

# **PLANNING COMMISSION**

## **DRAFT AGENDA December 20, 2024 9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held October 18, 2024.
4. **Alley Vacation No. 2024-04**  
Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc.; KDIVER, LLC.; EXHUNTING, LLC; City of Kearney for alley vacations for property described as the alley in Block 25, abutting Lots 5 – 7 (inclusive) on the east and Lots 8 – 10 (inclusive) on the west; the alley in Block 26, abutting Lots 1 – 6 (inclusive) on the east and Lots 7 – 13 (inclusive) on the west; the alley in Block 27, abutting Lots 1 – 5 (inclusive) on the east and Lots 6 – 11 (inclusive) on the west; the alley in Block 28, abutting Lots 1 – 4 (inclusive) on the east and Lots 5 – 9 (inclusive) on the west, all of the Whiteaker’s Grove Addition, to the City of Kearney, Buffalo County, Nebraska (east M Avenue, north of E 17th Street).
5. **Street Vacation No. 2024-03**  
Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc.; KDIVER, LLC.; EXHUNTING, LLC; City of Kearney for street vacations for property described as “N Avenue” abutting Lots 1 – 7 (inclusive) of Block 25 on the west and Lots 7 – 13 (inclusive) of Block 26 on the east; “O Avenue” abutting Lots 1 – 6 (inclusive) of Block 26 on the west and Lots 6 – 11 (inclusive) of Block 27 on the east; “P Avenue” abutting Lots 1 – 5 (inclusive) of Block 27 on the west and Lots 5 – 9 (inclusive) of Block 28 on the east, all of the Whiteaker’s Grove Addition, to the City of Kearney, Buffalo County, Nebraska (east M Avenue, north of E 17th Street).
6. **Subdivision Vacation No. 1950-075**  
Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc.; KDIVER, LLC.; EXHUNTING, LLC; City of Kearney for the subdivision vacation for property described as Lots 5 – 7 of Block 25; Lots 1 – 13 (inclusive) of Block 26; Lots 1 – 11 (inclusive) of Block 27; Lots 1 – 9 (inclusive) of Block 28, all of the Whiteaker’s Grove Addition, to the City of Kearney, Buffalo County, Nebraska (east M Avenue, north of E 17th Street).

**7. Hearing: Future Land Use Map Amendment No. 2024-05**

Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc; KDIVER, LLC; EXHUNTING, LLC; and City of Kearney (Owners) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Light Industrial (LI) and Low Density Residential (LDR) to Low Density Residential (LDR) for property described as a tract of land being Lots 5, 6, and 7, Block 25, along with the East half of the alley and the West half of "N" Avenue abutting said Lots in Block 25 (now vacated); part of Lots 1, 2 and 12, all of Lots 3 through 11 (inclusive), Block 26, along with the East half of "N" Avenue, and the West half of "O" Avenue, and the alley abutting said Lots in Block 26 (now vacated); part of Lots 1, 2, and 10, all of Lots 3 through 9 (inclusive), Block 27, along with the East half of "O" Avenue, the West half of "P" Avenue and the alley abutting said Lots in Block 27 (now vacated); part of Lots 1, 2, and 8, all of Lots 3 through 7 (inclusive), Block 28, along with the East half of "P" Avenue, the alley abutting said Lots in Block 28 (now vacated) in Whiteaker's Grove Addition to the City of Kearney, being part of Government Lot 5; the North half of the Northeast Quarter of Government Lot 6 also referred to as Tax Lot 5, and the North half of the Northwest Quarter of said Government Lot 6 also referred to as Tax Lot 6, all in Section 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County (east of Avenue M, north of East 17th Street)

