

# **PLANNING COMMISSION**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**March 16, 2012**

**9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held February 17, 2012.
4. **Alley Vacation No. 2012-01**  
Application submitted by Buffalo Surveying Corp. (Applicant) for Gary Schaub and Daniel Roeder (Owner) to vacate the alley in Block 8, Whiteaker's Grove Addition to the City of Kearney lying north of the north right-of-way line of 22nd Street and south and west of the Union Pacific Railroad Company's right-of-way on the north and described as Lots 4 thru 7, inclusive, that part of Lot 3 lying south of the Union Pacific Railroad right-of-way abutting on the eastside of said alley, and Lots 8 thru 13, inclusive, abutting on the west side of said alley (north of 22nd Street and east of Avenue M, south of the UPRR's right-of-way).
5. **Partial Vacation No. 1994-13 – Windsor Estates Seventh Addition**  
Application submitted by Buffalo Surveying Corp. (Applicant) for Johnson Imperial Home Company (Owner) to vacate Lot 6, except the west 44.0 feet thereof and Lots 7 through 16 inclusive, all in Block Three, Windsor Estates Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with said property being located in the Northwest Quarter of the Southeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of the intersection of 6th Avenue and 47th Street Place).
6. **Hearing: Preliminary Plat No. 2012-05 – Proposed Windsor Estates Eleventh**  
Application submitted by Buffalo Surveying Corp. (Applicant) for Johnson Imperial Home Company (Owner) for the Preliminary Plat for Windsor Estates Eleventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as being Lot 6, except the west 44.0 feet thereof and Lots 7 through 16 inclusive, all in Block Three, Windsor Estates Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), with said property being located in the Northwest Quarter of the Southeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of the intersection of 6th Avenue and 47th Street Place). **\*FINAL ACTION\***
7. **Hearing: Final Plat No. 2012-05 – Proposed Windsor Estates Eleventh**  
Application submitted by Buffalo Surveying Corp. (Applicant) for Johnson Imperial Home Company (Owner) for the Final Plat for Windsor Estates Eleventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as being Lot 6, except the west 44.0 feet thereof and Lots 7 through 16 inclusive, all in Block Three, Windsor Estates Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), with said property being located in the Northwest Quarter of the Southeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of the intersection of 6th Avenue and 47th Street Place).

8. **Hearing: Rezoning No. 2012- 05 – Proposed Bel Air Fifth Addition**  
Application submitted by Buffalo Surveying Corp. (Applicant) for TWL, LLC, a Nebraska Limited Liability Company (Owner) to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) property described as being part of the East Half of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of 69th Street and Avenue L).
9. **Hearing: Preliminary Plat No. 2012-06 – Proposed Bel Air Fifth Addition**  
Application submitted by Buffalo Surveying Corp. (Applicant) for TWL, LLC, a Nebraska Limited Liability Company (Owner) for the Preliminary Plat for Bel Air Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as being part of the East Half of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of 69th Street and Avenue L). **\*FINAL ACTION\***
10. **Hearing: Final Plat No. – 2012-06 – Proposed Bel Air Fifth Addition**  
Application submitted by Buffalo Surveying Corp. (Applicant) for TWL, LLC, a Nebraska Limited Liability Company (Owner) for the Final Plat and Subdivision Agreement for Bel Air Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as being part of the East Half of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of 69th Street and Avenue L).
11. **Hearing: Annexation No. – 2012-06 – Proposed Bel Air Fifth Addition**  
Application submitted by Buffalo Surveying Corp. (Applicant) for TWL, LLC, a Nebraska Limited Liability Company (Owner) for the annexation of Bel Air Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as being part of the East Half of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of 69th Street and Avenue L).
12. **Partial Vacation No. Prior to 1950-01 – Original Town of Kearney Junction**  
Application submitted by Trenton Snow (Applicant) for Sandra Adams, Successor Trustee of the Lucille Knox Living Trust to vacate the east half of Lot 1755, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska, together with the vacated south 7.0 feet of 13th Street abutting said lot on the north and the vacated north half of 12th Street abutting said lot on the south, also together with the vacated west 17.0 feet of Avenue C as it abuts the vacated south 7.0 feet of 13th Street, Lot 1755 and the vacated north half of 12th Street all on the east (west side of Avenue C between 12th Street and 13th Street).
13. **Hearing: Preliminary Plat No. 2012-07 – Proposed Knox Addition**  
Application submitted by Trenton Snow (Applicant) for Sandra Adams, Successor Trustee of the Lucille Knox Living Trust (Owner) for the Preliminary Plat for Knox Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as the east half of Lot 1755, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska (to be vacated), together with the vacated south 7.0 feet of 13th Street abutting said lot on the north and the vacated north half of 12th Street abutting said lot on the south, also together with the vacated west 17.0 feet of Avenue C as it abuts the vacated south 7.0 feet of 13th Street, Lot 1755 (to be vacated) and the vacated north half of 12th Street all on the east (west side of Avenue C between 12th Street and 13th Street). **\*FINAL ACTION\***

**14. Hearing: Final Plat No. 2012-07 – Proposed Knox Addition**

Application submitted by Trenton Snow (Applicant) for Sandra Adams, Successor Trustee of the Lucille Knox Living Trust for the Final Plat for Knox Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as the east half of Lot 1755, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska (to be vacated), together with the vacated south 7.0 feet of 13th Street abutting said lot on the north and the vacated north half of 12th Street abutting said lot on the south, also together with the vacated west 17.0 feet of Avenue C as it abuts the vacated south 7.0 feet of 13th Street, Lot 1755 (to be vacated) and the vacated north half of 12th Street all on the east (west side of Avenue C between 12th Street and 13th Street).

