

PLANNING COMMISSION

AGENDA

City Council Chambers, 18 East 22nd Street

October 21, 2016

9:00 a.m.

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held September 16, 2016.
4. **Partial Vacation No. 1969-06 – Kearney Plaza Sixth Subdivision**
Application submitted by James Damron for Casey's General Store to vacate the 30 foot platted setback on the east side of Lot 1, Block 1, Kearney Plaza Sixth Addition, an addition to the City of Kearney, Buffalo County, Nebraska. (2710 West 24th Street).
5. **Partial Vacation No. Prior to 1950-01 - OTJK**
Application submitted by Buffalo Surveying for Brigham Lofts, LLC and JWB, LLC to vacate a tract of land being Lots 535 through 539, inclusive and the south 20 feet of Lot 540, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska (2001 and 2013 Avenue A).
6. **Hearing: Preliminary Plat No. 2016-10 – Brigham and Pierce Addition**
Application submitted by Buffalo Surveying for Brigham Lofts, LLC and JWB, LLC for the Preliminary Plat for Brigham and Pierce Addition, an addition to the City of Kearney for a tract of land being Lots 535 through 539, inclusive and the south 20 feet of Lot 540, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska (2001 and 2013 Avenue A). ***FINAL ACTION***
7. **Hearing: Final Plat No. 2016-10 – Brigham and Pierce Addition**
Application submitted by Buffalo Surveying for Brigham Lofts, LLC and JWB, LLC for the Final Plat for Brigham and Pierce Addition, an addition to the City of Kearney for a tract of land being Lots 535 through 539, inclusive and the south 20 feet of Lot 540, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska (2001 and 2013 Avenue A).
8. **Partial Vacation No. 2000-20 – Paquin & Deets Subdivision**
Application submitted by Trenton Snow for Allen and Patricia Deets to vacate property described as Lot 1, Paquin & Deets Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 10 and part of the

Northeast Quarter of the Northeast Quarter of Section 15, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1770 West Highway 40).

9. Hearing: Preliminary Plat No. 2016-11 – Deets Subdivision

Application submitted by Trenton Snow for Allen and Patricia Deets for the Preliminary Plat for Deets Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 10 and part of the Northeast Quarter of the Northeast Quarter of Section 15, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1770 West Highway 40). ***FINAL ACTION***

10. Hearing: Final Plat No. 2016-11 – Deets Subdivision

Application submitted by Trenton Snow for Allen and Patricia Deets for the Final Plat for Deets Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 10 and part of the Northeast Quarter of the Northeast Quarter of Section 15, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1770 West Highway 40).

11. Hearing: Rezoning No. 2016-12 – Fountain Hills Seventh

Application submitted by Miller & Associates for Grand West, LLC to rezone from District C-2, Community Commercial District to District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District property described as Lot 1, Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue).

12. Hearing: Revised Planned District Development Plan No. 2016-12 – Sterling Apartments

Application submitted by Miller & Associates for Grand West, LLC and TSK 14, LLC for Revised Planned District Development Plan Approval for the construction of an apartment complex on property to be zoned R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District and described as Lots 1 and 2, Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue).

13. Partial Vacation - Interstate Subdivision, Interstate Third Addition, Interstate Fourth Addition, Interstate Fifth Addition, Younes Center Second Addition

Application submitted by Miller & Associates for Paul Younes to vacate property described as a tract of land being all of Lots A and B, Interstate Subdivision, all of Lot 1, Block 1, Interstate Third Addition, all of Lot 1, Interstate Fourth Addition, all of Lot 1, Interstate Fifth Addition, and all of Lot 1, Younes Center Second Addition, all in the City of Kearney, Buffalo County, Nebraska (south of Talmadge Street between 3rd Avenue and 6th Avenue).

