

CITY OF CRETE, NEBRASKA  
CITY COUNCIL REGULAR MEETING  
September 26, 2022

Notice of the meeting was given by posting and publishing in The Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the Mayor and City Council. 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. Additional copies are available to read. The City may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

Those in attendance pledged allegiance to the flag.

1. Open Meeting
2. Roll Call

Dave Jurena:	Absent
Jay Quinn:	Absent
Drew Rische:	Absent
Jennifer Robison:	Absent
Anthony Fitzgerald:	Present
Ryan Jindra:	Present
Justin Kozisek:	Present
Scott Kuncl:	Present
Tom Ourada:	Present

Present: 5, Absent: 4.

3. Items of Business
- 3.A. Approve Planning Commission Minutes

Approve Planning Commission minutes as presented. Carried with a motion by Justin Kozisek and a second by Scott Kuncl.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Tom Ourada: Aye  
Aye: 5, No: 0

- 3.B. Provide a recommendation to the City Council on enacting Ordinance 2158: An ordinance amending the design standards for accessory buildings in new developments.

Recommend to the City Council to enact Ordinance 2158: An ordinance amending the design standards for accessory buildings in new developments. Carried with a motion by Justin Kozisek and a second by Ryan Jindra.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Tom Ourada: Aye  
Aye: 5, No: 0

City Administrator Tom Ourada informed the Planning Commission that the only changes in the ordinance are in section 3B. The changes allow accessory buildings or structures to project up to 18 feet in front of the facade of the dwelling. It also states that side-facing garages may project up to 36 feet. The

ordinance allows more leeway for builders to build affordable, contemporary homes.

#### 4. Officers' Reports

- City Administrator Tom Ourada reported that the comprehensive planner will be doing a strategic planning session with the city council this Wednesday.
- Chairperson Anthony Fitzgerald reported that the Airport Authority has been dissolved due to state statute. The statute states that if the Airport Authority has been in existence for 20 or more years, it dissolves automatically when there is no debt. The Crete Airport recently became debt free, so it will be converted into the Airport Advisory Board as it becomes a department of the city.

#### 5. Adjournment

Mayor

(SEAL)

City Clerk-Treasurer

I, Jerry Wilcox, City Clerk for the City of Crete, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council. I hereby certify that a copy of the Open Meetings Act was posted in the back of the Council Chambers. I certify that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk. I certify that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting and that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public. I certify that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of the City Council. I certify that all news media requesting notification concerning meetings of the City Council were provided with advance notification of the time and place of said meeting and the subjects to be discussed.

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City Clerk-Treasurer

(S E A L)



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## CRETE PLANNING COMMISSION MEETING

August 22, 2022 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 and publishing in the Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the board 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. Additional copies are available to read. The board may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

#### 1. Open Meeting

Dave Jurena: Absent  
Drew Rische: Absent  
Sharon Scusa: Absent  
Anthony Fitzgerald: Present  
Ryan Jindra: Present  
Justin Kozisek: Present  
Scott Kuncl: Present  
Jennifer Robison: Present

Present: 5, Absent: 3.

#### 2. Roll Call

#### 3. Items of Business

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

Approve the previous Planning Commission meeting minutes as presented. Carried with a motion by Scott Kuncl and a second by Jennifer Robison.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jennifer Robison: Aye

Aye: 5, No: 0

**3.B. Public Hearing on (1) amending the Comprehensive Plan to change the Land Use Plan and future zoning map and (2) changing the zoning of the north one-half of the NE Quarter of Section 26-8-4.**

Open the public hearing at 7:15pm. Carried with a motion by Ryan Jindra and a second by Scott Kuncl.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jennifer Robison: Aye

Aye: 5, No: 0

City Administrator Tom Ourada explained that in order to change the zoning of the property, the Land Use Plan and future zoning map in the Comprehensive Plan need to be amended. The property owner is requesting residential zoning in the east half of the property and commercial zoning in the west half along Iris Avenue.

Close the public hearing at 7:25pm. Carried with a motion by Ryan Jindra and a second by Justin Kozisek.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jennifer Robison: Aye

Aye: 5, No: 0

**3.C. Consider adopting Resolution 2022-01: A resolution of the Planning Commission recommending amendments to the Comprehensive Plan.**

Adopt Resolution 2022-01: A resolution of the Planning Commission recommending amendments to the Comprehensive Plan. Carried with a motion by Ryan Jindra and a second by Jennifer Robison.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jennifer Robison: Aye

Aye: 5, No: 0

**3.D. Provide a recommendation to the City Council on changing the zoning of the north one-half of the NE Quarter of Section 26-8-4 from C-2 General Commercial to C-1 Central Commercial and R-3 Multi-Family Residential.**

City Administrator Tom Ourada stated that these zoning changes will allow what is needed for a pending development to move forward.

