

PLANNING COMMISSION

AGENDA

November 19, 2021

9:00 a.m.

1. Announcement on Open Meetings Act.
2. Roll call.
3. Approve Minutes of meeting held October 15, 2021.
4. **Hearing: Rezoning No. 2021-18 – Fountain Hills Fifth Addition – Continued from the October 15th PC Meeting - WITHDRAWN**
Application submitted by Miller & Associates for Grand West LLC, a Nebraska Limited Liability Company (c/o Kent Holsten) to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District for property described as Lots 2 and 3, Block 4, Fountain Hills Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Northwest corner of 50th Street and 11th Avenue).
5. **Hearing: Rezoning No. 2021-20 – Buffalo Island Subdivision – Request to Postpone to December PC Meeting**
Application submitted by John Krotz for Larry Kinkade Jr. and Mike Kinkade to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Southeast of 75 Sweetwater Avenue).
6. **Hearing: Preliminary Plat No. 2021-22 – Buffalo Island Subdivision – Request to Postpone to December PC Meeting**
Application submitted by John Krotz for Larry Kinkade Jr. and Mike Kinkade for the Preliminary Plat for Buffalo Island Subdivision, a subdivision being part of the Northwest Quarter of Section 15 and part of the Southwest Quarter of Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Southeast of 75 Sweetwater Avenue). ***FINAL ACTION***

- 7. Hearing: Final Plat No. 2021-22 – Buffalo Island Subdivision – Request to Postpone to December PC Meeting**
Application submitted by John Krotz for Larry Kinkade Jr. and Mike Kinkade for the Final Plat for Buffalo Island Subdivision, a subdivision being part of the Northwest Quarter of Section 15 and part of the Southwest Quarter of Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Southeast of 75 Sweetwater Avenue).
- 8. Hearing: Rezoning No. 2021-21 – Perkins and Harford’s Second Subdivision**
Application submitted by Tanner Brandt for Essam Arram to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District C-2, Community Commercial District for property described as part of the Northeast Quarter of the Northeast Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, formerly known as: Part of Lots 1 and 2, Perkins and Harfords Second Addition, a subdivision in Buffalo County, Nebraska; AND Lot 13, EXCEPT the West 1.5 feet, Block 3, Skyline Drive Subdivision to the City of Kearney, Buffalo County, Nebraska (West of 3802 2nd Avenue).
- 9. Subdivision Vacation No. 1987-03 – Lot 2, Younes Addition**
Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz to vacate Lot 2, Younes Addition, a subdivision being part of the West 1/2 of the Northwest 1/4 of Section 30, Township 9 North, Range 15 West of the 6th Principal Meridian, Buffalo County, Nebraska (Southeast corner of Avenue N and 48th Street).
- 10. Subdivision Vacation No. 2013-21 – Lots 1 through 12, SunRise Estates**
Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz to vacate Lots 1 through 12, inclusive, SunRise Estates, an addition to the City of Kearney, Buffalo County Nebraska (Southeast corner of Avenue N and 48th Street).
- 11. Street Vacation No. 2021-03 – 48th Street**
Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz to vacate all of 48th Street lying east of the east right-of-way line of Avenue N in the City of Kearney, Buffalo County, Nebraska, as dedicated in Younes Addition, a subdivision being part of the West Half of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County Nebraska, as recorded in Microfilm Roll 87, pages 4753 thru 4757, filed in the Buffalo County Register of Deeds Office, EXCEPT the West 10.00 feet thereof (East of Avenue N).

12. Street Vacation No. 2021-04 – 47th Street

Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz to vacate all of 47th Street Place lying east of the east right-of-way line of Avenue N in the City of Kearney, Buffalo County, Nebraska as dedicated in SunRise Estates, an addition to the City of Kearney, Buffalo County Nebraska as recorded on Inst. 2014-1193, filed in the Buffalo County Register of Deeds Office (East of Avenue N).

13. Hearing: Rezoning No. 2021-22 – Northeast Public Service Addition

Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) for property described as part of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Southeast corner of Avenue N and 48th Street).

