

**Tentative** Agenda for the WAVERLY PLANNING COMMISSION MEETING to be held on July 21, 2025 at 5:30 PM. This meeting will be held at the Waverly Community Foundation Building, 11120 N 141st Street, Waverly, NE 68462. A current Agenda shall be readily available for public inspection at the office of the City Clerk during normal business hours.

1. **Call to Order**
  - 1.a) Roll Call
  - 1.b) Acknowledgement of the "Open Meetings Act" poster that is posted by the south entrance
2. **Public Hearings**
  - 2.a) Public Hearing: DC Addition Preliminary Plat.
  - 2.b) Public Hearing: Rezoning of DC 1st Addition from Agricultural (AG) District to Limited Industrial (LI) District.
  - 2.c) Public Hearing: DC 1st Addition Final Plat
3. **Public Comments**
4. **Approval of Minutes**
  - 4.a) Minutes of the May 12, 2025 Planning Commission Meeting
5. **Introduction of Business**
  - 5.a) Consideration of recommendation of approval of DC Addition Preliminary Plat.
  - 5.b) Consideration of recommendation of approval of Zoning Change Request 25-05 for DC 1st Addition from Agricultural (AG) District to Limited Industrial (LI) District.
  - 5.c) Consideration of recommendation of approval of DC 1st Addition Final Plat.
  - 5.d) Administrative Report
6. **Adjournment**

The Governing Body reserves the right to go into Executive Session at any time for the reasons outlined in State Statute 84-1410.

The following rules are established for audience members and participants at a Council meeting:

- (1) Any person wishing to address the Council shall first state their name and address.
- (2) Public comments may be for agenda or non-agenda items.
- (3) Remarks shall be limited to five (5) minutes.



**City of Waverly  
Building and Zoning Department  
Zoning Change Report**

Date: June 27, 2025

To: Waverly Planning Commission Members:  
Kris Bohac, Melissa Brown, Lindsay Erickson, Heather Chloupek, Tyson Ritz, Jake Sorenson, Tony Larson

CC: Stephanie Fisher, Abbey Pascoe, Megan Frye

From: Mike Palm, Building Inspector/Zoning Administrator

Subject: **Change of Zoning Request 25-05**

**General Information:**

**Legal Description:** Portion of West half of the Northeast Quarter and Irregular Tract Lots 29 & 34 of the Northeast Quarter of Section 10, Township-11-North, Range-8-East of the Sixth Principal Meridian of Lancaster County, Nebraska

**Land area:** Approx. 41.6 Acres

**Applicant:** Matt Warner  
14650 Woodstock Blvd.  
Waverly, NE 68462

**Owner:** Mill Road Development, LLC (Attn: Matt Warner)

**Existing Zoning:** Agricultural (AG)

**Propose Zoning:** Limited Industrial District (LI)

**Existing Land Use:** Crops

**Surrounding Land Use and Zoning:**

North:	Zoned: Agricultural	Use: Crops/Residence
South:	Zoned: Agricultural	Use: Crops
East:	Zoned: Agricultural	Use: Crops
West:	Zoned: Agricultural	Use: Crops/Chicken Barns/Residence

**Comprehensive Plan Considerations:**

The Future Land Use Map designates this area as Industrial.

**Analysis:**

1. There is 1 portion of a lot proposed to change zoning from Agricultural to Limited Industrial.
2. The lot lies outside of the city's corporate limits, partially within Waverly's 1-mile extra-territorial jurisdiction and Lancaster County Jurisdiction. Waverly is responsible for any zoning change approval for property within its jurisdiction. Lancaster County will be responsible for zoning change approval for property within its jurisdiction.
3. Per the City's Future Land Use Map, this property is designated as Industrial use.

