

City of Beatrice, Nebraska  
Planning & Zoning Commission Regular Meeting  
Monday, October 20, 2025 at 5:00 PM  
BPS Administration Building Board Room  
320 N 5th Street  
Beatrice, NE 68310



## Pledge of Allegiance

1. **ROLL CALL**
2. **CONSENT AGENDA**
  - 2.a. Approve agenda as submitted
  - 2.b. Receive and place on file all notices pertaining to this meeting
  - 2.c. Receive and place on file all materials having any bearing on this meeting
  - 2.d. Approval of minutes of regular Planning and Zoning Commission meeting on October 6, 2025, as on file in the City Clerk's Office.
3. **PUBLIC HEARINGS**
  - 3.a. Public Hearing for the purpose of considering adoption of Plan Modification "25-3" to the Redevelopment Plan for Redevelopment Area No. 13. (Beatrice Commons Redevelopment Project).
  - 3.b. Public Hearing for the purpose of considering approval of the Special Use Permit Application of Preston A. Creek and Tashawni L. Creek, husband and wife, to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14th Street, Gage County Parcel ID 011990000.
4. **RESOLUTIONS**
  - 4.a. Resolution Number 25-19 recommending to the Community Redevelopment Authority and City Council the proposed Plan Modification "25-3" to the Redevelopment Plan for Redevelopment Area No. 13. (Beatrice Commons Redevelopment Project)
  - 4.b. Resolution Number 25-20 granting Preston A. Creek and Tashawni L. Creek a Special Use Permit for a detached accessory structure at Gage County Parcel ID 011990000, commonly known as 1711 North 14th Street.
5. **PUBLIC FORUM**
6. **DISCUSSION/REPORTS** - None
7. **MISCELLANEOUS**
  - 7.a. The next regular Planning & Zoning meeting is November 3, 2025 at 5:00 p.m. in the BPS Administration Building Board Room

**NOTICE OF MEETING  
CITY OF BEATRICE, NEBRASKA**

Notice is hereby given that a meeting of the Planning and Zoning Commission of the City of Beatrice, Nebraska, will be held at 5:00 p.m. on October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska. An agenda is available for public inspection at the City Clerk's Office, 400 Ella Street, Beatrice, Nebraska, and on the City website, [www.beatrice.ne.gov](http://www.beatrice.ne.gov).

Erin Saathoff, MMC, City Clerk

October 15, 2025

## MINUTES OF THE PLANNING AND ZONING COMMISSION

A regular meeting of the Planning and Zoning Commission was held on the 6<sup>th</sup> day of October, 2025 at 5:00 p.m. in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Attending: Commission Members: Aden, Bradney, Fetty, Fralin, Franz, McGhee

Absent: Fletcher, Riha, Wright

Chair Fetty announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public.

### CONSENT AGENDA

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting.
- c. Receive and place on file all materials having any bearing on this meeting.
- d. Approval of minutes of regular meeting on September 15, 2025, as on file in the City Clerk's Office.

Moved by Franz, seconded by Aden, that the items listed under the consent agenda be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee

Nay: None

MOTION CARRIED.

### PUBLIC HEARINGS/BIDS

**Public Hearing for the purpose of considering approval of the Special Use Permit Application of Brett Davenport and Tammy Hereth-Davenport, husband and wife, for a Day Care II on real property legally described as: Lot One (1) and the East Half of Lot Two (2), Block Eleven (11), Lamb's Subdivision, an addition to the City of Beatrice, Gage County, Nebraska, EXCEPT the South 10 feet of the East Half of Lot (2), and South 10 feet of Lot One (1), Block Eleven (11), Lamb's Subdivision to the City of Beatrice, Gage County, Nebraska, commonly known as 1321 Elk Street, Gage County Parcel ID 012850000**

Chair Fetty announced that a public hearing will now be held for the purpose of considering approval of the Special Use Permit Application of Brett Davenport and Tammy Hereth-Davenport, husband and wife, for a Day Care II on real property legally described as: Lot One (1) and the East Half of Lot Two (2), Block Eleven (11), Lamb's Subdivision, an addition to the City of Beatrice, Gage County, Nebraska, EXCEPT the South 10 feet of the East Half of Lot (2), and South 10 feet of Lot One (1), Block Eleven (11), Lamb's Subdivision to the City of Beatrice, Gage County, Nebraska, commonly known as 1321 Elk Street, Gage County Parcel ID 012850000.

Taylor Rivera, City Attorney, explained to the Commission the Davenport's currently operate a Day Care I at 1321 Elk Street and wish to expand to a Day Care II. There was one (1) inquiry about the special use permit and no concerns were reported.

Moved by McGhee, seconded by Franz, that the public hearing be closed at 5:03 p.m.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee

Nay: None

MOTION CARRIED.

October 6, 2025

Page 1 of 3

**Public Hearing for the purpose of considering approval of the Special Use Permit Application of Beatrice Rentals, LLC, a Nebraska limited liability company, for the construction of twelve (12) storage units on real property legally described as: Lot Three (3), Block Forty-Seven (47), Beatrice Original, now City of Beatrice, Gage County, Nebraska, Gage County Parcel ID 009623000**

Chair Fetty announced that a public hearing will now be held for the purpose of considering approval of the Special Use Permit Application of Beatrice Rentals, LLC, a Nebraska limited liability company, for the construction of twelve (12) storage units on real property legally described as: Lot Three (3), Block Forty-Seven (47), Beatrice Original, now City of Beatrice, Gage County, Nebraska, Gage County Parcel ID 009623000.

Taylor Rivera, City Attorney, reported to the Commission Beatrice Rentals wishes to construct twelve (12) storage units located south of the City Auditorium, on Ella Street, between 3<sup>rd</sup> and 4<sup>th</sup> Streets. The property is zoned appropriately and no calls were received in opposition.

Moved by Franz, seconded by Fralin, that the public hearing be closed at 5:05 p.m.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee  
Nay: None

MOTION CARRIED.

#### **RESOLUTIONS**

**Resolution Number 25-16 granting Brett Davenport and Tammy Hereth-Davenport a Special Use Permit for a Day Care II at Gage County Parcel ID 012850000, commonly known as 1321 Elk Street**

There was no further discussion by the Commission or public.

Moved by Franz, seconded by Aden, that Resolution Number 25-16 be passed and adopted.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee  
Nay: None

MOTION CARRIED.

Resolution Number 25-16 has been passed and adopted.

**Resolution Number 25-17 granting Beatrice Rentals, LLC, a Special Use Permit for the construction of twelve (12) storage units at Gage County Parcel ID 009623000**

There was no further discussion by the Commission or public.

Moved by Aden, seconded by Franz, that Resolution Number 25-17 be passed and adopted.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee  
Nay: None

MOTION CARRIED.

Resolution Number 25-17 has been passed and adopted.

