

**Planning Commission Meeting**  
**Monday, September 25, 2023 7:00 PM**  
**Crete City Hall**  
**243 E 13th Street**  
**Crete, NE 68333**

**1. Open Meeting**

In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the council chambers. Items listed on the agenda may be considered in any order.

**2. Roll Call**

Attendance of Planning Commission members will be recorded to determine the presence of a quorum for official actions.

**3. Items of Business**

The Planning Commission may take action to hear testimony in favor of or in opposition to, discuss/limit discussion and take action to approve or disapprove a recommendation to the City Council on any matter presented under this title.

3.A. Approve Planning Commission Minutes

3.B. Public hearing to hear testimony in favor of and in opposition to and to answer questions in relation to the Petition ZOA23-03 To Amend The Zoning Ordinance.

3.C. Consider a recommendation to the City Council on the Petition To Amend The Zoning Ordinance on Application:ZOA23-03.

3.D. Public hearing to hear testimony in favor of and in opposition to and to answer questions in relation to the Chapter 11 Article 5 Fencing Standards.

3.E. Consider a recommendation to the City Council on Chapter 11 Article 5 Fencing Standards.

3.F. Accept Preliminary Plat for Burlington Estates.

**4. Officers' Reports**

Reports may be given by Department Heads, other Committees and Commission members concerning current operations of the City. Questions may be asked and answered. No action can be taken by the Planning Commission on matters presented under this title except to answer any question posed and to refer the matter for further action.

**5. Adjournment**

The Planning Commission will review the above matters and take such actions as they deem appropriate. The Planning Commission may enter into closed session to discuss any matter on this agenda when it is determined by the Commission that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of an individual and if such an individual has not requested a public meeting, or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session.

The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.

- The Council may enter into closed session to discuss any matter on this agenda when it is determined that a closed session is clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual (if such individual has not requested a public meeting) or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.
- The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.
- The complete agenda with attachments is available at [www.crete.ne.gov](http://www.crete.ne.gov).



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## CRETE PLANNING COMMISSION MEETING

August 28<sup>th</sup>, 2023 at 7:00 PM  
Crete City Hall, 243 East 13<sup>th</sup> Street

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### MINUTES

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th Street  
Post Office, 1242 Linden Avenue  
City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open meetings Act, Laws of the State of Nebraska, in the back of the council chambers. All proceedings shown were taken while the meeting was open to the attendance of the public.

#### 1. Open Meeting

##### 2. Roll Call

Ryan Jindra:	Absent
Jay Quinn:	Absent
Brent Cole:	Present
Dave Jurena:	Present
Justin Kozisek:	Present
Scott Kunch:	Present
Tom Ourada:	Present
Drew Rische:	Present
Jennifer Robison:	Present
Jeff Wenz:	Present

Present: 8, Absent: 2.

City Administrator Tom Ourada was present but did not vote. Also present: Clerk-Treasurer Jerry Wilcox, City Attorney Anna Burge, Human Resource Director Wendy Thomas, Nancy Tellez

### **3. Items of Business**

#### **3.A. Approve Planning Commission Minutes**

Scott Kuncl stated that there are a couple things that need to be corrected from last month's Planning Commission minutes. Kuncl will be sending his notes for the corrections to be made.

Approved Planning Commission Minutes Carried with a motion by Scott Kuncl and a second by Drew Rische.

Brent Cole: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye

Aye: 7, No: 0

#### **3.B. Consider a recommendation to the City Council on the Butterfly Acres Final Plat**

City Administrator Tom Ourada stated that with the final plat the final plan specifications are submitted, such as the easements. The final plat and plans are also submitted to the Engineers to review the actual plans and specs and the Engineer did sign off on it.

Ourada stated that the subdivision regulations are similar. The guarantees for completion are different. Lancaster county has different guarantees.

Recommend to the City Council on the Butterfly Acres Final Plat. Carried with a motion by Justin Kozisek and a second by Drew Rische.