4. The portion to be rezoned fronts Bluff Rd (North) and is bound by a private property to the East (Mill Road Development), AG residence to the West (Bevans Barns), and private property to the South (Mill Road Development).
5. The portion to be rezoned is planned to be subdivided into 10 Limited Industrial use lots, Outlot A (Private roadway/blanket public access & utility easement), and Outlot B (Drainage/Detention easement).
6. Proposed Outlot C is to remain AG, per the Change of Zone Exhibit.
7. Portions of Block 1, Lot 6, Outlot A and Outlot C contain 1% Chance Annual Flood Risk Areas (100-year floodplain). A base flood elevation has been determined for development purposes. The city has received and reviewed the floodplain development permit application.
8. The plat has been peer reviewed by the city's engineering consultant and Lancaster County. All comments have been addressed by the developer's engineer.
9. The original DC Addition subdivision was approved by planning commission on 5/20/24. However, the area lies partly in Lancaster County's zoning jurisdiction, so their approval is also required. After Waverly approved the original plat, the county had additional comments and changes were made to the grading plans and overall footprint of the development – additional water detention areas were added adjacent to Mill Rd and lots were shifted to the south. The plat was never filed with the Register of Deeds, so the original plat is now considered null and void – therefore the plat will need to be re-approved by the city before Lancaster County will approve.
10. Grade work for the addition is substantially complete and street signage is installed.
11. Based on the information provided, I recommend approval of the zoning change request.

**ORDINANCE NO. 25-12**

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO REZONE A TRACT OF LAND LOCATED IN THE WEST HALF OF THE NORTHEAST QUARTER, IRREGULAR TRACT LOT 34 AND IRREGULAR TRACT LOT 29, SECTION 10, TOWNSHIP-11-NORTH, RANGE-8, EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN LANCASTER COUNTY, NEBRASKA FROM AGRICULTURAL (AG) DISTRICT TO LIMITED INDUSTRIAL (LI) DISTRICT.

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

That the Official Zoning Map for the City of Waverly be amended by changing the following:

- Rezoning a Tract of Land Located in the West Half of the Northeast Quarter, Irregular Tract Lot 34 and Irregular Tract Lot 29, Section 10, Township-11-North, Range-8, East of the Sixth Principal Meridian, in Lancaster County, Nebraska from Agricultural (AG) District to Limited Industrial (LI) District as shown in Exhibit A.

That the City Clerk is hereby directed to take such actions as are necessary and appropriate to effectuate the change as set forth above on the official zoning map of the City.