**15. Hearing: Planned District Development Plan Approval No. 1996-10**

Application submitted by SKS Properties, LLC, a Nebraska Limited Liability Company, (Applicant) and Schrock Chiropractic (Owner) for Planned District Development Plan Approval for the construction of an office building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District for property described as Lot 1 of Block 2, North Acre Fifth, an addition to the City of Kearney, Buffalo County, Nebraska (5911 2nd Avenue).

**16. Hearing: Final Plat No. 2012-08 – Proposed Northeast Industrial Sixth**

Application submitted by Miller & Associates (Applicant) for Gary and Mary Jo Henderson for the Final Plat and Subdivision Agreement for Northeast Industrial Sixth Subdivision, Buffalo County, Nebraska for property described as being part of the Northeast Quarter of the Northwest Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of East 39th Street and Box Butte Avenue).

**17. Code Amendment No. 2012-01 – Chapters 52, 53, 54, 55, 56, 57 – (Continued from the January 20, 2012 and February 17, 2012 Planning Commission Meetings)**

Proposed amendments to the Uniform Land Development Ordinance as follows:

- Chapter 52, “Subdivisions: Basic Conditions” to clarify terminology related to exemptions from subdivision requirements for large lot residential development; and, to clarify submittal requirements for minor subdivisions.
- Amendments to Chapter 53, “Subdivision Approvals and Procedures” to clarify terminology and requirements for subdivision applications; to require a Preliminary Infrastructure Feasibility Plan with all preliminary plat submittals and a “Final Infrastructure Feasibility Plan” with all final plat submittals; to clarify requirements for the “Subdivision Agreement” and “Utility Consent Form”; to define requirements for street lighting; to clarify the requirements for submittal of an electronic file of all subdivisions.
- Amendments to Chapter 54, “Subdivision Design Criteria and General Standards” to require a “Preliminary Infrastructure Feasibility Plan” with all preliminary plat submittals and a “Final Infrastructure Feasibility Plan” with all final plat submittals; to remove the requirement for a grading plan and add requirements for the National Pollutant Discharge Elimination program including new requirements for construction site activities, new requirements for building phases of development, and to reference the “Public Works Stormwater Ordinance”; to prohibit construction activity on all wetlands.
- Amendments to Chapter 55, “Circulation System Design” to specify design standards must comply with “Board of Public Roads Classifications and Standards- Nebraska Minimum Design Standards”; to clarify public sidewalk requirements and design standards; to require recreational trails to be in conformance with the Trails Master Plan of

the City of Kearney Comprehensive Development Plan and in compliance with the “City of Kearney Specifications for Infrastructure Construction”; to add requirements for outdoor lighting on public streets; to clarify standards for arterial streets.

- Amendments to Chapter 56, “Public Improvements and Infrastructure” in the stormwater management section to remove references to retention and replace with requirements for detention and to reference required compliance with “City of Kearney Public Works Department Design Manual”; to reference requirements for submittal of an “Infrastructure Feasibility Plan”; to remove section pertaining to erosion control as that topic is now covered under the requirements of the National Pollutant Discharge Elimination System program; to clarify stormwater detention requirements; to add reference to the “Safe Dams Act” as administered by the Federal Emergency Management Agency and the State of Nebraska Department of Natural Resources; to amend the section pertaining to reservation of park land; to require submittal of the “Utilities Consent Form”; to clarify requirements for dedication of commonly held open space.
- Amendments to Chapter 57, “Improvement Financing and Guarantees” to add requirements for utility systems not operated by the City; to specify that developers that decide not to complete public improvements when paving, water, and/or sanitary sewer districts have been created shall reimburse the City for the entire cost of design, engineering, testing and any other fees incurred by the City; to clarify requirements for subdivision agreements and non-contiguous development; to add requirements for “Temporary Certificates of Occupancy.”

**11. Report/Comments from Board Members.**

**12. Adjournment.**

Chairman James Ganz, Jr. 22 Hillcrest Drive Kearney, NE 68845 237-5146 <a href="mailto:jganzjr@frontiernet.net">jganzjr@frontiernet.net</a>	Vice-Chairman Stan Dart 2410 65th Avenue Place Kearney, NE 68845 234-1616 <a href="mailto:msdart@charter.net">msdart@charter.net</a>	Board Member Robert Cunningham 2203 West 50th Street Kearney, NE 68845 865-7591 <a href="mailto:robcunningham@catholichealth.net">robcunningham@catholichealth.net</a>
Board Member Jim McKeon 711 13th Avenue Kearney, NE 68845 236-2223 <a href="mailto:jlmckeo@nppd.com">jlmckeo@nppd.com</a>	Board Member Steve Homan 32 Red Fox Lane Kearney, NE 68845 237-0500 <a href="mailto:stephenchoman@gmail.com">stephenchoman@gmail.com</a>	Board Member Paul Fredrickson 914 Avenue D Kearney, NE 68847 236-5928 <a href="mailto:fastfreddy@fredconst.com">fastfreddy@fredconst.com</a>
Board Member Andrew Williams 9030 Pleasant Valley Drive Kearney, NE 68845 234-4511 <a href="mailto:ajsewilliams@asaew.com">ajsewilliams@asaew.com</a>	Board Member John Lowe 7 Wedge Way Kearney, NE 68845 440-3709 <a href="mailto:jslowe4@gmail.com">jslowe4@gmail.com</a>	Board Member Jack McSweeney 2712 Central Avenue Kearney, NE 68847 234-5550 <a href="mailto:jack@century21midlands.com">jack@century21midlands.com</a>

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).