14. Hearing: Preliminary Plat No. 2021-23 – Northeast Public Service Addition

Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz for the Preliminary Plat for Northeast Public Service Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, said tract of land being all of SunRise Estates, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated) and Lot 2, Younes Addition, a subdivision being part of the West Half of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P. M., Buffalo County, Nebraska (to be vacated) (Southeast corner of Avenue N and 48th Street). ***FINAL ACTION***

15. Hearing: Final Plat No. 2021-23 – Northeast Public Service Addition

Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz for the Final Plat for Northeast Public Service Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, said tract of land being all of SunRise Estates, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated) and Lot 2, Younes Addition, a subdivision being part of the West Half of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P. M., Buffalo County, Nebraska (to be vacated) (Southeast corner of Avenue N and 48th Street).

16. Hearing: Annexation No. 2021-23 – Northeast Public Service Addition

Application submitted by Miller & Associates for the City of Kearney and M.J. and Janis Shultz for the annexation of Northeast Public Service Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Southwest Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: COMMENCING at a 5/8" rebar at the Southwest Corner of the Northwest Quarter of Section 30; thence N 00°23'14" E on the West line of said Northwest Quarter, and all bearings contained herein are relative thereto, a distance of 1147.63 feet to the POINT OF BEGINNING; thence continuing N 00°23'14" E a distance of 66.00 feet; thence S 89°37'35" E a distance of 700.27 feet; thence S 00°25'02" W a distance of 66.00 feet; thence N 89°37'35" W a distance of 700.23 feet to the Point of Beginning, containing 1.06 acres more or less, all in Buffalo County, Nebraska (Southeast corner of Avenue N and 48th Street).

17. Subdivision Vacation No. 2021-08 – Fountain Hills Thirteenth Addition

Application submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust, to vacate Lot 1 and Lot 2, Block One and Lot 1, Block Two, Fountain Hills Thirteenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East of 11th Avenue between 50th Street and 55th Street).

18. Street Vacation No. 2021-05 – Fountain Hills Thirteenth Addition

Application submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust, to vacate all of 52nd Street lying East of the West line of said Fountain Hills Thirteenth Addition, also being the East right of way line of 11th Avenue to the East line of said Fountain Hills Thirteenth Addition (East of 11th Avenue between 50th Street and 55th Street).

19. Hearing: Preliminary Plat No. 2021-24 – Fountain Hills Fourteenth Addition

Application submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust, for the Preliminary Plat for Fountain Hills Fourteenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the Northeast Quarter of the Northwest Quarter and 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 (East of 11th Avenue between 50th Street and 55th Street). ***FINAL ACTION***

20. Hearing: Final Plat No. 2021-24 – Fountain Hills Fourteenth Addition

Application submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust, for the Final Plat for Fountain Hills Fourteenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the Northeast Quarter of the Northwest Quarter and 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 (East of 11th Avenue between 50th Street and 55th Street).

21. Hearing: Revised Planned District Development Plan No. 2021-07

Application submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust, for a Revised Planned District Development Plan Approval for the proposed construction of an apartment and townhome development on property zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as Lot 1, Block One and Lot 1, Block Two, all in Fountain Hills Fourteenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East of 11th Avenue between 50th Street and 55th Street).

22. Hearing: Future Land Use Map Amendment No. 2021-04 – Kdiver, L.L.C.

Application submitted by Buffalo Surveying Corp. for Kdiver, LLC, a Nebraska Limited Liability Company for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Rural Estates and Agriculture to Low Density Residential for property described a tract of land being a part of the Northeast Quarter of the Northeast Quarter, part of Government Lots 1 and 2, part of accretion lands deriving from and adjacent to Government Lots 1 and 2, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, said tract also being a part of accretion lands deriving from and adjacent to Government Lot 2 located in Section 18, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Ontario Road and Tahoe Drive, Southwest of Avenue M and East 1st Street).

23. Hearing: Rezoning No. 2021-23 – Kdiver, L.L.C

Application submitted by Buffalo Surveying Corp. for Kdiver, LLC, a Nebraska Limited Liability Company to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District AG, Agricultural District for property described as a tract of land being a part of the Northeast Quarter of the Northeast Quarter, part of Government Lots 1 and 2, part of accretion lands deriving from and adjacent to Government Lots 1 and 2, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, said tract also being a part of accretion lands deriving from and adjacent to Government Lot 2 located in Section 18, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Ontario Road and Tahoe Drive, Southwest of Avenue M and East 1st Street).

