

Planning Commission Meeting
Monday, June 26, 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, in opposition to and to answer questions in relation to a proposed zoning change from C-1 to R-3 from Dittmer & Dittmer, LLC. a parcel of land being a portion of land located in the North 1/2, of the northeast 1/4 section 26, T8N, R4E of the 6th P.M., Crete, Saline County, Nebraska.

3.C. Consider a recommendation to the City Council on the Petition To Amend The Zoning Ordinance from Dittmer & Dittmer, L.L.C.

3.D. Public Hearing to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-2 to R-3 from Crete Lumber & Farm Supply for Parcels 760009570, 76012991, 7601148366, all in blocks 21 and 168, Original Town, City of Crete, Saline County, Nebraska.

3.E. Consider a recommendation to the City Council on the Petition To Amend The Zoning Ordinance from Crete Lumber & Farm Supply.

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 and 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.

Disclaimers & Notices

- 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.



CRETE PLANNING COMMISSION MEETING

May 22, 2023 at 7:00 PM
Crete City Hall, 243 East 13th Street

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

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

Present: 9, Absent: 1.

City Administrator Tom Ourada (alternate member) was present for the meeting but did not vote.

3. Items of Business

3.A. Election of Officers

Elected Dave Jurena as planning commission chair. Carried with a motion by Jennifer Robison and a second by Justin Kozisek.

Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jay Quinn: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye
Aye: 8, No: 0

3.B. Approve Planning Commission Minutes

Scott Kuncl mentioned that there are two corrections to be made on the minutes (correct who second) and add adjournment.

Approved the Planning Commission Minutes Carried with a motion by Scott Kuncl and a second by Ryan Jindra.

Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jay Quinn: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye
Aye: 8, No: 0

3.C. Public Hearing on Cardinal Ventures Redevelopment Project

Opened Public Hearing on Cardinal Ventures Redevelopment Project Carried with a motion by Scott Kuncl and a second by Justin Kozisek.

Brent Cole: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jay Quinn: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye
Aye: 8, No: 0

City Attorney Alison J Borer gave a presentation for the Cardinal Ventures Redevelopment Mentioned the following;

- It conforms with the comprehensive plan. This is Area #3 13th and Iris.
- There will be 33 lots, public infrastructure, preliminary site plan, streets, water, and sewer. The project would start in 2024. Private improvements would be \$11 million.
- Difference in property tax before and after construction. Have everything built by 2029 to maximize Tax Increment Financing (TIF). TIF can only be used for eligible expenditures. Zone R2 Residential
- The comprehensive plan calls for new houses 184 needed by 2024. A portion of the project will be rezoned R3 and replotted. Will see additional taxes. The current site value is \$180,000 after plotting \$955,000. Will see immediate benefits. The project will increase the population density. There will be more children in school districts. The school district is in favor
- It will increase the variety of housing and generate sales tax. Build infrastructure and reduce blighted areas

Darcy Ross stated the following;

- They have studied the comprehensive plan and TIF and there is a lack of housing. They will have 33 lots available. Thinking of building row houses.
- The timeline will be early 2024. It will be built in 6-9 months. The cost is very high per lot about \$60,000 per lot. That is why they are requesting TIF. Anyone could have bought the property but no one did

Steven Reisdorff commented the following;

- There are subdivision regulations and there should be a personal guarantee. To justify that the area is blighted is a stretch. Developers in town have done their own finances. Other projects in town have used TIF

City Attorney, Alison J Borer stated the following;

- The area is already declared blighted and substandard. The developer will pay for all the infrastructure and the land is private property. The developer purchased land and it's not city property.

Steven Reisdorff stated he wanted to see the following;

- Would have liked to see other proposals, not just the one being presented, the preliminary and final plats and where the sewer and water will be at.

An Attorney from Omaha for Cardinal Ventures stated the following:

- There will be a variety of price points and this bridges the gap for housing. The property will continue to sit undeveloped if TIF is not used. After 15 years, tax money will be revenue to the City of Crete. There are currently very few tools that help developers and TIF gives broad authority to develop your community.

City Attorney Alison J Borer stated that developers present the TIF proposals first so that they know if they are able to secure TIF

Ron Sack: Mentioned that he asked for TIF

City Administrator Tom Ourada mentioned that the land was not in a redevelopment area. The developers tonight have paid for a blighted study.

