City of Bennington
Planning Commission Meeting Agenda
Wednesday, July 29, 2026; 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 May 27, 2026 Meeting Minutes

3. Consideration of an Amendment to a Conditional Use Permit for a Business-Commercial Flex Facility in a C-1 Highway Commercial Zoning District with lot addressed as: 12602 and 12704 N. 158th Street and located west of 156th Street near Lockbox Storage
    A. Applicant and Staff Reports
    B. Public Hearing
    C. Motion

4. Adjourn

City of Bennington
Planning Commission Meeting Minutes
Wednesday, May 27, 2026; 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, Anita Ortiz, Mike Valasek, Clydell White Jr. and Bob Zaruba. Members Haimes Dias and Karen Hohman were absent. City Clerk Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of April 29, 2026 Meeting Minutes

Motion by Ortiz, second by Zaruba to approve the minutes as presented. With Valasek and White abstaining, all voted in favor and the motion carried.

Consideration of a Final Plat in a Medium Density Residential Zoning District for Morgan Ridge Replat 3 located south of Kempten Creek Drive, north of Bennington Boulevard and between North 158-159 Streets

City Engineer Julie Ogden and Jeff Stoll with E & A Consulting Group presented the Final Plat.

Bartles opened a public hearing and there were no comments.

Motion by Bartles, second by White to recommend approval subject to the requirements in the City Engineer's comment letter. All voted in favor and the motion carried.

Adjourn

Motion by Valasek, second by Zaruba to adjourn the meeting at 6:09 p.m. All voted in favor and the motion carried.

July 17, 2026

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

RE: Bennington – Lots 2 & 3 McGregor Brea – Amendment to Conditional Use Permit
Business-Commercial Flex space (C-1 Zone)
JEO Project No. 090034

Dear Commissioners and Council:

JEO Consulting Group has received a copy of the proposed Amendments to the existing Conditional Use Permit and supporting documents for the above referenced property. Based on a review of the submitted documents for the amendment to the CUP, all specifications as outlined in Article 6, of the zoning regulations have been met in regard to the submittal documents. The use is also subject to the requirements in Sections 7.02 (Parking) and 7.19 (Performance Standards) of the Zoning Regulations. We have reviewed these documents and would offer the following comments, questions and observations for the Planning Commission's scheduled meeting on July 29, 2026.

Site & Operation Plan Comments

1. The zoning for the site is C-1 with a Highway Corridor Overlay and the original conditional use was approved in January 2025 by City Council. With this amendment the applicants are also proposing an administrative plat to move the lot line between the two lots, 85 feet (or so) to the south.
    a. The administrative plat will be required to be recorded prior to any additional building permits being issued. (Comments provided separately for the plat)
    b. Additional Use permits have been granted for the following bays/uses:
        i. Bays 12744 to 12748 - Baseball/Softball Training Facility
        ii. Bay 12720 - Bennington Community Theater
        iii. The CrossFit facility proposed for units 12756-12758 was not approved.
    c. A Revised Conditional Use Permit will be drafted by the City Attorney and provided for execution after action by the City Council.
2. The original project was reviewed by and received approval from the Design Review Board. The change in building layout does not require an additional review unless the building finishes, lighting or landscaping from the approved plan are changing.
3. The site plan provided shows the following changes from the originally approved CUP:

Item	Approved CUP	Amendment Request
Number of Buildings (area)	4 (60,000 sf)	5 (60,000 sf)
Number of Bays	48	48
Number of Parking Stalls*	120	140
Impervious Surface Area (%)	117,870 (54.6%)	122,033 (56.5%)
Number of Owners	1	2

*Required parking for this use is one stall per 500 square foot of building space.

    a. A memo or update to the drainage study is needed to show how the increase in impervious surfacing is be addressed by the existing drainage basin. (I do not have an approved version from the original CUP in my files so I am providing updated comments on the one with prior JEO comments.)
    b. The two parking lots shall be connected and cross access easements provided between the lots to allowed for shared parking and access. (See notes on the site plan)
    c. Show the path for maintenance access on the drainage basin on the site plan.

