City of Bennington
Planning Commission Meeting Agenda
Wednesday, September 24, 2025; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

1. Call to Order – Open Meeting Act – Roll Call

2. Approval of August 27, 2025 Meeting Minutes

3. Consideration of a of a Conditional Use Permit allowing for a Hair Salon in a Downtown Commercial District Zoning (C-3) located at 15414 Warehouse Street – Apt. 4
    A. Presentation, Staff and Applicant
    B. Public Hearing
    C. Motion

4. November and December Meeting Dates Discussion

5. Adjourn

Planning Commission

8-27-2025 Minutes

City of Bennington
Planning Commission Meeting Minutes
Wednesday, August 27, 2025; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

Call to Order – Open Meeting Act – Roll Call

Planning Commission Chair James Bartles called the meeting to order at 6:00 p.m. The following members were present: James Bartles, Karen Hohman, Anita Ortiz, Mike Valasek and Bob Zaruba. Member Haime Dias was absent. City Clerk Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of July 30, 2025 Meeting Minutes

Motion by Zaruba, second by Ortiz to approve the minutes as presented. All voted in favor and the motion carried.

Amendments to the City of Bennington Zoning Regulations to add a definition of "Motor Vehicle Collision Facility", to add Motor Vehicle Collision Facility as a Permitted Use or a Conditional Use in the C-1 Highway Commercial Zoning District, and amend Section 5.10.06(C) to permit the outdoor storage of vehicles awaiting service by a Motor Vehicle Collision Facility provided that such vehicles are in an enclosed and screened area

City Engineer Julie Ogden presented the amendments adding a Motor Vehicle Collision Center as a Conditional Use.

Bartles opened a public hearing and there were no comments.

Motion by Valasek, second by Zaruba to recommend approval of the changes as presented. All voted in favor and the motion carried.

Adjourn

Motion by Zaruba, second by Hohman to adjourn the meeting at 6:19 p.m. All voted in favor and the motion carried.

Item #3

Conditional Use Permit

Hair Salon

September 15, 2025

Bennington Planning Commission & City Council
c/o Mindi Laaker, Clerk
15505 Warehouse Street
Bennington, NE 68007

RE: Bennington, NE 15414 Warehouse Street, Apt 4 – Conditional Use Permit for Hair Salon (Salon with Sass) in Apartment Building in the C-3 Zone
JEO Project No. 090034

Dear Commissioners and Council:

JEO Consulting Group has received a copy of the Conditional Use Permit application and documents for the above referenced property. We have reviewed these documents and would offer the following comments, questions and observations for the Planning Commission's scheduled meeting on September 24, 2025. Based on a review of the submitted documents, all specifications as outlined in Article 6, of the zoning regulations have been met in regard to the submittal documents.

Site & Operation Plan Comments

1. The zoning for the site is C-3 and it had a previously issued conditional use (2010) for the multi-family (apartment) use. It was recommended by staff that an additional conditional use permit be issued for the hair salon (personal services) since it is located within an apartment.
    a. Personal services, such as a hair salon, are a permitted use within the C-3 district but the proximity to residential units and the prior CUP for residential use are the reason for this CUP.
2. The site plan provided shows that building has five apartments, two on the upper level with access from S 2nd Street and three on the lower level with access from Warehouse Street. There are eight parking stalls located off Warehouse Street.
    a. Since the site is located within the downtown business district, the on street parking stalls can be used for the required business parking. There are also stalls assigned to that apartment..
3. The salon operation plan includes that the business will only include a single service chair and the owner will be the sole employee. The hours of operation are Tuesday, 10 to 6:30, Wednesday 9 to 5, Thursday 1:30 to 6:30, Friday 8 to 4 and Saturday 8:30 to 2. The business will be closed on Sunday and Monday. Services provided include haircuts, hair coloring, perms, styling, waxing and ear piercing.
    a. Each apartment has their own ventilation system and do not share any common spaces or hallways. So any services that including chemicals with strong odors, should not impact other residents.

