

PLANNING COMMISSION

AGENDA

City Council Chambers, 18 East 22nd Street

May 17, 2013

9:00 a.m.

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held April 19, 2013.
4. **Hearing: Preliminary Plat No. 2013-05 – Kearney East Viaero Subdivision**
Application submitted by NE Colorado Cellular, Inc., dba Viaero Wireless (Applicant) and Cabela's, Inc. (Owner) for the Preliminary Plat for Kearney East Viaero Subdivision, a subdivision being part of the South Half of the South Half of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of Union Pacific Railroad and west of Cherry Avenue).
5. **Hearing: Final Plat No. 2013-05 – Kearney East Viaero Subdivision**
Application submitted by NE Colorado Cellular, Inc., dba Viaero Wireless (Applicant) and Cabela's, Inc. (Owner) for the Final Plat for Kearney East Viaero Subdivision, a subdivision being part of the South Half of the South Half of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of Union Pacific Railroad and west of Cherry Avenue).
6. **Hearing: Conditional Use Permit no. 2013-02 – Viaero Wireless**
Application submitted by NE Colorado Cellular, Inc., dba Viaero Wireless (Applicant) and Cabela's, Inc. (Owner) for a Conditional Use Permit to locate telecommunications tower site on property zoned District M-2, General Industrial District and described as a tract of land being part of the South Half of the South Half of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of Union Pacific Railroad and west of Cherry Avenue).
7. **Hearing: Preliminary Plat No. 2013-06 – Younes Center Second Addition**
Application submitted by Craig Bennett (Applicant) for MJ Developments, LLC (Owner) for the Preliminary Plat for Younes Center Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 6 in Section 11, and part of the North Half of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of Talmadge Street east of 10th Avenue).
8. **Hearing: Final Plat No. 2013-06 – Younes Center Second Addition**
Application submitted by Craig Bennett (Applicant) for MJ Developments, LLC (Owner) for the Final Plat for Younes Center Second Addition, an addition to the City of Kearney,

Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 6 in Section 11, and part of the North Half of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of Talmadge Street east of 10th Avenue).

9. Hearing: Annexation No. 2013-06 – Younes Center Second Addition

Application submitted by Craig Bennett (Applicant) for MJ Developments, LLC (Owner) for the annexation of Younes Center Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 6 in Section 11, and part of the North Half of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of Talmadge Street east of 10th Avenue).

10. Partial Vacation No. 2005-07 – Grandview Estates Tenth Addition

Application submitted by Craig Bennett (Applicant) for The School District of the City of Kearney, Buffalo County, Nebraska (Owner) to vacate Lot 9, Grandview Estates Tenth Addition to the City of Kearney, Buffalo County, Nebraska (46th Street Place west of Avenue R).

11. Hearing: Final Plat No. 2013-07 – Grandview Estates Eleventh

Application submitted by Craig Bennett (Applicant) for The School District of the City of Kearney, Buffalo County, Nebraska (Owner) for the Final Plat for Grandview Estates Eleventh, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being a part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Lot 9, Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska to be vacated) (46th Street Place west of Avenue R).

12. Partial Vacation No. 1983-08 – Tiffany Square Addition

Application submitted by Mitch Humphrey (Applicant) for Kearney Plaza Villas, L.P (Owner) to vacate Lot 14, Tiffany Square Addition, an addition to the City of Kearney, Buffalo County, Nebraska (north of LaCrosse Drive, south of West Lincoln Way Park).

13. Hearing: Code Amendment No. 2013-02 – Chapters 13 and 14 – Continued from the April 19, 2013 Planning Commission Meeting

Proposed amendments to the following chapters/sections of the City Code:

- Clarification of selected use types in Chapter 13 “Use Types” and the addition of “Vertical Axis Wind Turbines” as a miscellaneous use type under Industrial Uses in Chapter 13 of the Code of the City of Kearney.
- Various amendments to Table 14-1 “Use Matrix” in Chapter 14 “Zoning District Regulations” of the Code of the City of Kearney, including corresponding changes resulting from the Chapter 13 “Use Types” amendments.
- Changes to the use categories of various uses in Table 14-1 between the functional categories of (a) permitted as a matter of right, (b) permitted as a conditional use, (c) prohibited, or (d) permitted if in existence at the time of adoption of the ordinance.

- Removal of the requirement for Site Plan Review for various uses in Table 14-1 “Use Matrix”, and instead requiring a PD, Planned District Overlay for certain uses that warrant a higher level of review.

14. Hearing: Code Amendment No. 2013-02 – Chapter 46 – Continued from the April 19, 2013 Planning Commission Meeting

Proposed amendments to the following chapter/section of the City Code:

- New language in Section 46-111 “Supplemental Use Regulations: Miscellaneous Uses” of Chapter 46 “Supplemental Use Regulations” of the Code of the City of Kearney introducing regulations for vertical axis wind turbines.

15. Hearing: Code Amendment No. 2013-02 – Chapter 47 – Continued from the April 19, 2013 Planning Commission Meeting

Proposed amendments to the following chapter/section of the City Code:

- Proposed reduction of the required rear yard setback from 30 to 25 feet for single-family residential lots that are irregularly shaped in Section 47-104 “Setback Adjustments” of Chapter 47 “Supplemental Development Regulations” of the Code of the City of Kearney.

16. Report/Comments from Board Members.

17. Adjournment.

Chairman James Ganz, Jr. 22 Hillcrest Drive Kearney, NE 68845 237-5146 jganzjr@frontiernet.net	Vice-Chairman Stan Dart 2410 65th Avenue Place Kearney, NE 68845 234-1616 msdart@charter.net	Board Member Robert Cunningham 2203 West 50th Street Kearney, NE 68845 865-7276 robcunningham@catholichealth.net
Board Member Jim McKeon 711 13th Avenue Kearney, NE 68845 236-2223 jlmckeo@nppd.com	Board Member Steve Homan 32 Red Fox Lane Kearney, NE 68845 237-0500 stephenchoman@gmail.com	Board Member Paul Fredrickson 914 Avenue D Kearney, NE 68847 236-5928 fastfreddy@fredconst.com
Board Member Andrew Williams 9030 Pleasant Valley Drive Kearney, NE 68845 224-1374 ajsewilliams@asaew.com	Board Member John Lowe 7 Wedge Way Kearney, NE 68845 440-3709 jslowe4@gmail.com	Board Member Jack McSweeney 2712 Central Avenue Kearney, NE 68847 234-5550 jack@century21midlands.com

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