   d. A landscaping plan for the site has been provided. It is to conform to Section 7.19.07 of the zoning regulations.
      i. The plan includes the plant types but does not appear to show how 35% of all buffers are landscaped.
      ii. The plantings at the back side of the parking stalls which face residential/agricultural property appear to meet the height required.
4. The operation plan needs to include provisions for:
   a. Trash collection is in shared containers located in a screened area noted on the site plan for each lot.
   b. Cluster Mailboxes are used on the site and the location should be shown on the site plan.
   c. Contacts for each owner are provided in the plan.

Conditional Use Permit (per section 6.06)
The amendment is not proposing any changed to the allowed uses. The proposed amendment to the layout does not impact any findings from the original CUP approval.

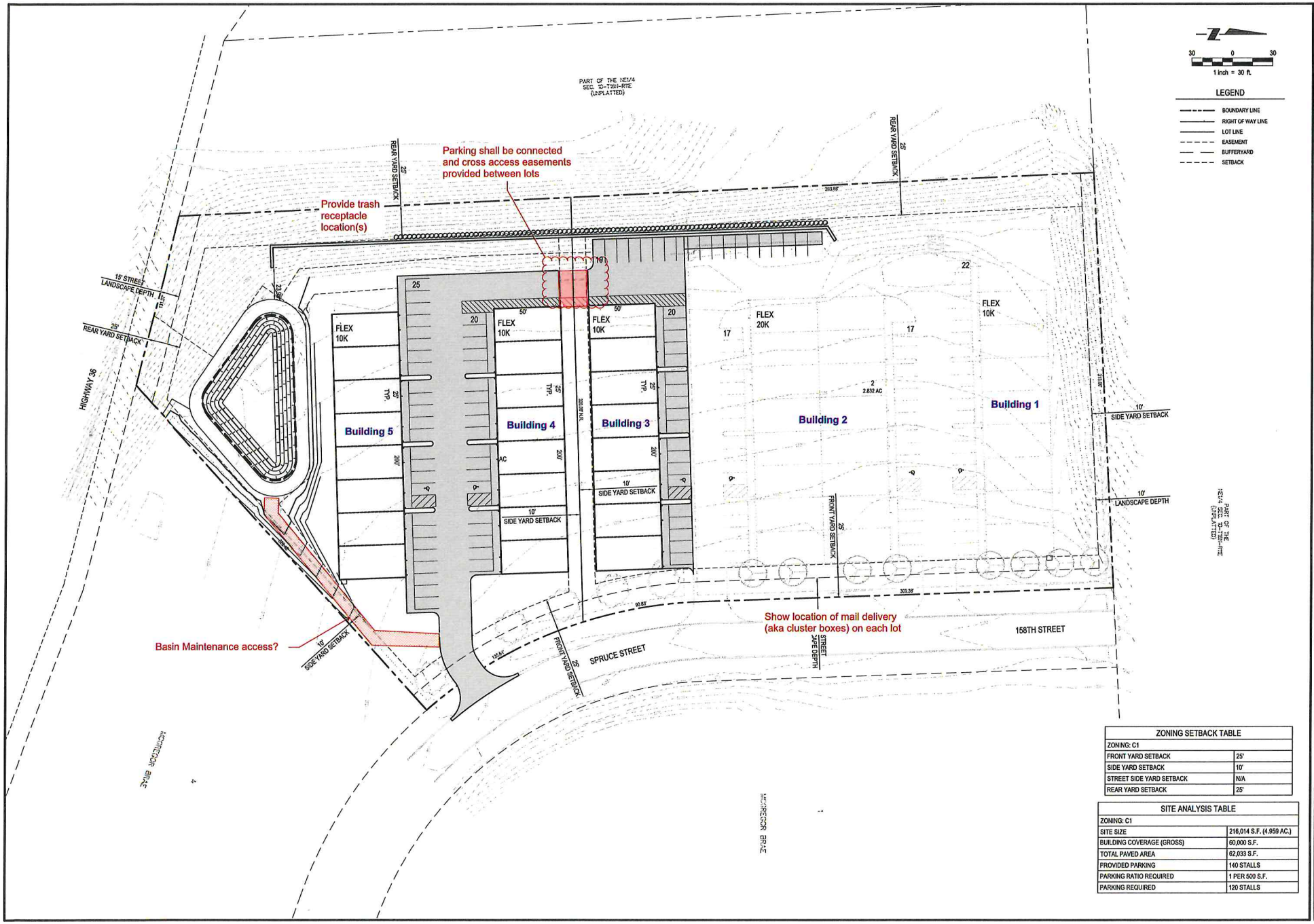
If you have any questions, comments or concerns with any of the statements, please feel free to contact me at 402.443.7483.