Brent Cole: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye

Aye: 7, No: 0

#### **3.C. Joint City Council and Planning Commission meeting on Tuesday, October 3rd 2023 at 6:00pm.**

City Administrator Tom Ourada explained that there will be a joint City Council and Planning Commission meeting on October 3rd 2023 at 6:00 p.m. Confluence will be giving a presentation on the Comprehensive Plan with updates from the steering committee.

Ourada stated that there will be a regular Planning Commission meeting in September.

### **4. Officers' Reports**

### **5. Adjournment**

Meeting adjourned at 7:15pm.

PETITION TO AMEND THE ZONING ORDINANCE

APPLICATION NUMBER: 20A23-03

DATE: 8/14/23

APPLICATION FEE: \$ 200.<sup>00</sup>

NAME: Carlos Lopez

The undersigned hereby petitions to amend the Zoning Ordinance of the City of Crete in order that the following may be allowed:

Construct Building

The amendment is requested for the following reasons:

the size of the property does not allow for building with I-1 setbacks

Changes in the zoning map required by this proposed amendment are shown on the attached map.

I-1 District changed to C-2 District.

Legal Description of Premises to be amended: (Lot, Block, Addition or Section, Township, Range)

Attached

Owner

Interest of Petitioner in the above described property:

Address of petitioner: 1409 Forest Ave

Signature: see Application

Date of Planning Commission Hearing: 9/25/23

Date of City Council Hearing: 10/3/23

Date posted and published: 9/13/23

NOTE: The City of Crete and the adjacent two (2) mile area is zoned by dividing the area into District in accordance with the Comprehensive Plan. A single lot is not a Zoning District. A small area is not necessarily a Zoning District.





### Subdivision Development Checklist

Pre Application Meeting Date \_\_\_\_\_ Time \_\_\_\_\_

- Planning Commission Meeting Date \_\_\_\_\_ Time \_\_\_\_\_  Application Fee
- City Council Meeting Date \_\_\_\_\_ Time \_\_\_\_\_
- Preliminary Plat physical and digital copies
- Name, Location, Legal description, Date
- Names of Adjoining Properties
- North Point and Graphics Scale
- Roads
- Existing Utilities and sizes
- Name, Location, Legal description, Date
- Proposed Utility System
- Contours at intervals 2' or 5'
- Proposed improvement or grading
- Location of existing buildings
- Proposed Easements, Dedications
- Filing Fees
- Improvement schedule and restrictive covenants
- Notification of County Planning Commission
- Notification of School Board
- Final Plat one original and two mylar copies
- Date, title, Name, Location of Subdivision
- Graphics Scale and North Arrow
- Monuments 1" diameter maximum 30" length
- Dimensions, angles and bearings, legal description of the property
- Names of Adjoining Properties
- Location and dimensions of easements
- Purpose for which sites are dedicated or reserved
- Surveyor Certification as to the accuracy of plat
- Certification signed and acknowledged by all parties holding title
- Certification recording the approval of the Planning Commission
- Certification recording the approval of the City Council
- Detailed Construction plans of all required public improvements approved by and engineer
- Posted bond or certified check to the City of Crete in sufficient amount to complete the required improvements as approved by and engineer

