

# **PLANNING COMMISSION**

## **AGENDA**

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

**October 20, 2017**

**9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held September 15, 2017.
4. **Hearing: Land Use Map Amendment No. 2017-04 – Pump House 20 Addition Continued from the September 15, 2017 Planning Commission Meeting**  
Application submitted by Buffalo Surveying Corporation for the City of Kearney for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential and Commercial Mixed Use to Low Density Residential property described as all of vacated Avenue L as it abuts Lot 5 and Lot 6, Henthorn's Subdivision to the City of Kearney, Buffalo County, Nebraska on the East and as it abuts the South 100 feet of Lot 1010, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska on the West, all in Buffalo County, Nebraska (East of 1224 East 18th Street).
5. **Hearing: Rezoning No. 2017-16 – Pump House 20 Addition - Continued from the September 15, 2017 Planning Commission Meeting**  
Application submitted by Buffalo Surveying Corporation for the City of Kearney to rezone from District R-2, Urban Residential Mixed-Density District and District M-2, General Industrial District to District R-2, Urban Residential Mixed-Density District property described as all of vacated Avenue L as it abuts Lot 5 and Lot 6, Henthorn's Subdivision to the City of Kearney, Buffalo County, Nebraska on the East and as it abuts the South 100 feet of Lot 1010, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska on the West, all in Buffalo County, Nebraska (East of 1224 East 18th Street).
6. **Hearing: Preliminary Plat No. 2017-16 – Pump House 20 Addition - Continued from the September 15, 2017 Planning Commission Meeting**  
Application submitted by Buffalo Surveying Corporation for the City of Kearney for the Preliminary Plat for Pump House 20 Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as all of vacated Avenue L as it abuts Lot 5 and Lot 6, Henthorn's Subdivision to the City of Kearney, Buffalo County, Nebraska on the East and as it abuts the South 100 feet of Lot 1010, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska on the West, all in Buffalo County, Nebraska (East of 1224 East 18th Street). **\*FINAL ACTION\***

- 7. Hearing: Final Plat No. 2017-16 – Pump House 20 Addition - Continued from the September 15, 2017 Planning Commission Meeting**  
Application submitted by Buffalo Surveying Corporation for the City of Kearney for the Final Plat for Pump House 20 Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as all of vacated Avenue L as it abuts Lot 5 and Lot 6, Henthorn's Subdivision to the City of Kearney, Buffalo County, Nebraska on the East and as it abuts the South 100 feet of Lot 1010, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska on the West, all in Buffalo County, Nebraska (East of 1224 East 18th Street).
- 8. Partial Vacation No. 2014-21 – Castle Ridge Fifth**  
Application submitted by Buffalo Surveying Corporation for Starostka Group Unlimited, Inc. to vacate Lots 14 through 20 inclusive, Block 1, Castle Ridge Fifth, an addition to the City of Kearney, Buffalo County, Nebraska ((East of 19th Avenue and west of 51st Street Place on the north side).
- 9. Hearing: Preliminary Plat No. 2017-19 – Castle Ridge Sixth**  
Application submitted by Buffalo Surveying Corporation for Starostka Group Unlimited, Inc. for the Preliminary Plat for Castle Ridge Sixth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land comprising of Lots 14 through 20 inclusive, Block One, Castle Ridge Fifth, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lots 14 through 20 inclusive, to be vacated, and being part of the North Half of the Southeast Quarter of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 19th Avenue and west of 51st Street Place on the north side). **\*FINAL ACTION\***
- 10. Hearing: Final Plat No. 2017-19 – Castle Ridge Sixth**  
Application submitted by Buffalo Surveying Corporation for Starostka Group Unlimited, Inc. for the Final Plat for Castle Ridge Sixth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land comprising of Lots 14 through 20 inclusive, Block One, Castle Ridge Fifth, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lots 14 through 20 inclusive, to be vacated, and being part of the North Half of the Southeast Quarter of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 19th Avenue and West of 51st Street Place on North side).
- 11. Hearing: Annexation No. 2017-19 – Castle Ridge Sixth**  
Application submitted by Buffalo Surveying Corporation for Starostka Group Unlimited, Inc. for the annexation of Castle Ridge Sixth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land comprising of Lots 14 through 20 inclusive, Block One, Castle Ridge Fifth, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lots 14 through 20 inclusive, to be vacated, and being part of the North Half of the Southeast Quarter of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 19th Avenue and west of 51st Street Place on the north side).

