

MINUTES OF THE MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE LINCOLN COUNTY COURT HOUSE ON THE 13th DAY OF JULY 2021. CHAIR KOCH CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: Steve Koch, Brent Roggow, Rod Rayburn, Chuck Boden, Marlene Flaming, Linda Hansen, Lee Davies, Brad Stickelman,

MEMBERS ABSENT: Zak Eickhoff, Mitch Moorhead, Roger Merritt (arrived at 5:32 PM)

STAFF MEMBERS PRESENT: Judy Clark, County Planner; Stephen King, Deputy County Attorney

Notice of the meeting was given in advance thereof, by posting on in at least three places in the City as follows: North Platte Public Library, Lincoln County Courthouse, and City Hall offices.

Notice of the meeting was given to the Chairman and all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and members of the Commission. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public.

1. Roll Call.

Chair Koch stated that a current copy of the open meetings act of Nebraska is posted at the back of the room.

2. Rayburn moved and Moorhead seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Hansen, Davies, Flaming, Stickelman. "Nay": None. Absent: Eickhoff, Moorhead, Merritt. Motion carried.

Merritt arrived at 5:32 p.m.

3. Moorhead moved and Boden seconded the motion to approve the minutes of the April 13, 2021 meeting. Roll call vote: Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Hansen, Davies, Flaming, Stickelman, Merritt. "Nay": None. Absent: Eickhoff, Moorhead. Motion carried.

4. Public Hearing File No. CU21-002 application by Kent and Linda Swanson for a conditional use permit to allow an accessory dwelling unit to be constructed at 19898 West Wildlife Road in an A-1 Agricultural District on property described as Tract A of Margaret Boyle's Subdivision of a part of Government Lot 2 of a part of the NW ¼ of Section 9, Township 14 North, Range 32, West of the 6th P.M., Lincoln County, Nebraska.

Chair Koch opened the public hearing and stated that notice is taken with regards to the Lincoln County Comprehensive Plan, Lincoln County Zoning Regulations and Subdivision Regulations, and Lincoln County Zoning Map and those materials are present on the table up front before this Planning Commission.

Judy stated that the applicant generally states they are planning to construct a 2nd home on their property for a single family home for the applicants' daughter who would like to live in the country. The new construction will show a minimal increase in traffic and surrounding properties should not be affected since neighboring properties are also occupied by single family dwellings. Carla O'Dell, County Highway Superintendent, states that she does not foresee any problems with additional traffic on West Wildlife Road regarding the additional single family home. Planning Staff has no objections to the conditional use permit if all the elements of the application are complied with.

Kent Swanson, 3001 West Leota, North Platte, was present to represent the application. Mr. Swanson stated that his daughter is moving in from Colorado and wants to live in the country. He owns the property and thought they should use the land they have. His son has a house on the acreage, this home would be just to the east of the current home. The property is approximately 3.9 acres, and Mr. Swanson feels that there is enough vacant property, about 1.2 acres, that will work for an additional home site. He does have some concerns with the septic system as far as if they use a mound, but there is still enough separation distance to make it work.

Rayburn moved and Merritt seconded the motion to close the public hearing. Roll call vote: Roll call vote: “Aye”: Koch, Roggow, Rayburn, Boden, Hansen, Davies, Flaming, Stickelman, Merritt. “Nay”: None. Absent: Eickhoff, Moorhead. Motion carried.

Merritt moved and Rayburn seconded the motion to adopt Resolution CU21-002 “A”, which grants and approves the conditional use application by Kent and Linda Swanson to all allow an accessory dwelling unit located at 19898 W Wildlife Road on property described as Tract A of Margaret Boyle’s Subdivision of a part of Government Lot 2 of a part of the NW ¼ of Section 9, Township 14 North, Range 32, West of the 6th P.M., Lincoln County, Nebraska, and all elements of the application are complied with based on the following factual findings, to wit:

1. The application complies with current Lincoln County Zoning Regulations.
2. The application complies with current Lincoln County Subdivision Regulations.
3. The application is in conformance with the current Lincoln County Comprehensive Plan and Lincoln County Zoning Map.

Roll call vote: Roll call vote: “Aye”: Koch, Roggow, Rayburn, Boden, Hansen, Davies, Flaming, Stickelman, Merritt. “Nay”: None. Absent: Eickhoff, Moorhead. Motion carried.

