

PLANNING COMMISSION

September 9, 2023

8:00 a.m.

Chairman Jim Masek opened the meeting at 8:00 a.m. in the meeting room of the City Office Building, 490 E Street, David City, Nebraska, and notified the public of the "Open Meetings Act" posted on the west wall of the meeting room. He also notified the public that if they wish to speak to the Commission to please state their name and address for the record.

Present: Planning Commission members Jim Vandenberg, Pam Kabourek, Jim Masek, Greg Aschoff, Alternate Brian Small, City Clerk Tami Comte and Deputy City Clerk Lori Matchett. Planning Commission member Robert Hilger was absent.

Also, present Council Member & Liaison Keith Marvin, Council Member Pat Meysenburg, Brad Swerczek of KTech Project Services, and Don Naiberk of Butler County Health.

Chairman Jim Masek made a motion to accept the minutes of the August 12, 2023, meeting as corrected. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent; Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0, Absent: 1.

Chairman Jim Masek made a motion to open the public hearing at 8:02 a.m. to consider the replat of Northland Second Subdivision to the City of David City, Butler County, Nebraska, legally described as follows:

LEGAL DESCRIPTION OF NORTHLAND SECOND SUBDIVISION TO THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA Point of beginning (POB) is the intersection of the centerlines of E. "N" Street and N. 7th Street thence going westerly along the centerline of E. "N" Street to the intersection of the centerlines of E. "N" Street and N. 6th Street; thence northerly along the centerline of N. 6th Street continuing to the intersection of N. 6th Street and E. "O" Street; thence easterly to the extended west property line to a tract referred to as Lot 2, STR 18-15-13; thence northerly along the west property line of said lot, continuing to the southern property line of a tract referred to as Part of Lot 6 and 7, STR 18-15-3; thence westerly along the southern property line of said lot to the northwest corner of a tract referred to as Lot 1, STR 18-15-3; thence southerly along the west property line of said lot to the northeast corner of a tract referred to as Part of Lot 7 in S ½ SE ¼, STR 18-15-3; thence westerly along the northern property line of said lot to the northwest corner of said lot; thence northerly along the east property line of a tract referred to as Lot 7, STR 18-15-3 continuing to the northeast corner of said lot; thence westerly along the northern property line of said lot continuing to the northwest corner of said lot; thence northerly along the west property line of a tract referred to as Part of Lots 6 and 7, STR 18-15-3, continuing to the northwest corner of said lot; thence easterly along the northern property line of said lot continuing to the northeast corner of said lot; thence southerly along the east property line of said lot continuing to the southeast corner of said lot; thence easterly along the northern property line of a tract referred to as Lot 2, STR 18-15-3; continuing to the northeast corner of said lot; thence southerly along the east property line of said lot continuing to the centerline of E. "O" Street; thence easterly along the centerline of E. "O" Street continuing to the intersection of E. "O" Street and N. 7th Street; thence southerly along the centerline of N. 7th Street continuing to the POB, +/- 17.3 acres. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam

Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0, Absent: 1.

City Clerk Tami Comte explained the updates to the subdivision with easements and changing easement sizes, also the change to a lot on the east side and making it Spruce Street for future development.