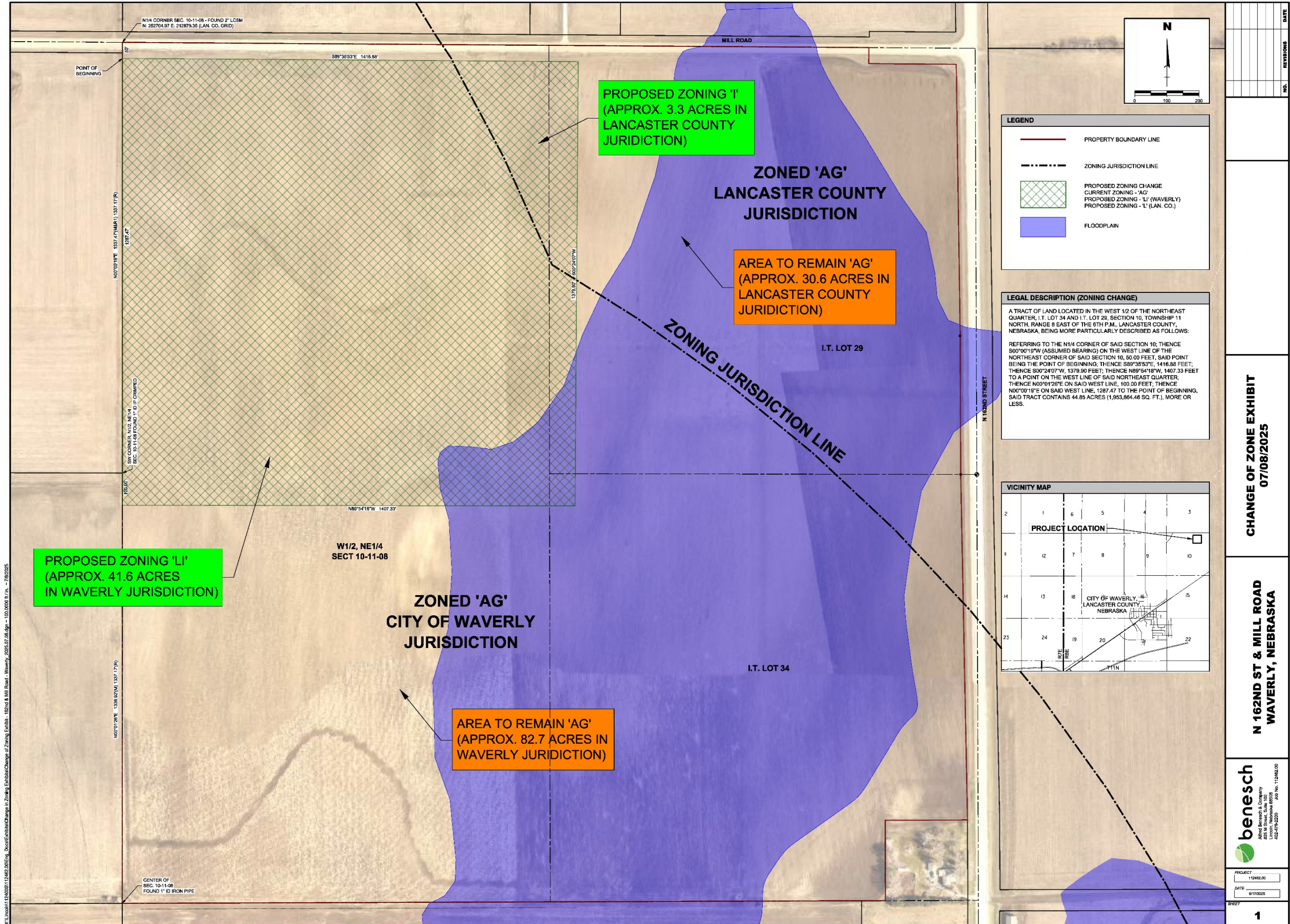
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
Abbey L. Pascoe,  
Mayor

ATTEST:

\_\_\_\_\_  
Megan K. Frye  
City Clerk/Human Resources Assistant

(SEAL)