**Resolution Number 25-18 recommending to the City Council approval of the Final Plat Application request by Henhouse Capital, LLC, to replat their property as Henhouse Addition**

Chair Fetty introduced Resolution Number 25-18 recommending to the City Council approval of the Final Plat Application request by Henhouse Capital, LLC, to replat their property as Henhouse Addition.

Taylor Rivera, City Attorney, explained to the Commission there are three (3) houses located on two (2) parcels of land located at 1731, 1733, and 1801 Market Street. The owner wishes to replat the parcels so each house is located on a separate lot in order to sell the properties in the future.

Moved by Franz, seconded by McGhee, that Resolution Number 25-18 be passed and adopted.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee  
Nay: None

MOTION CARRIED.

Resolution Number 25-18 has been passed and adopted.

**ORDINANCES**

There were no ordinances.

**PUBLIC FORUM**

No one appeared during public forum.

**DISCUSSIONS/REPORTS**

There were no discussions/reports.

**ADJOURNMENT**

The next regular Planning and Zoning meeting is scheduled for October 20, 2025 at 5:00 p.m. in the BPS Administration Building Meeting Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Moved by Franz, seconded by Bradney, that the meeting be adjourned at 5:09 p.m.

Roll Call: Yea: Aden, Bradney, Fetty, Fralin, Franz, McGhee  
Nay: None

MOTION CARRIED.

**PUBLIC HEARING NOTICE**  
**PLAN MODIFICATION "25-3" TO THE REDEVELOPMENT PLAN FOR**  
**REDEVELOPMENT AREA NO. 13**

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing on Monday, October 20, 2025, at 5:00 p.m. in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, for the purpose of considering adoption of Plan Modification "25-3" to the Redevelopment Plan for Redevelopment Area No. 13. The developer, Beatrice Commons, LLC, a Nebraska limited liability company, has proposed the redevelopment of Parcel Nos. 010296706, 010296707, and 010296705, and all required public infrastructure improvements within Redevelopment Area #13 in accordance with the redevelopment plan. The developer further proposes financial assistance from the City of Beatrice Community Redevelopment Authority using monies collected and held in a special fund established under Section 18-2147 of the Nebraska Revised Statutes (tax increment financing). At the hearing all interested parties shall be afforded an opportunity to express their views regarding the proposed Modification "25-3". The plan, maps of the area, and the proposed modifications are available for public inspection in the office of the City Clerk, 400 Ella Street, Beatrice, Nebraska or online at [www.beatrice.ne.gov](http://www.beatrice.ne.gov).

Erin Saathoff, MMC, City Clerk

October 3 and 10, 2025

**NOTICE OF HEARING  
CITY OF BEATRICE, NEBRASKA**

Notice is hereby given that the Planning and Zoning Commission of the City of Beatrice, Nebraska will hold a public hearing at 5:00 p.m. on October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston A. Creek and Tashawni L. Creek, husband and wife, to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

Erin Saathoff, MMC, City Clerk

October 10, 2025

**RESOLUTION NUMBER 25-20  
PLANNING AND ZONING COMMISSION**

**WHEREAS**, the Planning and Zoning Commission of the City of Beatrice, Nebraska (the "City") received a special use application; and

**WHEREAS**, on October 3, 2025, notice was mailed to all adjacent property owners providing notice of the public hearing in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13; and

**WHEREAS**, on October 10, 2025, notice of the public hearing was published in a daily newspaper having a general circulation in Beatrice in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13; and

**WHEREAS**, on October 10, 2025, notice was posted in a conspicuous place on or near the property which requested the special use permit in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13; and

**WHEREAS**, on October 20, 2025, a public hearing was held regarding the special use application filed by Preston A. Creek and Tashawni L. Creek, husband and wife, in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

**SECTION 1.** That the special use permit application filed by Preston A. Creek and Tashawni L. Creek, husband and wife, for property legally described as:

The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska.

Commonly known as 1711 North 14<sup>th</sup> Street,

to increase the height of a detached accessory structure above eighteen (18) feet, be and is hereby approved. A copy of said special use application marked as Exhibit "A" is attached hereto and incorporated by reference.

**SECTION 2.** That said special use permit shall run with the land.

**SECTION 3.** That the Community Development Department shall file notice of this resolution with the Gage County Register of Deeds.

**SECTION 4.** That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 20<sup>th</sup> day of October, 2025.

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Deven McGhee, Secretary

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Alan Fetty, Chairperson

**COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310  
Phone: 402.228.5250 Fax: 402.223.5252  
community@beatrice.ne.gov



PERMIT NUMBER: 20250468

**SPECIAL USE PERMIT APPLICATION**

**APPLICANT(S) INFORMATION**

Name(s): Preston Creek  
Address: 1711 N 14th Street  
Phone: 402-802-5943 Email: dunnahccc@gmail.com

**A site plan to include all existing and proposed improvements, dimensions, and setbacks to all property lines must be submitted as an attachment to this application.**

**PROPERTY OWNERSHIP ATTESTATION**

I/We, Preston Creek, hereby certify that I/we are the lawful owner(s) of real estate legally described as follows:  
1711 North 14th Street

or will receive a conveyance thereof if this application for a Special Use Permit is granted.

**SPECIAL or CONDITIONAL USE ATTESTATION**

I/We, Preston Creek, hereby apply for a Special or Conditional Use Permit for the following use:

We are looking to put a loft in our 30x40 structure; in doing so, we will be beyond the 18-foot-high clearances allowed


I/We hereby declare that if the application is granted that the aforementioned property will be used in conformity with the zoning restrictions then in effect on the property unless a new application for a Special or Conditional Use Permit is granted.

I/We request that the Planning and Zoning Commission set a hearing date on this application, publish notice of said hearing in accordance with the zoning ordinance, and post the above described property.

***If approval is granted, you must file all required documents and proper permits issued prior to commencement of work.***

**APPLICANT(S) SIGNATURE**

*I/We declare under penalties of perjury that I/we have examined this application and to the best of my/our knowledge and belief, it is correct and complete.*

  
Preston Creek (Oct 2, 2025 10:19:07 CDT)  
Signature

10/2/2025  
Date

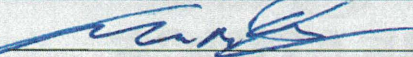
Signature

Date

**OFFICE USE ONLY**

Application Fee: \$100.00

Received By:



Date:

10/3/2005

Date Posted on Property:

10/10/25

Date of Hearing:

10/20/25

Comments:

\_\_\_\_\_

Com Dev Director:



Date:

10/2/2005

**DECISION**

PLANNING & ZONING COMMISSION

Approved

Denied

the Special Use Permit this

\_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_\_.

Planning and Zoning Chairman: \_\_\_\_\_

Date: \_\_\_\_\_



R-2

BERKE'S FIFTH ADD.  
ORD. NUM. 14-028

CHRISTINSONS 2ND ADD.  
ORD. NUM. 14-025

CHRISTINSONS 2ND ADD.  
ORD. NUM. 14-025

ORD-NUM 13-02

DORSEY ST.