Conditional Use Permit (per section 6.06)

The following items must be found to be addressed to issue the conditional use permit.

1. *That the establishment, maintenance, or operation of the use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.*
    a. Engineer's Comment: The proposed use should not endanger public health, safety or general welfare of the community. The salon owner shall display (as required) their license from Nebraska Department of Health and Human Services allowing for operation.

2. *That the use will not be injurious to the use and enjoyments of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impair property values within the neighborhood.*
    a. Engineer's Comment: All services will be provided in an apartment and no resident will be allowed in the apartment while it is used as a salon. Upon the salon ceasing operation at this location, the apartment shall be returned to residential use.
3. *That the establishment of the use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.*
    a. Engineer's Comment: This will not impact development or re-development within the downtown area.
4. *That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
    a. Engineer's Comment: The site has access to utilities.
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
    a. Engineer's Comment: There are two off street parking stalls in addition to the downtown on street parking. Pedestrian access is provided via sidewalks.
6. *The use shall not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.*
    a. Engineer's Comment: all services will be provided indoors and should not create objectionable noise.
7. *The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.*
    a. Engineer's Comment: Not applicable
8. *The use shall not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.*
    a. Engineer's Comment: A few of the services provided may have chemicals which have an odor to them but they should be short term while service is occurring and as long as ventilation systems are not shared, should not impact other apartment residents.
9. *The use shall not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.*
    a. Engineer's Comment: Not applicable.
10. *The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.*
    a. Engineer's Comment: Use as per operational plan should not impact traffic as it is not significantly different than other downtown uses.
11. *The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.*
    a. Engineer's Comment: Not applicable.

I recommend the following conditions for the conditional use, if approved:

- A copy of the Nebraska DHHS License be provided to the City for attachment to the Conditional Use Agreement when its recieved.
- That the apartment be returned to a residential use upon closure or relocation of the salon.
- No residential use of the apartment is allowed while the salon is in operation.

If you have any questions, comments or concerns with any of the statements, please feel free to contact me at jogden@jeo.com.