Sincerely,

Julie Ogden, PE
jogden@jeo.com

JAO:jao
Attachment –site plans with notes, original submittal drainage study with comments

cc: Mindi Laaker, Bennington City Clerk (clerk@benningtonne.com)
Jeff Miller, Young and White Law Offices (jmiller@youngandwhite.com)
Kyle Hasse, applicants engineer (khaase@eacg.com)
Geoff McGregor, applicant (geoff@mcgregorint.com)
Nick Jasa, applicant (nickjasa@gmail.com)



ZONING SETBACK TABLE	
ZONING: C1	
FRONT YARD SETBACK	25'
SIDE YARD SETBACK	10'
STREET SIDE YARD SETBACK	N/A
REAR YARD SETBACK	25'

SITE ANALYSIS TABLE	
ZONING: C1	
SITE SIZE	216,014 S.F. (4.959 AC.)
BUILDING COVERAGE (GROSS)	60,000 S.F.
TOTAL PAVED AREA	62,033 S.F.
PROVIDED PARKING	140 STALLS
PARKING RATIO REQUIRED	1 PER 500 S.F.
PARKING REQUIRED	120 STALLS

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Engineering Answers

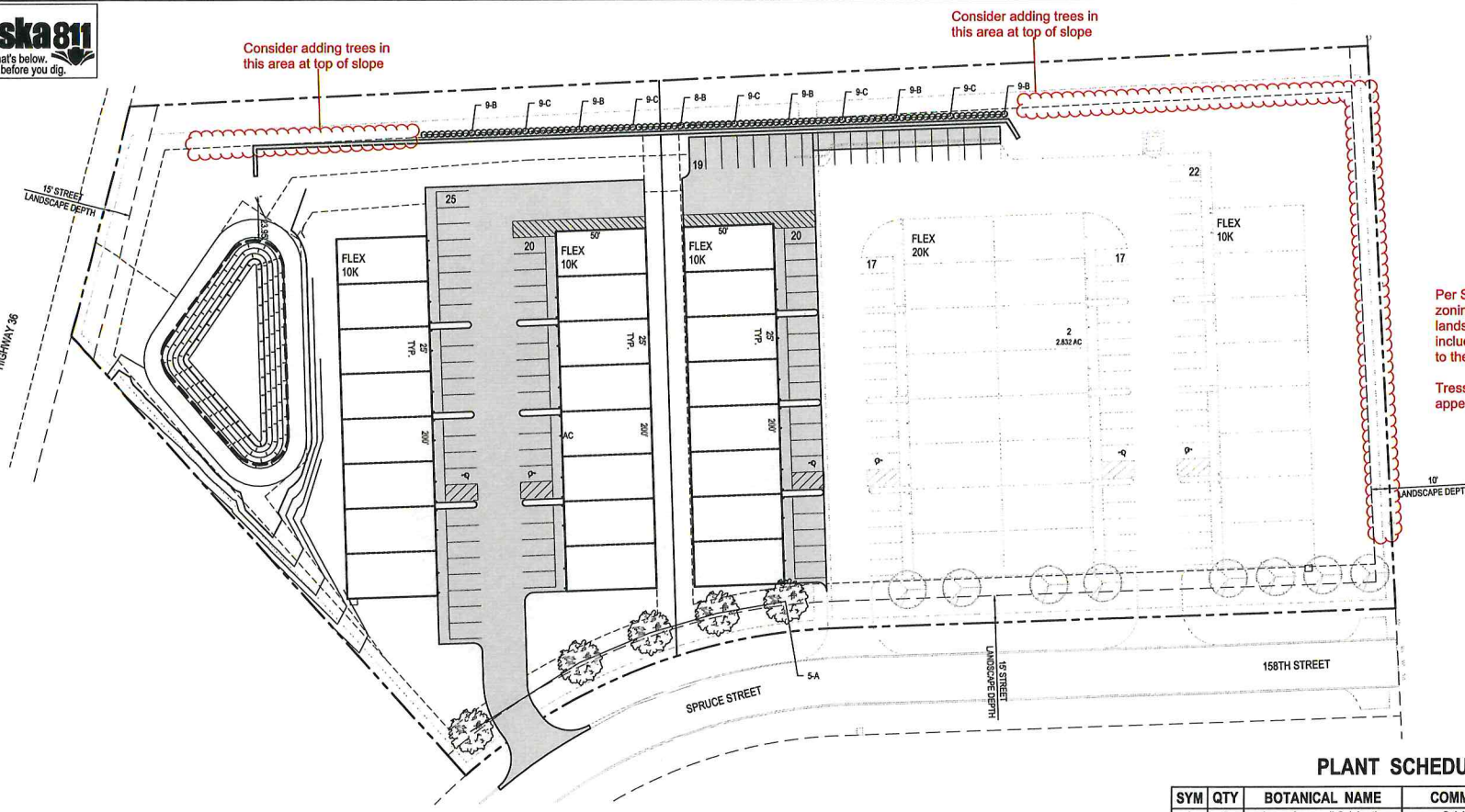
MCGREGOR BRAE REPLAT
ONE LOTS 1 & 2
BENNINGTON, NEBRASKA