DORSEY ST.

1	VACATED	18	1
2	VACATED	17	2
3	VACATED	16	3
4	VACATED	15	4
5	VACATED	14	5
6	VACATED	13	6
7	VACATED	12	7
8	VACATED	11	8
9	VACATED	10	9
10	VACATED	9	10
11	VACATED	8	11
12	VACATED	7	12

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7	12

22	1
21	2
20	3
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13	10
12	11

SHARON ROAD

DARWIN STREET

VACATED

VACATED

DARWIN STREET

DARWIN STREET

VACATED

-24-

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7	6

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R-3

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VACATED	
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ORD-NUM 17-037  
ORD-NUM 17-036  
1

ORD-NUM 17-033

PADDOCK LANE ELEMENTARY ADD

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11	12	13	14

accomplished in a manner approved by the State of Nebraska's Department of Environmental Quality.

7. Toxic Waste: The disposal of hazardous, toxic, or radioactive wastes as defined by the Federal Environmental Protection Agency shall be prohibited within the City of Beatrice and its extra-territorial jurisdiction.

## 608 Supplemental Use Regulations: Accessory Uses

### A. Home Occupations

Home occupations are permitted as an accessory use in residential units subject to the following conditions:

1. External Effects: No noise, odors, bright lights, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right of way.
2. Employees: A home occupation may employ a maximum of two individuals other than the residents of the dwelling unit.
3. Service Traffic: Deliveries or service by commercial vehicles or trucks over ten tons is prohibited.
4. The home occupation shall be carried on entirely within the principal dwelling unit. Operation of a home occupation shall not be carried on within a detached accessory building without approval of a Special Use permit as set forth in Section 1303.
5. Welding, vehicle body repair, mechanical repair, or rebuilding or dismantling of vehicles are not permitted as home occupations.

### B. Permitted Accessory Uses: Residential Uses

Residential uses may include the following accessory uses, activities, and structures on the same lot:

1. Private garages and parking for the residential use.
2. Recreational activities and uses by residents, excluding the housing of horses.
3. Home occupations, subject to Section 608(a) of these regulations.
4. Residential convenience services for multiple-family uses or mobile home parks for use by residents only.
5. Crafts and garage sales, provided that such sales on any single property occur no more than once every 60 days; and have a maximum duration of 3 days.

### C. Detached Accessory Buildings: Residential Uses

Detached accessory buildings located in the R-1, R-2, R-3, or R-4 Districts shall comply with the following requirements:

1. Detached accessory buildings shall not exceed a maximum size of 1200 square feet unless a Special Use Permit to allow a maximum size of 1800 square feet is approved as set forth in Section 1303. The square footage set forth in this subsection shall include the square footage for all detached accessory buildings located on the site.

2. A maximum of two detached accessory buildings shall be located on a site.
3. Detached accessory buildings shall not exceed a maximum of 18 feet in height, measured to the ridge of the roof, unless a 'Special Use Permit' to allow a maximum height of 22 feet to the ridge of the roof is approved as set forth in Section 1303.
4. For purposes of Section 608(c), an accessory building shall be considered to be detached unless it is constructed as an integral part of the principal dwelling unit and is connected to the principal dwelling unit by a common vertical wall. Detached accessory buildings for multiple-family dwellings shall not be subject to the requirements of subsection 608(c)(1). Gazebos and any detached accessory building that is smaller than 20 square feet shall not be subject to the requirements of Section 608(c).
5. For purposes of Section 608(c), an accessory building shall only be constructed on property which contains an existing principal dwelling unit. The removal or demolition of a principal dwelling unit shall require the removal of all accessory buildings located on the site, unless the accessory building(s) meet the requirements of all applicable codes of the City of Beatrice and are verified by the City Building Inspector.

**Detached accessory buildings located in the RC, LC, GC, or CBD Districts shall comply with the following requirements:**

6. Detached accessory buildings, upon sites which contain buildings used as dwelling units, shall not exceed a maximum size of 1200 square feet unless a Special Use Permit to allow a maximum size of 1800 square feet is approved as set forth in Section 1303. The square footage set forth in this subsection shall include the square footage for all detached accessory buildings located on the site.
7. A maximum of two detached accessory buildings shall be located on a site which contain a building used as a dwelling.
8. Detached accessory buildings, upon sites which contain buildings used as dwellings, shall not exceed 22 feet in height, measured at the ridge of the roof.
9. For purposes of Section 608(c), an accessory building shall be considered to be detached unless it is constructed as an integral part of the principal dwelling unit and is connected to the principal dwelling unit by a common vertical wall. Detached accessory buildings for multiple-family dwellings shall not be subject to the requirements of subsection 608(c)(6). Gazebos and any detached accessory building that is smaller than 20 square feet shall not be subject to the requirements of Section 608(c).
10. For purposes of Section 608(c), an accessory building shall only be constructed on property which contains an existing principal dwelling unit or a principal commercial, industrial, or office building which is open to the public for a minimum of twenty (20) hours per week. The removal or demolition of any dwelling unit, or commercial, industrial, or office building shall require the removal of all accessory buildings located on the site, unless the accessory building(s) meet the requirements of all applicable codes of the City of Beatrice and are verified by the City Building Inspector.



**BEATRICE**  
CITY • BOARD OF PUBLIC WORKS

**CITY HALL**

400 Ella Street | Beatrice, NE 68310  
Phone: 402.228.5200 Fax: 402.228.2312

**ENGINEERING & COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310  
Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Preston & Tashawni Creek  
1711 North 14<sup>th</sup> Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

Dear Preston & Tashawni:

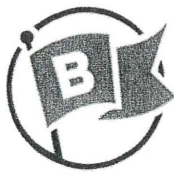
The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of your Special Use Permit Application to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

Applicants are not required to attend said hearing, however, I would encourage you to attend should the Commissioners have questions only you can answer pertaining to your Special Use Permit application.

Please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov) if you have any questions.