### Administrative Subdivision Checklist

Pre Application Meeting Date \_\_\_\_\_ Time \_\_\_\_\_

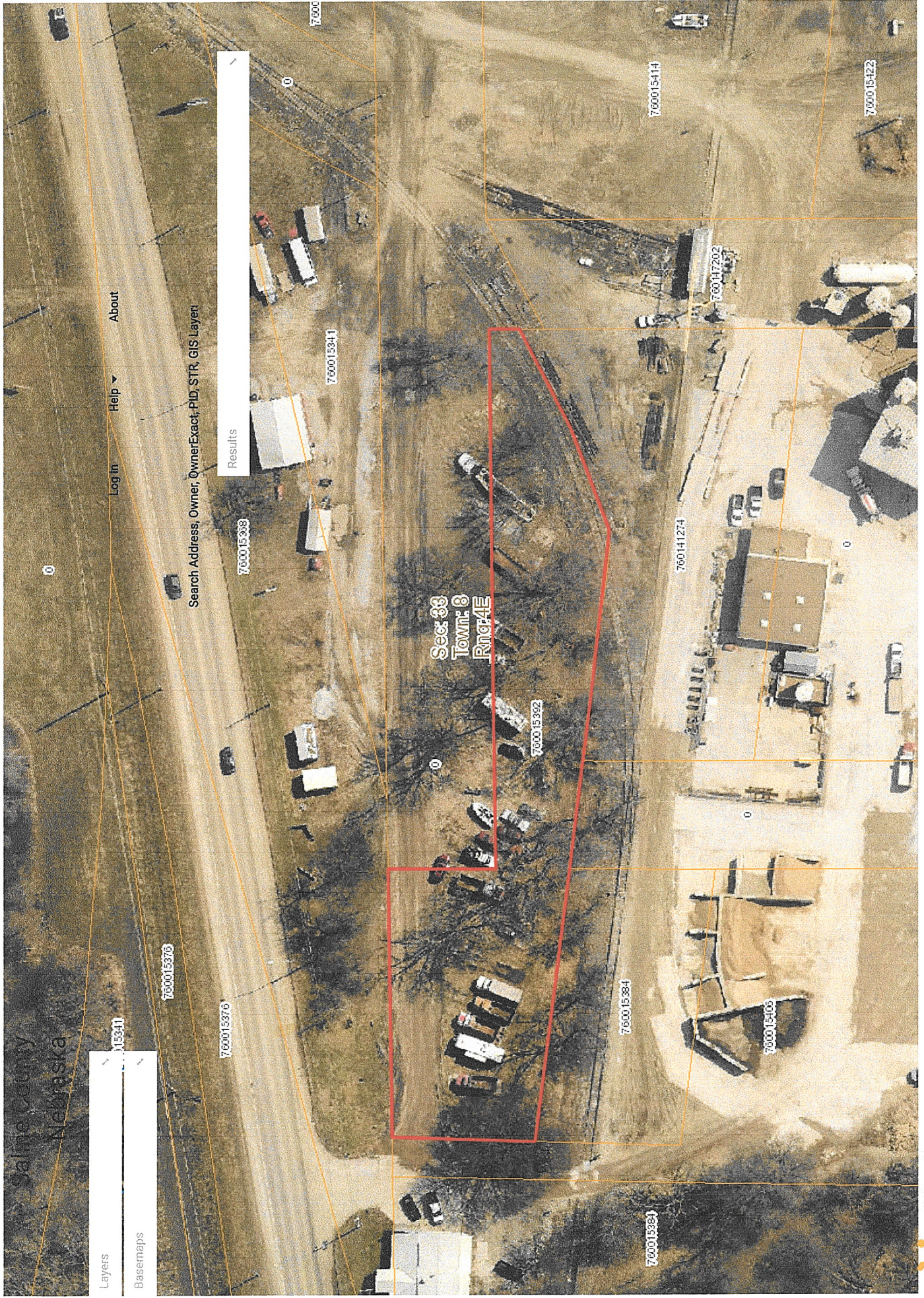
- City Council Meeting Date \_\_\_\_\_ Time \_\_\_\_\_  Application Fee
- Name
- Date
- Title
- Location
- Names of abutting streets
- New lots, block numbers, setback lines
- Graphic Scale and true North Point
- Monuments
- Dimensions
- Legal description
- Certification
- Signed by all parties holding Title
- Protective covenants
- Have owners requested annexation
- Utility easements shown
- Final Plat Original & 2 Mylar's

### Zoning Change or Comprehensive Plan Amendment

- \* Pre Application Meeting Date 8-11-23 Time 8:00  Scaled Survey Drawing
  - Publish and Post Date 8-11 2023 Time \_\_\_\_\_  Application Fee
  - Planning Commission Meeting Date \_\_\_\_\_ Time \_\_\_\_\_
  - City Council Meeting Date \_\_\_\_\_ Time \_\_\_\_\_
  - Parcel # and Current Zoning 760015392 I-1 Requested Zoning I-1 to C-2
- Tom Ourada 402-826-4312 Ext. 6400*