CONDITIONAL USE PERMIT
SITE PLAN

Revisions		
No.	Date	Description

Proj No: P2015717.004
Date: 07/14/2016
Designed By: BY OTHERS
Drawn By: BW / MAN
Spec: AS SHOWN
Sheet: 1 of 2

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LEGEND
- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT
- BUFFERYARD
- SETBACK

Per Section 7.19.07 of the zoning regulations,, 35% of th landscape buffer should include plantings. This applies to the North and West sides.

Tress along 158th Street appear appropriate.

PLANT SCHEDULE

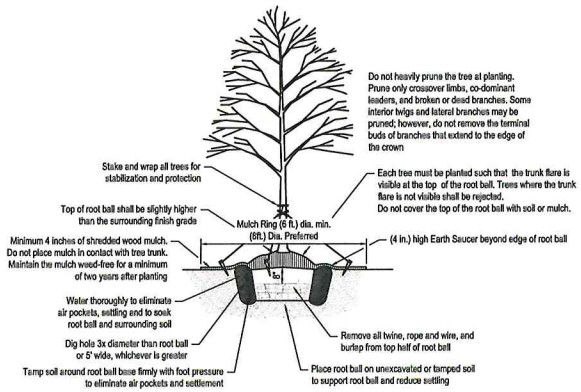
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
A	5	Acer × freemanii Celebration	Celebration Maple	2"	B&B
B	53	Juniperus cheninsis 'Sea Green'	Sea Green Juniper	3 Gal.	Cont.
C	45	Juniperus × pfitzeriana 'Old Gold'	Old Gold Juniper	3 Gal.	Cont.

TREE NOTE:
Landscape contractor shall coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree planting locations on the project site.

