

Planning Commission Meeting
Monday, November 25, 2024 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. Consider Ordinance 2226 amending administrative subdivision requirements

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

October 28th, 2024 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

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

Present: 7, Absent: 2.

City Administrator Tom Ourada was present but did not vote.

Also, present for the meeting were City Attorney Anna Burge, City Clerk Nancy Tellez, and Finance Director Wendy Thomas, Building Inspector Trent Griffin

3. Items of Business

3.A. Approve Planning Commission Minutes

Scott Kuncel motioned to approve the amended minutes, approving the Dittmer Commercial Preliminary Plat with the variances 1 through 5 seconded by Justin Kozisek

Carely Adame Ortiz: Aye, Ryan Jindra: Aye, Dave Jurena: Aye, Justin Kozisek: Aye, Scott Kuncel: Aye, Jay Quinn: Aye, Jeff Wenz: Aye
Aye: 7, No: 0

3.B. Discussion on zoning rewrite

City Administrator Tom Ourada explained that an example is Butterfly Estates. When they went through the code, they were hoping to do some innovative things but the planner repackaged everything and it is the same. The City would like to do something with medium and high density, like row houses and things like that, but that was not addressed in there. What was addressed in there was an urban/ag that was kind of broad. Ourada stated he had hoped to see some transitional zoning and some different zones for highway zones.

Ourada stated that they are looking at coming up with their own product.

3.C. Discussion on suspension of small lot zoning enforcement in A1

City Administrator Tom Ourada explained that there is someone who is building a house on a 6-acre lot north of Crete in the county in our 2-mile extraterritorial jurisdiction (ETJ). According to A1 you have to have 50-foot setbacks and where the lot is positioned on a hill in the county will not put a culvert in the side of the hill where he can put his house to meet the setbacks. He asked if he can get a variance and, technically, you can get a variance not when you don't want to meet the code but when you can't meet the code and you can get a variance from the Board of Adjustment. In this case he could probably qualify for a variance. There is a small subdivision with 6 acre lots.

Ourada and City Attorney Anna Burge explained that they are looking at zoning examples from other municipalities. Burge explained that for example Hickman has residential estates. They are a minimum of 3 acre lots. The purpose for this lots is residential only. The side yard set backs are 25 feet. In Hastings they have a rural residential, which is 1 acre or 3 acres minimum and they have side yards of 15 feet. Ourada stated that they would like to mirror best practices.

4. Officers' Reports

City Administrator Tom Ourada introduced Building Inspector Trent Griffin.

5. Adjournment

7:33 p.m.

ORDINANCE NO. 2226

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO PLANNING AND ZONING SUBDIVISION REGULATIONS; TO AMEND SECTION 11-306.03 OF THE CRETE MUNICIPAL CODE; TO AMEND THE NUMBER OF PLAT COPIES TO THREE PER APPLICATION

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

Section 1. That Chapter 11, Article 3, Section 11-306.03 of the Crete Municipal Code be amended as follows:

11-306.03 Administrative Subdivision

- (1) *Purpose.* In the event that a proposed subdivision does not involve the platting and dedication of streets, extension of utility systems, change in subdivision class and type, change in zoning district, change in surface draining, and will not result in the creation of more than three lots of record, the subdivider may apply for administrative subdivision under the provisions of this section. The utilization of the administrative subdivision does not relieve the subdivider of its obligation to comply with sections 11-307 and 11-308. The necessity of establishing and dedicating easements for utilities shall not bar the utilization of the administrative subdivision.
- (2) *Application.* Application will be made to the City Council, and the City Council may act or may at their option refer the application to the Planning Commission, the procedures outlined under the final plat provisions shall be followed.
- (3) *Scale and Plat Contents.* The subdivider shall submit an original and ~~eleven~~ three copies of the plat of a size such that the county register of deeds clerk may affix their seal to the front of the plat without covering any information. The original shall be drawn in ink on tracing cloth, mylar, or similar material and shall be at a scale of 1" to 100' or larger. The plat shall contain the following:
 - a. Date, title, name, and location of the subdivision.
 - b. Names and locations of abutting streets and lots identifying street names and lot and block numbers.
 - c. Graphic scale and true north point.
 - d. Monuments.
 - e. Dimensions, angles and bearings, and complete legal description of the property.
 - f. Sufficient engineering data to reproduce any line on the ground.
 - g. Location, dimensions, and purposes of any existing easements.
 - h. Certification by surveyor or engineer certifying to the accuracy of the survey and plat.
 - i. Certification signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted.
 - j. Typed names of all known signatories of the plat, including, property owner, developer, surveyor, etc.
- (4) *Supplementary Data Required.* The plat shall be accompanied by:
 - a. Protective covenants in form for recording if such are desired by the subdivider.
 - b. For subdivisions adjoining or touching the boundaries of the Crete Corporate limits; a tract or area for which annexation proceedings have commenced; an approved subdivision which touches or adjoins the Crete corporate limits, a petition signed by the owner or owners requesting annexation to the City.
 - c. Utility easements signed by the owner or owners to permit all lots created access to all utilities available in the City, including but not limited to, sanitary sewer, storm sewer, water, electrical, telephone, and cable television.

Section 2. That the above section shall be codified as part of the Crete City Code as stated herein.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be published in pamphlet, book, or electronic 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 3rd day of December 2024.

Mayor

ATTEST:

City Clerk

Seal