

# **PLANNING COMMISSION**

## **AGENDA**

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

**June 16, 2017**

**9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held May 19, 2017.
4. **Hearing: Rezoning No. 2017-09 – Lot 5, Boa 2nd Subdivision**  
Application submitted by John and Mervat Younes 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 Lot 5, Boa 2nd Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (south of 34th Street, west of Grand Avenue).
5. **Hearing: Rezoning No. 2017-13 – Proposed Auburn Oaks**  
Application submitted by Trenton Snow for James Joseph Signature Homes, LLC, to rezone from District RR-1, Rural Residential District (Rural Standards) to District RR-1/PD, Rural Residential District (Rural Standards)/Planned Development Overlay District property described as a tract of land being part of the West Half of the Southwest Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (lying between 4055 West 56th Street and 4345 West 56th Street).
6. **Hearing: Preliminary Plat No. 2017-11 – Auburn Oaks**  
Application submitted by Trenton Snow for James Joseph Signature Homes, LLC, for the Preliminary Plat for Auburn Oaks, a subdivision being part of the West Half of the Southwest Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (lying between 4055 West 56th Street and 4345 West 56th Street). **\*FINAL ACTION\***
7. **Hearing: Final Plat No. 2017-11 – Auburn Oaks**  
Application submitted by Trenton Snow for James Joseph Signature Homes, LLC, for the Final Plat for Auburn Oaks, a subdivision being part of the West Half of the Southwest Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (lying between 4055 West 56th Street and 4345 West 56th Street).
8. **Hearing: Planned District Development Plan Approval No. 2017-13 – Proposed Auburn Oaks**  
Application submitted by Trenton Snow for James Joseph Signature Homes, LLC, for Planned District Development Plan Approval for construction of a subdivision on property to be zoned District RR-1/PD, Rural Residential District (Rural Standards)/Planned Development Overlay District property described as a tract of land being part of the West Half of the Southwest Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (lying between 4055 West 56th Street and 4345 West 56th Street).

**9. Partial Vacation No. 1950-24 – Shreve’s Subdivision**

Application submitted by Trenton Snow for Godwin Properties L.L.C., to vacate a tract of land being part of Tract 3 (said part to be vacated) of Shreve’s Subdivision, an addition to the City of Kearney, Buffalo County, Nebraska, and any accretions thereto.

**10. Hearing: Rezoning No. 2017-10 – Proposed Lakeland Heights**

Application submitted by Trenton Snow for Godwin Properties L.L.C., to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as part of Lot 3 and part of Tracts 2 and 3, Shreve’s Subdivision, located in Section 7, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east of 195 and 215 Avenue M).

**11. Hearing: Preliminary Plat No. 2017-12 – Lakeland Heights**

Application submitted by Trenton Snow for Godwin Properties L.L.C., for the Preliminary Plat for Lakeland Heights, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Tract 3 (to be vacated) of Shreve’s Subdivision, an addition to the City of Kearney, Buffalo County, Nebraska (195 and 215 Avenue M). **\*FINAL ACTION\***

**12. Hearing: Final Plat No. 2017-12 – Lakeland Heights**

Application submitted by Trenton Snow for Godwin Properties L.L.C., for the Final Plat for Lakeland Heights, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Tract 3 (to be vacated) of Shreve’s Subdivision, an addition to the City of Kearney, Buffalo County, Nebraska (195 and 215 Avenue M).

**13. Hearing: Land Use Map Amendment No. 2017-03- Proposed Paul Otto Second Subdivision**

Application submitted by Buffalo Surveying for Steven Otto for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Mixed Use 1 to Urban Reserve property described as part of Government Lot 1, located in Fractional Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street and east of 46th Avenue).

**14. Hearing: Rezoning No. 2017-11 – Proposed Paul Otto Second Subdivision**

Application submitted by Buffalo Surveying for Steven Otto to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as part of Government Lot 1, located in Fractional Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street and east of 46th Avenue).

**15. Hearing: Preliminary Plat No. 2017-13 – Paul Otto Second Subdivision**

Application submitted by Buffalo Surveying for Steven Otto for the Preliminary Plat for Paul Otto Second Subdivision, a subdivision being part of Government Lot 1, located in Fractional Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street and east of 46th Avenue). **\*FINAL ACTION\***

**16. Hearing: Final Plat No. 2017-13 – Paul Otto Second Subdivision**

Application submitted by Buffalo Surveying for Steven Otto for the Final Plat for Paul Otto Second Subdivision, a subdivision being part of Government Lot 1, located in Fractional Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street and east of 46th Avenue).

**17. Rezoning No. 2017-12 – Part of Lots 5 and 6, West Addition**

Application submitted by David & Jan Brandt to rezone from District M-1/ND-1, Limited Industrial/Pioneer Park Neighborhood Conversation Overlay District to District R-1/ND-1, Urban Residential Single-Family (Low Density)/Pioneer Park Neighborhood Conversation Overlay District property described as Lot 5 and Lot 6, Block 15, except the West 65 feet of said Lots, West Addition to the City of Kearney, Buffalo County, Nebraska (1920 5th Avenue).