Sincerely,

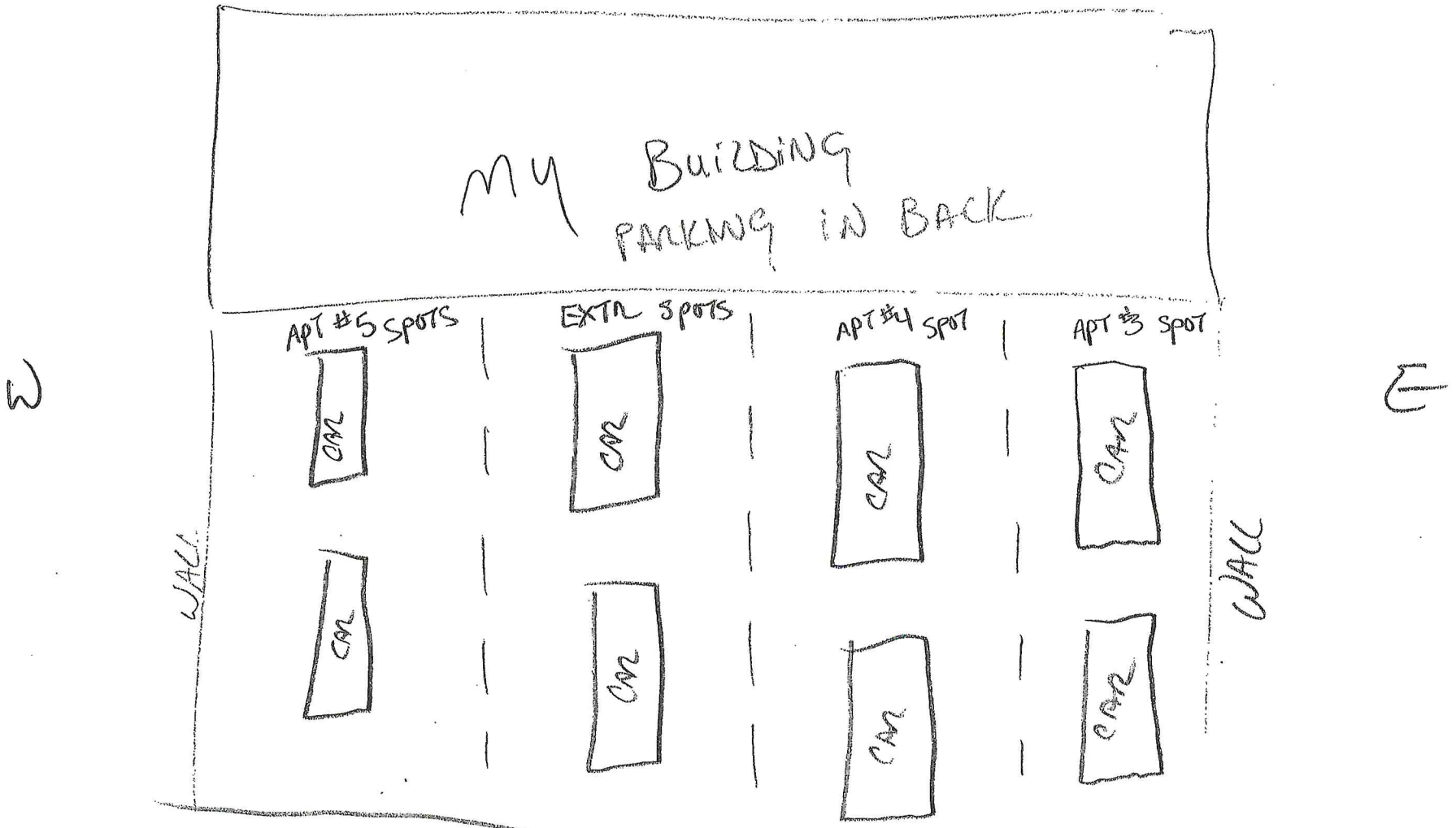
Julie Ogden, PE

JAO:jao
Attachment – site map, building plan, operation plan

cc: Mindi Laaker, Bennington City Clerk (PO Box 221, Bennington NE 68007)
Jeff Miller, Young and White Law Offices (8742 Frederick Street, Omaha, NE 68124)
Karey Oltjenbruns, applicant (sassycutter80@gmail.com)
Randy King, property owner, (Randy.King@PenFed.org)

