

MINUTES OF PLANNING & ZONING COMMISSION
MAY 20, 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 May 20, 2010. Present were: Marlin Heiden, Willie Keep, Leonard Skov, Paul Steinbrink, Sr., Gwen Stengel and Craig Wietjes. Absent: Karin Covalt, Ken Erickson, and Loye Wolfe. Also attending were Deputy County Attorney Andrew Hoffmeister, Zoning Administrator LeAnn Klein and four members of the public.

Wietjes announced there is a copy of the open meetings act posted and we do abide by the open meetings act.

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

Ken Erickson arrived at 7:01 P.M.

The public forum was opened at 7:02 P.M. No one was present to address the Commission. The public forum closed at 7:02 P.M.

Chairperson Wietjes opened the public hearing at 7:03 P.M. for a zoning map amendment filed by M3 Properties, L.L.C. for property described as part of Government Lots 5, 6 and 8 located in Section 31, Township 10 North, Range 16 West of the 6th p.m., Buffalo County, Nebraska.

Craig Bennett from Miller & Associates was present representing the prospective buyer. He told the Commission his client wants to rezone a parcel from Agricultural-Residential to Agricultural for a bulk grain and produce storage. This property is currently owned by M3 Properties, L.L.C. He showed drawings of the site and layout to the Commission. He said Peavey Grain wants to purchase this property for temporary grain storage. There is an existing driveway on the north side of Highway 40. This area was zoned Agricultural over ten years ago and this area is surrounded by agricultural production. The traffic count from the Nebraska Department of Roads shows an average daily count of 3400 vehicles with 108 being large trucks or commercial. He sees no change as far as the traffic counts.

They hope to put a scale house and a ground bunker being 150' x 1180' as shown on the submitted drawing. The grain would be stored seasonally and would have a height of 30'. This property is located between Riverdale and Amherst directly off Highway 40 on the north side.

Hoffmeister asked where the nearest three-phase power would be located. Mike Rost, representing Peavey Grain, said the nearest three-phase power was about ½ mile west. Rost told the Commission this bunker would hold approximately two million bushels of corn. It would have walls and the grain would be tarped.

Heiden asked about the odor and rodent problem. Rost replied the bunker would be built up and the odor and rodent problem would be addressed.

The Commission discussed the difference between bulk grain storage and a commercial warehouse.

Hoffmeister showed the Commission where the AGR line is located and also where the AG line is located on the zoning map. There is currently a lot of AG production in this area. Hoffmeister noted the AG line was about ½ mile north and ½ mile west of the proposed site.

Bennett thinks by changing this area to AG, it would be the best fit for this area.

Klein noted Riverdale exercises a ½ mile jurisdiction line around Riverdale and also told the Commission this area is in the floodplain.

Bennett replied they would abide by the Buffalo County Floodplain Regulations.

Heiden asked how big the grain storage is that is located off 39th Street. Bennett replied that bunker is about 180' x 550'.

Rost said they have handled about five million bushels of corn in other storage areas without any complaints. They would be non-intrusive to neighbors.

Keep questioned what the moisture content of the grain would be when it is brought in.

Rost said the average moisture content is about 16.6%. They want to fill the need for more available corn storage. This is a temporary storage for grain and he feels it is not commercial.

Stengel questioned if the truck traffic would be able to pull off the highway without causing problems on Highway 40.

Rost doesn't think there would be a problem with truck traffic because they could form double lines and would accept only one product which speeds up the process of unloading.

Erickson questioned if there would be any fencing around this property.

Rost thought they would only have fencing along the south side of the property.

Keep asked why they had picked this site. Rost replied the property is located directly off the highway and there is a wealth of production in this area. Land is hard to acquire unless you want to buy a pivot corner. This property was on the market already and it was a good location.

Wietjes complimented the applicant on the presentation.

Chairperson Wietjes closed the public hearing at 7:52 P.M.

Moved by Skov, seconded by Heiden to forward this application to the County Board with a recommendation that this application for a zoning map amendment from Agricultural-Residential to Agricultural be approved for property described as a tract of land being part of Government Lots 5, 6 and 8, Section Thirty One (31), Township Ten (10) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, not to exceed 28 acres, more or less. An exact legal description will be sent to the County Zoning office next week.

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

Klein said this application will be heard by the County Board on June 8, 2010 and notices again will be sent to adjoining property owners.

Old Business: Moved by Erickson, seconded by Heiden to approve the minutes of the March 18, 2010 meeting as mailed. Voting yes: Erickson, Heiden, Keep, Skov, Steinbrink, Stengel and Wietjes. Voting no: none. Absent: Covalt and Wolfe. Motion passed.

Wietjes read two letters received from Hall County Planning Commission regarding upcoming hearings.

Filing limitations were discussed by the Commission. Other items of concern were discussed.

The next meeting of the Planning & Zoning Commission will be June 17 at 7:00 P.M.

Moved by Stengel to adjourn at 8:26 P.M.