. Mr. Deterding testified that he is in opposition of the proposed development. Mr. Deterding stated he shares the concerns that were previously presented. He stated that he believes this particular use is too heavy, almost industrial, for this particular area, which is a heavily-populated area.

The Commission had no other questions.

Mr. Deterding thanked The Commission for their time.

Discussion occurred between The Commission and the county attorneys regarding agricultural uses-by-right versus special uses.

Jennifer Chaney, of 9050 69th Avenue, Kearney, Nebraska, stepped forward to testify. Ms. Chaney testified that she is in opposition of the proposed development. Ms. Chaney agreed on concerns brought forward by others: safety of Cottonmill Avenue, heavy traffic, disruption of peace and quiet, budgetary concerns to fix infrastructure, as well as value loss of abutting residential properties.

The Commission had no other questions.

Ms. Chaney thanked The Commission for their time.

Scott Chaney, of 7960 Cottonmill Avenue, Kearney, Nebraska, stepped forward to testify. Mr. Chaney testified that he is in opposition of the proposed development. Mr. Chaney testified that he has outbuildings and livestock. He shares concerns that were previously brought forth including: safety of Cottonmill Avenue, traffic, deterioration of Cottonmill Avenue, and industrial-type use in a residential area.

The Commission had no other questions.

Mr. Chaney thanked The Commission for their time.

Pam Deterding, who did not disclose her address, stepped forward to testify. Ms. Deterding testified that she is in opposition of the proposed development. Ms. Deterding shared the same concerns as brought forth by others: including disruption of country living and safety of Cottonmill Avenue.

The Commission had no other questions.

Ms. Deterding thanked The Commission for their time.

Marcus Witter, of 9330 Rio Madera Road, Kearney, Nebraska, stepped forward to testify. Mr. Witter testified that he is in opposition of the proposed development. He shared the same concerns as brought forth by others: safety of Cottonmill Avenue, budgetary concerns to fix infrastructure, increased traffic, and industrial-type use does not belong.

Discussion occurred regarding the perceived disrepair of Cottonmill Avenue, along with other county roads, and increased traffic and development.

The Commission had no other questions.

Mr. Witter thanked The Commission for their time.

Dale Rees of 7715 44th Avenue, Kearney, Nebraska stepped forward to testify. Mr. Rees testified that he is in opposition of the proposed development. He shared the same concerns as brought forth by others: budgetary concerns to fix infrastructure, disruption of country living, and concerns surrounding a possible air park development.

Discussion occurred regarding ramifications of misuse or revocation of special use permit.

Chairperson Brady inquired if Mr. Rees was against residential development. Mr. Rees testified he was not against residential development.

Chairperson Brady asked Mr. Rees where agricultural-service establishment should be located and Mr. Rees responded that Mr. Bakko should relocate his business out to the Kearney Airport.

The Commission had no other questions.

Mr. Rees thanked The Commission for their time.

Chairperson Brady recessed for a break at 9:02 p.m.

Chairperson Brady called the meeting back to order at 9:11 p.m. and conducted roll: Jeffs, Kreutzer, Stubblefield, Wolfe, Chaney, Keep, Vacek, and Brady.

Ashley Bakko, of Glenwood Minnesota, stepped forward to testify. Ms. Bakko testified that she is in favor of the proposed development. She clarified that Mr. Bakko had stated in a prior hearing that he would receive two trucks a day and during this meeting he stated it would be approximately 10 trucks a week. She stated the number of trucks were the same. She added that they have been in business for 20 years.

Ms. Bakko testified that, in reference to the plant in Minnesota, this particular location will be for repair only. There will be no manufacturing at this facility, she stated.

Ms. Bakko stated that their location in Custer County is also located along a county road similar to Cottonmill Avenue. She added that there are folks who walk and ride their horses, as well, with minimal shoulders and are able to conduct business as usual.

Ms. Bakko testified that they do have some small lights that are downcast and will never be noticeable if they are shut off.

Ms. Bakko testified that no additional noises would be noticeable outside of the building because all repairs are conducted inside the structure.

The Commission had no other questions.