Ron Sack stated that the direction he received was that it wasn't possible.

Ron Sack: Mentioned that he thinks the development of this property being talked about tonight is good but the city needs to be consistent with policy.

City Attorney Alison J Borer asked to focus on whether this conforms with the comprehensive plan.

Closed Public Hearing on Cardinal Ventures Redevelopment Project at 7:50pm Carried with a motion by Justin Kozisek and a second by Ryan Jindra.

Brent Cole: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Jay Quinn: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye

Aye: 8, No: 0

3.D. Consider a recommendation to the City Council on a Redevelopment Plan Amendment for the Cardinal Ventures Redevelopment Project.

Brent Cole mentioned that he was uninformed on the matter and would abstain from voting.

Scott Kuncl Abstained

Jeff Wenz Abstained from voting due to conflict of interest

Approved the Resolution #PC23-01 Carried with a motion by Justin Kozisek and a second by Jay Quinn.

Brent Cole: Abstained, Scott Kuncl: Abstained, Jeff Wenz: Abstain (With Conflict), Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Jay Quinn: Aye, Jennifer Robison: Aye
Aye: 7, No: 0, Abstained: 3

3.E. Public Hearing on Crete Senior Villas Redevelopment Project

Opened Public Hearing on Crete Senior Villas Redevelopment Project Carried with a motion by Ryan Jindra and a second by Jennifer Robison.

Brent Cole: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jay Quinn: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye

Aye: 8, No: 0

City Attorney Alison J Borer explained the following;

- This is the Crete Senior Villas Redevelopment Project Area #1. This is the preliminary site plan. This will be a 30-unit apartment building for affordable senior housing 55 years and older at or below the 60% poverty line. The start date will be at the end of this year and finish towards the end of 2024. This will be tax credit project and will cost approximately 8.7 million dollars. The developer is requesting \$223, 000 in Tax Increment Financing. It is in the comprehensive plan zone R3. It was rezoned last year. Will be subdivided. Has reviewed all statutory elements. There was a cost benefit analysis.

Ryan Stoll- Redeveloper explained the following;

- This will be senior housing in close proximity to Wal-Mart and the hospital. The building will be 3 stories. The apartments will be 2 bedrooms and one bath. The property is governed by the state and there will only be a 2-3% rent increase. There will be income requirements. There will be 7 apartments that will rent for \$407, 9 apartments for \$735, and 14 apartments for \$795.

City Administrator Tom Ourada mentioned that NIFA projects are highly competitive.

Closed Public Hearing on Crete Senior Villas Redevelopment Project Carried with a motion by Ryan Jindra and a second by Jay Quinn.

Brent Cole: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jay Quinn: Aye, Jennifer Robison: Aye, Jeff Wenz: Aye

Aye: 8, No: 0

3.F. Consider a recommendation to the City Council on a Redevelopment Plan Amendment for the Crete Senior Villas Redevelopment Project.

Approved Resolution #PC23-02. Carried with a motion by Jennifer Robison and a second by Jay Quinn.

Brent Cole: Abstained, Scott Kuncl: Abstained, Jeff Wenz: Abstained (With Conflict), Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Jay Quinn: Aye, Jennifer Robison: Aye
Aye: 7, No: 0, Abstained: 3

4. Officers' Reports

Officers Reports:

City administrator Tom Ourada stated the following;

- The developers want to know if they are approved for TIF before they start spending.
 - This is a redevelopment area.
 - A blight study was completed and factors were met.
 - The planners conducted the study, not the city.
- City Attorney Alison J Borer mentioned that only a percentage of the city can be classified as bighted and substandard (30% of a city of the first class)

5. Adjournment

The meeting adjourned at 8:43pm

PETITION TO AMEND THE ZONING ORDINANCE

APPLICATION NUMBER: ZOA23-01

DATE: April 24, 2023

APPLICATION FEE: \$ 200.00

NAME: Dittmer & Dittmer, L.L.C.

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

The construction of a 30 unit, 3-story, senior 55+ multi-family apartment building

The amendment is requested for the following reasons:

The majority of the site is currently zoned R3 and a small portion of the site is zoned C1

We are requesting the portion zoned C1 be rezoned R3 to keep zoning consistent across the parcel
Changes in the zoning map required by this proposed amendment are shown on the attached map.

