

AGENDA
VALLEY CITY COUNCIL
Tuesday, April 16, 2024
City Hall
203 North Spruce
Valley, NE 68064
4:30 PM

1. **ROLL CALL**
2. **CALL TO ORDER**
3. **PROOF OF PUBLICATION**
4. **PUBLIC HEARINGS**
 - 4.A. Conditional Use Permit - Roxann Tucker - for quarry/sand and gravel extraction
 - Open Public Hearing
 - Public comments: proponents and opponents
 - Close public hearing
 - Discussion and questions by Planning Commission Members
 - Vote on recommendation to City Council
 - 4.B. Conditional Use Permit - KMG Partners, LLC - for temporary asphalt plant with material piles
 - Open Public Hearing
 - Public comments: proponents and opponents
 - Close public hearing
 - Discussion and questions by Planning Commission Members
 - Vote on recommendation to City Council
5. **WAIVER REQUEST - Jerry Smith - site design standards - highway overlay district**
6. **BUILDING INSPECTOR - R4 zoning**
7. **ADJOURN**

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

P.O. Box 682
Valley, NE 68064
Phone: 402-359-2251 Ext. 306
Fax-402-359-2610
www.valleyne.org
Business Hours 9 am – 5 pm M-F



Official Use Only
Planning Meeting Date _____
 Check Cash Credit Card
Check # 4843
dated 2/2

APPLICATION FOR CONDITIONAL USE PERMIT

Date: 1/29/24

Form must be filled out completely before acceptance of this application for processing. Please print.

Property Owner's Name: Tucker Roxann Et AL Telephone No. (402) 980-3392

Applicants Address: P.O. Box 272 VALLEY, NE 68064

Applicants Email: TWO RIVERS SG @ GMAIL.COM

Legal Description of Property: See Exhibit A

quarry / sand & gravel extraction

Lot Size: 57.07 (Sq. Ft. / Acres) Zoning District T.A.

Will use in all other respects conform to the applicable regulations of the district in which it is located? Yes

Will use conform to all other applicable regulations and laws of any governmental jurisdiction? Yes

Will use have adequate water, sewer, and drainage facilities? Yes

Will ingress and egress be so designed as to minimize traffic congestion in the public streets/ roads? Yes

Estimated Cost of Structure \$ 0

Applicant Signature [Signature]

Enclosed(Y/N) : Site Plan N Easements N Permit Plans (If Applicable) N \$150.00 (Non-Refundable) Fee Y

OFFICE USE ONLY

Permit # _____ Permit is: _____ transferable, _____ transferable upon review/renewal

X _____
Chair, Valley Planning Commission

Date: _____ Approved _____ Approved with added condition's _____ Disapproved _____

X _____
Mayor

X _____
City Clerk

I hereby state that that the information submitted on this application is accurate and correct. I recognize that the issuance of this application shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law; and that this application shall not prevent the building official from requiring site to be in compliance with all applicable code provisions during field inspections.

(Exhibit A)

Douglas County, NE

Summary

Parcel Number 0106510014
Key Number 06510014 01
Property Address
Brief Tax Description LANDS SEC-TWN-RGE 07-15-10 -EX S 1362.55 N 2047.55 E 100 FT KNOW AS PARCELS A B C
 D- IRREG S 663.15 FT NE 1/4 NE 1/4 & SW 1/4 NE 1/4 57.07 AC
 (Note: Not to be used on legal documents)
Class Agricultural>20
Subdivision LANDS
Neighborhood
Tax District 1552
Acres 57.07



[View Map](#)

Owners

[TUCKER ROXANN J ETAL TR](#)
 25929 WEST DODGE RD
 WATERLOO, NE 68069

Land

Acres	SF	Units	Depth	Width	Vacant
57.07	2485969	1	0	0	Yes

Farm Soils

Land Use	LVG Code	Soil Type	Acres	Value per Acre	Value
Dry	2D1	8480	32.03	\$5,300	\$169,759
Dry	2D1	8485	0.57	\$5,300	\$3,021
Dry	2D1	8594	5.98	\$5,300	\$31,694
Grassland	1G1	6460	0.66	\$2,400	\$1,584
Grassland	1G1	8594	3.39	\$2,400	\$8,136
Grassland	2G1	2341	13.05	\$2,200	\$28,710
Road	Road	Rd	1.39	\$0	\$0
TOTAL			57.07		\$242,904