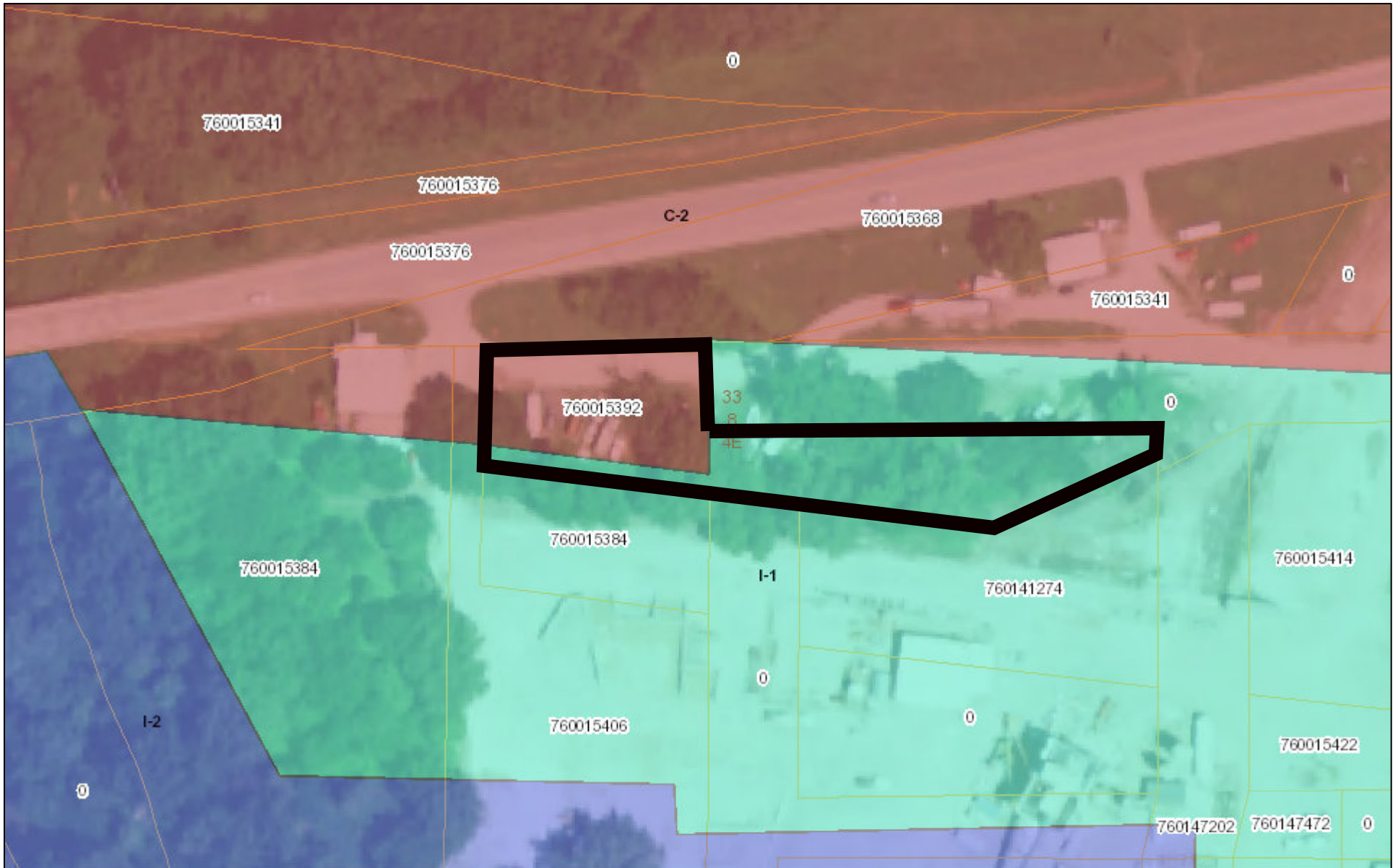
### Special Exception Request

- Pre Application Meeting Date \_\_\_\_\_ Time \_\_\_\_\_  Application Fee
- City Council Meeting Date \_\_\_\_\_ Time \_\_\_\_\_