C-1 District changed to R-3 District.

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

Legal description attached

Interest of Petitioner in the above described property:

Owner of the property

Address of petitioner: 1600 W 12th Street, Crete, NE 68333

Signature: Ken Dittmer For Dittmer & Dittmer

Date of Planning Commission Hearing: June 26th 2023

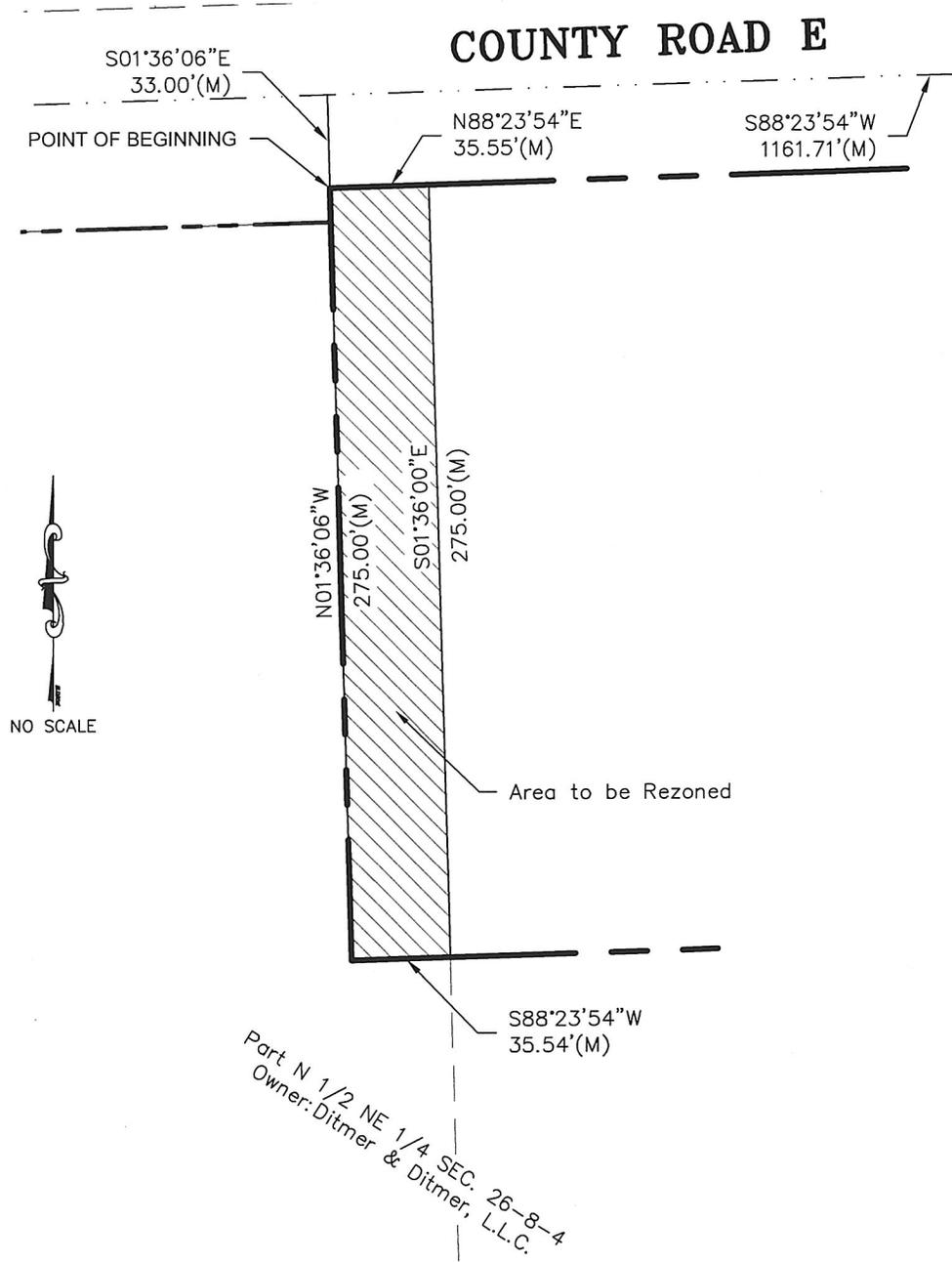
Date of City Council Hearing: July 5th 2023

Date posted and published: June 14th 2023

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.

