

# **PLANNING COMMISSION**

## **AGENDA**

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

**March 15, 2013**

**9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held February 15, 2013.
4. **Partial Vacation No. 1962-01 – Midway Industrial District**  
Application submitted by Stan Johnson (Applicant) for Baldwin Filters, Inc. (Owner) to vacate property described as a tract of land comprised of Tract B, Midway Industrial District, a subdivision being part of the North Half of Section 33, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (4400 East Highway 30).
5. **Hearing: Final Plat No. 2008-17 – Proposed Baldwin Subdivision**  
Application submitted by Stan Johnson (Applicant) for Baldwin Filters, Inc. (Owner) for the Final Plat for Baldwin Subdivision of Buffalo County, Nebraska for property described as a tract of land comprised of Tract B, Midway Industrial District (to be vacated), and part of the North Half of Section 33, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (4400 East Highway 30).
6. **Hearing: Planned District Development Plan Approval No. 2007-15 – Midland Molding**  
Application submitted by Midlands Molding (Applicant) for Wendell Dubbs (Owner) for Planned District Development Plan Approval for the construction of offices/production/ warehouse on property zoned District M-1/PD, Limited Industrial/Planned Development Overlay District for property described as Lot 1, Northeast Industrial Sixth Subdivision, a subdivision being part of the Northeast Quarter of the Northwest Quarter in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (3209 East 39th Street).
7. **Hearing: Planned District Development Plan Approval No. 2008-08 – Cash-Wa**  
Application submitted by Miller & Associates (Applicant) for Cash-Wa Distributing Co., Inc. (Owner) for Planned District Development Plan Approval for the construction of a freezer addition on property zoned District M-1/PD, Limited Industrial/Planned Development Overlay District for property described as Lot 1 of Block One, Cash-Wa Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska (615 West 4th Street).
8. **Vacation No. 2011-12 – Eastbrooke Thirteenth**  
Application submitted by Buffalo Surveying Corp. (Applicant) for Camron, Inc. (Owner) to vacate Lot 1, of Block 1, Eastbrooke Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska (north of 56th Street along Eastbrooke Drive).
9. **Hearing: Rezoning No. 2013-04 – Proposed Eastbrooke Fourteenth**  
Application submitted by Buffalo Surveying Corp. (Applicant) for Camron, Inc. (Owner) to rezone from District AG, Agricultural District and District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District to District R-1, Urban Residential Single-Family

(Low Density) District and District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District property described as Lot 1 of Block One, Eastbrooke Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), and part of the Southeast Quarter of the Southwest Quarter of Section 19, and part of the East Half of the Southwest Quarter of Section 19, all located in Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (north of 56th Street along Eastbrooke Drive).

**10. Hearing: Final Plat No. 2013-04 – Proposed Eastbrooke Fourteenth**

Application submitted by Buffalo Surveying Corp. (Applicant) for Camron, Inc. (Owner) for the Final Plat for Eastbrooke Fourteenth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lot 1 of Block One, Eastbrooke Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), and part of the Southeast Quarter of the Southwest Quarter of Section 19, and part of the East Half of the Southwest Quarter of Section 19, all located in Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (north of 56th Street along Eastbrooke Drive).

**11. Hearing: Annexation No. 2013-04 – Proposed Eastbrooke Fourteenth**

Application submitted by Buffalo Surveying Corp. (Applicant) for Camron, Inc. (Owner) for the annexation of Eastbrooke Fourteenth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as part of the Southeast Quarter of the Southwest Quarter of Section 19, and part of the East Half of the Southwest Quarter of Section 19, all located in Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (north of 56th Street along Eastbrooke Drive).

**12. Hearing: Planned District Development Plan Approval 2013-04 – Proposed Eastbrooke Fourteenth**

Application submitted by Buffalo Surveying Corp. (Applicant) for Camron, Inc. (Owner) for Planned District Development Plan Approval for the construction of a condominium development on property to be zoned District R-2/PD, Urban Residential Mixed-Density/ Planned Development Overlay District for property described as Lot 1 of Block One, Eastbrooke Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), and part of the Southeast Quarter of the Southwest Quarter of Section 19, and part of the East Half of the Southwest Quarter of Section 19, all located in Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (north of 56th Street along Eastbrooke Drive).

**13. Hearing: Annexation No. 2013-01 – 5110 17th Avenue**

Proposed annexation of Lot 1, Smith Addition, a subdivision located in the Southeast Quarter of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska to be included within the corporate limits (5110 17th Avenue).

**14. Hearing: Annexation No. 2013-02 – 5120 17th Avenue**

Proposed annexation of a tract of land located in the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: a point which is 987 feet north of the East Quarter corner of said Section 27 which is the point of beginning, thence west 596 feet parallel with the south line of said Northeast Quarter, thence north 208 feet, thence east 596 feet, thence south 208 feet along said east line to the place of beginning, all in Buffalo County, Nebraska to be included within the corporate limits (5120 17th Avenue).

**15. Hearing: Annexation No. 2013-03 – 5308 17th Avenue**

Proposed annexation of Lot 1 of Block 2, Northridge Retirement Subdivision, a subdivision being part of the East Half of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of

the 6th P.M., Buffalo County, Nebraska to be included within the corporate limits (5308 17th Avenue).