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
YOUR  
CLAIM**

**BEATRICE**  
CITY • BOARD OF PUBLIC WORKS

**CITY HALL**

400 Ella Street | Beatrice, NE 68310

Phone: 402.228.5200 Fax: 402.228.2312

**ENGINEERING & COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310

Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Joel Patterson  
1709 North 14th Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

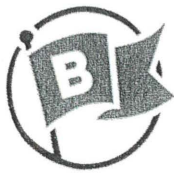
Dear Joel:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
YOUR  
CLAIM**

**BEATRICE**  
CITY • BOARD OF PUBLIC WORKS

**CITY HALL**

400 Ella Street | Beatrice, NE 68310

Phone: 402.228.5200 Fax: 402.228.2312

**ENGINEERING & COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310

Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Philip & Susan Cook  
1725 North 14<sup>th</sup> Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

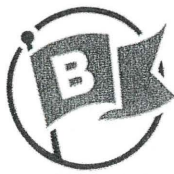
Dear Philip & Susan:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
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CLAIM**

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205 North 4<sup>th</sup> Street | Beatrice, NE 68310

Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Randy & Karen Schlueter  
1710 North 13th Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

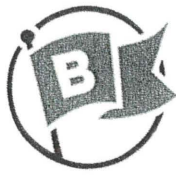
Dear Randy & Karen:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
YOUR  
CLAIM**

**BEATRICE**  
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**ENGINEERING & COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310  
Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Nathan & Tawnya Bornemeier  
1706 North 13th Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

Dear Nathan & Tawnya:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley’s Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney

Space Above Reserved for Recording Information

Return to:

Taylor Rivera  
City of Beatrice  
400 Ella Street  
Beatrice, NE 68310

### Notice of Special Use Permit

THIS NOTICE shall hereby certify that the Planning and Zoning Commission of the City of Beatrice approved Resolution No. 25-20 granting Preston A. Creek and Tashawni L. Creek, husband and wife, a Special Use Permit to increase the height of a detached accessory structure above eighteen (18) feet, at property legally described as:

The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska.

(Commonly known as 1711 North 14<sup>th</sup> Street)

Said special use permit shall run with the land.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chet McGrury  
Community Development Director  
City of Beatrice

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF GAGE     )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of October, 2025 by Chet McGrury, Community Development Director.

\_\_\_\_\_  
Notary Public

**RESOLUTION NUMBER 25-19  
PLANNING AND ZONING COMMISSION**

**WHEREAS**, the Planning and Zoning Commission of the City of Beatrice received the proposed Modification 25-3 to Redevelopment Area No. 13 regarding the Beatrice Commons Redevelopment Project; and

**WHEREAS**, the Commission reviewed the proposed Modification in accordance with Neb.Rev.Stat. Sections 18-2101 through 18-2153, Reissue Revised Statutes of Nebraska, as amended (the "Act").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

**SECTION 1.** The Planning and Zoning Commission reviewed the proposed Plan Modification 25-3 to Redevelopment Area No. 13 regarding the Beatrice Commons Redevelopment Project and finds that the Modification is in conformity with the general plan for the development of the City as a whole.

**SECTION 2.** The Commission recommends to the Beatrice Community Redevelopment Authority and the Beatrice City Council to approve Plan Modification 25-3 to Redevelopment Area No. 13 regarding the Beatrice Commons Redevelopment Project. Said Plan Modification is marked as "Exhibit A", attached hereto and incorporated by reference.

**SECTION 3.** That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 20<sup>th</sup> day of October, 2025.

---

Deven McGhee, Secretary

---

Alan Fetty, Chairperson

**PLAN MODIFICATION "25-3" TO REDEVELOPMENT AREA #13  
OF THE CITY OF BEATRICE, NEBRASKA  
(BEATRICE COMMONS REDEVELOPMENT PROJECT)**

The City of Beatrice, Nebraska (the "City") has undertaken a plan of redevelopment within the community pursuant to the adoption of a Redevelopment Plan for a portion the City of Beatrice identified as the Redevelopment Area #13. The Redevelopment Plan was approved by the Mayor and City Council on July 7, 2025. The Redevelopment Plan serves as a guide for the implementation of redevelopment activities within certain areas of the City, as set forth in the Redevelopment Plan.

Pursuant to the Nebraska Community Development Law codified at Neb Rev. Stat. §§ 18-2101 through 18-2154 (the "Act"), the City created the Community Redevelopment Authority of the City of Beatrice (the "CRA"), which has administered the Redevelopment Plan for the City.

The primary purpose of this Modification to the Redevelopment Plan is to identify a specific redevelopment project that will cause the removal of blight and substandard conditions on the site located in the City of Beatrice, Nebraska, and legally described on the attached and incorporated Exhibit "A" (the "Project Site").

**I. PROJECT-SPECIFIC AMENDMENT**

**A. The Project Site**

The Project Site is in need of redevelopment. The CRA has considered whether redevelopment of the Project Site, and specifically, the Beatrice Commons Redevelopment Project (the "Project"), will conform to the general plan and the coordinated, adjusted, and harmonious development of the City. In this consideration, the CRA finds that such a redevelopment of the Project Site will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight.

The Project Site is located south of the Good Samaritan Society building, and will consist of a portion of Parcel No. 010296706, and all of Parcel Nos. 010296707, and 010296705. The Project consists of the redevelopment of the area into a residential housing development located on the Project Site, along with all required public improvements within Redevelopment Area #13. The initial upfront costs associated with the necessary public improvements make development of the Project Site not feasible. In order to support private development, the Project Site and the Redevelopment Area are in need of redevelopment. The redevelopment of the Project Site pursuant to this Modification to the Redevelopment Plan will include eligible expenditures under the Act and will further the purposes of the Act in conformity with the Redevelopment Plan.

**B. Description of the Beatrice Commons Redevelopment Project**

Beatrice Commons, LLC, a Nebraska limited liability company (the “Redeveloper”) has submitted a proposal for the redevelopment of the Project Site. The Project consists of the redevelopment of Parcel Nos. 010296706, 010296707, and 010296705 into a residential housing development, along with all required public improvements within Redevelopment Area #13. The proposed Site Plan for the Project is attached hereto as Exhibit “B”. The Site Plan is conceptual in nature and subject to revision based on budgetary constraints and physical constraints or other factors, but it presents the vision and the intended character of the Project.

**1. The Private Improvements**

The Redeveloper will pay the cost of renovating and constructing the private improvements. The Project consists of the redevelopment of a portion of Parcel No. 010296706, and all of Parcel Nos. 010296707, and 010296705 into a residential housing development, along with all required public improvements within Redevelopment Area #13.

**2. The Public Improvements**

As part of the Project, the CRA will capture the available tax increment revenues generated by the redevelopment of the Project Site to assist in paying for public improvements listed as eligible expenditures under the Act in the Redevelopment Area, including, but not limited to, the following:

Site Acquisition: The Redeveloper is in the process of acquiring the parcels to be redeveloped.

Site Development: Expenses for site development will include grading.

Professional Fees: The Redeveloper anticipates costs for legal fees, architect fees, and engineering in relation to this Project.

Public Infrastructure: The Redeveloper anticipates costs for utility infrastructure including, but not limited to, water, sanitary sewer, storm sewer, electrical, and parking spaces.

The above list of public improvements to be constructed as part of the Project is not intended to be an exhaustive list of the public improvements for which the available tax increment revenues generated by the Project may be used. It is anticipated that the available tax increment revenues will assist in paying for the following eligible expenditures: legal fees, engineering fees, site development, and other improvements deemed feasible and necessary in support of the public health, safety, and welfare which qualify as eligible expenditures for public improvements under the Act. Additionally, the specific public improvements that will be constructed may be revised over time based on changing needs and available TIF and other

financing. The specific public improvements for which the available tax increment revenues generated by the Project will be used will be described in more detail in the Redevelopment Agreement.