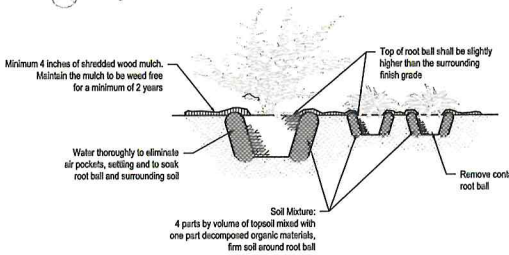
LEGEND:
- Existing trees to remain.

LANDSCAPE NOTES:

1. Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
2. All plant material shall be of good quality and sizes shall meet required size specifications.
3. All plants are to be watered in immediately after planting and then watered once a week for a period of two months from time of planting.
4. All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
5. Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
6. The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
7. Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
8. All trees are to be staked for a period of not less than one year from time of planting.
9. Contractor to coordinate work with other amenities contractors.



TREE PLANTING DETAIL - B & B TREE
NOT TO SCALE



SHRUB & PERENNIAL PLANTING DETAIL
NOT TO SCALE

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MCGREGOR BRAE REPLAT
ONE LOTS 1 & 2
BENNINGTON, NEBRASKA

CONDITIONAL USE PERMIT
LANDSCAPE PLAN

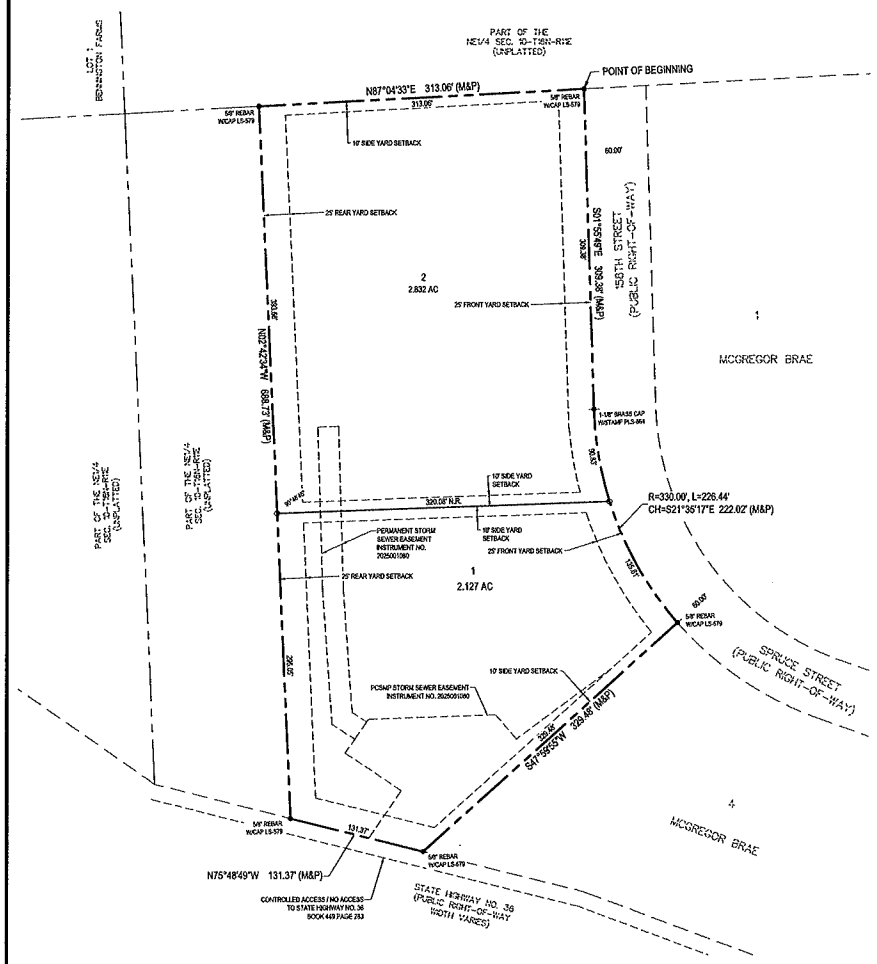
No.	Revisions	Date	Description
1		07/14/2021	

Proj No: P2019.117.002
Date: 07/14/2021
Designed By: BY OWNERS
Drawn By: B.W./ MAM
Scale: AS SHOWN

MCGREGOR BRAE REPLAT 1

LOTS 1 & 2

A TRACT OF LAND BEING A REPLATTING OF LOT 2 AND LOT 3, MCGREGOR BRAE, A SUBDIVISION LOCATED IN PART OF THE NE¼ OF SECTION 10, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA.