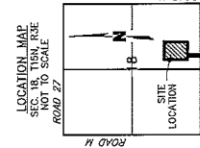
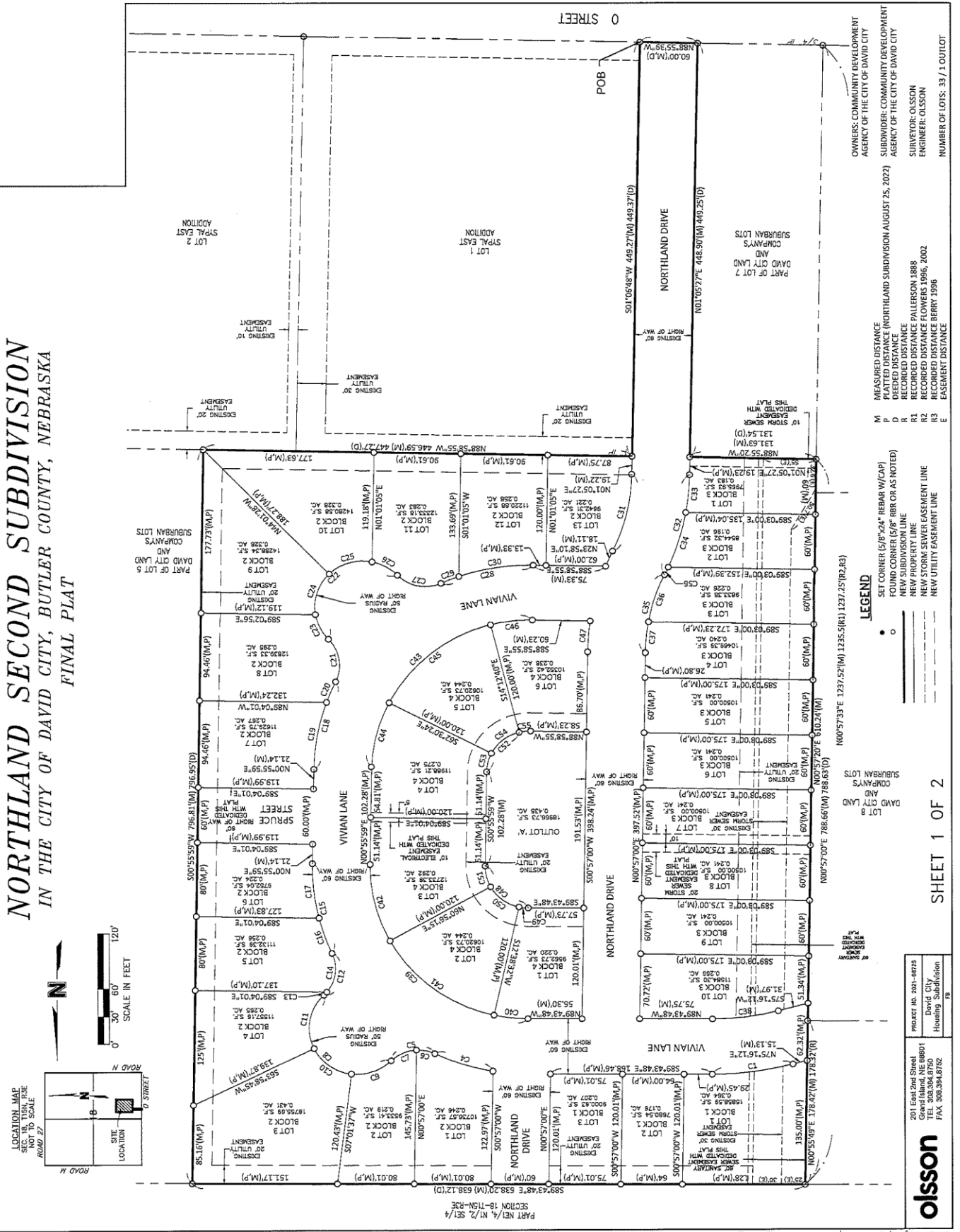
Chairman Jim Masek made a motion to close the public hearing at 8:05 a.m. for the consideration of the replat of Northland Second Subdivision to the City of David City, Butler County, Nebraska. Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0, Absent: 1.

Planning Commission member Greg Aschoff made a motion to recommend to the City Council the replat of the Northland Second Subdivision to the City of David City, Butler County, Nebraska, legally described as follows:

LEGAL DESCRIPTION OF NORTHLAND SECOND SUBDIVISION TO THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA Point of beginning (POB) is the intersection of the centerlines of E. "N" Street and N. 7th Street thence going westerly along the centerline of E. "N" Street to the intersection of the centerlines of E. "N" Street and N. 6th Street; thence northerly along the centerline of N. 6th Street continuing to the intersection of N. 6th Street and E. "O" Street; thence easterly to the extended west property line to a tract referred to as Lot 2, STR 18-15-13; thence northerly along the west property line of said lot, continuing to the southern property line of a tract referred to as Part of Lot 6 and 7, STR 18-15-3; thence westerly along the southern property line of said lot to the northwest corner of a tract referred to as Lot 1, STR 18-15-3; thence southerly along the west property line of said lot to the northeast corner of a tract referred to as Part of Lot 7 in S ½ SE ¼, STR 18-15-3; thence westerly along the northern property line of said lot to the northwest corner of said lot; thence northerly along the east property line of a tract referred to as Lot 7, STR 18-15-3 continuing to the northeast corner of said lot; thence westerly along the northern property line of said lot continuing to the northwest corner of said lot; thence northerly along the west property line of a tract referred to as Part of Lots 6 and 7, STR 18-15-3, continuing to the northwest corner of said lot; thence easterly along the northern property line of said lot continuing to the northeast corner of said lot; thence southerly along the east property line of said lot continuing to the southeast corner of said lot; thence easterly along the northern property line of a tract referred to as Lot 2, STR 18-15-3; continuing to the northeast corner of said lot; thence southerly along the east property line of said lot continuing to the centerline of E. "O" Street; thence easterly along the centerline of E. "O" Street continuing to the intersection of E. "O" Street and N. 7th Street; thence southerly along the centerline of N. 7th Street continuing to the POB, +/- 17.3 acres.

Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0, Absent: 1.

