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## CRETE PLANNING COMMISSION MEETING

January 27, 2025 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

Jay Quinn:	Absent
Drew Rische:	Absent
Carely Adame Ortiz:	Present
Ryan Jindra:	Present
Dave Jurena:	Present
Justin Kozisek:	Present
Scott Kunch:	Present
Jennifer Robison:	Absent
Jeff Wenz:	Present

Present: 7, Absent: 2.

Jennifer Robison arrived at 7:01 p.m.

City Administrator Tom Ourada was also present for the meeting but did not vote. Also present: City Attorney Anna Burge, Finance Director Wendy Thomas, Chief of Police Gary Young, Captain Jon Pucket, City Clerk Nancy Tellez, Building Inspector Trent Griffin, Library Director

Jessica Wilkinson, Parks and Recreation Director Liz Cody, Dimas Adame, Brent Cole, and David Hessheimer

City Administrator Tom Ourada explained that at the last leadership meeting department heads and leaders were asked to attend other city board and commission meetings to see all the things the City is doing.

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

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

##### **3.A.1. December 16th, 2024 Planning Commission Meeting Minutes**

Approved the December 16th, 2024 Planning Commission Meeting Minutes Carried with a motion by Scott Kunch and a second by Justin Kozisek.

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Jeff Wenz: Aye

Aye: 6, No: 0

#### **3.B. Public Hearing on Proposed Zoning Map Amendment Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3**

Opened Public Hearing on Proposed Zoning Map Amendment Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3 Carried with a motion by Scott Kunch and a second by Justin Kozisek.

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye

Aye: 7, No: 0

Opened the Public Hearing at 7:02 p.m. City Administrator Tom Ourada explained that there is triangular shape that in 2016 the land use map adopted and isn't exactly sure what the planners were thinking but there was a reason for it. Ourada explained that Dimas Adame who owns property across the current R3 triangular shape of land is wanting to remove a mobile home that is on his property and build a house there. Ourada stated that there are storage units to the north of the property and to the south there is a residence and a farm. Planning Commission member Justin Kozisek asked what are the allowable uses currently on that property. City Attorney Anna Burge went through and explained that list which included automobile and truck dealership, service, and repair facilities, child care centers, farm machinery and equipment sales and services, machine shops, mobile home sales and shopping centers and strip-malls among other principal uses.

Planning Commission member Scott Kunch asked if it is still contiguous even though there is a road there. Ourada explained that the road is not a barrier since it is in city limits it is still contiguous if rezoned since by law only one side needs to be the same. David Hessheimer explained that he is against the proposed zoning map amendment due to the property asking to be changed has a large building on it that is used as a social hall, vehicles park on both sides of the road and he believes if it is changed to R3 that would create more traffic. Hessheimer stated that he has no problem with a single-family home being built on the property and also asked if the property could still be continued to be used to park equipment for the property owner's business.

Ourada stated to the Planning Commission to look at this on its merits and stick to the

principal requirements for the zoning map amendment.

Property owner Dimas Adame who is asking for change stated that he has vehicles park inside of his property and he would like to build a home on the property and is following city code. Ourada explained to the Planning Commission that this does meet the requirements for the zoning map amendment and if the Planning Commission wants to deny the request if they believe the infrastructure does not support it.

Kozisek asked Ourada if an 8-plex could be built on the property and Ourada stated that there is not enough room. Ourada stated that the land use map in 2016 went to the Planning Commission and then to the City Council.

The Public Hearing closed at 7:40 p.m.

Close the Public Hearing on Proposed Zoning Map Amendment Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3 Carried with a motion by Justin Kozisek and a second by Jeff Wenz.

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye  
Aye: 7, No: 0

### **3.C. Public Hearing on proposed Zoning Change Request Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3**

Open the Public Hearing on proposed Zoning Change Request Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3 Carried with a motion by Justin Kozisek and a second by Ryan Jindra.

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye  
Aye: 7, No: 0

The Public Hearing opened at 7:40 p.m.

City Administrator Tom Ourada explained that you can't do a zoning change on something that isn't allowed.