NOTES:

1. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.
2. ALL LOT LINES ARE RADIAL TO CURVED STREETS UNLESS SHOWN AS NONRADIAL (N.R.).

LEGEND

BASIS OF BEARING:	NEBRASKA STATE PLANE (NAD83) MODIFIED SCALE FACTOR: 0.99990813
○	MONUMENTS SET 5/8" REBAR W/CAP PLS-564 SET
●	MONUMENTS FOUND 5/8" REBAR, UNLESS OTHERWISE AS NOTED
	BOUNDARY LINE
	LOT LINE
	EXIST. PROPERTY LINES
(M)	MEASURED DISTANCE
(P)	PLATTED DISTANCE

60 0 60

1 inch = 60 ft.
(U.S. Survey Feet)

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, NICHOLAS A. JASA TRUST AND BLUE MERLE ENTERPRISES, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, THE OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR CERTIFICATION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS MCGREGOR BRAE REPLAT 1 (LOTS TO BE NUMBERED AS SHOWN), AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT, AND WE DO HEREBY GRANT EASEMENTS AS SHOWN ON THIS PLAT, WE DO FURTHER GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, CENTURYLINK COMMUNICATIONS AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CABLES, CONDUITS AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM, AND THE RECEPTION ON, OVER, THROUGH, UNDER AND ACROSS A FIVE-FOOT (5') WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT-FOOT (8') WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN-FOOT (16') WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE-DESCRIBED ADDITION. SAID SIXTEEN-FOOT (16') WIDE EASEMENT WILL BE REDUCED TO AN EIGHT-FOOT (8') WIDE STRIP WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED AND WE DO FURTHER GRANT A PERPETUAL EASEMENT TO METROPOLITAN UTILITIES DISTRICT, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE-FOOT (5') WIDE STRIP OF LAND ABUTTING ALL CUL-DE-SAC STREETS AND ALONG ALL STREET FRONTAGES OF ALL CORNER LOTS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

NICHOLAS A. JASA TRUST

NICHOLAS A. JASA, TRUSTEE DATE

BLUE MERLE ENTERPRISES, LLC, A NEBRASKA LIMITED LIABILITY COMPANY

TRACY HIGHTOWER-HENNE, MEMBER DATE

ACKNOWLEDGEMENT OF NOTARY

STATE OF _____)

COUNTY OF _____)

ON THIS _____ DAY OF _____, _____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME NICHOLAS A. JASA, TRUSTEE OF NICHOLAS A. JASA TRUST, WHO IS PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

ACKNOWLEDGEMENT OF NOTARY

STATE OF _____)

COUNTY OF _____)

ON THIS _____ DAY OF _____, _____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME TRACY HIGHTOWER-HENNE, MEMBER OF BLUE MERLE ENTERPRISES, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, WHO IS PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

SURVEYORS CERTIFICATION

I, FRANK C. ELDER, NEBRASKA PROFESSIONAL LAND SURVEYOR NO. PLS-564, DULY LICENSED UNDER THE LAND SURVEYOR'S REGULATION ACT, DO HEREBY STATE THAT I HAVE PERFORMED A SURVEY OF THE LAND DEPICTED ON THIS ACCOMPANYING PLAT; THAT SAID PLAT IS A TRUE DELINEATION OF SAID SURVEY PERFORMED PERSONALLY OR UNDER MY DIRECT SUPERVISION; THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS MARKED AS SHOWN, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE, CORRECT AND IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR SURVEYS IN NEBRASKA IN EFFECT AT THE TIME OF THIS SURVEY.