NORTHLAND SECOND SUBDIVISION
 IN THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 FINAL PLAT



OWNERS: COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF DAVID CITY
 SUBDIVIDER: COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF DAVID CITY
 SURVEYOR: OLSSON ENGINEER-OLSSON
 NUMBER OF LOTS: 33 / 1 OUTLOT

M MEASURED DISTANCE
 P PLATTED DISTANCE
 R RECORDED DISTANCE
 R1 RECORDED DISTANCE PALLERSON 1888
 R2 RECORDED DISTANCE FLOWERS 1996, 2002
 R3 RECORDED DISTANCE BERRY 1996
 E EASEMENT DISTANCE

LEGEND
 SET CORNER (S/R)*24" REAR W/CA/P
 FOUND CORNER (S/R)*R/R OR AS NOTED
 NEW SUBDIVISION LINE
 NEW PROPERTY LINE
 NEW STORM SEWER EASEMENT LINE
 NEW UTILITY EASEMENT LINE

SUBURBAN LOTS
 DAVID CITY LAND AND COMPANY'S
 LOT 8

PROJECT NO. 2021-0725
 David City
 Housing Subdivision

201 East 2nd Street
 David City, NE 68501
 TEL 308.384.8750
 FAX 308.384.8752



Chairman Jim Masek made a motion to open the public hearing at 8:06 a.m. to consider the vacation of a portion of 10th Street per the request of Butler County Health, legally described as follows:

A PART OF TENTH STREET RIGHT OF WAY LOCATED IN MILES SIXTH ADDITION TO THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, OF SAID MILES SIXTH ADDITION; THENCE EASTERLY ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 80 FEET, MORE OR LESS ,TO THE EAST RIGHT OF WAY LINE OF TENTH STREET AS PLATTED IN SAID MILES SIXTH ADDITION; THENCE SOUTHERLY ON SAID EAST RIGHT OF WAY LINE ALSO BEING THE WEST LINE OF VETTER SENIOR LIVING ADDITION AND THE WEST LINE OF BLOCK 1 OF SAID MILES SIXTH ADDITION , A DISTANCE OF 300 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID BLOCK 1; THENCE CONTINUING SOUTHERLY ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 40 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE CENTERLINE OF VACATED OHIO STREET AS PLATTED IN SAID MILES SIXTH ADDITION; THENCE WESTERLY ON SAID CENTERLINE, A DISTANCE OF 80 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF TENTH STREET AS PLATTED IN SAID MILES SIXTH ADDITION, THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 40 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK 2; THENCE NORTHERLY ON THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 300 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea., Yea: 5, Nay: 0, Absent: 1.

Don Naiberk, CEO of Butler County Health, introduced himself and let the Planning Commission know that they would like to vacate 10th Street from Iowa Street to the property line of Witter Family Medicine parking lot. They would like to have some expansions on the Hospital building. They will need to tear out a portion of 10th Street during construction. The street will remain open as a public way after construction. It will be owned by Butler County Health and will be maintained by Butler County Health. With the expansion they will also look at drainage and run off. The road would be vacated by the city, however, it would stay open to the public but be owned and maintained by Butler County Health.

Chairman Jim Masek made a motion to close the public hearing at 8:21 a.m. to consider the vacation of a portion of 10th Street per the request of Butler County Health. Brian Small seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0, Absent: 1.

Planning Commission member Jim Vandenberg made a motion to recommend to the City Council the vacation of a portion of 10th Street per the request of Butler County Health, legally described as follows:

A PART OF TENTH STREET RIGHT OF WAY LOCATED IN MILES SIXTH ADDITION TO THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, OF SAID MILES SIXTH ADDITION; THENCE EASTERLY ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 80 FEET, MORE OR LESS ,TO THE

EAST RIGHT OF WAY LINE OF TENTH STREET AS PLATTED IN SAID MILES SIXTH ADDITION; THENCE SOUTHERLY ON SAID EAST RIGHT OF WAY LINE ALSO BEING THE WEST LINE OF VETTER SENIOR LIVING ADDITION AND THE WEST LINE OF BLOCK 1 OF SAID MILES SIXTH ADDITION , A DISTANCE OF 300 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID BLOCK 1; THENCE CONTINUING SOUTHERLY ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 40 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE CENTERLINE OF VACATED OHIO STREET AS PLATTED IN SAID MILES SIXTH ADDITION; THENCE WESTERLY ON SAID CENTERLINE, A DISTANCE OF 80 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF TENTH STREET AS PLATTED IN SAID MILES SIXTH ADDITION, THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 40 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 5 OF SAID BLOCK 2; THENCE NORTHERLY ON THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 300 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Greg Aschoff seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Yea. Yea: 5, Nay: 0, Absent: 1.