Lat: 40.624078 Long: -96.972391  
Site Last Updated: 8/14/2023





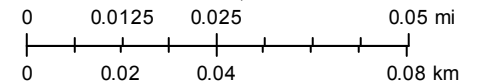
August 17, 2023  
15:05 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:1,594

**Zoning Boundaries**

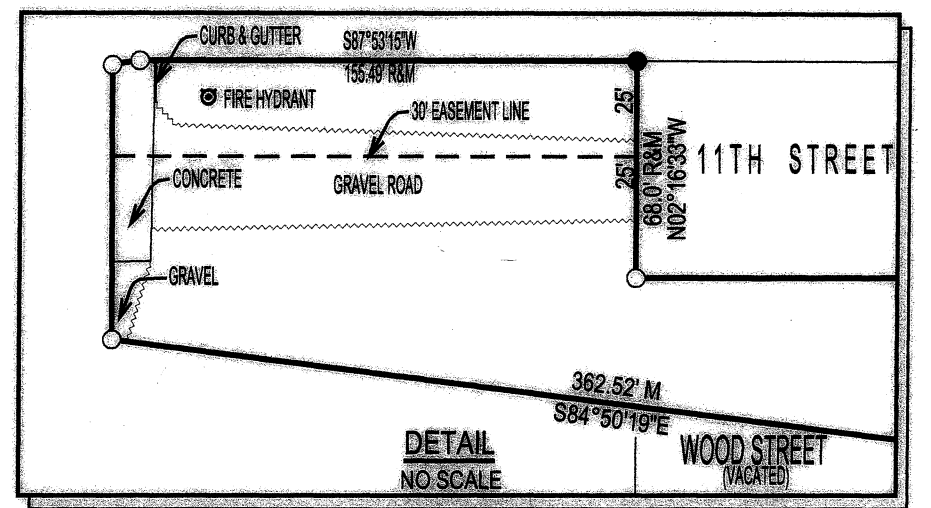
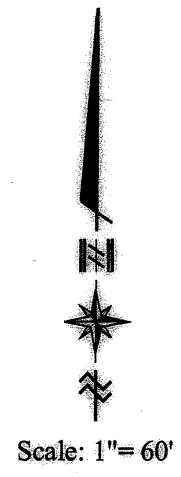
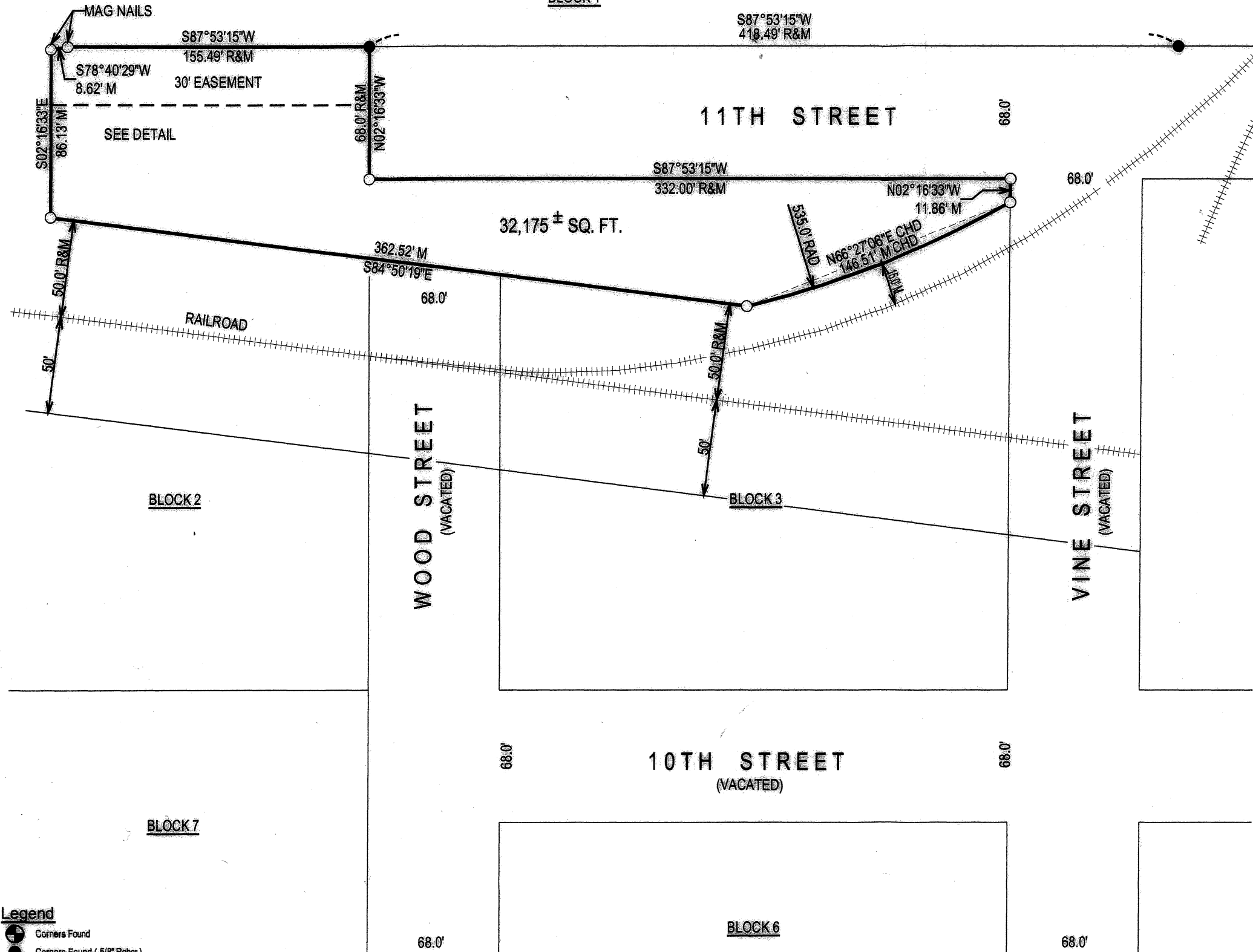
- |     |     |     |     |                         |
|-----|-----|-----|-----|-------------------------|
| A-1 | C-2 | I-2 | R-2 | Corp Limits             |
| C-1 | C-3 | P   | R-3 | 2-mile ETJ              |
|     | I-1 | R-1 | R-4 | Parcels (Saline County) |