David Hessheimer explained that he is against the proposed zoning change request because for the last two years the large building on the property has been used as a social hall. There have been cars parked on the road and trash. He has gone to the county and the county says it's a city issue and when he goes to the city he has been told to go to the county. Hessheimer stated that if the property owner has not been able to live up to the C3 zoning who says he will live up to the R3 zoning. Hessheimer asked if Planning Commission member Carely Adame is related to the property owner. Ourada explained that she is his daughter and she is not going to vote. Hessheimer stated that he is okay with the property owner building a single-family home on the property.

Ourada explained that the infrastructure cannot support an 8-plex and there would have to be many updates to the infrastructure.

The public hearing closed at 7:57 p.m.

Closed the Public Hearing on proposed Zoning Change Request Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3 Carried with a motion by Justin Kozisek and a second by Scott Kunch.

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott

Kuncl: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye  
Aye: 7, No: 0

**3.D. Consider a recommendation to the City Council on Proposed Zoning Map Amendment Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3**

Planning Commission member Justin Kozisek asked City Administrator Tom Ourada if they had to make a recommendation and vote. Ourada explained that the Planning Commission would let it die due to a lack of action or they could vote not to have a recommendation. Ourada explained if the Planning Commission votes to table, they will have to take action at the next meeting.

No recommendation was given to the City Council on Proposed Zoning Map Amendment Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3 Carried with a motion by Jeff Wenz and a second by Ryan Jindra.

Carely Adame Ortiz: Abstain (With Conflict), Ryan Jindra: Aye, Dave Jurena: No, Scott Kuncl: Aye, Jeff Wenz: Aye, Justin Kozisek: No, Jennifer Robison: No  
Aye: 3, No: 3, Abstain (With Conflict): 1

**3.E. Consider a recommendation to the City Council on proposed Zoning Change Request Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3**

No recommendation was given to the City Council on proposed Zoning Change Request Crete PRCT PART SE 1/4 NW 1/4 SEC. 33-8-4 1 ACRE Commonly known as 675 Arizona Ave C3 to R3 Carried with a motion by Jeff Wenz and a second by Ryan Jindra.

Carely Adame Ortiz: Abstain (With Conflict), Ryan Jindra: Aye, Dave Jurena: No, Scott Kuncl: Aye, Jeff Wenz: Aye, Justin Kozisek: No, Jennifer Robison: No  
Aye: 3, No: 3, Abstain (With Conflict): 1

**3.F. Discussion on new international pool standards that state a safety cover that meets certain criteria can replace a fence around a pool.**

City Administrator Tom Ourada stated that Brent Cole asked to be on the agenda to speak to the Planning Commission, and he has a good argument on pool standards. Brent Cole addressed the Planning Commission and stated that he would like to see the new international pool standards that state a safety cover that meets certain criteria can replace a fence around a pool match the city code. Cole stated that neighboring communities have updated their code to match the updated international pool standards.

Planning Commission member Jennifer Robison asked if there are any requirements for the pool cover to be inspected and Ourada stated that only when its installed. Planning Commission member Scott Kuncl asked if they could be put at the next meeting's agenda.

**3.G. Consider Ordinance 2235 amending subdivision applicability**

City Administrator Tom Ourada explained that if someone wants to do an administrative subdivision on a property if it is over 10 acres they don't have to go through the city and they don't have to do anything or they can report it to the county if they choose to. If it is not reported to the county whoever they bought property from will continue to pay taxes on it. There is an unintended consequence that if someone in our ETJ wants to subdivide they can bypass the city.

It is currently stated that the division of land when the smallest parcel created is more than ten acres in the area shall be exempt from these regulations. This happened recently when the city spoke to the surveyor and they stated they could go to 10.01 that way they don't have to go through the city. Ourada stated he asked City Attorney Anna Burge to look into that in state statute. Burge stated that in state statute there is no specific requirements on that. Planning Commission member Scott Kunch asked if this could be tabled for the next meeting.

Tabled Ordinance 2235 amending subdivision applicability Tabled with a motion by Scott Kunch and a second by Jeff Wenz.

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye  
Aye: 7, No: 0

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

City Administrator Tom Ourada mentioned that at the next meeting the Planning Commission would be looking at the 1 and 6 and he would be emailing it to the commission to look at.

#### **5. Adjournment**

The meeting adjourned at 8:22 p.m.