

**Planning Commission
Kearney, Nebraska
June 21, 2019
9:00 a.m.**

Chairman Dart called to order the City of Kearney Planning Commission meeting in the Council Chambers at 9:00 a.m. on Friday, June 21, 2019. The following members were present: John Rickard, Marion McDermott, Dave Malone, Richard McGinnis, Stan Dart, Monte Dakan, and Jeremy Feusner. The following member was absent: Joey Cochran. Coelette Gruber, City Planner was also present.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, a copy of the proof of publication being filed with these minutes. Advance notice of the meeting was also given to the Planning Commission and availability of the Agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

ANNOUNCEMENT

Chairman Dart announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the wall at the back of the Council Chambers.

APPROVAL MAY 17, 2019 MINUTES

Moved by Rickard and seconded by McDermott that the minutes of the May 17, 2019 Planning Commission meeting be approved.

Roll call resulted as follows: Aye: Feusner, McGinnis, Rickard, Dakan, Malone, Dart, McDermott. Absent: Cochran. Nay: None. Motion carried.

REZONING NO. 2019-07 – K AND S SUBDIVISION

Chairman Dart opened the public hearing on the application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife, to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East and adjacent to 8765 17th Avenue).

This and the next two hearings were discussed together but voted on separately.

Mitch Humphrey with Buffalo Surveying presented these items to the Planning Commission.

Mr. Humphrey stated the site is located at the intersection of Highway 40 and 17th Avenue. Mark and Anna Kottmeyer own approximately 60 acres and have a house and outbuilding on the site. They would like to rezone and plat a one lot subdivision so their daughter and son-in-law can build a house. The 4.07 acre parcel will be rezoned from AG to RR-1. RR-1 zoning is compatible with the Rural Estates and Agriculture FLU Map designation. The site will be served by individual well and septic systems. The required street frontage and access to the lot will be provided by a 40-foot ingress-egress easement as allowed by Section 47-102 of the City Code. This easement runs from 17th Avenue north of the cropland and along the south property line of K and S Subdivision serving both the existing home and new home. This private road will be built and maintained by the property owners to support emergency vehicles. The floodplain goes across a portion of the lot, but the owner has submitted an application to FEMA to have that area removed from the floodplain.

City Planner stated the remaining portion of the rural acreage does not need to be rezoned or platted since it is over 20 acres.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Dakan's motion was based on the following finding of fact: The lots are compliant with the RR-1 zoning district's site development regulations.

Moved by Dakan and seconded by Malone the application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife, to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East and adjacent to 8765 17th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: McGinnis, Rickard, Dakan, Malone, Dart, McDermott, Feusner. Absent: Cochran. Nay: None. Motion carried.

PRELIMINARY PLAT NO. 2019-06 – K AND S SUBDIVISION

Chairman Dart opened the public hearing on the application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife for the Preliminary Plat for K and S Subdivision, for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East and adjacent to 8765 17th Avenue).

This item was discussed during the hearing to rezone property.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Feusner's motion was based on the following findings of fact:

- The lots are compliant with the RR-1 zoning district's site development regulations.
- The development is consistent with Chapter 16, District RR-1, Rural Residential District (Rural Standards) zoning purpose.
- The development is consistent with the 2016 Comprehensive Plan's Policies above.
- RR-1 zoning is compatible with the Future Land Use (FLU) designation's purpose.
- This subdivision layout is compatible and complements the surrounding rural estates and agriculture land uses.
- Circulation design allows for limited emergency vehicle accessibility to each structure.

Moved by Feusner and seconded by McGinnis the application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife for the Preliminary Plat for K and S Subdivision, for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East and adjacent to 8765 17th Avenue) be approved. ***FINAL ACTION***

Roll call resulted as follows: Aye: Rickard, Dakan, Malone, Dart, McDermott, Feusner, McGinnis. Absent: Cochran. Nay: None. Motion carried.

FINAL PLAT NO. 2019-06 – K AND S SUBDIVISION

Chairman Dart opened the public hearing on the application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife for the Final Plat for K and S Subdivision for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East and adjacent to 8765 17th Avenue).

This item was discussed during the hearing to rezone property.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by Feusner and seconded by McGinnis the application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife for the Final Plat for K and S Subdivision for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East and adjacent to 8765 17th

Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: Rickard, Dakan, Malone, Dart, McDermott, Feusner, McGinnis. Absent: Cochran. Nay: None. Motion carried

REZONING NO. 2019-08 – TRAMPE ESTATES

Chairman Dart opened the public hearing on the application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife, to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue).

This and the next two hearings were discussed together but voted on separately.

Mitch Humphrey with Buffalo Surveying presented these items to the Planning Commission.