# SURVEY RECORD

PREPARED BY  
**L & S SURVEYING**  
 P.O. BOX 354, CRETE NE 68333  
 (402) 826-4620 FAX (402) 826-4646

**BLOCK 1**



**DEED DESCRIPTION**

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 2, IN BICKLE'S FIRST ADDITION TO THE CITY OF CRETE, NEBRASKA; THENCE WEST 164 FEET; THENCE SOUTH 91.9 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE MISSOURI PACIFIC RAILROAD COMPANY; THENCE SOUTHEASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 169.4 FEET TO THE EAST BOUNDARY OF BLOCK 2 IN SAID ADDITION; THENCE NORTH ALONG SAID EAST BOUNDARY OF BLOCK 2, 100.6 FEET TO THE PLACE OF BEGINNING; AND THAT PART OF BLOCK 3 IN BICKLE'S FIRST ADDITION TO THE CITY OF CRETE, NEBRASKA, LYING NORTH AND WEST OF THE RIGHT-OF-WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY SPUR TRACK, WHICH RUNS NORTHEASTERLY THROUGH SAID BLOCK FROM THE MAIN LINE RIGHT-OF-WAY OF THE MISSOURI PACIFIC RAILROAD, BICKLE'S FIRST ADDITION TO THE CITY OF CRETE, SALINE COUNTY, NEBRASKA, ALL AS PLATTED ON PART OF THE NE1/4 OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 4 EAST OF THE 6<sup>TH</sup> P.M., SALINE COUNTY, NEBRASKA OTHERWISE KNOWN AS HIGHWAY TRAILER COURT, E-1 BICKLE'S FIRST ADDITION, CITY OF CRETE, SALINE COUNTY, NEBRASKA.