**16. Hearing: Annexation No. 2013-04 – 5410 17th Avenue**

Proposed annexation of a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: referring to the northeast corner of the Northeast Quarter of said Section 27; thence southerly on the east line of said Northeast Quarter a distance of 484.43 feet to the ACTUAL PLACE OF BEGINNING; thence continuing southerly on the aforesaid course a distance of 522.0 feet; thence westerly parallel with the north line of said Northeast Quarter a distance of 956.43 feet; thence northerly parallel with the east line of said Northeast Quarter a distance of 956.43 feet to a point on the south right-of-way line of 56th Street, said point also being 50.0 feet south of the north line of the Northeast Quarter of said Section; thence easterly on the aforesaid south right-of-way line of 56th Street and 50.0 feet southerly from and parallel with the north line of the Northeast Quarter of said Section a distance of 354.82 feet; thence southerly parallel with the east line of said Northeast Quarter a distance of 434.43 feet; thence easterly parallel with the north line of said Northeast Quarter a distance of 601.61 feet to the place of beginning, containing 15.99 acres, more or less, Buffalo County, Nebraska to be included within the corporate limits (5410 17th Avenue).

**17. Hearing: Annexation No. 2013-05 – 5514 17th Avenue**

Proposed annexation of Lot 1 and part of Lot 2, Block One, Northridge Retirement Subdivision, a subdivision being part of the East Half of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with that part of Lot 2 being more particularly described as follows: Referring to the southeast corner of Lot 1, Northridge Retirement Subdivision and assuming the east line of Lot 1 and Lot 2 of said Northridge Retirement Subdivision as bearing south and all bearings contained herein are relative thereto; thence south on the east line of said Lot 2 a distance of 25.00 feet; thence S89°33'08"W and parallel with the north line of said Lot 1 a distance of 568.99 feet; thence north on a line being 17.29 feet westerly of as measured at right angles from the west line of said Lot 1 a distance of 459.49 feet to a point on the North line of said Lot 2; thence N89°33'08"E and on the north line of said Lot 2 a distance of 17.29 feet to the northwest corner of said Lot 1; thence south on the west line of said Lot 1 a distance of 434.43 feet to the southwest corner of said Lot 1; thence N89°33'08"E and on the south line of said Lot 1 a distance of 551.61 feet to the place of beginning, all in Buffalo County, Nebraska to be included within the corporate limits (5514 17th Avenue).

**18. Hearing: Annexation No. 2013-06 – Spruce Hollow Estates Third**

Proposed annexation of Lot One of Block One and Lot One, Lot Two and Outlot A, of Block Two, Spruce Hollow Estates Third, being part of the Southeast Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska to be included within the corporate limits (northwest corner of 56th Street and 17th Avenue).

**19. Hearing: Annexation No. 2013-07 – 2407 West 56th Street**

Proposed annexation of part of Lot 1, Bent Bar C Subdivision East, a subdivision being part of the Southwest Quarter of the Southeast Quarter and part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter all located in Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska to be included within the corporate limits (2407 West 56th Street).

**20. Hearing: Code Amendment No. 2013-01 – Historic Preservation Overlay District**

Proposed amendment to the City Code to create a Historic Preservation Overlay District. Proposed amendments to the City Code include amending Chapter 37, "Overlay Districts" to add

a new overlay district designated as “HP, Historic Preservation Overlay District” to insert the new district title “HP” into the table labeled “Overlay Districts” in Section 37-102 between existing overlay districts “ND-1” and “FP/FW”; to move all text language pertaining to “ND-1, Pioneer Park Neighborhood Conservation Overlay District” from Chapter 42 to Chapter 41 and to configure such “ND-1” text and formatting to be converted to become a subset of the “ND” overlay district; to assign Chapter 42 as the chapter containing all text language pertaining to the new Historic Preservation Overlay District by designating the title of Chapter 42 as “District HP, Historic Preservation Overlay District”; to add text language in Chapter 42 pertaining to defining the physical boundaries of the Historic Preservation Overlay District, regulations pertaining to signs, and requirements for a mandatory waiting period for demolition permits. Other language pertaining to development and zoning regulations within the Historic Preservation Overlay District may be added in the future as required to meet the purpose and intent of the district.

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

**22. Adjournment.**

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| Chairman James Ganz, Jr.<br>22 Hillcrest Drive<br>Kearney, NE 68845<br>237-5146<br><a href="mailto:jganzjr@frontiernet.net">jganzjr@frontiernet.net</a>           | Vice-Chairman Stan Dart<br>2410 65th Avenue Place<br>Kearney, NE 68845<br>234-1616<br><a href="mailto:msdart@charter.net">msdart@charter.net</a>     | Board Member Robert Cunningham<br>2203 West 50th Street<br>Kearney, NE 68845<br>865-7276<br><a href="mailto:rob Cunningham@catholichealth.net">rob Cunningham@catholichealth.net</a> |
| Board Member Jim McKeon<br>711 13th Avenue<br>Kearney, NE 68845<br>236-2223<br><a href="mailto:jlmckeo@nppd.com">jlmckeo@nppd.com</a>                             | Board Member Steve Homan<br>32 Red Fox Lane<br>Kearney, NE 68845<br>237-0500<br><a href="mailto:stephenchoman@gmail.com">stephenchoman@gmail.com</a> | Board Member Paul Fredrickson<br>914 Avenue D<br>Kearney, NE 68847<br>236-5928<br><a href="mailto:fastfreddy@fredconst.com">fastfreddy@fredconst.com</a>                             |
| Board Member Andrew Williams<br>9030 Pleasant Valley Drive<br>Kearney, NE 68845<br>224-1374<br><a href="mailto:ajsewilliams@asaew.com">ajsewilliams@asaew.com</a> | Board Member John Lowe<br>7 Wedge Way<br>Kearney, NE 68845<br>440-3709<br><a href="mailto:jslowe4@gmail.com">jslowe4@gmail.com</a>                   | Board Member Jack McSweeney<br>2712 Central Avenue<br>Kearney, NE 68847<br>234-5550<br><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)