**12. Vacation No. 2003-20 – Honey Hill Addition**

Application submitted by Buffalo Surveying Corporation for Travis and Nicole Edeal to vacate a tract of land comprising of Lots 1 through 11 inclusive, Block 1, Lots 13 through 23 inclusive, Block 1, Lots 1 through 4 inclusive, Block 2, Lots, 1 through 8 inclusive, Block 3, Lots 1 through 12 inclusive, Block 4, all of Century Road, all of 9th Avenue, all of 10th Avenue and all of 40th Street, all in Honey Hill Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lots, Blocks, Road, Avenues and Street in said Honey Hill Estates Addition being part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the Sixth P.M., Buffalo County, Nebraska.

**13. Land Use Map Amendment No. 2017-05 – Loyd Glen Estates**

Application submitted by Buffalo Surveying Corporation for Travis and Nicole Edeal for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential to Neighborhood Mixed Use property described as a tract of land being part of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska AND a tract of land being part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 39th Street and East of 11th Avenue and Century Road).

**14. Hearing: Rezoning No. 2017-18 – Loyd Glen Estates**

Application submitted by Buffalo Surveying Corporation for Travis and Nicole Edeal to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District and District C-O, Office District property described as a tract of land being part of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska AND a tract of land being part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 39th Street and East of 11th Avenue and Century Road).

**15. Hearing: Preliminary Plat No. 2017-20 – Loyd Glen Estates**

Application submitted by Buffalo Surveying Corporation for Travis and Nicole Edeal for the Preliminary Plat for Loyd Glen Estates, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land comprising of Lots 1 through 3 inclusive, and part of Lot 4, Block One, Lots 1 through 4 inclusive, Block Two, Lots 1 through 8 inclusive, Block Three, part of Century Road, part of 9th Avenue, and part of 10th Avenue, all in Honey Hill Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lots, Blocks, Road, and Avenues in said Honey Hill Estates Addition to be vacated, and being part of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 39th Street and East of 11th Avenue and Century Road). **\*FINAL ACTION\***

**16. Hearing: Final Plat No. 2017-20 – Loyd Glen Estates**

Application submitted by Buffalo Surveying Corporation for Travis and Nicole Edeal for the Final Plat for Loyd Glen Estates, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land comprising of Lots 1 through 3 inclusive, and part of Lot 4, Block One, Lots 1 through 4 inclusive, Block Two, Lots 1 through 8 inclusive, Block Three, part of Century Road, part of 9th Avenue, and part of 10th Avenue, all in Honey Hill Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lots, Blocks, Road, and Avenues in said Honey Hill Estates Addition to be vacated, and being part of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 39th Street and East of 11th Avenue and Century Road).

**17. Vacation No. 2017-06 – Fountain Hills Ninth Addition**

Application submitted by Miller & Associates for Grand West, LLC to vacate a tract of land being all of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Southeast Quarter of the Northwest Quarter 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.

**18. Hearing: Rezoning No. 2017-19 – Fountain Hills Tenth Addition**

Application submitted by Miller & Associates for Grand West, LLC to rezone from District AG, Agricultural District to District R-2, Urban Residential Mixed-Density District property described as a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 48th Street and 11th Avenue).

**19. Hearing: Preliminary Plat No. 2017-21 – Fountain Hills Tenth Addition**

Application submitted by Miller & Associates for Grand West, LLC for the Preliminary Plat for Fountain Hills Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being all of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), located in the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 48th Street and 11th Avenue). **\*FINAL ACTION\***

**20. Hearing: Final Plat No. 2017-21 – Fountain Hills Tenth Addition**

Application submitted by Miller & Associates for Grand West, LLC for the Final Plat for Fountain Hills Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being all of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), located in the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 48th Street and 11th Avenue).

**21. Hearing: Annexation No. 2017-21 – Fountain Hills Tenth Addition**

Application submitted by Miller & Associates for Grand West, LLC for the annexation of Fountain Hills Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being all of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated),

located in the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 48th Street and 11th Avenue).

