

Minutes – February 10, 2025 Planning Commission Meeting

The agenda for this meeting was posted in the legal paper of record, the Omaha World Herald, on January 29, 2025. Chairman Alan Mueller opened the public meeting at 7:00 pm. Pledge of Allegiance was said. Mueller stated that the open meetings act is posted on the north wall in the back of the room. Planning Commission members Crofoot, Mueller, Staben, Sullivan, Felthousen, Dennis, Tesar and Rayer met as advertised.

Approval of minutes:

A motion was made by Crofoot, seconded by Staben to approve the minutes from the January 13, 2025 meeting. A voice vote followed with all members voting aye. Motion carried with 8 ayes and 0 nays.

First item on the agenda – Residential Acreage Development – ZP 2024-0043 - parcel 130142360 – Owner: Vernon Stander – Applicant/buyer – Kyle Eddy – Legal Description: N1/2 SW1/4 EXC 5.79A TR 32-12-12 (74.21 acres). This will create TL4 - a 10.018-acre parcel. This property is zoned AG. This falls under Section 5.07 – Residential Acreage Development. Mueller asked Jensen if he had any comments on this item. Jensen stated this application meets Cass County Zoning Regulations. Staben asked if this parcel was in AG or TA. Jensen stated it's all in AG. Staben stated that since it's in AG, it doesn't meet the Zoning Regulation of 1 split per 40 acres. This already has a split on it. Jensen stated that they are allowed up to 4 splits in a quarter quarter, however, there is already a split in this 40-acre parcel. According to the regulations, you are allowed one split per 40 acres. It could be split out of the back, but not the front. The purchaser, Kyle Eddy, came up to speak. He stated that if they need to move it to adjust it, they could do this. It would just require a longer driveway. Mueller asked about the authorization from the property owner. He asked the buyer if he could get the authorization from the owner and present it with the new mylar. This will be tabled until the next meeting so the applicant can make the requested changes.

The second item on the agenda – Residential Acreage Development – ZP 2025-0001 - parcel 130132217 – Owner: Constructors Inc – Applicant: Lamp Rynearson, Matt Tinkham representing Kerford Limestone – Legal Description:L3 & PT L9 S OF RR E1/2 SE1/4 06-10-12 (48.41 acres). Mueller asked Jensen if he had any comments on this item. Jensen stated that this application meets Cass County Zoning Regulations. Matt Tinkham with Lamp Rynearson came up to speak. He explained that this was all one tax lot at one time. This will create a new tax lot 34 which will contain the timberline and approximately 33.075 acres. Crofoot asked about access on the new tax lot 34. Tinkham stated the access for that lot would be further to the south. This will add more land to the original tax lot. Mueller then asked if there was any more discussion. Since there was none, he asked for a motion. A motion was made by Felthousen to approve as presented. Seconded by Rayer. A roll call vote followed with the following votes: Crofoot – aye; Tesar – aye; Dennis – aye; Sullivan – aye; Staben – aye; Mueller – aye; Felthousen – aye; Rayer - aye. Motion carried with 8 ayes and 0 nay. This will go before the Board of Commissioners on February 25th at 8 am in the Commissioner's Room.

The third item on the agenda – Residential Acreage Development – ZP 2024-0042 – Parcel # 130122866 – Owner: Leon & Renee Bose – 2411 S. Hwy 50, Avoca – Legal: SW1/4 SW1/4 EXC HWY 34-10-11 (36.92 acres). Leon Bose came up and explained that they want to split off the homestead to make it more manageable for them. They want to set it up so they can someday sell the extra acres. Mueller asked if there were any more questions from the commission, since there were none, he asked for a motion. A motion made by Tesar, seconded by Staben to approve as presented. A roll call vote followed with the following votes: Crofoot – aye; Tesar – aye; Dennis – aye; Sullivan – aye; Staben – aye; Mueller – aye; Felthousen – aye; Rayer - aye. Motion carried with 8 ayes and 0 nay.

The fourth item on the agenda – Conditional Use permit – CU-2025-0002 – Parcel: 130103063 - Owner: PEM II, LLC – Applicant: Sunshine Electronic Display Corporation/John Boyd – 13504 238th St, Greenwood – Legal: L3 EX HWY & PT D B114 P376 SW1/4 SW1/4 26-12-09 (8.15 acres) – Sign.

Mueller asked if this mirrored the Speedy Mart out in the same area. Jensen stated it did. Same requirements were applied toward this one. Mueller then asked for any more questions. Since there were none, a motion was made by Sullivan, seconded by Staben to approve as presented. A roll call vote followed with the following votes: Crofoot – aye; Tesar – aye; Dennis – aye; Sullivan – aye; Staben – aye; Mueller – aye; Felthousen – aye; Rayer - aye. Motion carried with 8 ayes and 0 nay.

The fifth item on the agenda – (originally submitted as) Residential Acreage Development (due to new permitting system limitations) Submitted now as a Commercial Subdivision – ZP 2024-

0035 – Owner: NGRE Greenwood LLC - Applicant: Olsson & Associates – parcels 130103071, 130103055 & 130397995 – Legals: TL8, 11 & 12 NW1/4 SW1/4 SW1/4 26-12-09 (15.23 acres). This application was tabled from the two previous Planning Commission meeting for more information. The property owner, Justin Hernandez, came up to speak and stated that he believes they have everything previously requested for this. Mueller asked about the drainage. He also asked about a center line on the pavement. Mueller then asked if there were any more questions. Tesar mentioned that the Residential Acreage Development be changed to Commercial Subdivision. Jensen stated that we are working with the vendor to add this item. Since there were no more questions, a motion was made by Mueller, seconded by Tesar to recommend approve with the requirement to stripe the ingress easement along Cubby’s property and the Residential Acreage Development be changed to Commercial Subdivision. A roll call vote followed with the following votes: Crofoot – aye; Tesar – aye; Dennis – aye; Sullivan – aye; Staben – aye; Mueller – aye; Felthousen – aye; Rayer - aye. Motion carried with 8 ayes and 0 nay.

The sixth item on the agenda - Reappointment of officers

Since there is currently not a vice chair, a nomination was made by Felthousen to make Jim Crofoot the vice-chair, seconded by Dennis. . A roll call vote followed with the following votes: Crofoot – aye; Tesar – aye; Dennis – aye; Sullivan – aye; Staben – aye; Mueller – aye; Felthousen – aye; Rayer - aye. Motion carried with 8 ayes and 0 nay.

A motion was then made by Felthousen, seconded by Crofoot, to retain the following:

- Chair – Alan Mueller
- Secretary – Bob Staben
- Recording secretary – Linda Brouhard

A roll call vote followed with the following votes: Crofoot – aye; Tesar – aye; Dennis – aye; Sullivan – aye; Staben – aye; Mueller – aye; Felthousen – aye; Rayer - aye. Motion carried with 8 ayes and 0 nay.

A motion was made by Sullivan to adjourn the meeting. Seconded by Felthousen. A voice vote followed with all members voting aye. Meeting closed at 7:46 pm.

Linda Brouhard
Recording Secretary

*These minutes will not be approved until the next Planning Commission Meeting and are subject to change.