Mr. Humphrey stated the site is located south of 70th Street, west of 46th Avenue. Doug and Marla Trampe own approximately 5.20 acres and have a house and outbuilding on the site. They would like to rezone and plat a two lot subdivision so their son and daughter-in-law can build a house. The parcel will be rezoned from AG to RR-2. RR-2 zoning is compatible with the Rural Estates and Agriculture FLU Map designation. The site will be served by individual well and septic systems. Since the proposed lots are less than three acres, NDEQ requires a certificate of approval for the locations of the well and septic systems prior to City Council approving the final plat. The applicant has applied for approval from NDEQ and the owners recognize before City Council can act on the final plat they will have to have that certificate. The existing house is located within the County's jurisdiction and the new house will be located within the City's ETJ. The plat shows the location of the floodplain within the lots. The required street frontage and access to the lot will be provided by an existing 60-foot ingress-egress easement. This easement runs south of 56th Avenue through the existing rural acreage and will serve both the existing home and new home.

City Planner stated the portion of the parcel that is located within the City's ETJ will be rezoned from AG to RR-2; the portion of the parcel that is located within the County's jurisdiction will not be rezoned. The existing house is currently encroaching into the required setback. If there would be a disaster that destroyed the house more than 50% the owners would have to build according to the current Code requirements.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

McGinnis' motion was based on the following findings of fact:

- The lots are compliant with the RR-2 zoning district's site development regulations.
- The development is consistent with the 2016 Comprehensive Plan's Policies above.
- RR-2 zoning is compatible with the Future Land Use (FLU) designation's purpose.
- This subdivision layout is compatible and complements the surrounding rural estates and agriculture land uses.
- Circulation design allows for limited emergency vehicle accessibility to each structure.

Moved by McGinnis and seconded by Dakan the application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife, to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: Dakan, Malone, Dart, McDermott, Feusner, McGinnis, Rickard. Absent: Cochran. Nay: None. Motion carried

PRELIMINARY PLAT NO. 2019-07 - TRAMPE ESTATES

Chairman Dart opened the public hearing on the application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife for the Preliminary Plat for Trampe Estates for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue).

This item was discussed during the hearing to rezone property.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

McGinnis' motion was based on the findings of fact as stated above.

Moved by McGinnis and seconded by Rickard the application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife for the Preliminary Plat for Trampe Estates for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) be approved.

FINAL ACTION

Roll call resulted as follows: Aye: Malone, Dart, McDermott, Feusner, McGinnis, Rickard, Dakan. Absent: Cochran. Nay: None. Motion carried.

FINAL PLAT NO. 2019-07 - TRAMPE ESTATES

Chairman Dart opened the public hearing on the application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife for the Final Plat for Trampe Estates for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue).

This item was discussed during the hearing to rezone property.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by McGinnis and seconded by Rickard the application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife for the Final Plat for Trampe Estates for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) be submitted to City Council with recommendation for approval subject to the certificate of approval being received from the Nebraska Department of Environmental Quality prior to City Council's approval of the final plat.

Roll call resulted as follows: Aye: Malone, Dart, McDermott, Feusner, McGinnis, Rickard, Dakan. Absent: Cochran. Nay: None. Motion carried.

STREET VACATION NO. 2019-02 – PORTION OF CENTRAL AVENUE

Application submitted by Olsson for Blessing Premier Property, LLC to vacate a tract of land being 17 feet in width, located along the west line of Central Avenue as originally platted at a width of 100 feet, located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.

Doug Stevenson with Olsson presented this item to the Planning Commission.

Mr. Stevenson stated they are working on a project for Black Hills Energy for a regulator station that will take a supply line to the west side of Kearney. A search for the street vacation ordinance was made at the Buffalo County Register of Deeds office and the City of Kearney records, but no filed vacation documentation was found. Further research uncovered final plats and construction plans showing Central Avenue having 66 feet of right-of-way. Basically, this vacation request is to officially vacate the 17 feet of right-of-way on the west side of Central Avenue. The utility easement will be maintained within the vacated right-of-way.

There was no one present in opposition to this vacation.

Chairman Dart closed the hearing.

Feusner's motion was based on the following findings of fact:

- The street vacation will officially vacate 310 feet of Central Avenue ROW to allow for future development.
- The street vacation is consistent with the 2016 Comprehensive Plan's Policies above.
- This street vacation is compatible with the surrounding plats and parcels.
- This street vacation is supported by the documented research.

Moved by Feusner and seconded by McDermott the application submitted by Olsson for Blessing Premier Property, LLC to vacate a tract of land being 17 feet in width, located along the west line of Central Avenue as originally platted at a width of 100 feet, located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: Dart, McDermott, Feusner, McGinnis, Rickard, Dakan, Malone. Absent: Cochran. Nay: None. Motion carried.