The redevelopment of the Project Site pursuant to this Modification to the Redevelopment Plan will eliminate the blight and substandard conditions on the Project Site and will further the purposes of the Act in conformity with the Redevelopment Plan. In addition, the eligible public improvements that are part of the Project will improve public infrastructure, improve the aesthetic appeal of Redevelopment Area #13. Such land use and development are intended to advance the general and specific land use goals set forth in the City's Comprehensive Plan, adopted October 2001 and as updated in March 2006 and April 2015.

### **C. Implementation of the Beatrice Commons Redevelopment Project**

The Project will be completed in up to five (5) phases. The Project will be governed by a Redevelopment Agreement between the Redeveloper and the CRA, which will describe the private improvements and the public improvements to be constructed by the Redeveloper.

This Modification to the Redevelopment Plan is intended to be flexible and to serve as a guide for development of the Project Site by Redeveloper. The CRA acknowledges that the Project may include amendments to this Modification to the Redevelopment Plan, including in particular, amendments to the private improvements and the public improvements to be constructed as a part of the Project. It is the CRA's intent that if such changes are necessary then they shall be deemed a minor amendment to this Modification to the Redevelopment Plan.

The use of TIF to assist with the costs of site development, code compliance, professional fees, and public improvements will make the Project feasible. The private improvements cannot be constructed without first acquiring the property and making the necessary public improvements, both of which require the use of TIF to assist with the costs. Additionally, the public improvements are necessary to commence the Project and to serve the Project and would not be feasible without the use of tax increment financing. Due to the scope and costs of the professional fees and public improvements, it is expressly acknowledged that the Redeveloper would not undertake the Project without the anticipated use of tax increment financing for the Project.

### **D. Statutory Elements**

As described above, the Project envisions the capture of the incremental taxes generated by the Project on the Project Site to pay for eligible expenditures under the Act. Attached as Exhibit "C" and incorporated herein by this reference is a consideration of the statutory elements under the Act. No families will be displaced or relocated from the Project Site on account of this Project.

**E. Cost-Benefit Analysis**

Pursuant to Section 18-2113 of the Act, the CRA must conduct a cost-benefit analysis for any redevelopment project that will utilize TIF. The Cost-Benefit Analysis for the Project is attached hereto as Exhibit "D" and shall be approved as part of this Modification. The estimated costs of the project, the estimated TIF proceeds, and the proposed method of financing the project are set forth in the Cost-Benefit Analysis.

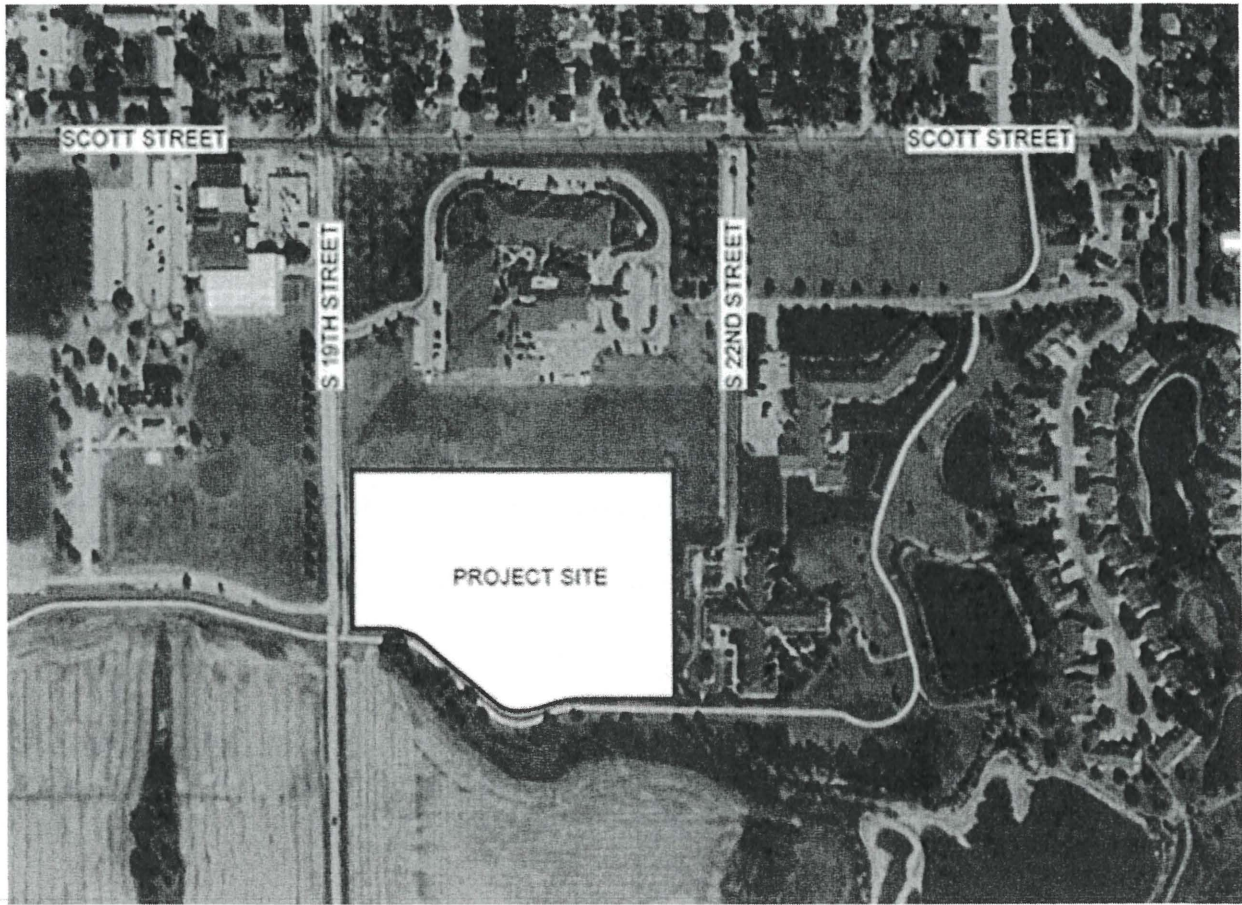
**EXHIBIT "A"**  
**Project Site**

All of Lot Five (5) and a portion of Lot Six (6), and Outlots A and B, Beatrice Retirement Village Addition to the City of Beatrice, Gage County, Nebraska,

Parcel Nos. 010296706, 010296707, and 010296705. \*

\*Subsequent to the approval of this Plan Modification, the Project Site, or a portion thereof, may be subdivided or replatted. Subsequent to said subdivision or replat, the above legal description shall be replaced with the legal description provided in the subdivision or replat of the Project Site approved by the City of Beatrice, Nebraska.

EXHIBIT "B"  
Site Plan



**EXHIBIT "C"**  
**Statutory Elements**

A. Property Acquisition, Demolition and Disposal

The Redeveloper is in the process of acquiring the Project Site. No relocation of families is necessary to accomplish the Project.

