

# **PLANNING COMMISSION**

## **AGENDA**

**January 15, 2021**

**9:00 a.m.**

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held December 18, 2020.
4. **Hearing: Conditional Use Permit No. 2020-02 – Daycare**  
Application submitted by Amy Vinton for B & G Investments LLC (William Diessner) for a Conditional Use Permit to operate a day care on property zoned District R-3, Urban Residential Multi-Family District (Medium Density) and described as the South 35 feet of Lot 3 and the North 7.5 feet of Lot 4, Block 10, Kearney Land and Investment Company's First Addition to the City of Kearney, Buffalo County, Nebraska (1718 3rd Avenue).
5. **Hearing: Conditional Use Permit No. 2020-03 – Daycare**  
Application submitted by Brittney Seivert for Spouts Childcare, LLC for a Conditional Use Permit to operate a day care on property zoned District R-3/ND-1, Urban Residential Multi-Family (Medium Density)/Pioneer Park Neighborhood Conservation Overlay District and described as Lot 1, Block 15, West Addition to the City of Kearney, Buffalo County, Nebraska (1934 5th Avenue).
6. **Hearing: Land Use Map Amendment No. 2020-05 – Proposed Fountain Hills Twelfth Addition**  
Application submitted by Miller & Associates for Grand West LLC, a Nebraska Limited Liability Company (c/o Kent Holsten) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Neighborhood Mixed Use and Low Density Residential to Medium Density Residential property described as a tract of land being part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (West of 11th Avenue and North of 52nd Avenue).
7. **Hearing: Rezoning No. 2020-13 – Proposed Fountain Hills Twelfth Addition**  
Application submitted by Miller & Associates for Grand West LLC, a Nebraska Limited Liability Company (c/o Kent Holsten) to rezone from District AG, Agricultural District to District R-2, Urban Residential Mixed-Density District for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (West of 11th Avenue and North of 52nd Avenue).

8. **Hearing: Preliminary Plat No. 2020-11 – Proposed Fountain Hills Twelfth Addition**  
Application submitted by Miller & Associates for Grand West LLC, a Nebraska Limited Liability Company (c/o Kent Holsten) for the Preliminary Plat for Fountain Hills Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (West of 11th Avenue and North of 52nd Avenue). **\*FINAL ACTION\***
9. **Hearing: Final Plat No. 2020-11 – Proposed Fountain Hills Twelfth Addition**  
Application submitted by Miller & Associates for Grand West LLC, a Nebraska Limited Liability Company (c/o Kent Holsten) for the Final Plat for Fountain Hills Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (West of 11th Avenue and North of 52nd Avenue).
10. **Hearing: Annexation No. 2020-11 – Proposed Fountain Hills Twelfth Addition**  
Application submitted by Miller & Associates for Grand West LLC, a Nebraska Limited Liability Company (c/o Kent Holsten) for the annexation of Fountain Hills Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (West of 11th Avenue and North of 52nd Avenue).
11. **Hearing: Rezoning No. 2020-14**  
Application submitted by Miller & Associates for City of Kearney and Nebraska Art Collection Foundation, a Non-Profit Nebraska Corporation to rezone from District C-3, General Commercial District to District CBD, Kearney Center Mixed Use District for property described as Lots 12, 13, 14, 15, 16, 17 and Lots 68, 69, 70, 71, 72, all in the Southwest Quarter School Section Addition, an addition to the City of Kearney, Buffalo County, Nebraska (2401 Central Avenue).
12. **Alley Vacation No. 2020-05**  
Application submitted by Miller & Associates for City of Kearney and Nebraska Art Collection Foundation, a Non-Profit Nebraska Corporation to vacate the alley from the West line of Avenue "A" westerly to the East line of Central Avenue as the same abuts Lots 12, 13, 14, 15, 16 and 17 on the north and Lots 68, 69, 70, 71 and 72 on the south in Southwest Quarter School Section Addition, an addition to the City of Kearney, Buffalo County, Nebraska (2401 Central Avenue).
13. **Street Vacation No. 2020-04**  
Application submitted by Buffalo Surveying Corporation for Central States Safety & Driver Training, LLC (Dennis Holz), Blessing Premier Property, LLC (Ron Blessing), and Larry and Rhonda Davison to vacate 10.0 feet of right-of-way on the East side of Avenue F, said tract being 277.8 feet long north to south, and 10.0 feet of right-of-way on the West side of Avenue F, said tract being 302.8 feet long north to south, as shown on the plat and dedication of the Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska (Between 20th Street and 21st Street).