LAND USE MAP AMENDMENT NO. 2019-01 – FULLER AND DALEY THIRD ADDITION

Chairman Dart opened the public hearing on the application submitted by Marc Willis for Willis Storage, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Office/Commercial Retail Mixed Uses and Commercial Mixed Use to Light Industrial property described as Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue).

This and the next six hearings were discussed together but voted on separately.

Paul Brungardt with Brungardt Engineering and Trenton Snow presented these items to the Planning Commission.

Mr. Snow stated Lot 9, Fuller and Daley Second Addition is zoned M-1/PD. The developer is asking to rezone Lot 3, Fuller and Daley First Addition from M-1 to M-1/PD to make the entire development the same zoning district. There is an easement on Lot 1, Fuller and Daley First Addition that provided access to Lot 9, Fuller and Daley Second Addition. The developer would like to vacate the easement on the east side of Lot 1, Fuller and Daley Second Addition relocate it to the west side of Lot 1. The easement will be paved, and water and sewer will go in the easement. This easement will provide access to Lots 2 and 3, Fuller and Daley Third Addition. Lot 3, Fuller and Daley First Addition, and Lot 9, Block 1, Fuller and Daley Second Addition is being vacated and replatted into three lots.

Mr. Brungardt explained the Infrastructure Feasibility Plan and detention to the Planning Commission.

Mr. Brungardt stated proposed Lot 1, Fuller and Daley Third Addition has an existing building on the south side of the lot. The developer is proposing a second building on the north side of proposed Lot 1, and proposed Lot 2, Fuller and Daley Third Addition.

City Planner stated the current land use designation for Lot 3, Fuller and Daley First Addition is Office/Commercial Retail Mixed Use and Commercial Mixed Use. Since this lot is being rezoned the Land Use Map needs to be amended to Light Industrial. Lot 9, Fuller and Daley Second Addition is not being rezoned, but City staff is requesting the Planning Commission consider amending the Land Use Map for this lot from Commercial Mixed Use to Light Industrial. The applicant does not have an issue with amending the Land Use Map for Lot 9, Fuller and Daley Second Addition.

After discussing whether the Planning Commission could recommend the Land Use Map be amended for Lot 9, Fuller and Daley Second Addition, it was decided the City would bring that request back to Planning Commission at a later date.

City Planner stated there is a section in City Code that allows properties in residential zoning districts to have a private easement of access in lieu of the required minimum frontage of 20 feet along a public street. However, there is nothing in City Code that allows commercial developments to use an ingress/egress easement to access their lots. The applicant is requesting a deviation to allow for required street frontage and access to Lots 2 and 3, Fuller and Daley Third Addition be provided by a 40 foot ingress-egress easement placed along the west side of Lot 1, Fuller and Daley First Addition and Lot 3, Fuller and Daley Third Addition.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by Feusner and seconded by McDermott the application submitted by Marc Willis for Willis Storage, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Office/Commercial Retail Mixed Uses and Commercial Mixed Use to Light Industrial property described as Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: McDermott, Feusner, McGinnis, Rickard, Dakan, Malone, Dart. Absent: Cochran. Nay: None. Motion carried.

REZONING NO. 2019-09 – FULLER AND DALEY THIRD ADDITION

Chairman Dart opened the public hearing on the application submitted by Marc Willis for

Willis Storage, LLC to rezone from District M-1, Limited Industrial District to District M-1/PD, Limited Industrial/Planned Development Overlay District for property described as Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue).

This item was discussed during the hearing to amend the Land Use Map.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by Rickard and seconded by Malone the application submitted by Marc Willis for Willis Storage, LLC to rezone from District M-1, Limited Industrial District to District M-1/PD, Limited Industrial/Planned Development Overlay District for property described as Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: Feusner, McGinnis, Rickard, Dakan, Malone, Dart, McDermott. Absent: Cochran. Nay: None. Motion carried.

VACATION OF ACCESS EASEMENT NO. 2014-15 – FULLER AND DALEY FIRST ADDITION

Application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC to vacate the east 40 feet (access easement) of Lot 1, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 11th Avenue).

This item was discussed during the hearing to amend the Land Use Map.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by Malone and seconded by McGinnis the application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC to vacate the east 40 feet (access easement) of Lot 1, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 11th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: McGinnis, Rickard, Dakan, Malone, Dart, McDermott, Feusner. Absent: Cochran. Nay: None. Motion carried.

PARTIAL VACATION NOS. 2014-15 & 2015-13 – FULLER AND DALEY FIRST AND SECOND ADDITION

Application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC to vacate Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lot 9, Block 1, Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County Nebraska (North of 16th Street and 12th Avenue).

This item was discussed during the hearing to amend the Land Use Map.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by Malone and seconded by McGinnis the application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC to vacate Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lot 9, Block 1, Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County Nebraska (North of 16th Street and 12th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: Rickard, Dakan, Malone, Dart, McDermott, Feusner, McGinnis. Absent: Cochran. Nay: None. Motion carried.