Ms. Bakko thanked The Commission for their time.

Dr. Mark Meyer, who did not disclose his residence, stepped forward to testify. Dr. Meyer testified that he is in favor of the proposed development. Dr. Meyer provided his brief history in Buffalo County, professionally and personally.

He testified that the application will bring good people, good citizens and skilled craftsmanship into the area.

The Commission had no questions.

Dr. Meyer thanked The Commission for their time.

Ms. Jayne Meyer, who did not disclose her residence, again stepped forward to testify. She testified that she is in favor of the proposed development. She stated that there is no intent to create an air park or hangers. Ms. Meyer disclosed a potential conflict situation with one of The Planning Commission members, Joshua Chaney.

Due to the personal conflict and upon advisement of legal counsel, Mr. Chaney was disqualified from voting on the last two motions. As such, the disqualification would not be counted as either “for” or “against” recommendation for both applications.

The Commission had no other questions.

Ms. Meyer thanked The Commission for their time.

Craig Weber, who owns a farm across the road, stepped forward to testify. He testified, that while he respected everyone’s viewpoint of opposition, he as a farmer, appreciates the business plan. He believes the weight and traffic count of the hay grinder trucks is minimal compared to the weight and traffic count that he has with his grain trucks on a regular basis.

The Commission had no questions.

Mr. Weber thanked The Commission for their time.

Keith Stafford, of Kearney, Nebraska, stepped forward to testify. Mr. Stafford testified that he has empathy for all of the residential concerns, but wishes to remind The Commission that this is an agricultural use and agricultural uses should be protected. He said he believes that the truck traffic and weight by Mr. Bakko’s residence will be minimal compared to the amount of weight and truck traffic of grain trucks.

He expressed the importance of both residential and agricultural coexisting.

The Commission had no other questions.

Mr. Stafford thanked The Commission for their time.

Craig Bennett, of Miller & Associates Consulting Engineers, P.C., and Loren Bakko, Manager of Bakko Land, L.L.C., stepped forward to conclude the application. Mr. Bennett thanked everyone’s testimonies and time at the meeting. He added that the use did align with The Buffalo County’s Comprehensive Plan, especially on Figure 5.5, Road Classifications. He testified that Cottonmill Avenue is an arterial road, not one of local, minimum maintenance, or minor, or collector road. The tub grinders, as presented, does not exceed the width of the arterial road. He advised that The Commission has the ability to put any reasonable conditions on the proposed project and that no other unintended uses can occur.

Mr. Bakko thanked The Commission for their time and consideration.
Chairperson Brady asked if anyone else wished to comment. No one spoke.

Chairperson Brady closed the public hearing at 9:37 P.M.

Chairperson Brady inquired if The Commission wished to comment.

Ms. Wolfe stated that she preferred the north location because it fits into the industrial-type area within a close perimeter of village of Riverdale.

Secretary Jeffs inquired how many residences were located close to the north site and Deputy County Attorney Hoffmeister stated that there were two residences.

Mr. Vacek stated he appreciated the concerns of the public including road conditions and traffic, but needed to decide if those particular concerns affected the issuance of a special use permit.

Deputy County Attorney Hoffmeister referenced and reviewed The Buffalo County Comprehensive Plan, under 5.1, Traffic Counts.

Mr. Kreutzer stated that the hay grinders weigh less than the full grain trucks that he drives and he believes that is not a reason to deny Mr. Bakko his business. He said full grain trucks that traverse that road are far more impactful on the road condition than that of the hay grinders.

Mr. Chaney stated that he appreciated the business plan and acknowledged that there was a need for it. However, he added, the safety and truck traffic along Cottonmill Avenue was concerning for him. He said there is a better location for the business.

Deputy County Attorney Hoffmeister recommended adding the following conditions: add signage that is compliant with the Buffalo County Zoning Regulations, the structure will be issued an address and the structure will be subject to the interconnectivity of the Buffalo County Sheriff's Office.

Vice-Chairperson Keep stated that he appreciated every resident's perspective, but reminded the public that Mr. Bakko's business isn't going to create additional issues for the residents.