Valuation

Assessed Year	2024	2023	2022	2021	2020
Assessed Land Value	\$227,480.00	\$227,480.00	\$223,840.00	\$223,840.00	\$235,150.00
Assessed Improvement Value					
Assessed Total Value	\$227,480.00	\$227,480.00	\$223,840.00	\$223,840.00	\$235,150.00



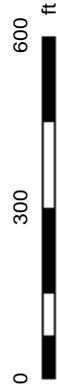
Legend

Parcels

Property Lines
(Parcels)



Douglas County NE, Maxar

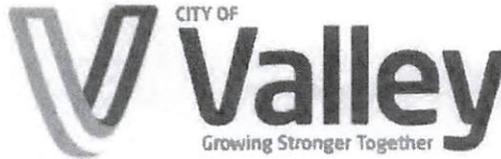


Please contact Douglas County GIS for map questions
(gis@douglascounty-ne.gov)

Printed from dogis.org:
04/10/2024 16:25:58

This map is a user generated static output from an Internet mapping site and is for reference only. Data on this map may or may not be accurate, current, or otherwise reliable. It is for informational purposes only, and may not be suitable for legal, engineering, or surveying purposes. Do NOT use property lines from this website for plan submissions.

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Official Use Only

Planning Meeting Date _____

Check Cash Credit Card

Check # 187652

APPLICATION FOR CONDITIONAL USE PERMIT

Date: 02/12/24

Form must be filled out completely before acceptance of this application for processing. Please print.

Property Owner's Name: KMG Partners LLC Telephone No. 4026182589

Applicants Address: P.O. Box 350, Harlan, IA 51537

Applicants Email: eric.labenz@westengco.com

Legal Description of Property: Land Sec-TWN-RNG 15-16-09 - Ex R/W & IRRE
765.98 N. 572.9 ft - E 1/2 SW 1/4 15-16-09 74.46 Acres

* See Attached picture / This is to erect a temporary asphalt plant with material piles

Lot Size: 74.46 ACRES (Sq. Ft. / Acres) Zoning District Valley, NE

Will use in all other respects conform to the applicable regulations of the district in which it is located? Yes

Will use conform to all other applicable regulations and laws of any governmental jurisdiction? Yes

Will use have adequate water, sewer, and drainage facilities? Yes

Will ingress and egress be so designed as to minimize traffic congestion in the public streets/ roads? Yes

Estimated Cost of Structure \$ _____

Signage will be utilized where necessary

Applicant Signature [Signature] Western Engineering Co., Inc

Enclosed(Y/N) : Site Plan Easements _____ Permit Plans (If Applicable) _____ \$150.00 (Non-Refundable) Fee _____

OFFICE USE ONLY

Permit # _____ Permit is: _____ transferable, _____ transferable upon review/renewal

X _____
Chair, Valley Planning Commission

Date: _____ Approved _____ Approved with added condition's _____ Disapproved _____

X _____
Mayor

X _____
City Clerk

I hereby state that the information submitted on this application is accurate and correct. I recognize that the issuance of this application shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law; and that this application shall not prevent the building official from requiring site to be in compliance with all applicable code provisions during field inspections.

n Eng Proposed Plant Site

Description for your map.

Legend

Lin



Earth

1000 ft

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Waiver from Site Design Standards

Date: _____

Form must be filled out completely before acceptance of this application for processing. Please print.