LEGAL DESCRIPTION

A TRACT OF LAND BEING A REPLATTING OF LOT 2 AND LOT 3, MCGREGOR BRAE, A SUBDIVISION LOCATED IN PART OF THE NE¼ OF SECTION 10, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, MCGREGOR BRAE, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 2 AND LOT 3, MCREGOR BRAE, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF 156TH STREET ON THE FOLLOWING TWO (2) DESCRIBED COURSES: (1) THENCE S02°55'49"E (BASIS OF BEARING: NEBRASKA STATE PLANE (NAD83)), A DISTANCE OF 309.38 FEET; (2) THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 330.00 FEET, A DISTANCE OF 226.44 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S21°35'17"E, A DISTANCE OF 222.02 FEET TO THE NORTHWEST CORNER OF LOT 4, SAID MCGREGOR BRAE; THENCE S47°59'55"W ALONG SAID EASTERLY LINE OF LOT 3, MCGREGOR BRAE, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 4, MCGREGOR BRAE, A DISTANCE OF 326.48 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3 MCGREGOR BRAE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 4, MCGREGOR BRAE, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36; THENCE N75°48'49"W ALONG THE SOUTHERLY LINE OF SAID LOT 3, MCGREGOR BRAE, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 36, A DISTANCE OF 131.37 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, MCGREGOR BRAE; THENCE N02°42'34"W ALONG THE WESTERLY LINE OF SAID LOT 2 AND LOT 3, MCGREGOR BRAE, A DISTANCE OF 669.73 FEET TO THE NORTHWEST CORNER OF SAID LOT 2, MCGREGOR BRAE, THENCE N87°04'33"E ALONG THE NORTHERLY LINE OF SAID LOT 2, MCGREGOR BRAE, A DISTANCE OF 313.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 216,003 SQUARE FEET OR 4.959 ACRES, MORE OR LESS.

FRANK C. ELDER, PLS-564 DATE

APPROVAL OF CITY OF BENNINGTON

THIS ADMINISTRATIVE PLAT OF MCGREGOR BRAE REPLAT 1 WAS APPROVED BY THE CITY OF BENNINGTON, NEBRASKA ON THIS _____ DAY OF _____, _____.

ENGINEER CITY CLERK

REVIEW OF DOUGLAS COUNTY ENGINEER

THIS ADMINISTRATIVE PLAT OF MCGREGOR BRAE REPLAT 1 (LOTS NUMBERED AS SHOWN) WAS REVIEWED BY THE OFFICE OF THE DOUGLAS COUNTY ENGINEER.

DOUGLAS COUNTY ENGINEER DATE

COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER DATE

E & A CONSULTING GROUP, INC.
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10909 Mill Valley Road, Suite 150 • Omaha, NE 68154
Phone: 402.895.4700 • Fax: 402.895.3599
www.eacg.com
State of NE Certificate of Authorization #CA0005