N

S 2nd Street STREET

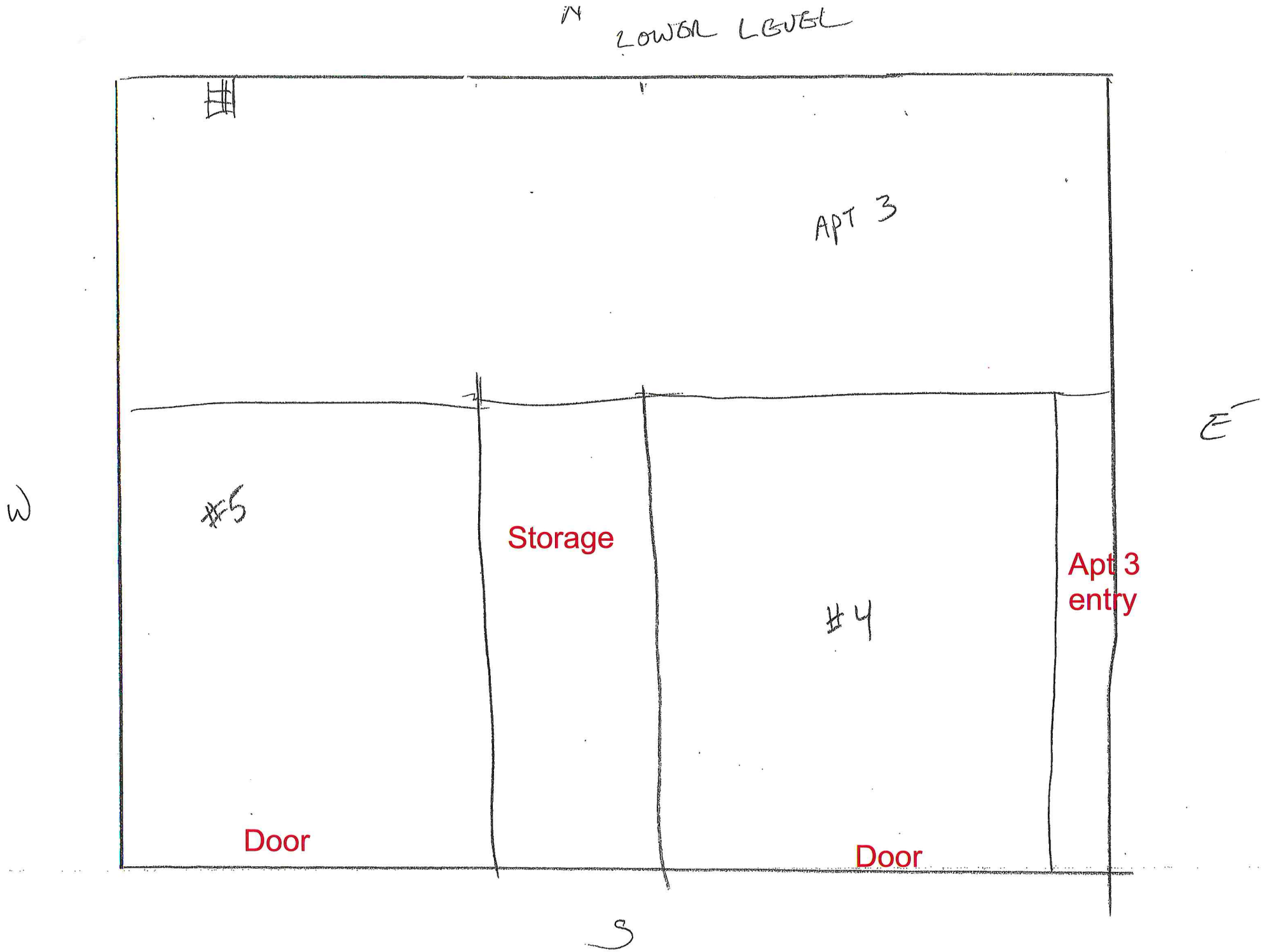


W

E

Warehouse Street STREET

S


N
LOWER LEVEL
APT 3
W
E
#5
Storage
#4
Apt 3
entry
Door
Door
S

N

S 2nd Street

Street

door

door

Apt #1

Apt #2

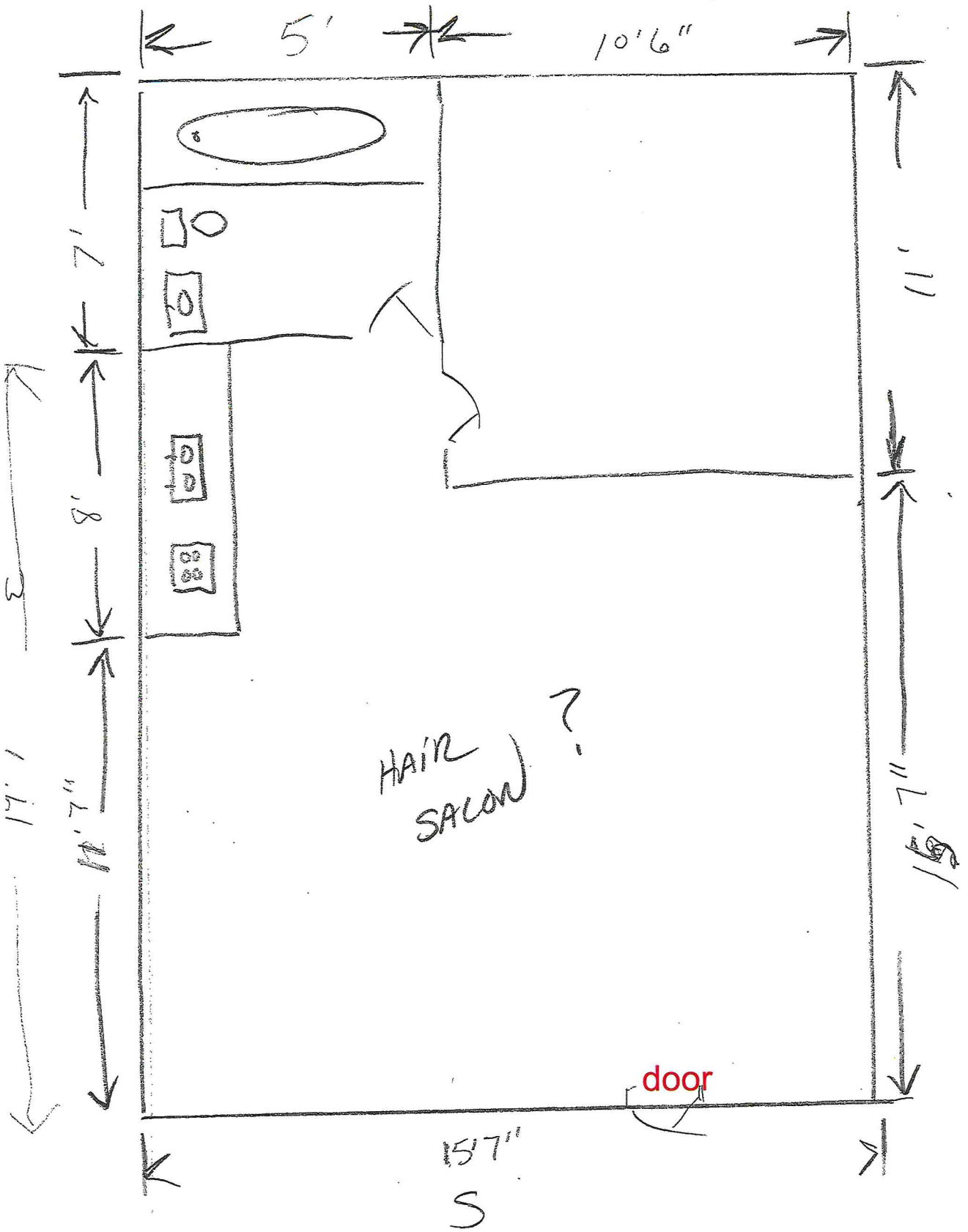
#5 Loft Area

Rear Parking

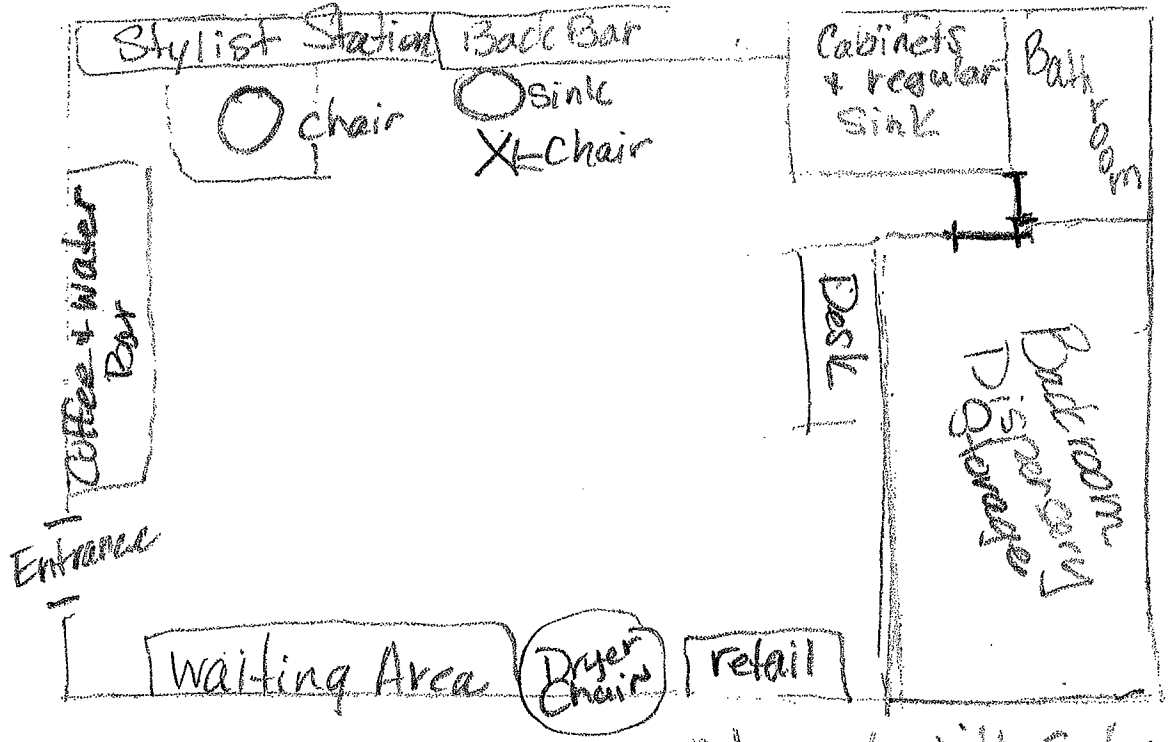
E

W

Warehouse Street


5'
10'6"
7'
8'
11'
11'7"
15'9"
HAIR
SALON
?
door
15'7"
S
E

Salon With Sass



432 sq ft

This is my guess of how I will set up the salon. Will not know if this will be exact. If you need a new diagram when I get it set up. I can do that.

Hard to know when someone is still in the space.