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PAID
AUG 15 2023
CITY OF DAVID CITY
DAVID CITY UTILITIES

DAVID CITY PLANNING COMMISSION

TYPE OF ACTION REQUESTED

- Conditional Use \$100.00 Vacate request: alley, street, etc. \$50.00
- Rezoning/Zoning Amendment \$150.00

LEGAL DESCRIPTION OF THE PROPERTY:

All of 10th Street from the South line of Vacated Iowa Avenue to the North line of
Vacated Ohio Avenue, Abutting Lots 1, 4 & 5, Block 2, of Miles 6th Addition on the west
and abutting Lots 2, 3 & 6, Block 1 of Miles 6th Addition on the East

DESCRIPTION OF THE PROJECT:

See attached

[Handwritten Signature] CEO

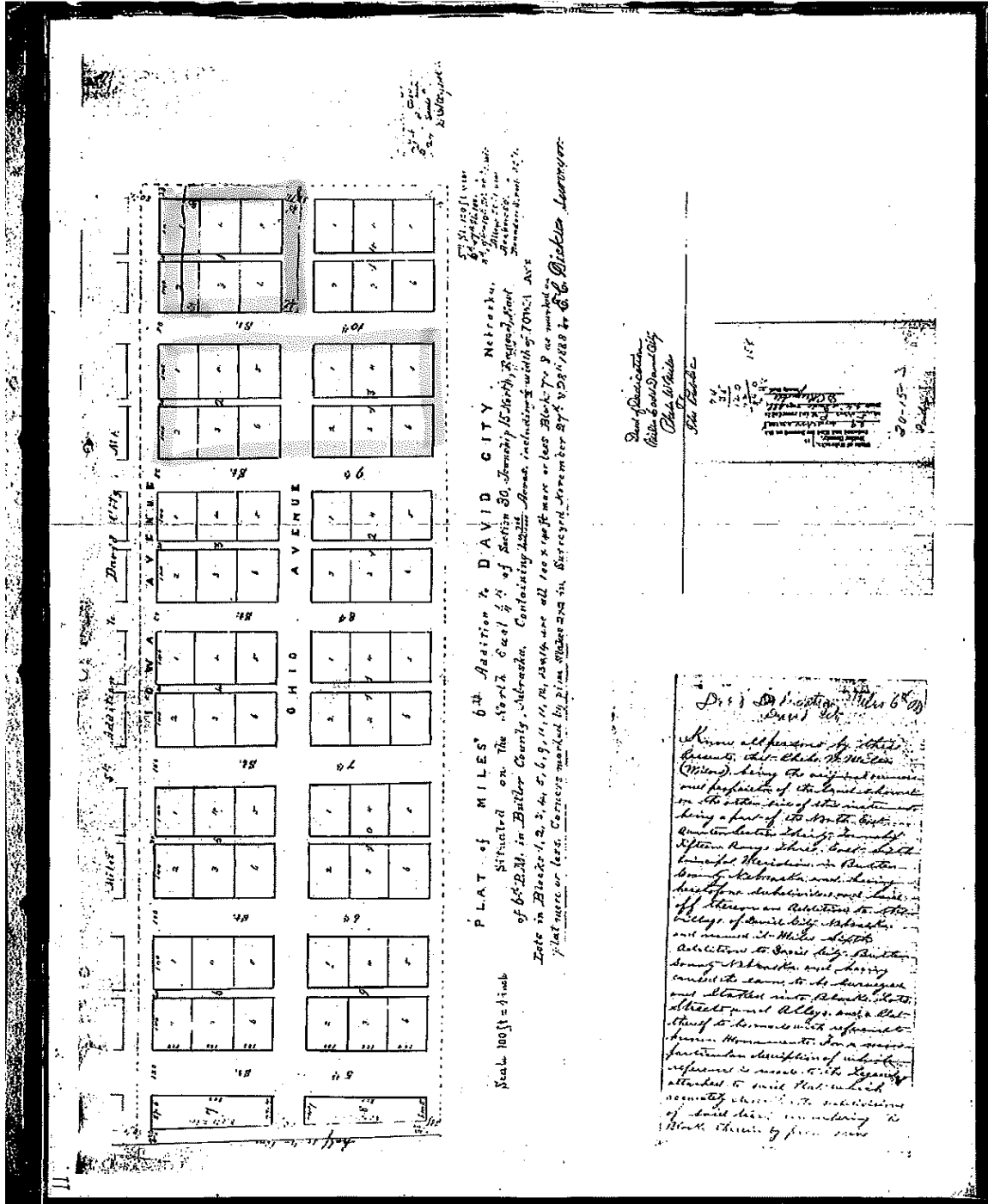
Applicant's Signature

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FOR CITY USE ONLY

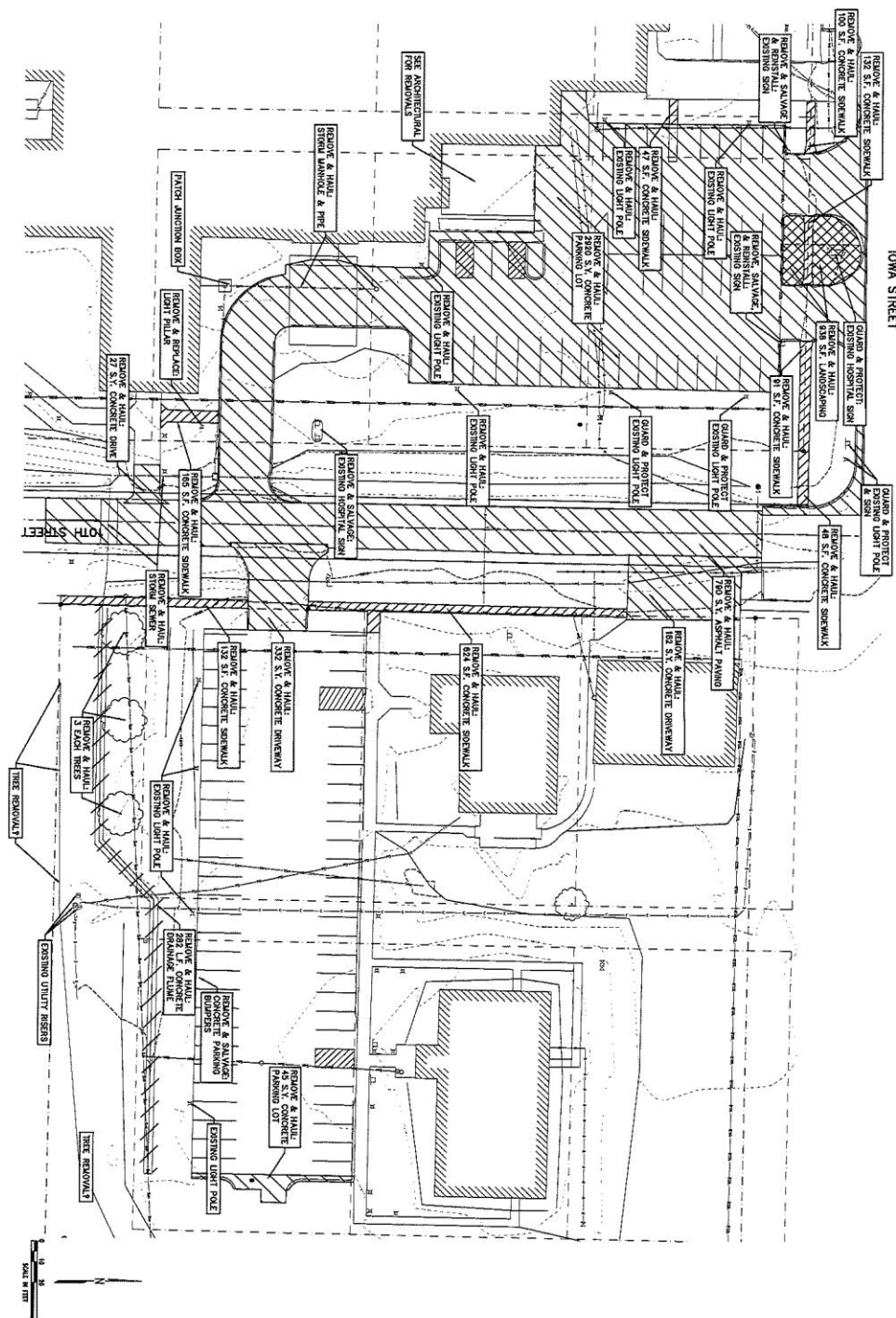
Date received: 8-15-2023 By: Jill Matchett
Fee Paid: X Yes \$ 50.00 No
Hearing Date: September 9, 2023
Hearing Notice Published: X Yes No
Adjoining Landowners Notified Yes X No

Action Taken: Planning Commission member Jim Vandenberg made a motion to
recommend to the City Council the vacation of a portion of 10th Street
per the request of Butler County Health. Greg Aschoff seconded the motion.
The motion carried.

Butler County Health plans to install curb, storm sewer, and repave 10th Street for the vacated area described above. The storm sewer will be installed to drain water from the vacated portion of 10th Street and parking areas of Butler County Health owned property that borders 10th Street. Butler County Health intends to re-open 10th Street as a through street after the improvements are completed. The section of 10th Street that is vacated will be maintained by Butler County Health. Drawings of the proposed improvements to 10th Street are attached.