24. Hearing: Conditional Use Permit No. 2021-01 – Resource Extraction (Kdiver, L.L.C.)

Application submitted by Buffalo Surveying Corp. for Kdiver, LLC, a Nebraska Limited Liability Company for a Conditional Use Permit for a resource extraction operation on property to be zoned District AG, Agricultural District and described as a tract of land being a part of the Northeast Quarter of the Northeast Quarter, part of Government Lots 1 and 2, part of accretion lands deriving from and adjacent to Government Lots 1 and 2, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, said tract also being a part of accretion lands deriving from and adjacent to Government Lot 2 located in Section 18, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Ontario Road and Tahoe Drive, Southwest of Avenue M and East 1st Street).

25. Subdivision Vacation No. 1976-04 – Part of Lots 1 & 2, Wood River Subdivision

Application submitted by Buffalo Surveying Corp. for David and Denise Hainault, David Nienaber and Derald Nienaber to vacate part of Lots 1 and 2, Wood River Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter, of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (1,100 feet South of 92nd Street on the East side of Antelope Avenue).

26. Hearing: Rezoning No. 2021-24 – Nienaber Subdivision

Application submitted by Buffalo Surveying Corp. for David and Denise Hainault, David Nienaber and Derald Nienaber to rezone from District RR-1, Rural Residential District (Rural Standards) to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of Lots 1 and 2, Wood River Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter, of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (1,100 feet South of 92nd Street on the East side of Antelope Avenue).

27. Hearing: Preliminary Plat No. 2021-25 – Nienaber Subdivision

Application submitted by Buffalo Surveying Corp. for David and Denise Hainault, David Nienaber and Derald Nienaber, for the Preliminary Plat for Nienaber Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County Nebraska, with said tract of land being inclusive of part of Lots 1 and 2 (to be vacated), Wood River Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter, of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, with that part of Lots 1 and 2 (to be vacated), Wood River Subdivision, all in Buffalo County, Nebraska (1,100 feet South of 92nd Street on the East side of Antelope Avenue). ***FINAL ACTION***

28. Hearing: Final Plat No. 2021-25 – Nienaber Subdivision

Application submitted by Buffalo Surveying Corp. for David and Denise Hainault, David Nienaber and Derald Nienaber, for the Final Plat for Nienaber Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County Nebraska, with said tract of land being inclusive of part of Lots 1 and 2 (to be vacated), Wood River Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter, of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, with that part of Lots 1 and 2 (to be vacated), Wood River Subdivision, all in Buffalo County, Nebraska (1,100 feet South of 92nd Street on the East side of Antelope Avenue).

29. Reports**30. Adjournment.**

Chairman Stan Dart 2410 65th Avenue Place Kearney, NE 68845 308-234-1616 msdart@charter.net	Board Member Joey Cochran 1704 East 42nd Street Place Kearney, NE 68845 308-293-6445 jcochran@nlb.com	Board Member Monte Dakan 6605 Avenue M Place Kearney, NE 68847 308-293-7909 montedakan@hotmail.com
Board Member Jeremy Feusner 4706 14th Avenue Place Kearney, NE 68845 308-991-6906 jdfeusn@nppd.com	Board Member Dave Malone 4402 Avenue P Kearney, NE 68847 308-224-3188 dmalone@ipexneb.com	Vice-Chairman Richard McGinnis 11 21st Avenue Place Kearney, NE 68845 308-325-4941 richmcginnisbanker@gmail.com
Board Member Brent Yaw 207 East 32nd Street Kearney, NE 68847 308-627-2951 brentyaw@icloud.com	Board Member John Rickard 6309 Avenue L Place Kearney, NE 68847 308-390-7426 johnrmidway@hotmail.com	Board Member Melissa Scott-Pandorf 612 West 68th Street Kearney, NE 68845 308-402-679-6476 mmscottp@gmail.com

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