Re-Zoning Exhibit

REZONING OF A PARCEL OF LAND BEING A PORTION OF LAND LOCATED IN THE NORTH 1/2, OF THE NORTHEAST 1/4 SECTION 26, T8N, R4E OF THE 6TH P.M., CRETE, SALINE COUNTY, NEBRASKA



REZONING OF A PARCEL OF LAND BEING A PORTION OF LAND LOCATED IN THE NORTH 1/2, OF THE NORTHEAST 1/4 SECTION 26, T8N, R4E OF THE 6TH P.M., CRETE, SALINE COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26, THENCE ON THE NORTH LINE OF SAID NE 1/4 BEARS S88°23'54"W, 1161.71 FEET ALL BEARINGS HEREON ARE RELATIVE THERETO; THENCE S01°36'06"E, A DISTANCE OF 33.00 FEET TO THE SOUTH R-O-W LINE OF COUNTY ROAD E BEING 33' SOUTH OF AND PARALLEL WITH SAID NORTH LINE AND THE POINT OF BEGINNING; THENCE CONTINUING ON SAID SOUTH R-O-W, S88°23'54"E, 35.55 FEET; THENCE S01°36'00"E, 275.00 FEET; THENCE N88°23'54"W, 35.54 FEET; THENCE N01°36'06"W, 275.00 FEET TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 9,775.28 SQUARE FEET MORE OR LESS.

REGA
ENGINEERING

601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402).484.7342

A PRELIMINARY PLAT OF COUNTY ROAD E ESTATES

PROJECT
231057

REGA ENGINEERING
600 OLD CHERY RD, SUITE A
LINCOLN, NEBRASKA 68512
(402)484-7342

- ENGINEERING
- PLANNING
- LANDSCAPE
- ARCHITECTURE
- LAND SURVEYING
- IRRIGATION

COUNTY ROAD E ESTATES PRELIMINARY PLAT CRETE, SALINE COUNTY, NEBRASKA

DATE: 04/18/2023
DESIGNED BY: FBS
DRAWN BY: FBS
CHECKED BY: LLL/NPB

SHEET NO.
1 of 1

LEGAL DESCRIPTION OF PRELIMINARY PLAT

A PARCEL OF LAND BEING A PORTION OF LAND LOCATED IN THE NORTH 1/2, OF THE NORTHEAST 1/4 SECTION 26, 14E, 6TH P.M., CRETE, SALINE COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENSING AT THE NE CORNER OF SAID SECTION 26, THE NORTH LINE OF SAID NE 1/4 BEARS S88°23'54"W, 181.71 FEET ALL BEARINGS HEREON ARE RELATIVE THERE TO;
THENCE S01°36'08"E A DISTANCE OF 33.00 FEET TO THE SOUTH R-O-W LINE OF COUNTY ROAD E BEING 33' SOUTH OF AND PARALLEL WITH SAID NORTH LINE AND THE POINT OF BEGINNING;
THENCE CONTINUING ON SAID SOUTH R-O-W, S88°23'54"E, 475.00 FEET;
THENCE ON SAID EAST BOUNDARY, S01°36'08"E, 275.00 FEET;
THENCE ON SAID SOUTH BOUNDARY, N88°23'54"W, 475.00 FEET;
BEGINNING, CONTAINING A CALCULATED AREA OF 130,625 SQUARE FEET OR 3.00 ACRES MORE OR LESS.

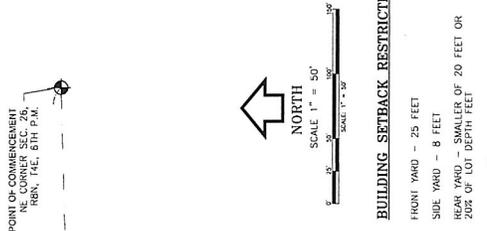
SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF NEBRASKA, AND THAT I HAVE PERSONALLY CONDUCTED THIS SURVEY UNDER MY OWN SUPERVISION, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST EDITION OF THE PUBLIC DUTY COMPASS, 2019, HAVE BEEN MADE TO THE DESCRIPTION INDICATED, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED OR WILL BE INSTALLED AND THEIR POSITION IS CORRECTLY SHOWN AND THAT ALL DIMENSIONS AND BEARING DATA IS CORRECT.