Recommend to the City Council to change the zoning of the north one-half of the NE Quarter of Section 26-8-4 from C-2 General Commercial to C-1 Central Commercial and R-3 Multi-Family Residential. Carried with a motion by Justin Kozisek and a second by Anthony Fitzgerald.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jennifer Robison: Aye

Aye: 5, No: 0

**3.E. Provide a recommendation to the City Council on enacting Ordinance 21XX: An ordinance relating to historic preservation.**

This ordinance was discussed at the prior Planning Commission meeting. It has the ability to create historical districts and would have a board with a variety of qualified members who have knowledge in certain areas like archeology, architecture, or history. The board will help identify, advocate and preserve local landmarks and landmark districts.

Provide a recommendation to the City Council to enact Ordinance 21XX: An ordinance relating to historic preservation. Carried with a motion by Justin Kozisek and a second by Jennifer Robison.

Anthony Fitzgerald: Aye, Ryan Jindra: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Jennifer Robison: Aye

Aye: 5, No: 0

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

City Administrator Tom Ourada reported the following:

- Gave an update on the Comprehensive Plan with the new planner. There will be a strategic planning session on Wednesday morning for department heads.
- He and Dave attended a county commissioner's meeting to discuss housing. They ended up talking about a Railroad Transportation Safety District (RTSD) as well, and they ended up passing it!

#### **5. Adjournment**

## **ORDINANCE NO. 2158**

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO ZONING AND LAND USE; TO AMEND SECTION 11-524 OF THE CRETE MUNICIPAL CODE TO CHANGE THE DESIGN STANDARDS FOR ACCESSORY BUILDINGS IN NEW DEVELOPMENTS.**

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

**Section 1.** That Chapter 11, Article 5, Section 11-524 of the Crete Municipal Code shall be amended as follows:

### **11-524 DESIGN STANDARDS FOR NEW DEVELOPMENTS.**

- (1) The 2014 Comprehensive Plan recommended standards be imposed on new developments to promote sustainable development principles, smart growth, and green building practices while protecting and maintaining the City's small town character and feel, family friendliness, and aesthetic views. The Plan and citizen feedback established the following goals:
  - (a) Include neighborhood parks and sidewalks in the development of new subdivisions;
  - (b) Add and maintain street trees and other amenities to keep neighborhoods family friendly;
  - (c) Require open space in new subdivisions to integrate them with existing neighborhoods;
  - (d) Cluster subdivisions to limit the impact of new developments on areas with sensitive soils, drainways, or floodplains;
  - (e) Prevent new developments from increasing the amount of runoff that existed prior to construction; and
  - (f) Adopt standards relating to building bulk and scale, roof design, placement of storage and loading areas, landscaping, screening, and buffering to ensure the appearance of individual properties and corridors improves the appearance of the community and embodies its existing character and feel.
  
- (2) To ensure new developments fulfill these goals, the following design standards shall apply to new developments, subdivisions, and the construction, reconstruction, or alteration of all buildings or structures in areas of the city that were platted and established in or after 1994:
  - (a) At least 5% of the total planned area of the development shall be dedicated for community space. Community space includes, but is not limited to, neighborhood park space, common greenspace, and recreational trails. The placement, configuration, and type of community space and related amenities must be approved by the City.
  - (b) Sidewalks shall be installed on both sides of all streets. All new or newly extended streets with lengths greater than 650 feet between the centerlines of the nearest pair of intersections shall have a mid-block pedestrian connection with accessible pedestrian ramps on both sides of the street. The pedestrian connection shall:
    - (i) Be located approximately equidistant from either intersection and at least twenty-five feet from the nearest driveway curb cut;
    - (ii) Contain a minimum of ten feet of dedicated public right-of-way that is perpendicular to the street and extends across the full length of the development with a minimum paved pathway width of five feet;