**22. Partial Vacation No. 2013-12 – Marlatt Addition, 2015-07 – Marlatt Second Addition, 1998-12 Austin Dean Addition**

Application submitted by Miller & Associates for Kearney Area Habitat for Humanity Inc. to vacate Lot 6 of Block 2, Lot 11 of Block 3, and Lots 1 through 6 of Block 1, of Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lots 10 and 11, Block 1, of Marlatt Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, and that part of Lot 4 Austin Dean Addition, an addition to the City of Kearney, Buffalo County, Nebraska, together with all of Avenue "O" abutting Lot 6, Block 2 and Lot 1, Block 1 of Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska, from the North line of 17th Street to the North line of said Marlatt Addition; and 17th Street abutting Lots 1 through 6, Block 1 and Lot 11, Block 3 of Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lots 10 and 11, Block 1 of Marlatt Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, from the Northerly extension of the West line of said Lot 10, Block 1 of Marlatt Second Addition to the North line of 16th Street.

**23. Vacation of Platted Utility Easement No. 2013-12 – Marlatt Addition and 2015-07 – Marlatt Second Addition**

Application submitted by Miller & Associates for Kearney Area Habitat for Humanity Inc. to vacate a 10 foot wide Utility Easement being the North 10.00 feet of Lot 6 of Block 2 and the North 10.00 feet of Lots 1 and 2 of Block 1, the North 10.00 feet and the East 10.00 feet of Lots 3 and 6 of Block 1, and the East 10.00 feet of Lots 4 and 5 of Block 1, all in Marlatt Addition to the City of Kearney, Buffalo County, Nebraska; together with a 5 foot wide Utility Easement being the Northwesterly 5.00 feet, except the East 10.00 feet thereof, of Lot 4 of Block 1, Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska; together with a 10 foot wide Utility Easement being the South 10.00 feet of Lots 10 and 11 of Block 1, Marlatt Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

**24. Hearing: Rezoning No. 2017-20 – Marlatt Third Addition**

Application submitted by Miller & Associates for Kearney Area Habitat for Humanity Inc. to rezone from District R-2, Urban Residential Mixed-Density District and District RR-1, Rural Residential District (Rural Standards) to District R-1, Urban Residential Single-Family District (Low Density) property described as a tract of land being Lots 1 through 6, Block One, Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska and part of Lot 4, Austin Dean Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street, between 17th Street and Avenue P).

**25. Hearing: Preliminary Plat No. 2017-22 – Marlatt Third Addition**

Application submitted by Miller & Associates for Kearney Area Habitat for Humanity Inc. for the Preliminary Plat for Marlatt Third 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 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, formerly known as Lot 6, Block Two (to be vacated), Lot 11, Block Three (to be vacated), and all of Block One (to be vacated),

Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lots 10 and 11, Block One (to be vacated), Marlatt Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, and part (to be vacated) of Lot 4, Austin Dean Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street, between 17th Street and Avenue P). **\*FINAL ACTION\***

**26. Hearing: Final Plat No. 2017-22 – Marlatt Third Addition**

Application submitted by Miller & Associates for Kearney Area Habitat for Humanity Inc. for the Final Plat for Marlatt Third 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 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, formerly known as Lot 6, Block Two (to be vacated), Lot 11, Block Three (to be vacated), and all of Block One (to be vacated), Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lots 10 and 11, Block One (to be vacated), Marlatt Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, and part (to be vacated) of Lot 4, Austin Dean Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street, between 17th Street and Avenue P).

**27. Hearing: Code Amendment No. 2017-02 - Continued from the September 15, 2017 Planning Commission Meeting**

Proposed amendment to Section 28-103 “Special Regulations and Standards” of Chapter 28 “District CBD, Kearney Center Mixed Use District” to add language regarding encroachments into the public right-of-way and clearance requirements.

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

**29. 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 46 <sup>th</sup> 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 22 <sup>nd</sup> Street Kearney, NE 68845 224-3188 <a href="mailto:dmalone@ipexneb.com">dmalone@ipexneb.com</a>	Richard McGinnis 11 21 <sup>st</sup> 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:jilmckeo@nppd.com">jilmckeo@nppd.com</a>	Board Member Tami Moore 704 10 <sup>th</sup> Avenue Kearney, NE 68845 440-6992 <a href="mailto:mooreti@unk.edu">mooreti@unk.edu</a>	Board Member Justin Wolf 203 East 53 <sup>rd</sup> 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)