B. Population Density

The Project Site is currently vacant. The Project will bring a residential development to the Project Site. Population density will increase in the immediate area as a result of this project.

C. Land Coverage

The Project Site consists of approximately 4.1 acres of land. The footprint of the improvements is approximately 37,950 ft<sup>2</sup>. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City of Beatrice.

D. Traffic Flow, Street Layouts and Street Grades

The Project will increase traffic to and from the Project Site. The Redeveloper plans to pave a road running east and west through the Project Site.

E. Parking

The project includes the construction of residential houses which will include garages and off-street parking.

F. Zoning, Building Code and Ordinances

The Project Site is an area currently zoned Multiple-Family Residential (R-4). The parcel will not require rezoning to permit the construction of planned improvements; the Redeveloper shall be responsible for any building code or ordinance changes that are necessary for the Project.

**EXHIBIT "D"**  
**Cost-Benefit Analysis**  
**Beatrice Commons Redevelopment Project**

This Cost-Benefit Analysis of the Beatrice Commons Redevelopment Project has been undertaken pursuant to Neb. Rev. Stat. § 18-2113 and is attached as Exhibit "D" to the Modification to the Redevelopment Area #13. The Project will consist of the redevelopment of and will consist of a portion of Parcel No. 010296706, and all of Parcel Nos. 010296707, and 010296705 into a residential housing development, along with all required public improvements within Redevelopment Area #13. The location of the Project Site is set forth in Exhibit "A" of this same Redevelopment Plan Modification, and the public and private improvements to be constructed as part of the Beatrice Commons Redevelopment Project are described more particularly in this Redevelopment Plan Modification. For purposes of this cost-benefit analysis, the Beatrice Commons Redevelopment Project shall be referred to herein as the "Project". The cost-benefit analysis for the Project, which will utilize funds authorized by Neb. Rev. Stat. § 18-2147, can be summarized as follows:

**1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:**

The taxes generated by the current value of the property shall continue to be allocated between taxing jurisdictions pursuant to standard statutory requirements. Only the incremental taxes created by the Project will be captured to pay eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Project, the true tax shift of this Project is a positive shift in taxes after fifteen (15) years. It is difficult to predict with precision the amount of TIF funds that will be created by the Project, but for the purposes of illustrating the incremental taxes used for TIF, if the completed Project assessed valuation is as listed, the 15-year tax shift would be as follows:

a.	Estimated Base Project Site Valuation:	\$100,000.00
b.	Estimated Completed Project Assessed Valuation:	\$8,334,500.00
c.	Estimated Increase in Valuation	\$8,234,500.00
d.	Estimated Annual Projected Tax Increment:	\$139,163

*Notes:*

- 1. The Estimated Completed Project Assessed Valuation is the estimated completed assessed value of all of the private improvements that the redeveloper anticipates will be constructed as part of the Beatrice Commons Redevelopment Project.*
- 2. The Estimated Annual Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax increment may vary materially from the projected amount. The estimated tax levy for this analysis is 1.686636, which is the Gage County tax levy based on the*

*most current information set forth on the website for the Gage County Assessor, and is subject to change.*

3. *The projected valuations and the tax increment set forth above are subject to change before the Redevelopment Agreement for the Beatrice Commons Redevelopment Project is signed. However, these figures present an estimate for the purpose of weighing the overall costs and benefits of the Beatrice Commons Redevelopment Project.*

**2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project:**

a. Public infrastructure improvements and impacts:

The Redeveloper anticipates expenditures in excess of Fourteen Million Dollars (\$14,000,000.00) for the redevelopment of the Project Site into a residential housing development, along with all required public improvements within Redevelopment Area #13, including expenditures for eligible public improvements. It is proposed that up to approximately One Million Three Hundred Thousand Dollars (\$1,300,000.00) of the public expenditures, not to exceed the amount of verified eligible TIF Costs, will be financed with the proceeds of tax increment financing indebtedness, with the remaining balance to be paid by the Redeveloper. The sources and uses of the TIF indebtedness will be more particularly set forth in the Redevelopment Agreement for this Project. It is anticipated that eligible uses of the TIF indebtedness may include the following: Site acquisition, site development, engineering fees, and public utilities/infrastructure. All expenditures financed by tax increment financing indebtedness shall be eligible public expenditures under the Act.

It is not anticipated that the Project will have a material adverse impact on existing public infrastructure. Police and Fire service is already provided to the area, as is street maintenance and snow removal. It is anticipated that there will be impact on Beatrice Public Schools as the townhouses may attract families with school-aged children, but this impact is expected to be minimal. This project will enable the Redeveloper to develop a residential development located on the Project Site, which may have some school-aged children, is unlikely to have a significant impact on the number of school aged children in the community.

The required public infrastructure improvements shall be constructed and installed as part of the Project, and paid for in part utilizing tax increment financing. The infrastructure constructed as part of the Project will materially benefit and serve the Project Site. Overall, the Project will have a substantial positive impact on the city's public infrastructure by facilitating the improvement of needed public infrastructure improvements.

b. Local Tax impacts (in addition to impacts of Tax Shifts described above):

The Project will create material tax and other public revenue for the City and other local taxing jurisdictions. The proposed improvement will increase property tax revenue for the

Property Site. The City would be unlikely to realize additional ad valorem taxes in the near future without the Project. While the use of tax increment financing will defer the receipt of a majority of new ad valorem real property taxes generated by the Project, it is intended to create long-term benefit and a substantial increase in property taxes to the City and other local taxing jurisdictions.

**3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project:**

It is not anticipated that this Project will have a material positive or negative impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project.

**4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the area of the redevelopment project:**

The Project is not expected to have a material impact on private sector businesses in and around the immediate area outside the boundaries of the redevelopment project. TIF Financing can be used to reimburse the redeveloper for the costs of public space improvements which would otherwise be paid through tax revenue or special assessments that would burden adjacent property owners. The Project is anticipated to have a positive impact on other local area employers, as it will provide much-needed housing to attract and retain employees.

**5. Other impacts determined by the agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:**

The Project furthers the implementation of the Redevelopment Plan and helps fund infrastructure improvements the City deemed important and necessary enough to enter into the Redevelopment Agreement. The CRA shall leverage up to One Million Three Hundred Thousand Dollars (\$1,300,000.00) in TIF to create approximately Fourteen Million Dollars (\$14,000,000.00) in direct development. The Redeveloper shall pay the costs of the private developments, and the public improvements will be paid by a combination of TIF proceeds and Developer obligations as set forth in the Redevelopment Agreement. Redeveloper shall be responsible for locating a lender to provide financing for Redeveloper's costs, including funding the TIF Indebtedness.

There are no other material impacts determined by the agency relevant to the consideration of the cost of benefits arising from the Project.

**6. Cost Benefit Analysis Conclusion:**

Based upon the findings presented in this cost benefit analysis, the benefits outweigh the costs of the proposed Project.