APFD: 7/26/2023 3:24 PM SWS: 7/26/2023 3:27 PM 6:\Programs\DWG\23-401-401-001-001.dwg User: jgarcia



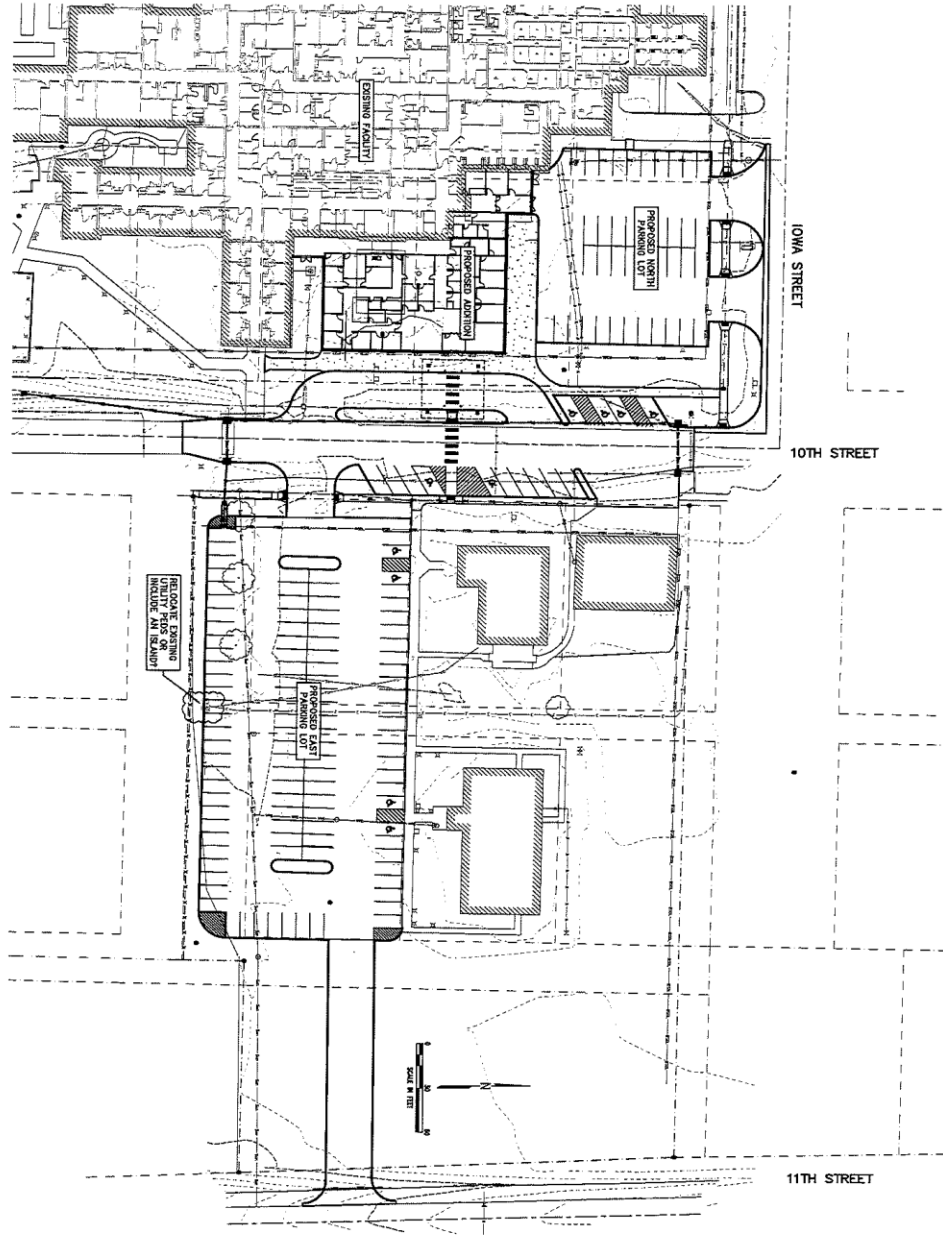
PRELIMINARY FOR REVIEW

DATE: 08/24/2023
 PROJECT: BUTLER COUNTY HEALTH CARE CENTER
 SHEET: 22

BUILDING PROJECT, BUTLER COUNTY HEALTH CARE CENTER
REMOVALS PLAN
 DAVID CITY, NEBRASKA

MA
 MUEHLBACH ASSOCIATES
 ARCHITECTS
 1001 S. 10TH STREET
 DAVID CITY, NEBRASKA 68834
 PHONE: 402.466.1111
 FAX: 402.466.1112
 WWW.MUEHLBACHASSOCIATES.COM