Salon With Sass Inc Is a one chair salon, I don't have any other employees. I do Haircuts, Color, Perms, Styling, Facial waxing and Ear Piercing. Hours Monday Closed Tuesday 10-6:30 Wed 9-5 Thursday 1:30-6:30 Friday 8:00-4 Saturday 8:30-2 Sunday Closed

Please let me know if you need anything else.

Karey Sass Oltjenbruns Salon W/ Sass Inc.

APPLICATION FOR A CONDITIONAL USE PERMIT

City of Bennington, NE

NOTE: Form must be filled out completely before the City will accept this application for processing, please print or type. The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. All fees are non-refundable.

Date: 8-25-25 E-mail address: RANDY.KING@PGNFCU.ORG

Property Owner's Name: RANDY KING Phone Number: 402-594-4204

Property Address: 15414 WAREHOUSE ROAD APT #4

Pursuant to the Bennington Zoning Ordinance, application is herby made for the following proposed use of property or structure: HAIR SALON

mini

Legal Description of Property Requested:

PARCEL ID 0611090000 LOT #8 BLOCK #11 SEC-TWP-RNG 14-16-11 ACRES 0.07

SALON

Area of Property (square feet or acres): APARTMENT 432 SQ FT. Current Zoning: DOWTOWN COMMERCIAL

Will use in all other respects conform to the applicable regulations of the district in which it is located?

Yes ☑ No ☐

Will use conform to all other applicable regulations and laws of any governmental jurisdiction?

Yes ☑ No ☐

Will use have adequate water, sewer and drainage facilities? Yes ☑ No ☐

Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?