E & A CONSULTING GROUP, INC.
Engineering Answers

MCGREGOR BRAE REPLAT 1
LOTS 1 & 2
CITY OF BENNINGTON
DOUGLAS COUNTY, NEBRASKA

ADMINISTRATIVE PLAT

Revisions		
No.	Date	Description

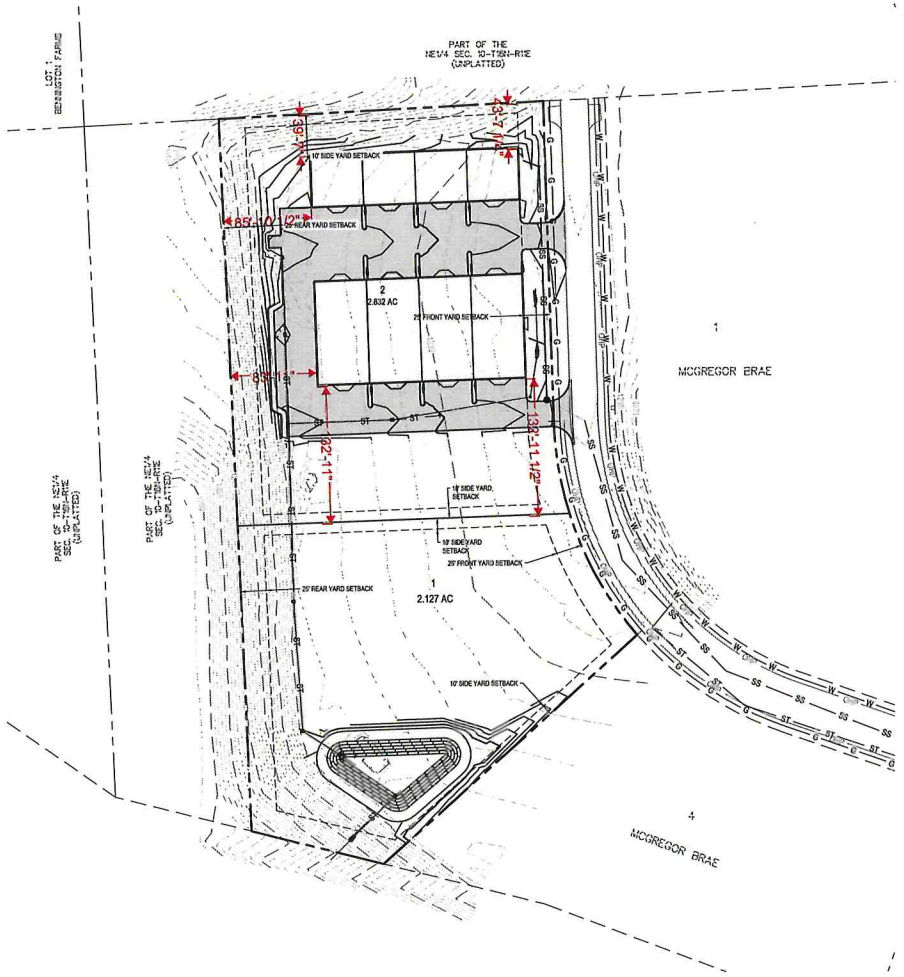
Proj No:	P2015.717.023
Date:	06/19/2026
Designed By:	JRS
Drawn By:	MJM
Scale:	1" = 60'
Sheet:	1 of 1

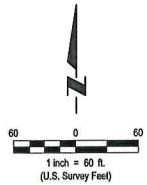
MCGREGOR BRAE
REPLAT 1

LOTS 1 & 2

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ZONING SETBACK TABLE	
ZONING: C1	
FRONT YARD SETBACK	25'
SIDE YARD SETBACK	10'
STREET SIDE YARD SETBACK	N/A
REAR YARD SETBACK	25'





LEGEND

BASIS OF BEARING:	NEBRASKA STATE PLANE (NAD83) MODIFIED SCALE FACTOR: 0.99990813
	BOUNDARY LINE
	LOT LINE
	EXIST. PROPERTY LINES
	BUILDING
— G — G —	GAS LINE
—SS—SS—	SANITARY SEWER LINE
—ST—ST—	STORM SEWER LINE
—W—W—	WATER LINE
– UGP – UGP –	POWER LINE (UNDER GROUND)
– OHP – OHP –	POWER LINE (OVERHEAD)

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Engineering Answers

MCGREGOR BRAE REPLAT 1
LOTS 1 & 2
CITY OF BENNINGTON
DOUGLAS COUNTY, NEBRASKA

AS-BUILT EXHIBIT

Revisions		
No.	Date	Description

Proj No: P2015.717.003
Date: 09/15/2016
Designed By: JRS
Drawn By: MJM
Scale: 1" = 60'
Sheet: 1 of 1