

# **PLANNING COMMISSION**

## **AGENDA**

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

**January 18, 2019**

**9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held December 21, 2018.
4. **Vacation of Platted Utility Easement No. 2015-02 – Fox Creek**  
Application submitted by Miller & Associates for Fox Creek Development, LLC to vacate the 10 foot wide utility easement shown and dedicated on the Final Plat of Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska, described as follows: the south 5 feet of Lot 3, except the east 5 feet thereof, and the north 5 feet of Lot 4, except the east 5 feet thereof, in Block 3, of Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska.
5. **Hearing: Rezoning No. 2018-20 – Lots 3 and 4, Eagles Nest Addition**  
Application submitted by Nick Johnson for CGW, LLC and Johnson Imperial to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-2, Community Commercial District for property described as Lot 3 and Lot 4, Eagles Nest Addition, an addition to the City of Kearney, Buffalo County, Nebraska (504 and 514 West 42nd Street).
6. **Hearing: Rezoning No. 2018-21 – The Arbor Hills**  
Application submitted by Buffalo Surveying Corp. for TS Development, LLC to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with that part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3760 West 70th Street).
7. **Hearing: Preliminary Plat No. 2018-16 The Arbor Hills**  
Application submitted by Buffalo Surveying Corp. for TS Development, LLC for the Preliminary Plat for The Arbor Hills, a subdivision being the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as the East Half of the

Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with that part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3760 West 70th Street). **\*FINAL ACTION\***

**8. Hearing: Final Plat No. 2018-16 The Arbor Hills**

Application submitted by Buffalo Surveying Corp. for TS Development, LLC for the Final Plat for The Arbor Hills, a subdivision being the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with that part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3760 West 70th Street).

**9. Vacation No. 2007-09 – Grandview Estates Tenth**

Application submitted by Buffalo Surveying Corp. for Buffalo County School District 10-0007-000 (Kearney Public School) to vacate Lot 10, Grandview Estates Tenth, an Addition to the City of Kearney, Buffalo County, Nebraska. (Northwest of the Intersection of 45th Street and Avenue R).

**10. Hearing: Preliminary Plat No. 2018-17 – Grandview Estates Thirteenth**

Application submitted by Buffalo Surveying Corp. for Buffalo County School District 10-0007-000 (Kearney Public School) for the Preliminary Plat for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 10 (to be vacated), Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northwest of the Intersection of 45th Street and Avenue R).

**11. Hearing: Final Plat No. 2018-17 – Grandview Estates Thirteenth**

Application submitted by Buffalo Surveying Corp. for Buffalo County School District 10-0007-000 (Kearney Public School) for the Final Plat for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 10 (to be vacated), Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northwest of the Intersection of 45th Street and Avenue R).

**12. Hearing: Code Amendment No. 2018-03**

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

- Section 13-104 "I" "Residential Use Types" of Chapter 13 "Use Types" to remove 'or more' from the use type definition.
- Section 13-105 "W" "Civic Use Types" of Chapter 13 "Use Types" to add

administrative offices and remove exclusions and property tax exemption statement for the use type definition.

- Section 46-104 "Supplemental Use Regulations: Civic Uses" of Chapter 46 "Supplemental Use Regulations" to add Accessory Uses and floor area percentage permitted with a Religious Assembly Use Type to Supplemental Use Regulations.
- Table 14-1 "Use Matrix" of Chapter 14 "Zoning District Regulations" "Civic Use Types" to add Section 46-104 D. to the Supplemental Regulations column in the Religious Assembly row in Table 14-1.
- Section 15-102 "Site Development Regulations" of Chapter 15 "Agricultural District" to remove non-active regulators; reduce lot area and width; modify minimum yards; increase maximum height for other permitted uses; remove regulator reference from notes.
- Section 16-101 "Purpose" of Chapter 16 "Rural Residential District (Rural Standards)" to remove unnecessary statements.
- Section 16-102 "Site Development Regulations" of Chapter 16 "Rural Residential District (Rural Standards)" to remove non-active regulators; increase lot area; reduce lot width; modify minimum yards; add note regarding wellhead protection area.
- Section 18-101 "Purpose" of Chapter 18 "Rural Residential District (Intermediate Standards)" to remove development limitation text; add clarification language.
- Section 18-102 "Site Development Regulations" of Chapter 16 "Rural Residential District (Intermediate Standards)" to remove non-active regulators; increase lot area; modify minimum yards; add note regarding wellhead protection area and NDEQ approval note.

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

**14. Adjournment.**

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Board Member Monte Dakan 6605 Avenue M Place Kearney, NE 68847 308-293-7909 <a href="mailto:montedakan@hotmail.com">montedakan@hotmail.com</a>	Board Member Jeremy Feusner 4706 14 <sup>th</sup> Avenue Place Kearney, NE 68845 308-991-6906 <a href="mailto:jdfesn@nppd.com">jdfesn@nppd.com</a>	Board Member Paul Fredrickson 914 Avenue D Kearney, NE 68847 308-222-0100 <a href="mailto:fastfreddy@fredconst.com">fastfreddy@fredconst.com</a>
Board Member Dave Malone 506 West 22 <sup>nd</sup> Street Kearney, NE 68845 308-224-3188 <a href="mailto:dmalone@ipexneb.com">dmalone@ipexneb.com</a>	Board Member Marion McDermott 512 West 22 <sup>nd</sup> Street Kearney, NE 68845 <a href="mailto:marionmcd@charter.net">marionmcd@charter.net</a>	Board Member Richard McGinnis 11 21 <sup>st</sup> Avenue Place Kearney, NE 68845 308-325-4941 <a href="mailto:richmcginnisbanker@gmail.com">richmcginnisbanker@gmail.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)