5. Public Hearing File No. CU21-003 application by PR Partnership for a conditional use permit to allow a 2,500 animal unit confined animal feeding operation to be constructed on property located at 12546 South East County Line Road in an A-1 Agricultural District on property described as the S ½ of Section 12, Township 12 North, Range 26 West of the 6th P.M., Lincoln County, Nebraska.

Chair Koch opened the public hearing and stated that notice is taken with regards to the Lincoln County Comprehensive Plan, Lincoln County Zoning Regulations and Subdivision Regulations, and Lincoln County Zoning Map and those materials are present on the table up front before this Planning Commission.

Judy stated that the applicant generally states they are planning to construct a Class II 2,500 animal unit feedlot with waste control facility on site. They are planning to remove all existing feedlot pens and two swine barns and build a new feedlot north of the existing farm site. The new feedlot will increase traffic in the area, however the existing county roads appear adequate and should not be a detriment to neighboring properties. A presence of agriculture in the county will increase property values because neighboring landowners/farmer would have the possibility to sell corn, feed, etc. to the feedlot. The applicant has kids coming back who could be interested in potential housing on or near the property. Carla O’Dell, County Highway Superintendent, states that according to the applicant the increase in traffic from this feedlot expansion is estimated at 1-2 truck-loads per day. This small increase in traffic will require no extra maintenance as this is an asphalt road. Planning Staff has no objections to the conditional use permit if all the elements of the application are complied with.

Page Peterson, 44050 E Fairview Road, Gothenburg, was present to represent the application. Mr. Peterson introduced his brother, Paul Peterson, 77081 Road 415, Gothenburg, along with their families. Carol, their mother, owns the property. Mr. Peterson explains that Carol lives on the property and the family has been working with Settje Agri Services to have a more productive feedlot and move the existing lots out of the flood plain. The applicant does not feel that there should be any issues with the county road because there will not be a lot of traffic. They are planning to remove the existing swine buildings. Since the family has grown and some of the kids are looking at moving back to the family organization, they have a desire to become NDEQ permitted and also have applied and been approved for some financial help from NRCS. NRCS will help with cost of dirt work, etc. They have a manure maintenance plan in place.

Chairman Koch asked if they are planning to just feed their own cattle or if they will do some custom feeding.

Mr. Peterson stated that it would mostly be their own cattle, but to help with income they would probably be doing some custom feeding.

Chairman Koch questioned the number of predicted loads to 1 to 2 per day, he felt this was too many loads per day for the size of the operation.

Mr. Peterson stated that estimate came from Settje's, he believes it will be much less. The lots will probably only be used about 2/3 of each year.

Steve Vincent, 1961 C Street, Brady, was present and stated that he is an attorney and has looked over the application. He is in favor of the project and in his opinion the application fits the permit they are requesting. Agriculture fuels the county and the county supporting the smaller guys for a change is good.

Merritt moved and Stickelman seconded the motion to close the public hearing. Roll call vote: Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Hansen, Davies, Flaming, Stickelman, Merritt. "Nay": None. Absent: Eickhoff, Moorhead. Motion carried.

There was some discussion between Planning Commission members regarding removal of the old pens and swine facility.

Rayburn moved and Boden seconded the motion to adopt Resolution CU21-003 "A", which grants and approves the conditional use application by PR Partnership for a conditional use permit to allow a 2,500 animal unit confined animal feeding operation to be constructed on property located at 12546 South East County Line Road in an A-1 Agricultural District on property described as the S ½ of Section 12, Township 12 North, Range 26 West of the 6th P.M., Lincoln County, Nebraska, and all elements of the application are complied with and with the following conditions:

1. The applicant complies with NDEQ regulations to remove the existing swine facility.
2. The applicant removed the old feedlot pens.

Based on the following factual findings, to wit:

4. The application complies with current Lincoln County Zoning Regulations.
5. The application complies with current Lincoln County Subdivision Regulations.
6. The application is in conformance with the current Lincoln County Comprehensive Plan and Lincoln County Zoning Map.

Roll call vote: Roll call vote: "Aye": Koch, Roggow, Rayburn, Boden, Hansen, Davies, Flaming, Stickelman, Merritt. "Nay": None. Absent: Eickhoff, Moorhead. Motion carried.

6. Old Business. There was no old business to be discussed.
7. New Business. There was some discussion on the possibilities of a solar farm south of Sutherland. Solar Farm regulations have been started by Judy and Mr. King, they will be bringing those to Planning for first review at the next meeting.
8. Adjourn. Chair Koch adjourned the meeting at 6:20 p.m.

Submitted by,

Judy Clark
Planning Administrator