**SURVEYOR'S CERTIFICATE**  
 I, Leslie J. Siedschlag, a Registered Land Surveyor in the State of Nebraska, hereby certify that this survey was made under my direct supervision on August 15, 2014 if and that all dimensions shown are in feet and decimals of a foot and correct to the best of my knowledge and belief.



*Leslie J. Siedschlag*  
 Leslie J. Siedschlag, Nebraska L.S. No. 469

Date of Completion; October 22, 2014

- Legend**
- Corners Found
  - Corners Found ( 5/8" Rebar)
  - Corners Set ( 5/8" Rebar w/ L&S Cap)
  - ⊙ Survey Marker
  - △ Temporary Point
  - R Record Distance
  - M Measured Distance
  - W.C. Witness Corner
  - Fence
- BlueLines Drafting & Plotting Ph#(402)484-8606 \_ File Name: 14015 BELHOVY

## ORDINANCE NO. 2179

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO ZONING AND REGULATIONS; TO AMEND SECTION 11-502 OF THE CRETE MUNICIPAL CODE TO CHANGE THE DESIGN STANDARDS FOR FENCING.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:**

**Section 1.** That Chapter 11, Article 5, Section 11-502 of the Crete Municipal Code shall be amended as follows:

### **11-502 FENCES, WALLS, AND HEDGES.**

- (1) Notwithstanding other sections or provisions of the City Code, fences, walls, and hedges are permitted in any required yard, provided that no fence, wall, or hedge along the sides or front yard shall be erected over four feet in height and all fences in the front yard must be of an open weave or see-through design. Hedges and walls up to four feet in height will be allowed in the front yard only upon application for a special permit and approval by the City.
  - (2) The following regulations shall apply to the construction of all fences:
    - (a) All fences constructed in the City of Crete shall comply with this section and a building permit must be obtained.
    - (b) All fences shall conform to the construction standards of the Building Code and all other applicable ordinances and resolutions.
    - (c) No fence shall be constructed closer to the street than the property line, and no fence shall be closer than eighteen inches to the sidewalk. The good side of the fence shall face the outside of the property.
    - (d) No fence erected in a required front yard shall materially obstruct public view. Permitted types of fences for use in front yards shall include split rail, chain link, or other similar open-spaced or see-through material. No component of a front yard fence shall exceed four feet in height, nor shall any structural member exceed three feet in cross-sectional area.
    - (e) No fence shall be constructed which will constitute a traffic hazard as identified in the sight triangle of a corner lot.
    - (f) No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous to persons or animals by intent of its construction or by inadequate maintenance.
    - ~~(g) No fence shall be constructed within a designated floodway.~~
    - ~~(h) No component of a fence within Residential Districts, except fences erected upon public or parochial school grounds or in public parks and playgrounds, shall be constructed of a height greater than six feet.~~
    - ~~(i) In Commercial and Industrial Districts, the maximum height of fences shall be eight feet; however, when industry standards for certain types of businesses recommend fences of greater heights, the City may allow greater heights upon application for and approval of a special permit.~~
- (g) No fence shall be built with scrap lumber, scrap metal, metal roof panels, corrugated or sheet

metal, pallet wood, tarps, plywood, barbed or razor wire, v-mesh, field fence, woven field fence, welded utility fence, electrified wire fence or any similar or like wire fencing materials.

- (h) No fence shall be constructed within a designated floodway.
- (i) No component of a fence within Residential Districts, except fences erected upon public or parochial school grounds or in public parks and playgrounds, shall be constructed of a height greater than six feet.
- (j) In Commercial and Industrial Districts, the maximum height of fences shall be eight feet; however, when industry standards for certain types of businesses recommend fences of greater heights, the City may allow greater heights upon application for and approval of a special permit.

**Section 2.** That the changes specified in the above sections shall be codified as part of the Crete Municipal Code as stated herein.

**Section 3.** That all ordinances or parts of ordinances in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

**Section 4.** That if any section, part, or provision of this ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other section, part, or provision of this ordinance.

**Section 5.** That this ordinance shall be published in pamphlet or book form and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED the \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