14. Hearing: Rezoning No. 2016-13 – Younes Center Fifth Addition

Application submitted by Miller & Associates for Paul Younes to rezone from District C-2/PD, Community Commercial District/Planned Development Overlay District to District C-2, Community Commercial District property described as a tract of land being part of Lot 1, Interstate Fifth Addition, an addition to the City of Kearney, and part of Lot 1, Younes Center Second Addition, an addition to the City of Kearney, all in Buffalo County, Nebraska (south of Talmadge Street between 3rd Avenue and 6th Avenue).

15. Hearing: Preliminary Plat No. 2016-12 – Younes Center Fifth Addition

Application submitted by Miller & Associates for Paul Younes for the Preliminary Plat for Younes Center Fifth Addition, an addition to the City of Kearney for a tract of land being all of Lots A and B, Interstate Subdivision, all of Lot 1 of Block One, Interstate Third Addition, all of Lot 1, Interstate Fourth Addition, all of Lot 1, Interstate Fifth Addition, and all of Lot 1, Younes Center Second Addition, all in the City of Kearney, Buffalo County, Nebraska (south of Talmadge Street between 3rd Avenue and 6th Avenue).

16. Hearing: Final Plat No. 2016-12 – Younes Center Fifth Addition

Application submitted by Miller & Associates for Paul Younes for the Final Plat for Younes Center Fifth Addition, an addition to the City of Kearney for a tract of land being all of Lots A and B, Interstate Subdivision, all of Lot 1 of Block One, Interstate Third Addition, all of Lot 1, Interstate Fourth Addition, all of Lot 1, Interstate Fifth Addition, and all of Lot 1, Younes Center Second Addition, all in the City of Kearney, Buffalo County, Nebraska (south of Talmadge Street between 3rd Avenue and 6th Avenue).

17. Hearing: Planned District Development Plan No. 2016-13 – Younes Center Fifth

Application submitted by Miller & Associates for Paul Younes for Planned District Development Plan Approval for the construction of a restaurant, pavilion, and office building on property to be zoned C-2, Community Commercial District and described as proposed Lots 4, 5 and part of Lot 6, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of Talmadge Street between 3rd Avenue and 6th Avenue).

18. Hearing: Code Amendment No. 2016-03

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

- Section 43-109 “Zoning Regulations for Nonconforming Uses” of Chapter 43 “District FP-FW, Floodplain-Floodway Overlay District” to provide any residential or non-residential nonconforming use of structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 51 percent of the market value of the structure.
- Section 48-105 “Bufferyard Provisions” of Chapter 48 “Landscaping and Screening Standards” to remove the need for a bufferyard if a street or alley is located between more intense use and less intense use.

- Section 50-103 “General Sign and Street Graphics Regulations” of Chapter 50 “Sign Regulations” to remove a duplicate statement pertaining to a detached temporary commercial sign cannot be placed on public property.
- Section 50-104 “General Regulations: Basic Design Elements for Signs” of Chapter 50 “Sign Regulations” to remove the reference of permitted pole signs may revolve at a rate not to exceed six revolutions per minute.
- Section 58-105 “Nonconforming Uses” of Chapter 58 “Nonconforming Development” to provide a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 51 percent of the replacement cost of the structure, the nonconforming use shall no longer be permitted.

19. Housing Study Recommendation

20. Report/Comments from Board Members.

21. 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 Jack McSweeney 2712 Central Avenue Kearney, NE 68847 234-5550 jack@century21midlands.com
Board Member Paul Fredrickson 914 Avenue D Kearney, NE 68847 236-5928 fastfreddy@fredconst.com	Board Member Jim McKeon 711 13th Avenue Kearney, NE 68845 236-2223 jlmckeo@nppd.com	Board Member John Lowe 3 Wilderness Way Kearney, NE 68847 440-3709 jslowe4@gmail.com
Board Member Justin Wolf 203 East 53rd Street Place Kearney, NE 68847 627-3204 justinwolf@outlook.com	Board Member Ed Berglund 212 East 46th Street Kearney, NE 68847 627-6012 edthky@yahoo.com	Board Member Tami Moore 704 10th Avenue Kearney, NE 68845 440-6992 mooretj@unk.edu

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