Property Owner's Name: Jerry Smith Telephone No. X

Applicants Address: 25050 US HWY 275 Douglas County NE 68069

Applicants Email: X

Legal Description of Property: L&J SUBDIVISION LOT 1 BLOCK 0 LOT 1 90.6 AC

Hereby request a waiver for the following:

Site Design Standards involving Article: 12 Section .05

Specifically: _____

- 6. Materials and color. The building shall have exterior building materials and colors that are aesthetically pleasing and compatible with materials and colors that are used in adjoining neighborhoods. This includes the use of high-quality materials and colors that are low reflective, subtle, neutral, or earth tone. Certain types of colors shall be avoided such as fluorescent or metallic although brighter colors in limited quantities may be used on building trim and as accents at the discretion of the City Council. Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials shall be avoided unless the exterior surface incorporates an acceptable architectural treatment. Not less than 75 percent of the front of the building and 50 percent of the sides of the building shall be brick, stone, textured CMU, or other acceptable durable modern materials as approved by the City.

The applicant is requesting the waiver for the following purpose: _____

X

I hereby certify the information in this application is true and correct to the best of my knowledge.

Applicant Signature X Date X

I hereby state that the information submitted on this application is accurate and correct. I recognize that the issuance of this application shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law; and that this application shall not prevent the building official from requiring site to be in compliance with all applicable code provisions during field inspections.

Section 5.10 R-2 Medium/High Density Residential District

5.10.01 Intent:

The purpose of the Medium /High Density Residential District is to permit single-family residences at a medium and/or high density with an increase of density to include duplexes and similar residential development in areas providing all public facilities and supporting facilities to maintain a sound and pleasant environment for the inhabitants.

5.10.02 Permitted Uses:

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District.

5.10.03 Conditional Uses:

The following uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the R-2 District as recommended by the Planning Commission and approved by the City Council.

5.10.04 Temporary Uses:

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.23.

5.10.05 Accessory Uses and Structures:

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

5.10.06 Height and Lot Requirements:

The height and minimum lot requirements shall be as follows:

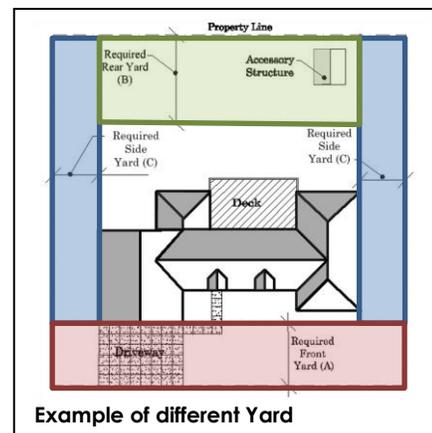
Change lot width to 40'

Change building coverage to 40%

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Building Coverage (%)	Max. Impervious Coverage (%)
Single-family dwelling	6,000	50	30	25 (3)	5	35	35	50
Single-family attached/Townhouses	2,500/unit	18/unit	30	25 (3)	(1)(8)	35	35	50
Two-family dwelling/duplex	6,000	60	30	25 (3)	5	35	35	50
Multi-family dwelling/Apartment	1,500/unit	50	30	25 (3)	5 (2)	45 (7)	35	50
Condominiums	2,500/unit	18/unit	30	25 (3)	5	35 (7)	35	50
Other Permitted Uses	6,500	50	30	25 (3)	5	35	35	50
Conditional Uses	6,500	50	30	25 (3)	5	35	35	50
Accessory Uses (6)	-	-	30	5 (9)	5	17	10 (4)	10

- The side yard along the common wall shall be 0 feet. The common wall shall be along the adjoining lot line.
- The Side Yard Setback shall be 10 feet if the structure is over 30 feet in height
- See Section 4.09.06 of this Ordinance.
- See Section 4.12.08.
- On Corner Lots the following criteria apply to setbacks. In existing developed areas, the Street Side Yard setback may conform to existing setbacks of existing single-family structures, two family structures and multiple family structures along that street. In new developments, the Street Side Yard setback shall be equal to the Front Yard setback.
- Accessory uses including but not limited to structures, driveways, patios and other impervious surfaces highly resistant to infiltration by water.
- The maximum height may be increased through the conditional use permit process per Section 4.13.02.
- All interior units may be a minimum of 20 feet wide per unit; while, all exterior units shall have a minimum of 30 feet of width per unit.
- See Section 4.12.10 of this Ordinance.

Change to 20' to match with #8.



