

Sidney, Nebraska, March 21, 2022

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 p.m., on March 21, 2022 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Schmitt and Commissioners: Benzel, Glenn, Smith, Sweetser. Absent: England, Loghry, Long. Others present: City Manager, David Scott, Chief Building Official, Marshall Hall, Finance Director, Lane Kizzire and City Clerk, Lori Borchert. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Schmitt announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Chairman Schmitt called for a motion to approve the February 21, 2022 minutes. Glenn moved, Sweetser seconded, "That the minutes from February 21, 2022 be approved." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:31 p.m. to consider an application of subdivision for Aaron & Jamie Buettner." Christopher O'Malley, from O'Malley Geomatics, was present to answer any questions about the survey. The Buettner's were not present to represent. Clerk Borchert reported as per Attorney J. Leef, there are unsigned documents that needed to be signed before moving forward. Chairman Schmitt asked if there was anyone opposed to the application. Tim Peetz, resident of the area, expressed concern on the complaints that could come forward with having a feed yard: smell, odor and flies. Peetz was also concerned about dogs chasing the cattle, trash and who will regulate if there are issues. Peetz was also concerned about the water usage. Kendra Strommen, from Matzke, Mattoon, Strommen, spoke on behalf Randy and Teri Faessler. Strommen stated that confined animal feeding operations are heavily regulated by the federal, state and local governments. They have numerous concerns about commercial industry developing in this close proximity to the feeding operations. Water is a primary concern, since this area contains a shallow water table. By contacting the South Platte Natural Resources District, it was learned that the area in question may not have water available to support a house let alone an RV Park. Taking more water away from the water table will hurt the established feed yards. There were no further comments from the public. Schmitt closed the hearing at 5:41 p.m. Schmitt asked for a motion. Smith moved, Schmitt seconded, "That the application for subdivision by Aaron & Jamie Buettner be denied." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:43 p.m. to consider an application to rezone a tract of land for Aaron & Jamie Buettner." Schmitt asked if there were any comments regarding the rezoning. There were no comments. Schmitt closed the hearing at 5:43 p.m. Schmitt moved, Smith seconded, "That the application to rezone a tract of land by Aaron & Jamie Buettner be denied." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:44 p.m. to consider an application of subdivision for Keith & Marilyn Rieken." Christopher O'Malley, from O'Malley Geomatics, was present if there were any questions about the subdivision. O'Malley stated that the Rieken's want to split six acres into three residential lots. Schmitt asked if there were any comments. Schmitt closed the meeting at 5:46 p.m. Schmitt asked for a motion. Benzel moved, Sweetser seconded, "That the application for Keith & Marilyn Rieken to subdivide a tract of land Lots 1 & 2, Block 4 of John Treinen subdivision being a replat of Block 4 of amended plat of John J. Treinen subdivision. Lying in the southeast $\frac{1}{4}$ of Section 6, Township 13 North, Range 49 West of the 6th Principal Meridian, of the City of Sidney, Cheyenne County, NE be approved." Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 5:47 p.m. to consider an application of rezoning for Alexander & Melissa Ramirez." Alexander and Melissa Ramirez were present to

represent. Melissa Ramirez stated that they wanted to build a home on the property and in the future to build an apple orchard. Schmitt stated that to build a home, it would need to be Agriculture Residential (AR), which could be subdivided to leave a portion Agriculture (A) and a portion Agriculture Residential (AR). The Ramirez's stated that they still wanted to rezone it to be Agriculture. Schmitt asked if there were any comments. Schmitt closed the meeting at 5:54 p.m. Schmitt asked for a motion. Benzel moved, Schmitt seconded, "That the application for Alexander & Melissa Ramirez to rezone a tract of land Section 8 Township 13 Range 49 part of NE/4 North of E-W access Road Lands Inside and commonly known as Parcel 170074218, from C3 (Commercial) to A (Agricultural). Roll call vote: Yeas: Benzel, Glenn, Schmitt, Smith, Sweetser. Nays: None. Absent: England, Loghry, Long. Motion passed.

There were no other comments by the public. City Manager Scott introduced Chief Building Official Marshall Hall to the Planning Commission and to those present.

Meeting adjourned at 5:56 p.m.

CHAIRMAN

CITY CLERK