OWNERS CERTIFICATION:
WE, THE UNDERSIGNED, DITMER & DITMER, LLC, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAD OUT, CONVEYED, AND DESIGNATED AS COUNTY ROAD E, SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.
THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS COUNTY ROAD E, SALES AN ADDITION TO CRETE, NEBRASKA, ALL STREETS AND ALLEYS SHOWN AND NOT SPECIFICALLY NOTED HEREIN, SHALL BE DEDICATED TO THE PUBLIC UNLESS CLEAR TITLE TO THE LAND CONTAINED IN THIS PLAT IS GUARANTEED. ANY ENCUMBRANCES OR SPECIAL ASSIGNMENTS ARE EXPLAINED AS FOLLOWS:
BUILDING SETBACKS SHALL BE 20 FEET FRONT, 5 FEET SIDE AND 20 FEET REAR FOR ALL LOTS WITHIN THIS PLAT.
LOT 1 SHALL HAVE ACCESS TO COUNTY ROAD E.

ACKNOWLEDGE OF NOTARY:
STATE OF NEBRASKA } SS
SALENE COUNTY }
DITMER & DITMER, LLC, NEBRASKA LIMITED LIABILITY COMPANY
DON DITMER, MANAGING MEMBER

NOTARY PUBLIC
MY COMMISSION EXPIRES THE ____ DAY OF _____, 20____
COUNTY TREASURER'S CERTIFICATIONS
THIS IS TO CERTIFY THAT I FOUND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT IN SAID COUNTY, PERSONALLY CAME, NON DITMER, MANAGING MEMBER OF DITMER & DITMER, LLC, TO THE OFFICE OF THE COUNTY TREASURER, SAID COUNTY, NEBRASKA, WHOSE NAME IS AFFIXED TO THE DEDICATION OF THE FOREGOING PLAT AND HE ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID COMPANY.

REVIEW OF CASS COUNTY SURVEYOR
THIS PRELIMINARY PLAT OF GREEN LIGHT ESTATES WAS REVIEWED BY THE OFFICE OF SAINE COUNTY SURVEYOR ON THIS ____ DAY OF _____, 20____
COUNTY SURVEYOR _____ DATE _____
SAINE COUNTY SURVEYOR _____



BUILDING SETBACK RESTRICTIONS
FRONT YARD - 25 FEET
SIDE YARD - 8 FEET
REAR YARD - SMALLER OF 20 FEET OR 20% OF LOT DEPTH FEET

OWNER/DEVELOPER:
DITMER & DITMER, LLC
1401 N. J ST.
CRETE, NE 68333

SURVEYOR:
LYLE L. LOIH
REGA ENGINEERING GROUP, INC.
1401 N. J ST., SUITE 200
LINCOLN, NE 68512 (402) 484-7342

ZONING INFORMATION
CURRENT ZONING: R-3
Total Lots = 1
Total Outlots = 0
Total Acres = 3.00

NOTARY PUBLIC
STATE OF NEBRASKA } SS
SALENE COUNTY }
DITMER & DITMER, LLC, NEBRASKA LIMITED LIABILITY COMPANY
DON DITMER, MANAGING MEMBER

PETITION TO AMEND THE ZONING ORDINANCE

APPLICATION NUMBER: 20A23-02

DATE: 6/13/23

APPLICATION FEE: 200.00

NAME: Crete Lumber

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

To build Apts

The amendment is requested for the following reasons:

The lot has 2- zoning in place

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

C-2 District changed to R-3 District.

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

PID # 76000957, 760129991, 760148366

Interest of Petitioner in the above described property:

Co-owner

Address of petitioner: 1600 W 12th St. Crete

Signature: Ron Dittmer

Date of Planning Commission Hearing: 6/26/2023

Date of City Council Hearing: 7/5/2023

Date posted and published: 6/16/2023

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.

Crete Lumber and Farm Supply

Members of the Planning Commission,

Crete Lumber & Farm Supply propose zoning changes for the following Parcels:

#760009570

#760129991

#760148366

#760009570

We propose to change these Parcels to R-3 zoning.

Thank you,

A handwritten signature in black ink that reads "Ron Dittmer". The signature is written in a cursive style with a large, stylized "R" and "D".

Ron Dittmer