Section 5.11 R-3 Lakefront Residential District

5.11.01 Intent:

This district is intended to provide living areas on lakefront developments within the City's planning jurisdiction. Single and two-family residential dwellings are allowed in the district to promote and encourage a suitable environment for family life, minimize congestion, and reduce potential environmental hazards in relation to land use and the floodplain.

5.11.02 Permitted Uses:

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District.

5.11.03 Conditional Uses:

The following uses are subject to any conditions listed in this section as well as any conditions relating to the placement of said use on a specific tract of ground in the R-3 District as recommended by the Planning Commission and approved by the City Council.

5.11.04 Temporary Uses:

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 4.23.

5.11.05 Accessory Uses and Structures:

Refer to the definitions of Accessory Uses and Structures, as well as Table 5.06 and Sections within Article 4 for more detail.

Change lot width to 40'

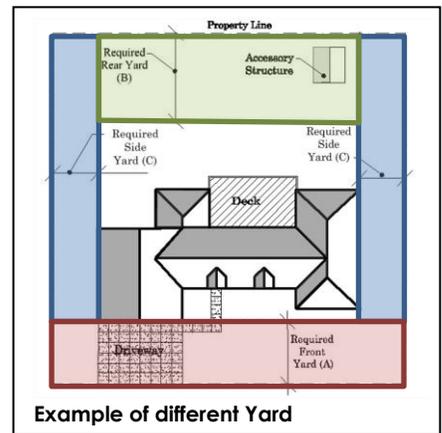
Change building coverage to 40%

5.11.06 Height and Lot Requirements:

The height and minimum lot requirements shall be as follows:

Use	Lot Area (Sq. Ft.)	Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Lakeside Setback (ft. from water)	Max. Height (feet)	Max. Building Coverage (%)	Max. Impervious Coverage (%)
Single-family dwelling (7)	8,000	50	20	25 (3)	5 (2)	20	35	35	60
Single-family attached/Townhouses (7)	2,500/unit	25/unit (6)	20	25 (3)	(1) (8)	20	35	35	60
Two-family dwelling/duplex (7)	6,000	60	20	25 (3)	5 (2)	20	35	35	60
Other Permitted Uses	8,000	50	20	25 (3)	5 (2)	20	35	50	60
Conditional Uses	8,000	50	20	25 (3)	5 (2)	20	35	50	60
Accessory Structures (8)	-	-	20	5	5	20 (5)	17	15 (4)	15

- The side yard along the common wall shall be 0 feet. The common wall shall be along the adjoining lot line.
- See Section 4.09.06 of this Ordinance.
- See Section 4.12.08.
- Boat slips or docks (unattached to buildings/structures) shall have no setback required when in water.
- Exterior lots shall be a minimum of 30 feet in width.
- On Corner Lots, the following criteria apply to setbacks. In existing developed areas, the Street Side Yard setback may conform to existing setbacks of existing single-family structures and two-family structure structures along that street. In new developments, the Street Side Yard setback shall be equal to the Front Yard setback.
- Accessory uses including but not limited to structures, driveways, patios and other impervious surfaces highly resistant to infiltration by water.
- All interior units may be a minimum of 20 feet wide per unit; while, all exterior units shall have a minimum of 30 feet of width per unit.



5.11.07 Supplemental Residential Regulations

- Single-family Attached/Townhouses
 - Common wall shall have a zero-lot line setback and be located on the property line separating both dwellings.
 - Each unit is separated by a two-hour fire rated wall from the lowest level and continuing through the roof structure.
 - Each unit shall be serviced by separate facilities.
 - When each unit is in separate ownership, the accompanying lot shall not be in common ownership with any other unit.
 - No more than **three** units shall be connected in this district.

Change to FOUR-units

2. Resource extraction operations, pursuant to Section 9.17 shall also meet the following Supplemental Regulations within this specific district.
 - A. Said operation was the initial method for the lake development,
 - B. Said operation is part of a continuing Lakefront Residential development plan,
 - C. Said operation and any residential development have separate points of ingress and egress, and
 - D. Said operation is being established to expand an existing Lakefront Residential development.

F. Accessory structure setback from lake allowed to be 0' with engineered seawall.