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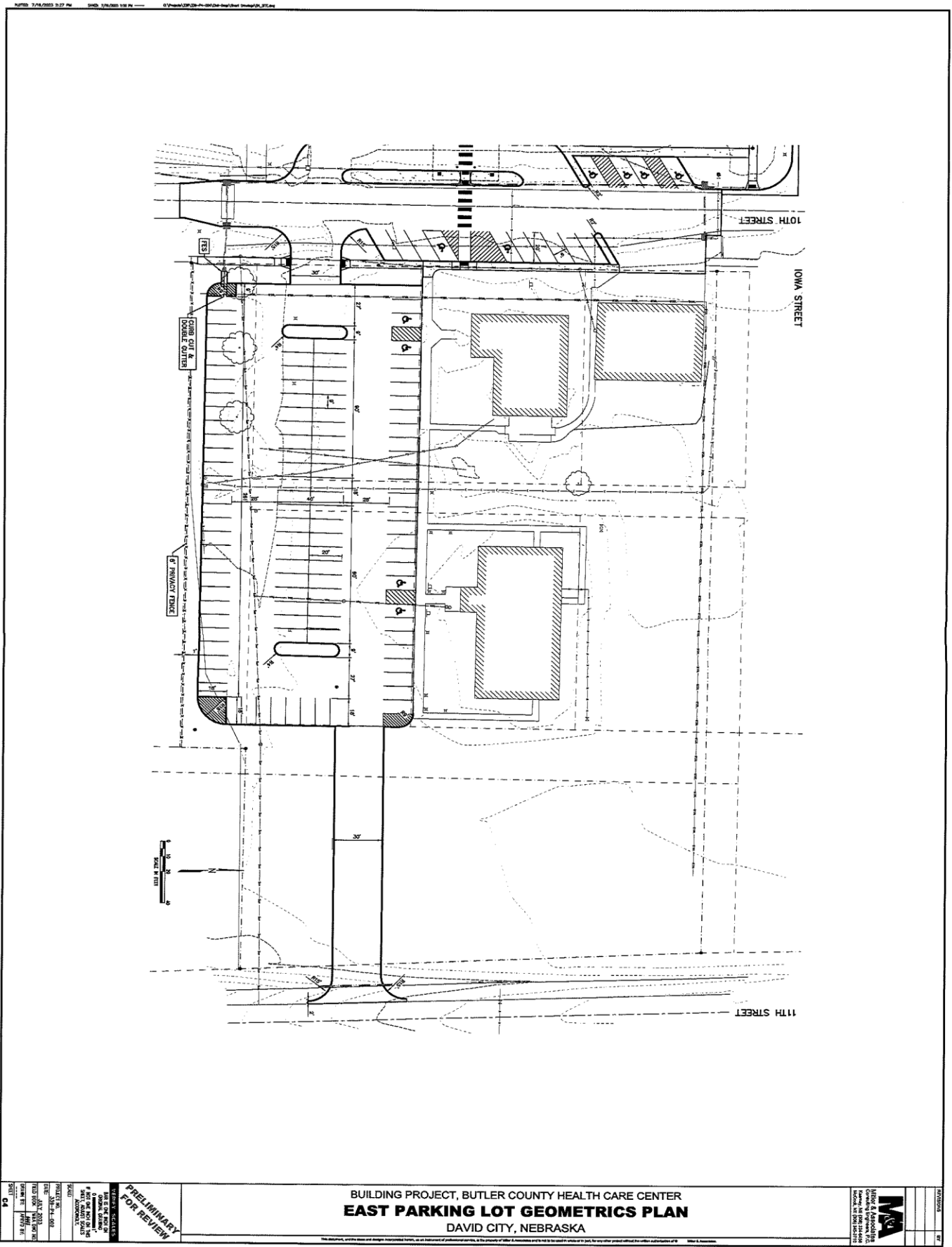


PRELIMINARY FOR REVIEW

DATE: 09/08/23
 TIME: 10:00 AM
 PROJECT: BUTLER COUNTY HEALTH CARE CENTER
 SHEET: 15-0004-0001-001
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 SCALE: AS SHOWN
 15

BUILDING PROJECT, BUTLER COUNTY HEALTH CARE CENTER
OVERALL SITE PLAN
 DAVID CITY, NEBRASKA

M&M
 Miller & Associates
 Civil & Mechanical Engineers
 1000 S. 10th Street
 David City, NE 68832
 Phone: (402) 732-2222
 Fax: (402) 732-2223
 Email: info@millerandassociates.com