**8. Hearing: Rezoning No. 2024-16**

Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc; KDIVER, LLC; EXHUNTING, LLC; and City of Kearney (Owners) to rezone from R-1, Urban Residential Single-Family District (Low Density), to R-1D, Residential District for property described as a tract of land being Lots 5, 6, and 7, Block 25, along with the East half of the alley and the West half of "N" Avenue abutting said Lots in Block 25 (now vacated); part of Lots 1, 2 and 12, all of Lots 3 through 11 (inclusive), Block 26, along with the East half of "N" Avenue, and the West half of "O" Avenue, and the alley abutting said Lots in Block 26 (now vacated); part of Lots 1, 2, and 10, all of Lots 3 through 9 (inclusive), Block 27, along with the East half of "O" Avenue, the West half of "P" Avenue and the alley abutting said Lots in Block 27 (now vacated); part of Lots 1, 2, and 8, all of Lots 3 through 7 (inclusive), Block 28, along with the East half of "P" Avenue, the alley abutting said Lots in Block 28 (now vacated) in Whiteaker's Grove Addition to the City of Kearney, being part of Government Lot 5; the North half of the Northeast Quarter of Government Lot 6 also referred to as Tax Lot 5, and the North half of the Northwest Quarter of said Government Lot 6 also referred to as Tax Lot 6, all in Section 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County (east of Avenue M, north of East 17th Street).

**9. Hearing: Preliminary Plat No. 2024-11 \*FINAL ACTION\***

Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc; KDIVER, LLC; EXHUNTING, LLC; and City of Kearney (Owners), for the Preliminary Plat for Marlatt Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as Lots 5, 6, and 7, Block 25, along with the East half of the alley and the West half of "N" Avenue abutting said Lots in Block 25 (now vacated); part of Lots 1, 2 and 12, all of Lots 3 through 11 (inclusive), Block 26, along with the East half of "N" Avenue, and the West half of "O" Avenue, and the alley abutting said Lots in Block 26 (now vacated); part of Lots 1, 2, and 10, all of Lots 3 through 9 (inclusive), Block 27, along with the East half of "O" Avenue, the West half of "P" Avenue and the alley abutting said Lots in Block 27 (now vacated); part of Lots 1, 2, and 8, all of Lots 3 through 7 (inclusive), Block 28, along with the East half of "P" Avenue, the alley abutting said Lots in Block 28 (now vacated) in Whiteaker's Grove Addition to the City of Kearney, being part of Government Lot 5; the North half of the Northeast Quarter of Government Lot 6 also referred to as Tax Lot 5, and the North half of the Northwest Quarter of said Government Lot 6 also referred to as Tax Lot 6, all in Section 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County (east of Avenue M, north of East 17th Street).

**10. Hearing: Final Plat No. 2024-11**

Application submitted by Miller & Associates (Applicant) for Kearney Area Habitat for Humanity, Inc; KDIVER, LLC; EXHUNTING, LLC; and City of Kearney (Owners), for the Final Plat for Marlatt Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as Lots 5, 6, and 7, Block 25, along with the East half of the ally and the West half of "N" Avenue abutting said Lots in Block 25 (now vacated); part of Lot 12 and all of Lots 7 through 11 (inclusive), Block 26, along with the East Half of "N" Avenue and part of the alley abutting said Lots in Block 26 (now vacated), part of the West half of "O" Avenue abutting Lots 5 and 6, Block 26 (now vacated); part of Lots 6 and 7, Block 27, along with part of the East half of "O" Avenue and part of the alley abutting said Lots in Block 27 (now vacated), all in Whiteaker's Grove Addition to the City of Kearney, being part of Government Lot 5 in Section 6, part of the North half of the Northeast Quarter of Government Lot 6 in Section 6 also referred to as Tax Lot 5, and the North half of the Northwest Quarter of said Government Lot 6 also referred to as Tax Lot 6, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows (east of Avenue M, north of East 17th Street).

**11. Hearing: Rezoning No. 2024-15**

Application submitted by Miller & Associates (Applicant) for City of Kearney (Owner) to rezone from District BP/PD, Business Park District/ Planned Development Overlay District to District BP, Business Park District for property described as a tract of land being part of the Northwest Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Northwest Quarter, and part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 56th Street and west of Chase Avenue).

