

PLANNING COMMISSION

AGENDA

City Council Chambers, 18 East 22nd Street

July 19, 2013

9:00 a.m.

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held July 8, 2013.
4. **Hearing: Land Use Map Amendment No. 2013-03**
Application submitted by Kearney Area Habitat for Humanity (Applicant) and Joseph Sobotka, Richard and Gwendolyn Luth (Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Mixed Use 2 to Low Density Residential property described as Lots 1 and 2, Luth and Sobotka Industrial Park, a subdivision to the City of Kearney, Buffalo County, Nebraska (east of Avenue M and 17th Street).
5. **Hearing: Rezoning No. 2013-10**
Application submitted by Kearney Area Habitat for Humanity (Applicant) and Joseph Sobotka, Richard and Gwendolyn Luth (Owner) to rezone from District M-1, Limited Industrial District to District R-1, Urban Residential Single-Family District (Low Density) property described as Lots 1 and 2, Luth and Sobotka Industrial Park, a subdivision to the City of Kearney, Buffalo County, Nebraska (east of Avenue M and 17th Street).
6. **Street Vacation No. 2013-01**
Application submitted by Christopher and Chris Preble (Applicant and Owner) to vacate a portion of Avenue R, 35th Street and Avenue S as it abuts Lots 1, Block 82 (now vacated), Lots 6-11, Block 82, Lots 1-3, Block 83 together with the west half of vacated Avenue S as the same abuts said Lot 1 on the east, Lots 4-7, Block 83, all in Midway Land Co's Second East Lawn Addition, to the City of Kearney, Buffalo County, Nebraska (1712 East 34th Street).
7. **Partial Vacation No. Prior to 1950-15 and 1991-08 – Continued from the July 8, 2013 Planning Commission meeting**
Application submitted by Buffalo Surveying (Applicant) for Marvin Taylor and Bryan and Susan Slater (Owner) to vacate property described as Lots 4 through 12, inclusive, Lots 63 through 71, inclusive, Lots 78 through 86, inclusive, Lots 137 through 145, inclusive, Lots 152 through 160, inclusive, and Lot 267, all in Cottage Addition to the City of Kearney, Buffalo County, Nebraska, together with Lot 1, Rainbow Acres Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 16th Street and Avenue M).

8. **Hearing: Preliminary Plat No. 2013-10 – Taylor Addition – Continued from the July 8, 2013 Planning Commission meeting**
Application submitted by Buffalo Surveying (Applicant) for Marvin Taylor and Bryan and Susan Slater (Owner) for the Preliminary Plat for Taylor Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lots 4 through 12, inclusive, Lots 63 through 71, inclusive, Lots 78 through 86, inclusive, Lots 137 through 145, inclusive, Lots 152 through 160, inclusive, and Lot 267, all in Cottage Addition to the City of Kearney, Buffalo County, Nebraska, together with Lot 1, Rainbow Acres Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 16th Street and Avenue M). ***FINAL ACTION***
9. **Hearing: Final Plat No. 2013-10 – Taylor Addition – Continued from the July 8, 2013 Planning Commission meeting**
Application submitted by Buffalo Surveying (Applicant) for Marvin Taylor and Bryan and Susan Slater (Owner) for the Final Plat for Taylor Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lots 4 through 12, inclusive, Lots 63 through 71, inclusive, Lots 78 through 86, inclusive, Lots 137 through 145, inclusive, Lots 152 through 160, inclusive, and Lot 267, all in Cottage Addition to the City of Kearney, Buffalo County, Nebraska, together with Lot 1, Rainbow Acres Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 16th Street and Avenue M).
10. **Vacation of Platted Utility Easement No. 2000-30**
Application submitted by Buffalo Surveying (Applicant) for Ridge View Apartments (Owner) to vacate a strip of land being 20.0 feet in width being part of Lot 1 and part of Lot 2, Block 1, Northridge Retirement Subdivision. (1714 West 56th Street).
11. **Hearing: Preliminary Plat No. 2013-11**
Application submitted by Trenton Snow (Applicant) for Glen and Diane Miller (Owner) for the Preliminary Plat for Northgate Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east side of 2nd Avenue, west of Menards). ***FINAL ACTION***
12. **Hearing: Final Plat No. 2013-11**
Application submitted by Trenton Snow (Applicant) for Glen and Diane Miller (Owner) for the Final Plat for Northgate Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east side of 2nd Avenue, west of Menards).
13. **Hearing: Annexation No. 2013-11**
Application submitted by Trenton Snow (Applicant) for Glen and Diane Miller (Owner) for the annexation of Northgate Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east side of 2nd Avenue, west of Menards).