PRELIMINARY PLAT NO. 2019-08 – FULLER AND DALEY THIRD ADDITION

Chairman Dart opened the public hearing on the application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC for the Preliminary Plat for Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue).

This item was discussed during the hearing to amend the Land Use Map.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Malone's motion was based on the following findings of fact:

- The lots are compliant with the M-1 zoning district's site development regulations.

- The development is consistent with the 2016 Comprehensive Plan's Policies above and with the proposed Future Land Use (FLU) designation's purpose.
- This subdivision layout is compatible with the surrounding industrial area.
- The rezoning of the property to M-1/PD is compatible with the zoning to the north, east, and west.

Moved by Malone and seconded by Rickard the application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC for the Preliminary Plat for Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue) be approved. ***FINAL ACTION***

Roll call resulted as follows: Aye: Dakan, Malone, Dart, McDermott, Feusner, McGinnis, Rickard. Absent: Cochran. Nay: None. Motion carried.

FINAL PLAT NO. 2019-08 – FULLER AND DALEY THIRD ADDITION

Chairman Dart opened the public hearing on the application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC for the Final Plat for Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue).

This item was discussed during the hearing to amend the Land Use Map.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

Moved by Malone and seconded by Rickard the application submitted by Marc Willis for Willis Storage, LLC and BK Development, LLC for the Final Plat for Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North

of 16th Street, between 11th Avenue and 12th Avenue) be submitted to City Council with recommendation for approval.

Roll call resulted as follows: Aye: Dakan, Malone, Dart, McDermott, Feusner, McGinnis, Rickard. Absent: Cochran. Nay: None. Motion carried.

PLANNED DISTRICT DEVELOPMENT PLAN APPROVAL NO. 2019-09 FULLER AND DALEY THIRD ADDITION – COMMERCIAL STORAGE FACILITY

Chairman Dart opened the public hearing on the application submitted by Paul Brungardt, Jr. for Willis Storage, LLC and BK Development, LLC for Planned District Development Plan Approval for construction of a commercial storage facility on property to be zoned District M-1/PD, Limited Industrial/Planned Development Overlay District and described as a tract of land (to be replatted as Fuller and Daley Third Addition) being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue).

This item was discussed during the hearing to amend the Land Use Map.

There was no one present in opposition to this hearing.

Chairman Dart closed the hearing.

McGinnis' motion was based on the following findings of fact:

- The lots are compliant with the M-1 zoning district's site development regulations.
- The development is consistent with the 2016 Comprehensive Plan's Policies above and with the proposed Future Land Use (FLU) designation's purpose.
 - This subdivision layout is compatible with the surrounding industrial area.
 - The rezoning of the property to M-1/PD is compatible with the zoning to the north, east, and west.

Moved by McGinnis and seconded by Feusner the application submitted by Paul Brungardt, Jr. for Willis Storage, LLC and BK Development, LLC for Planned District Development Plan Approval for construction of a commercial storage facility on property to be zoned District M-1/PD, Limited Industrial/Planned Development Overlay District and described as a tract of land (to be replatted as Fuller and Daley Third Addition) being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street,

between 11th Avenue and 12th Avenue) be submitted to City Council with recommendation for approval with the following deviation: allow a 45-foot ingress-egress easement placed along the west side of Lot 1 of Fuller and Daley First Addition and Lot 3 of Fuller and Daley Third Addition to serve as access to Lots 2 and 3 of Fuller and Daley Third..

Roll call resulted as follows: Aye: Malone, Dart, McDermott, Feusner, McGinnis, Rickard, Dakan. Absent: Cochran. Nay: None. Motion carried.

APPROVAL OF REVISED BY-LAWS

Planning Commission discussed the revision to Item No. 9, Motions, with the City Planner.

Moved by Rickard and seconded by Dakan to approve the Planning Commission's revised by-laws.

Roll call resulted as follows: Aye: Dart, McDermott, Feusner, McGinnis, Rickard, Dakan, Malone. Absent: Cochran. Nay: None. Motion carried.

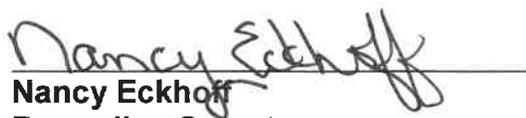
REPORTS/COMMENTS FROM BOARD MEMBERS

City Planner presented the annual report to the Planning Commission.

ADJOURNMENT

Moved by Rickard and seconded by McDermott that the meeting be adjourned.

Roll call resulted as follows: Aye: McDermott, Feusner, McGinnis, Rickard, Dakan, Malone, Dart. Absent: Cochran. Nay: None. Motion carried.


Nancy Eckhoff
Recording Secretary