**12. Hearing: Preliminary Plat No. 2024-10 \*FINAL ACTION\***

Application submitted by Miller & Associates (Applicant) for City of Kearney (Owner), for the Preliminary Plat for Tech One Fourth Subdivision, a subdivision being part of the Northwest Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Northwest Quarter, and part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 56th Street and west of Chase Avenue).

**13. Hearing: Final Plat No. 2024-10**

Application submitted by Miller & Associates (Applicant) for City of Kearney (Owner), for the Final Plat for Tech One Fourth Subdivision, a subdivision being part of the Northwest Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Northwest Quarter, and part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 56th Street and west of Chase Avenue)..

**14. Hearing: Code Amendment No. 2024-06**

Application submitted by the City of Kearney to amend the Unified Land Development Ordinance Sections 12-106 – C, 12-107 – D, 12-118 – O, 12-119 – P, 12-123 – T, all of Chapter 12 “Definition of Terms” to revise the definitions for Conditional Use Permit, Dwelling Unit, Planned Unit Development, Townhouse Structure, and add a definition for Outlots.

**15. Hearing: Code Amendment No. 2024-07**

Application submitted by the City of Kearney to amend the Unified Land Development Ordinance Sections 13-104 “Residential Use Types” and 13-105 “Civic Use Types”, all of Chapter 13 “Use Types” to remove and clarify language for Two Family Residential and Convalescent Services use types.

**16. Hearing: Code Amendment No. 2024-08**

Application submitted by the City of Kearney to amend the Unified Land Development Ordinance Section 14-112 Table 14-1 “Use Matrix: Levels of Permitted Uses” of Chapter 14, “Zoning District Regulations” to amend the table for various use types.

**17. Hearing: Code Amendment No. 2024-09**

Application submitted by the City of Kearney to amend the Unified Land Development Ordinance Section 59-103 “Conditional Use Permit Procedures” subsection F. “Scope of Approval” of Chapter 59 “Administration and Procedures” to clarify and revise approval procedures for Conditional Use Permits.

18. Reports

19. Adjournment.

<p>Chairperson Stan Dart 2410 65th Avenue Place Kearney, NE 68845 308-224-6432 msdart@charter.net</p>	<p>Vice-Chairperson Richard McGinnis 11 21st Avenue Place Kearney, NE 68845 308-325-4941 richmcginnisbanker@gmail.com</p>	<p>Board Member Monte Dakan 6605 Avenue M Place Kearney, NE 68847 308-293-7909 montedakan@hotmail.com</p>
<p>Board Member Dave Malone 4402 Avenue P Kearney, NE 68847 308-224-3188 dmalone@ipexneb.com</p>	<p>Board Member Joey Cochran 4104 10<sup>th</sup> Avenue Place Kearney, NE 68845 308-293-6445 jcochran@nlb.com</p>	<p>Board Member Brent Yaw 2224 Central Avenue, Loft 1 Kearney, NE 68847 308-627-2951 brentyaw@icloud.com</p>
<p>Board Member John Rickard 6309 Avenue L Place Kearney, NE 68847 308-390-7426 johnmidway@hotmail.com</p>	<p>Board Member Melissa Scott-Pandorf 612 West 68th Street Kearney, NE 68845 402-679-6476 mmscottp@gmail.com</p>	<p>Board Member Jeffery Baker 2004 West 42<sup>nd</sup> Street Kearney, NE 68845 308-234-1881 jeff@mynewlifechurch.com</p>

A current agenda is on file at the Office of Development Services, 1st Floor at City Hall, 18 East 22nd Street, Kearney, Nebraska.  
For more information, call (308) 233-3254 or visit our website at [www.cityofkearney.org](http://www.cityofkearney.org)