- 14. Hearing: Rezoning No. 2013-12**
Application submitted by Miller & Associates (Applicant) and Cottonwood Veterinary Clinic (Owner) to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-3/PD, General Commercial/Planned Development Overlay District property described as Lot 2 of Block Two, North Acre Fifth, an addition to the City of Kearney, Buffalo County, Nebraska (5904 2nd Avenue).
- 15. Hearing: Revised Planned District Development Plan Approval No. 1996-10**
Application submitted by BD Construction (Applicant) for Cottonwood Veterinary Clinic (Owner) for Revised Planned District Development Plan Approval for the construction of a new boarding facility on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District on property described as Lot 2 of Block Two, North Acre Fifth, an addition to the City of Kearney, Buffalo County, Nebraska (5904 2nd Avenue).
- 16. Hearing: Conditional Use Permit No. 2013-05**
Application submitted by Miller & Associates (Applicant) and Cottonwood Veterinary Clinic (Owner) for a Conditional Use Permit to locate a kennel within a boarding facility on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lot 2 of Block Two, North Acre Fifth, an addition to the City of Kearney, Buffalo County, Nebraska (5904 2nd Avenue).
- 17. Hearing: Land Use Map Amendment No. 2013-04**
Application submitted by Miller & Associates (Applicant) and Kelly Rapp and Lauren Striker-Rapp (Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential to Medium Density Residential property described as Lots 1, 2, 3, 4 of Block One, Park View Estates Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 11th Street, east of 15th Avenue).
- 18. Hearing: Rezoning No. 2013-11**
Application submitted by Miller & Associates (Applicant) and Kelly Rapp and Lauren Striker-Rapp (Owner) to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District property described as Lots 1, 2, 3, 4 of Block One, Park View Estates Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 11th Street, east of 15th Avenue).
- 19. Hearing: Revised Planned District Development Plan Approval No. 2008-19A**
Application submitted by Miller & Associates (Applicant) for WNH, LLC (Owner) for Revised Planned District Development Plan Approval for a proposed helicopter pad on property zoned District C-0/PD, Office/Planned Development Overlay District on property described as Lot 1 of Block Three, Western Nebraska Property Development Addition, an addition to the City of Kearney, Buffalo County, Nebraska (west of 22nd Avenue and south of 10th Street).
- 20. PRESENTATION OF CAPITAL EXPENDITURES**
Presentation by City of Kearney Administration of the 2013-2014 Capital Expenditures for the City of Kearney Budget.

21. Hearing: Code Amendment No. 2013-02 – Chapters 13 and 14 – Continued to the August 16, 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” to Section 13-111 “Miscellaneous Type Uses” in Chapter 13 of the Code of the City of Kearney.
- Amendments to Section 13-105 “Civic Use Types” of Chapter 13 “Use Types” to allow for pet cemeteries and pet crematoria; to better define and clarify Day Care Home Services (Limited); to define and regulate Day Care Home Services (General); to better define Day Care Centers; to define and regulate Group Care Facility (Limited).
- Amendments to Section 13-107 “Commercial Use Types” of Chapter 13 “Use Types” to better define Auto Services Limited; to define and regulate Auto Services General; to delete Body Repair; to define and regulate Commercial Recreation Outdoor; to define and regulate Fuel Sales; to define and regulate Furniture and Appliance Stores; to delete the reference of pet cemeteries and crematoria, and veterinary hospitals for livestock and large animals from “Veterinary Services (General).
- Amendments to Section 13-110 “Transportation Use Types” of Chapter 13 “Use Types” to better define Truck Terminal; to include Driving Range.
- Amendment to Section 14-112 “Use Matrix: Levels of Permitted Uses of Chapter 14 “Zoning District Regulations” to delete the provision of Site Plan Approval and replace it with Planned Development.
- 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.
- Changes to the Civic Use Types category in Table 14-1 to include Day Care Home Services (Limited), Day Care Homes Services (General), Day Care Centers, and Group Care Facility (Limited)
- Changes to the Commercial Use Types category in Table 14-1 to delete Body Repair and replace with Auto Services-General; and to include Fuel Sales.
- Change to the Parking and Transportation Use Types category in Table 14-1 to include Driving Range and Vertical Axis Wind Turbines (VAWT).

22. Hearing: Code Amendment No. 2013-02 – Chapter 46 – Continued to the August 16, 2013 Planning Commission Meeting

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

- New language in Section 46-104 “Supplemental Use Regulations: Civic Uses” of Chapter 46 “Supplemental Use Regulations” to include Day Care Homes Services and Day Care Centers.

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

23. Hearing: Code Amendment No. 2013-02 – Chapter 47 – Continued to the August 16, 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”.

24. Report/Comments from Board Members.

25. 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 1709 West 38th Street, #37 Kearney, NE 68845 865-7276 rob Cunningham@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
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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