Yes ☐ No ☐ ?

Estimated Cost of Structure? ALREADY BUILT

The following exhibits are required with this application.

* • site plan ☒ • Operation and maintenance plan

• Easements (if applicable)

Signature of Owner: R J King

Mailing Address of Owner: 12306 NO. 149TH CIRCLE BENNINGTON NE. 68007

OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 250.00 Check No. 3115

Date _____ Approved ☐

Approved with conditions ☐ _____

Denied ☐ Chair, Bennington Planning Commission

Date _____ Approved ☐

Approved with conditions ☐ _____

Denied ☐ Mayor, City of Bennington

ATTEST: _____ Dated this _____ day of _____, 20____

City Clerk

Property Notes

DATE: July 15, 2025

PROPERTY: 15414 Warehouse Street (Parcel #*0611090000*)
Zoning: C-3 (Downtown Commercial) with DDO (Downtown Design Overlay)
Conditional Use Permit – issued in 2010 for apartment use
Future Land Use: Commercial
Property Size: 3,300 Sq Feet
Request: The Owner has asked if it is possible to use one of the apartment units as a hair salon instead of a living unit.

SITE NOTES:

The Existing Conditional Use Permit (dated June 2010) allows the use of 4 apartments with the potential addition of a 5th under this agreement on the subject parcel. Other conditions include:

- All residents of 15416, 15414, & 15412 Warehouse must park their vehicles in off-street parking facilities on the property.
- All applicable off-street parking requirements of section 7.01 to 7.05 of the zoning regulations shall be fully and properly met and maintained.
- There will not be an annual review of the permit but should the ownership change, a new permit must be applied for and issued to continue use.
- Future expansions shall require an application for a conditional use permit.

ZONING REGULATION INFORMATION:

While personal services are a permitted (by right) use within the C-3 zoning district as noted in 5.12.03.D, the conditional use noted in 5.12.03.G states that "apartment/multi-family residential facility provided the use can meet all off-street parking requirements. These multi-family residential facilities may include ground level retail, food, personal, business, or other services allowed in this Section." There is parking within the area of this property downtown that would appear to meet the needs of the building with the condition noted above for the Warehouse Street Units.

This section would indicate that the salon could be included in the building with a revised conditional use permit noting the use for something other than residential but with the plan to return it to residential once the salon would no longer be in operation. The plan should note how parking for the salon would be addressed (can use on street parking stalls in area) an not impact adjacent residences. For reference, a service oriented establishments , such as a salon, requires one parking space per 200 square feet of gross floor area.

An application to revise the existing Conditional Use Permit would be required (can be obtained from city office) along with a site plan showing which unit would be used for the salon, where parking would be located and an operation and maintenance plan for both the residential units and the salon. Applications are due 28 days prior to the regularly scheduled Planning Commission Meetings (last Wednesday of every month).

Item #4

Nov and Dec Meeting Dates

Julie Ogden
to me, Bob, Haime, Karen, Anita, James, Mike, Jeff, Clint, Kevin

All – at our September meeting we will need to review the Regularly Scheduled November and December Meeting dates to verify we can obtain a quorum or if they need to be rescheduled as the rescheduling impacts the application deadlines and I would like to let potential applicants know in early October.

The November meeting is on the 26th which is the night before Thanksgiving. I am not traveling this year (like I was last year) so if we have a quorum this maybe could stay. Options would be the 25th (day before – football championship for class b is on Monday night) or we could go the week before on the 19th.

The December meeting is on the 31st so it will need to be rescheduled. The week before would be Christmas Eve – also not a possibility so maybe either the 23rd or the 30th (Tuesdays).

Please be prepared to discuss or provide your availability to Mindi if you will not be at the September meeting.

Thanks
Julie

Julie Ogden

m: 402.443.8007 | o: 402.443.4661
JEO Consulting Group