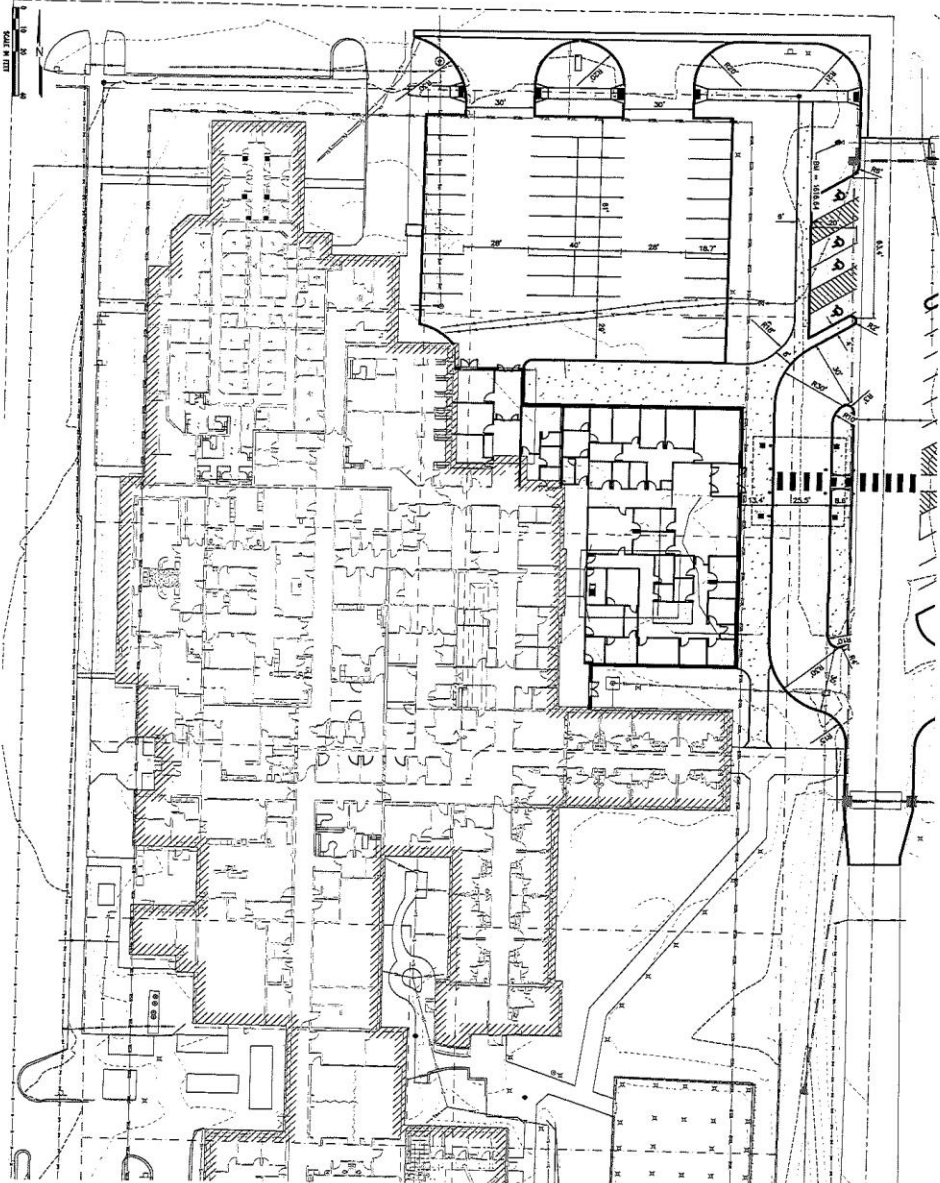
BUILDING PROJECT, BUTLER COUNTY HEALTH CARE CENTER
EAST PARKING LOT GEOMETRICS PLAN
 DAVID CITY, NEBRASKA

PRELIMINARY FOR REVIEW

DATE: 09/08/23
 DRAWN BY: J. W. HARRIS
 CHECKED BY: J. W. HARRIS
 PROJECT NO: 23-001
 SHEET NO: 12 OF 12



APR 10 11:24 AM 2023 3:28 PM 10/23/2023 10:28 AM © 2023 AutoCAD LT, Inc. All rights reserved. AutoCAD LT 2023



PRELIMINARY FOR REVIEW

DATE: 09/08/2023
 TIME: 10:28 AM
 PROJECT: BUTLER COUNTY HEALTH CARE CENTER
 SHEET: NORTH PARKING LOT GEOMETRICS PLAN
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

**BUILDING PROJECT, BUTLER COUNTY HEALTH CARE CENTER
 NORTH PARKING LOT GEOMETRICS PLAN
 DAVID CITY, NEBRASKA**

M&A
 M&A CONSULTANTS, INC.
 1000 S. 10TH STREET, SUITE 100
 DAVID CITY, NEBRASKA 68834
 PHONE: (402) 688-1111
 FAX: (402) 688-1112
 WWW.MANDACONSULTANTS.COM

There being no further business to come before the Planning Commission, Planning Commission Chairman Jim Masek made a motion to adjourn the meeting at 8:23 a.m. Brian Small seconded the motion. The motion carried. Greg Aschoff: Yea, Robert Hilger: Absent, Pam Kabourek: Yea, Jim Masek: Yea, Brian Small: Yea, Jim Vandenberg: Absent. Yea: 5, Nay: 0, Absent: 1.

Minutes by Lori Matchett, Deputy City Clerk