**18. Hearing: Code Amendment No. 2017-01**

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

- Table 14-1 “Use Matrix” of Chapter 14 “Zoning District Regulations” “Agricultural and Residential Types” to allow Animal Production in “District RR-1, Rural Residential District (Rural Standards)” and “District RR-2, Rural Residential District (Intermediate Standards)” as allowed by Section 46-102.B.

- Table 14-1 “Use Matrix” of Chapter 14 “Zoning District Regulations” “Civic Use Types” to allow Day Care Home Services (Limited) as a permitted use in “District C-O, Office District” and “District CBD, Kearney Center Mixed Use District”; to allow Day Care Home Services (General) as a permitted use in “District C-O, Office District”, “District C-1, Limited Commercial District”, “District C-2, Community Commercial District”, “District CBD, Kearney Center Mixed Use District”, “District C-3, General Commercial District”, “District BP, Business Park District”; to allow Day Care Centers as a permitted use in “District C-O, Office District”, “District C-1, Limited Commercial District”, “District C-2, Community Commercial District”, “District C-3, General Commercial District”, “District BP, Business Park District” and to add Supplemental Regulations 46-104.C to Day Care Home Services (Limited), Day Care Home Services (General) and Day Care Centers.

- Section 16-102 “Site Development Regulations” of Chapter 16 “District RR-1, Rural Residential District (Rural Standards)” to reduce the rear yard setback requirements from 100 feet to 50 feet.

- Section 18-102 “Site Development Regulations” of Chapter 18 “District RR-2, Rural Residential District (Intermediate Standards)” to reduce the minimum depth of landscaping adjacent to the street right-of-way line (feet) from 50 feet to 40 feet to be consistent with front yard setbacks.

- Section 19-102 “Site Development Regulations” of Chapter 19 “District R-1, Urban Residential Single-Family District (Low Density)” to add a note identifying Supplemental Regulation 47-104.E for rear yard setbacks for irregular lots.

- Section 30-102 “Site Development Regulations” of Chapter 30 “District BP, Business Park District” to delete “minimum depth of landscaping adjacent to street right-of-way line (feet) and add language “minimum off-set of building for every 100 feet of horizontal distance for building articulation to correct misprint”.

- Section 46-102 “Supplemental Use Regulations; Agricultural Uses”, Subparagraph B, “Keeping Animals in Residential Zoning Districts” of Chapter 46 “Supplemental Use Regulations” to delete the following language: “provided that any building housing such

animals shall be at least 50 feet from any property line and 25 feet from any dwelling unit on the site” and “no barn or stable shall be located closer than 50 feet to any dwelling unit on the site or 50 feet from any property line, or 25 feet from any dwelling unit on the site to remove conflicting accessory building setbacks”.

- Section 46-104 “Supplemental Use Regulations; Civic Uses”, Subparagraph C, “Day Care Homes Services and Day Care Centers” of Chapter 46 “Supplemental Use Regulations” to delete the language pertaining to item number 2 and item number 3 regarding “Day Care Home Services (General)” and “Day Care Centers” to remove conflicting parking requirements and identify section with parking requirements.

- Section 47-105 “Accessory Buildings” of Chapter 47 “Supplemental Development Regulations” as it pertains to setbacks and general requirements for building construction in “District RR-1, Rural Residential District (Rural Standards)” and “District RR-2, Rural Residential District (Intermediate Standards)”.

- Section 49-103 “Schedule of Off-Street Parking Requirements” of Chapter 49 “Off-Street Parking” to amend Table 49-1: Minimum Off-Street Parking Requirements deleting language pertaining to “Day Care Services”, adding language pertaining to Day Care Home Services (Limited and General) requiring 2 off-street parking spaces and adding language pertaining to “Day Care Centers” to require 1 parking space per 300 square feet of building.

**19. Hearing: Adoption of the Kearney Housing Study as part of the Kearney Comprehensive Plan**

**20. Presentation by the Fire Department**

21. Report/Comments from Board Members.

22. Adjournment.

Chairman Stan Dart 2410 65th Avenue Place Kearney, NE 68845 234-1616 <a href="mailto:msdart@charter.net">msdart@charter.net</a>	Vice-Chairman Jack McSweeney 2712 Central Avenue Kearney, NE 68847 234-5550 <a href="mailto:jack@century21midlands.com">jack@century21midlands.com</a>	Board Member Ed Berglund 212 East 46th Street Kearney, NE 68847 627-6012 <a href="mailto:edthky@yahoo.com">edthky@yahoo.com</a>
Board Member Paul Fredrickson 914 Avenue D Kearney, NE 68847 236-5928 <a href="mailto:fastfreddy@fredconst.com">fastfreddy@fredconst.com</a>	Dave Malone 506 West 22nd Street Kearney, NE 68845 224-3188 <a href="mailto:dmalone@ipexneb.com">dmalone@ipexneb.com</a>	Richard McGinnis 11 21st Avenue Place Kearney, NE 68845 325-4941 <a href="mailto:richmcginnisbanker@gmail.com">richmcginnisbanker@gmail.com</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 Tami Moore 704 10th Avenue Kearney, NE 68845 440-6992 <a href="mailto:mooretj@unk.edu">mooretj@unk.edu</a>	Board Member Justin Wolf 203 East 53rd Street Place Kearney, NE 68847 627-3204 <a href="mailto:justinwolf@outlook.com">justinwolf@outlook.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)