- (iii) Include a striped connection surface across any street or roadway; and
  - (iv) Connect at both ends to either a public sidewalk, public off-street pathway, trail, or similar pedestrian feature.
- (c) Street trees shall be required within the right-of-way along the full length of all public and private streets and roadways. Existing significant trees, as defined in subdivision (d), shall count toward the required street trees if they are within fifteen feet of the paved roadway.
  - (i) Trees shall conform to the list of approved street tree species maintained by the Community Forest Director.
  - (ii) Trees along public streets shall be large canopy trees at least two inches in diameter at the time of planting. Trees along private streets or roadways shall be either large canopy trees at least two inches in diameter at the time of planting or small ornamental trees at least one and one-half inches in diameter at the time of planting.
  - (iii) Trees shall be spaced a minimum of fifteen feet apart up to a maximum of forty feet apart. At least one tree shall be planted per platted lot or premises. The exact spacing of all trees along a street or roadway shall be determined by the City based on the mature size of the tree and site features such as infrastructure and utilities.
  - (iv) Trees shall be planted in accordance with section 2-1508.
- (d) New construction and developments shall work with the natural environment to ensure the features continue to provide stormwater management, air purification, shade, and scenic beauty. Significant natural, historic, or cultural features shall be protected. Significant features include, but are not limited to, floodplains and surface drainage channels, significant trees and wooded areas, historic or cultural sites recognized by the city, state, or federal government, stream corridors and bodies of water, prominent ridges or valleys, and wetlands.
  - (i) Streams, wetlands, drainways, and other riparian corridors shall be incorporated into developments and site plans as major amenities, with trails, seating, and appropriate supplemental vegetation. Buildings, parking areas, and other structures shall be set back from such features a sufficient distance to ensure their continued quality and natural function.
  - (ii) Significant trees shall be preserved whenever possible. Those that cannot be preserved shall be replaced. Grading shall be prohibited within the root area or drip line of any preserved tree. Significant tree is defined as a deciduous tree at least twelve inches in diameter, an evergreen tree at least twelve feet in height, or a group of ten or more trees that are at least six inches in diameter.
- (e) Lots in all developments shall have a minimum landscaped area of 20% of the total uncovered area of the lot. Uncovered area shall mean the portion of a lot that does not include structure footprints, outdoor storage areas, display areas, and required off-street parking and loading spaces. At least 50% of the required landscaped area shall be placed so that it abuts adjacent public street rights-of-way, excluding alleys. Required open greenspace, screening, bufferyards, and parking lot landscaping may be counted toward the minimum landscaped area.
- (f) Service, loading, and outdoor storage areas shall be placed at the rear of or inside buildings or structures. Such areas visible from any public street right-of-way shall be effectively screened by a wall, a solid opaque fence, or a continuous wall of hedges, shrubs, or other plantings not less than six feet in height.
- (g) All open vehicular parking areas containing more than four parking spaces, service areas, loading areas, or outdoor storage areas shall be effectively screened by a wall, a solid opaque fence, or a continuous wall of hedges, shrubs, or other plantings on each side adjacent to property used for

residential, civic, or institutional uses, adjacent to a public or private street, or adjacent to a public or private trail or multi-use path. Screens adjacent to property used for residential, civic, or institutional uses shall not be less than six feet in height, and screens adjacent to public or private streets or public or private trails or multi-use paths shall not be less than four and one-half feet in height.

- (h) Bufferyards shall be required when two districts of different types are (i) adjacent to each other, (ii) not separated by a public street, and (iii) the different character or scale of development in the districts may create adverse impacts on the less intensive or more restricted district. Existing significant features and trees shall be included in the design of bufferyards to the maximum extent feasible.
- (3) In addition to the standards specified in subsection (2), the following standards shall apply to residential developments in areas of the city that were platted and established in or after 1994:
- (a) At least 60% of the total front yard area and at least 50% of the total side yard area of each lot shall be open greenspace. Open greenspace means areas covered only by lawns, ornamental plants, trees, or similar permeable landscape gardening.
  - (b) The total width of attached accessory buildings or structures shall not exceed 60% of the total width of the structure, and the sum of the width of all doors on such accessory buildings or structures shall not exceed 50% of the total width of the structure. Accessory buildings or structures, including garages, shall ~~be set back from or flush with~~ not project more than eighteen feet in front of the façade of the dwelling, with the following exceptions:
    - ~~(i) Front-facing garages may project up to eight feet in front of the façade of the dwelling if a covered porch extends from the dwelling façade to the garage façade.~~
    - (i) Front-facing garages that are set back more than ten feet from the front of the dwelling may be up to 65% of the total width of the structure, and the sum of the width of doors may be up to 55% of the total width of the structure.
    - (ii) Side-facing garages may project up to ~~twenty-two~~ thirty-six feet in front of the dwelling if the façades of the garage include windows comprising at least ~~15~~ 10% of the area of each façade.
    - (iii) Accessory buildings or structures located more than fifty feet from the front lot line are exempt from these restrictions.
  - (b) Driveway approaches shall be no more than twenty-four feet in width, and the total width of curb cuts from end of flare to end of flare shall be no more than thirty feet. Driveway approaches in cul-de-sacs shall be no more than eighteen feet in width, and the total width of curb cuts from end of flare to end of flare shall be no more than twenty-four feet.

**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 4th day of October 2022.

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Mayor

ATTEST:

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City Clerk