Deputy County Attorney Hoffmeister asked if Vice-Chairperson Keep preferred one location over the other. Vice-Chairperson Keep stated that he preferred the north location because it was located further from the larger density of residences and it would be located away from the crest of the hill.

Mr. Stubblefield said he appreciate the tools Buffalo County has to regulate the special use permit versus a rezone.

Chairperson Brady stated he would like to see the north site approved. He added that he would like to see the following conditions put into place: no equipment is placed outside the structure and if something needs to be left outside there should be a fence, and a 125-foot concrete apron

with paving going completely to the parking lot. He commented that he appreciated the special use permit option over a rezoning request. He stated that he appreciated everyone who provided testimony.

Motion was made by Secretary Jeffs, and seconded by Mr. Kreutzer to unfavorably recommend the Application for special use permit to operate an Agricultural Service Establishment, filed by Craig Bennett, of Miller & Associates Consulting Engineers, P.C., on behalf of Mark H. Meyer and C. Jayne Meyer, also known as Claudia Jayne Meyer, and Loren Bakko, Manager of Bakko Land, L.L.C., for property described as part of the Southwest Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, due to the proposed structure and use being too close to heavily-residential areas and could create additional road congestion.

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

Voting “Nay”: None.

Abstain: None.

Disqualified: Chaney.

Absent: Sedlacek.

Motion carried.

Mr. Chaney recommended adding a condition of the construction of a water retention pond. Deputy County Attorney Hoffmeister advised that it may not be a reasonable condition.

Motion was made by Vice-Chairperson Keep, and seconded by Mr. Stubblefield to favorably recommend the Application for Special Use Permit to operate an Agricultural Service Establishment, filed by Craig Bennett, of Miller & Associates Consulting Engineers, P.C., on behalf of Mark H. Meyer and C. Jayne Meyer, also known as Claudia Jayne Meyer, and Loren Bakko, Manager of Bakko Land, L.L.C., for property described as the Northwest Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska with the following conditions:

1. A 125-foot concrete apron off Cottonmill Avenue from the edge of the pavement.
2. The proposed structure as identified in the Application shall have downcast lighting.
3. The proposed structure cannot be closer than 350 feet from the section line of 100th Road and 350 feet from the section line of Cottonmill Avenue.
4. The proposed structure shall not be larger than 200 feet by 180 feet.
5. Signage must be constructed with a 911 address that is compliant with Buffalo County Zoning Regulations, and
6. The proposed structure will be subject to the interconnectivity of the Buffalo County Sheriff's Office.

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

Voting “Nay”: None.

Abstain: None.
Disqualified: Chaney.
Absent: Sedlacek.

Motion carried.

Old Business

Minutes

Motion was made by Secretary Jeffs, and seconded by Mr. Kreutzer to approve the February 20, 2025 meeting minutes, as presented.

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

Voting “Nay”: None.

Abstain: None.

Absent: Sedlacek.

Motion carried.

New Business

Report on Previous Hearings

Zoning Administrator Daniels reported that the Application for Use Permit to operate a Crushed Concrete Processing/Storage Site, filed by Jay Sporer, of Sporer Land Development, Inc., on behalf of Neil Hinrichsen, of Rockin’ H Trucking and Cattle, Inc., on part of tax parcel 500099000, described as part of Government Lot 7 and part of Government Lot 8, situated in Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska would be reviewed by The Buffalo County Board of Commissioners on 3/25/2025.

Zoning Administrator Daniels also reported that The Buffalo County Board of Commissioners approved the code amendments as reported by The Planning Commission on 1/16/2025. She reported that they recommended a ¼ mile setback reduction for livestock confinement facilities and to add a change in road design standards. It will be reviewed by The Board of Commissioners on 3/25/2025.

Zoning Administrator Daniels highlighted an annexation The Meadows Second Addition by The City of Kearney.

Next Meeting

The next meeting will be April 17, 2025, if necessary.

Adjourn

Chairperson Brady adjourned the meeting at 10:24 P.M.

Scott Brady, Chairperson
Buffalo County Planning Commission

Tammy Jeffs, Secretary
Buffalo County Planning Commission

DRAFT