**RESOLUTION NUMBER 25-20  
PLANNING AND ZONING COMMISSION**

**WHEREAS**, the Planning and Zoning Commission of the City of Beatrice, Nebraska (the "City") received a special use application; and

**WHEREAS**, on October 3, 2025, notice was mailed to all adjacent property owners providing notice of the public hearing in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13; and

**WHEREAS**, on October 10, 2025, notice of the public hearing was published in a daily newspaper having a general circulation in Beatrice in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13; and

**WHEREAS**, on October 10, 2025, notice was posted in a conspicuous place on or near the property which requested the special use permit in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13; and

**WHEREAS**, on October 20, 2025, a public hearing was held regarding the special use application filed by Preston A. Creek and Tashawni L. Creek, husband and wife, in accordance with §1303 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

**SECTION 1.** That the special use permit application filed by Preston A. Creek and Tashawni L. Creek, husband and wife, for property legally described as:

The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska.

Commonly known as 1711 North 14<sup>th</sup> Street,

to increase the height of a detached accessory structure above eighteen (18) feet, be and is hereby approved. A copy of said special use application marked as Exhibit "A" is attached hereto and incorporated by reference.

**SECTION 2.** That said special use permit shall run with the land.

**SECTION 3.** That the Community Development Department shall file notice of this resolution with the Gage County Register of Deeds.

**SECTION 4.** That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 20<sup>th</sup> day of October, 2025.

---

Deven McGhee, Secretary

---

Alan Fetty, Chairperson

**COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310  
Phone: 402.228.5250 Fax: 402.223.5252  
community@beatrice.ne.gov



PERMIT NUMBER: 20250468

**SPECIAL USE PERMIT APPLICATION**

**APPLICANT(S) INFORMATION**

Name(s): Preston Creek  
Address: 1711 N 14th Street  
Phone: 402-802-5943 Email: dunnahccc@gmail.com

**A site plan to include all existing and proposed improvements, dimensions, and setbacks to all property lines must be submitted as an attachment to this application.**

**PROPERTY OWNERSHIP ATTESTATION**

I/We, Preston Creek, hereby certify that I/we are the lawful owner(s) of real estate legally described as follows:  
1711 North 14th Street

or will receive a conveyance thereof if this application for a Special Use Permit is granted.

**SPECIAL or CONDITIONAL USE ATTESTATION**

I/We, Preston Creek, hereby apply for a Special or Conditional Use Permit for the following use:

We are looking to put a loft in our 30x40 structure; in doing so, we will be beyond the 18-foot-high clearances allowed


I/We hereby declare that if the application is granted that the aforementioned property will be used in conformity with the zoning restrictions then in effect on the property unless a new application for a Special or Conditional Use Permit is granted.

I/We request that the Planning and Zoning Commission set a hearing date on this application, publish notice of said hearing in accordance with the zoning ordinance, and post the above described property.

***If approval is granted, you must file all required documents and proper permits issued prior to commencement of work.***

**APPLICANT(S) SIGNATURE**

*I/We declare under penalties of perjury that I/we have examined this application and to the best of my/our knowledge and belief, it is correct and complete.*

  
Preston Creek (Oct 2, 2025 10:19:07 CDT)  
Signature

10/2/2025  
Date

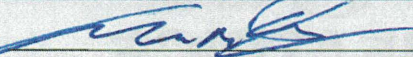
Signature

Date

**OFFICE USE ONLY**

Application Fee: \$100.00

Received By:



Date:

10/3/2005

Date Posted on Property:

10/10/25

Date of Hearing:

10/20/25

Comments:

\_\_\_\_\_

Com Dev Director:



Date:

10/2/2005

**DECISION**

PLANNING & ZONING COMMISSION

Approved

Denied

the Special Use Permit this

\_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_\_.

Planning and Zoning Chairman: \_\_\_\_\_

Date: \_\_\_\_\_



R-2

BERKE'S FIFTH ADD.  
ORD. NUM. 14-028

CHRISTINSONS 2ND ADD.  
ORD. NUM. 14-025

CHRISTINSONS 2ND ADD.  
ORD. NUM. 14-025

ORD-NUM 13-02

DORSEY ST.

DORSEY ST.

1	VACATED	18	1
2	VACATED	17	2
3	VACATED	16	3
4	VACATED	15	4
5	VACATED	14	5
6	VACATED	13	6
7	VACATED	12	7
8	VACATED	11	8
9	VACATED	10	9
10	VACATED	9	10
11	VACATED	8	11
12	VACATED	7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

22	1
21	2
20	3
19	4
18	5
17	6
16	7
15	8
14	9
13	10
12	11

SHARON ROAD

DARWIN STREET

VACATED

VACATED

DARWIN STREET

DARWIN STREET

VACATED

-24-

12	1
11	2
10	3
9	4
8	5
7	6

12	1
11	2
10	3
9	4
8	5
7	6

12	1
11	2
10	3
9	4
8	5
7	6

12	1
11	2
10	3
9	4
8	5
7	6

12	1
11	2
10	3
9	4
8	5
7	6

12	1
11	2
10	3
9	4
8	5
7	6

12	1
11	2
10	3
9	4
8	5
7	6

9	10
10	11
11	12
12	13

R-3

PARK STREET

PARK STREET

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

18	1
17	2
16	3
15	4
14	5
13	6
12	7
11	8
10	9
9	10
8	11
7	12

10	1
9	2
8	3
7	4
6	5
5	6
4	7
3	8
2	9
1	10

12	1
11	2
10	3
9	4
8	5
7	6
VACATED	
12	1
11	2
10	3
9	4
8	5

ORD-NUM 17-037  
ORD-NUM 17-036  
1

ORD-NUM 17-033

PADDOCK LANE ELEMENTARY ADD

12	1
11	2
10	3
9	4
8	5
7	6
12	1
11	2
10	3
9	4
8	5

6	5	4	3
7	8	9	10
8	9	10	11
9	10	11	12
10	11	12	13



**BEATRICE**  
CITY • BOARD OF PUBLIC WORKS

**CITY HALL**

400 Ella Street | Beatrice, NE 68310  
Phone: 402.228.5200 Fax: 402.228.2312

**ENGINEERING & COMMUNITY DEVELOPMENT**

205 North 4<sup>th</sup> Street | Beatrice, NE 68310  
Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Preston & Tashawni Creek  
1711 North 14<sup>th</sup> Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

Dear Preston & Tashawni:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of your Special Use Permit Application to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

Applicants are not required to attend said hearing, however, I would encourage you to attend should the Commissioners have questions only you can answer pertaining to your Special Use Permit application.

Please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov) if you have any questions.