14. **Hearing: Planned District Development Plan Approval No. 2020-12 - Continued to the January 15, 2021 Planning Commission Meeting**  
Application submitted by Danny Starostka for Starostka Group Unlimited for Planned District Development Plan Approval for the proposed construction of a subdivision on property to be zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and described as a tract of land located in part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (South of 39th Street, West of Avenue X, North of 37th Street).
15. **Vacation No. 2019-04 – Continued to the January 15, 2021 Planning Commission Meeting**  
Application submitted by Danny Starostka for Starostka Group Unlimited to vacate all of Lot 1 and Lot 15, Block 2, Millennial Estates Third Addition, located in part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M. Buffalo County, Nebraska. (South of 39th Street, West of Avenue X, North of 37th Street).
16. **Hearing: Rezoning No. 2020-12 - Continued to the January 15, 2021 Planning Commission Meeting**  
Application submitted by Danny Starostka for Starostka Group Unlimited to rezone from District AG, Agricultural District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District for property described as a tract of land located in part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (South of 39th Street, West of Avenue X, North of 37th Street).
17. **Hearing: Preliminary Plat No. 2020-10 - Continued to the January 15, 2021 Planning Commission Meeting**  
Application submitted by Danny Starostka for Starostka Group Unlimited for the Preliminary Plat for Millennial Estates Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located in part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (South of 39th Street, West of Avenue X, North of 37th Street). **\*FINAL ACTION\***
18. **Hearing: Final Plat No. 2020-10 - Continued to the January 15, 2021 Planning Commission Meeting**  
Application submitted by Danny Starostka for Starostka Group Unlimited for the Final Plat for Millennial Estates Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located in part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (South of 39th Street, West of Avenue X, North of 37th Street).

**19. Hearing: Annexation No. 2020-10 - Continued to the January 15, 2021 Planning Commission Meeting**

Application submitted by Danny Starostka for Starostka Group Unlimited for the annexation of Millennial Estates Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located in part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (South of 39th Street, West of Avenue X, North of 37th Street).

**20. REQUEST TO WITHDRAW - Hearing: Code Amendment No. 2020-02 - Proposed Code Amendments to Chapter 57**

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

- Section 57-103 “Rules for Distributing Improvement Costs for Districts” of Chapter 57 “Improvement Financing and Guarantees” to add the language “fittings, valves, fire hydrants, booster pumps” to the services installed at the time of water construction under sub-section A, number 2; to add the language “lift stations” to the services installed at the time of sanitary sewer construction under sub-section A, number 3; and to remove the language “valves, fittings, booster pumps and fire hydrants” from the incremental cost of water mains over eight (8) in diameter under sub-section B, number 2; and to remove the language “and lift stations” from the costs for sewage treatment plants paid for by the City under sub-section B, number-3.
- Section 57-109 “Notification of Completion and Acceptance by City” of Chapter 57 “Improvement Financing and Guarantees” to add language to sub-section A notifying the “Director of Public Works and/or the Director of Utilities” of public improvement substantial competitions and to add the language “Director of Public Works and/or the Director of Utilities” to sub-section A, numbers 1, 2 and 4 regarding the completion of public improvements.

**21. Reports.**

**22. Adjournment.**

Chairman Stan Dart 2410 65th Avenue Place Kearney, NE 68845 308-234-1616 <a href="mailto:msdart@charter.net">msdart@charter.net</a>	Board Member Joey Cochran 1704 East 42nd Street Place Kearney, NE 68845 308-293-6445 <a href="mailto:jcochran@nlhb.com">jcochran@nlhb.com</a>	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 14th Avenue Place Kearney, NE 68845 308-991-6906 <a href="mailto:jdfeusn@nppd.com">jdfeusn@nppd.com</a>	Board Member Dave Malone 4402 Avenue P Kearney, NE 68847 308-224-3188 <a href="mailto:dmalone@ipexneb.com">dmalone@ipexneb.com</a>	Vice-Chairman Richard McGinnis 11 21st Avenue Place Kearney, NE 68845 308-325-4941 <a href="mailto:richmcginnisbanker@gmail.com">richmcginnisbanker@gmail.com</a>
Board Member Brent Yaw 207 East 32nd Street Kearney, NE 68847 308-627-2951 <a href="mailto:brentyaw@icloud.com">brentyaw@icloud.com</a>	Board Member John Rickard 6309 Avenue L Place Kearney, NE 68847 308-390-7426 <a href="mailto:johnrmidway@hotmail.com">johnrmidway@hotmail.com</a>	Board Member Melissa Scott-Pandorf 612 West 68th Street Kearney, NE 68845 308-402-679-6476 <a href="mailto:mmscottp@gmail.com">mmscottp@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)