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
YOUR  
CLAIM**

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Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Joel Patterson  
1709 North 14th Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

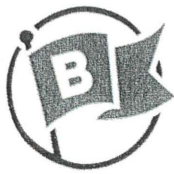
Dear Joel:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
YOUR  
CLAIM**

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205 North 4<sup>th</sup> Street | Beatrice, NE 68310

Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Philip & Susan Cook  
1725 North 14<sup>th</sup> Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

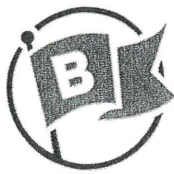
Dear Philip & Susan:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
YOUR  
CLAIM**

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205 North 4<sup>th</sup> Street | Beatrice, NE 68310

Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Randy & Karen Schlueter  
1710 North 13th Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

Dear Randy & Karen:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney



**STAKE  
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CLAIM**

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205 North 4<sup>th</sup> Street | Beatrice, NE 68310  
Phone: 402.228.5250 Fax: 402.228.5252

October 3, 2025

Nathan & Tawnya Bornemeier  
1706 North 13th Street  
Beatrice, NE 68310

RE: Special Use Permit Application of Preston & Tashawni Creek  
Increase Maximum Height of Detached Accessory Structure – 1711 North 14<sup>th</sup> Street

Dear Nathan & Tawnya:

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, October 20, 2025, in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska, to consider approval of the Special Use Permit Application of Preston and Tawshani Creek to increase the height of a detached accessory structure above eighteen (18) feet, located on real property legally described as: The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley’s Third Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1711 North 14<sup>th</sup> Street, Gage County Parcel ID 011990000.

If you would like to contest, have questions or concerns, please feel free to contact the Community Development Office at (402) 228-5250 or email [community@beatrice.ne.gov](mailto:community@beatrice.ne.gov).

Sincerely,

Taylor Rivera  
City Attorney

accomplished in a manner approved by the State of Nebraska's Department of Environmental Quality.

7. Toxic Waste: The disposal of hazardous, toxic, or radioactive wastes as defined by the Federal Environmental Protection Agency shall be prohibited within the City of Beatrice and its extra-territorial jurisdiction.

## 608 Supplemental Use Regulations: Accessory Uses

### A. Home Occupations

Home occupations are permitted as an accessory use in residential units subject to the following conditions:

1. External Effects: No noise, odors, bright lights, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right of way.
2. Employees: A home occupation may employ a maximum of two individuals other than the residents of the dwelling unit.
3. Service Traffic: Deliveries or service by commercial vehicles or trucks over ten tons is prohibited.
4. The home occupation shall be carried on entirely within the principal dwelling unit. Operation of a home occupation shall not be carried on within a detached accessory building without approval of a Special Use permit as set forth in Section 1303.
5. Welding, vehicle body repair, mechanical repair, or rebuilding or dismantling of vehicles are not permitted as home occupations.

### B. Permitted Accessory Uses: Residential Uses

Residential uses may include the following accessory uses, activities, and structures on the same lot:

1. Private garages and parking for the residential use.
2. Recreational activities and uses by residents, excluding the housing of horses.
3. Home occupations, subject to Section 608(a) of these regulations.
4. Residential convenience services for multiple-family uses or mobile home parks for use by residents only.
5. Crafts and garage sales, provided that such sales on any single property occur no more than once every 60 days; and have a maximum duration of 3 days.

### C. Detached Accessory Buildings: Residential Uses

Detached accessory buildings located in the R-1, R-2, R-3, or R-4 Districts shall comply with the following requirements:

1. Detached accessory buildings shall not exceed a maximum size of 1200 square feet unless a Special Use Permit to allow a maximum size of 1800 square feet is approved as set forth in Section 1303. The square footage set forth in this subsection shall include the square footage for all detached accessory buildings located on the site.

2. A maximum of two detached accessory buildings shall be located on a site.
3. Detached accessory buildings shall not exceed a maximum of 18 feet in height, measured to the ridge of the roof, unless a 'Special Use Permit' to allow a maximum height of 22 feet to the ridge of the roof is approved as set forth in Section 1303.
4. For purposes of Section 608(c), an accessory building shall be considered to be detached unless it is constructed as an integral part of the principal dwelling unit and is connected to the principal dwelling unit by a common vertical wall. Detached accessory buildings for multiple-family dwellings shall not be subject to the requirements of subsection 608(c)(1). Gazebos and any detached accessory building that is smaller than 20 square feet shall not be subject to the requirements of Section 608(c).
5. For purposes of Section 608(c), an accessory building shall only be constructed on property which contains an existing principal dwelling unit. The removal or demolition of a principal dwelling unit shall require the removal of all accessory buildings located on the site, unless the accessory building(s) meet the requirements of all applicable codes of the City of Beatrice and are verified by the City Building Inspector.

**Detached accessory buildings located in the RC, LC, GC, or CBD Districts shall comply with the following requirements:**

6. Detached accessory buildings, upon sites which contain buildings used as dwelling units, shall not exceed a maximum size of 1200 square feet unless a Special Use Permit to allow a maximum size of 1800 square feet is approved as set forth in Section 1303. The square footage set forth in this subsection shall include the square footage for all detached accessory buildings located on the site.
7. A maximum of two detached accessory buildings shall be located on a site which contain a building used as a dwelling.
8. Detached accessory buildings, upon sites which contain buildings used as dwellings, shall not exceed 22 feet in height, measured at the ridge of the roof.
9. For purposes of Section 608(c), an accessory building shall be considered to be detached unless it is constructed as an integral part of the principal dwelling unit and is connected to the principal dwelling unit by a common vertical wall. Detached accessory buildings for multiple-family dwellings shall not be subject to the requirements of subsection 608(c)(6). Gazebos and any detached accessory building that is smaller than 20 square feet shall not be subject to the requirements of Section 608(c).
10. For purposes of Section 608(c), an accessory building shall only be constructed on property which contains an existing principal dwelling unit or a principal commercial, industrial, or office building which is open to the public for a minimum of twenty (20) hours per week. The removal or demolition of any dwelling unit, or commercial, industrial, or office building shall require the removal of all accessory buildings located on the site, unless the accessory building(s) meet the requirements of all applicable codes of the City of Beatrice and are verified by the City Building Inspector.

Space Above Reserved for Recording Information

Return to:

Taylor Rivera  
City of Beatrice  
400 Ella Street  
Beatrice, NE 68310

### Notice of Special Use Permit

THIS NOTICE shall hereby certify that the Planning and Zoning Commission of the City of Beatrice approved Resolution No. 25-20 granting Preston A. Creek and Tashawni L. Creek, husband and wife, a Special Use Permit to increase the height of a detached accessory structure above eighteen (18) feet, at property legally described as:

The South Twenty-Five (25) feet of Lot Three (3), and all of Lots Four (4) and Five (5), Block Four (4), Grable and Beachley's Third Addition to the City of Beatrice, Gage County, Nebraska.

(Commonly known as 1711 North 14<sup>th</sup> Street)

Said special use permit shall run with the land.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chet McGrury  
Community Development Director  
City of Beatrice

STATE OF NEBRASKA )  
                                  ) ss.  
COUNTY OF GAGE     )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of October, 2025 by Chet McGrury, Community Development Director.

\_\_\_\_\_  
Notary Public