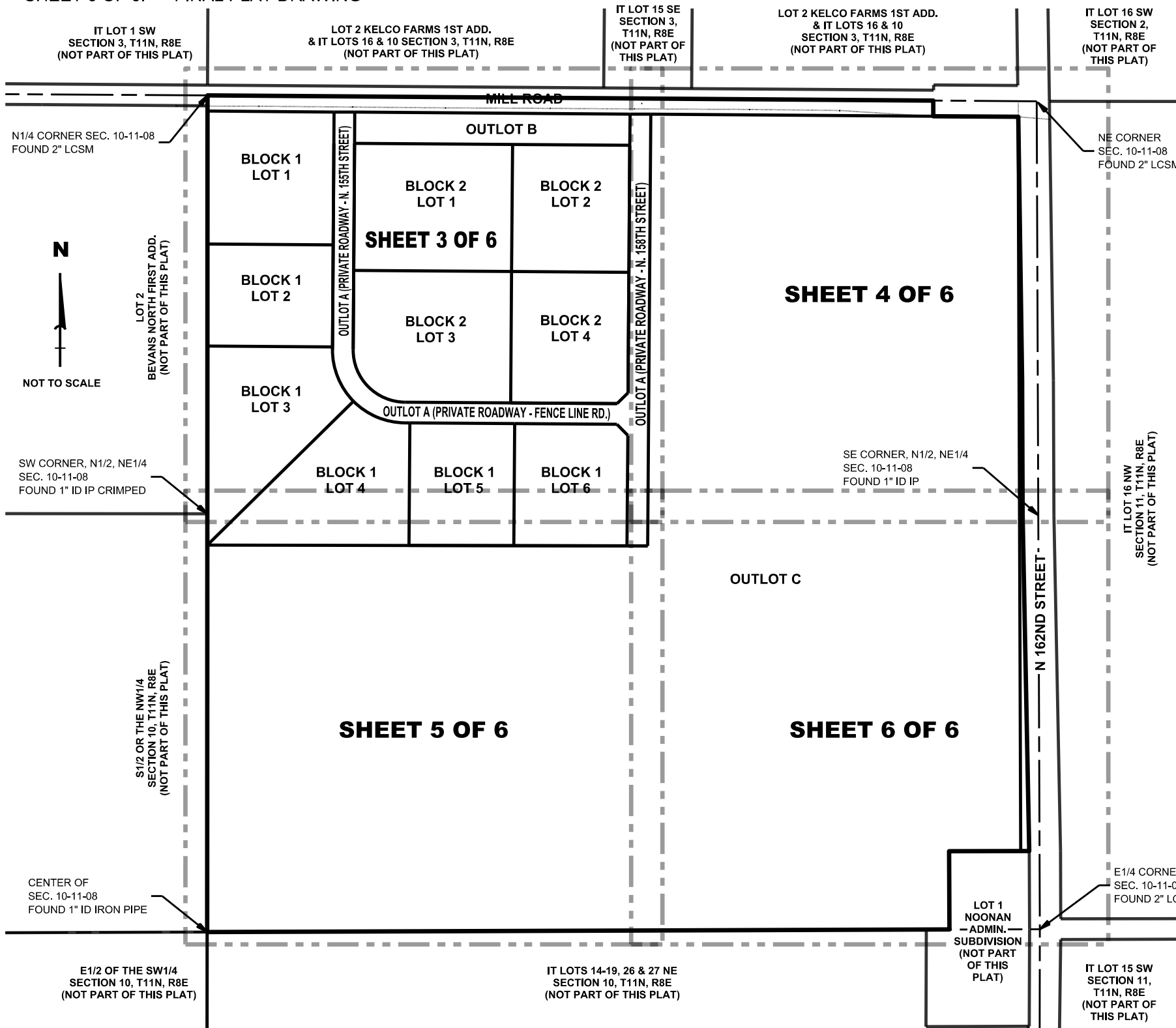


# DC 1ST ADDITION

FINAL PLAT  
(BASED UPON THE PRELIMINARY PLAT OF DC ADDTION  
[Reso PC-01916] DATED 6/26/2024)

## INDEX OF SHEETS

- SHEET 1 OF 6: FINAL PLAT DEDICATION, ACKNOWLEDGEMENT OF NOTARY, PLANNING DIRECTOR'S APPROVAL, SURVEYOR'S CERTIFICATE AND LEGAL DESCRIPTION  
SHEET 2 OF 6: LIEN HOLDER CONSENT AND SUBORDINATION  
SHEET 3 OF 6: FINAL PLAT DRAWING AND LEGEND  
SHEET 4 OF 6: FINAL PLAT DRAWING AND SECTION CORNER TIES  
SHEET 5 OF 6: FINAL PLAT DRAWING  
SHEET 6 OF 6: FINAL PLAT DRAWING



## FINAL PLAT DEDICATION

THE FOREGOING PLAT, KNOWN AS DC 1ST ADDITION, AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED, THE SOLE OWNER(S), AND THE EASEMENTS SHOWN THEREON ARE HEREBY GRANTED IN PERPETUITY TO LANCASTER COUNTY, NEBRASKA; WINDSTREAM NEBRASKA, INC.; TIME WARNER CABLE MIDWEST, LLC; BLACK HILLS ENERGY; AND NORRIS PUBLIC POWER DISTRICT, THEIR SUCCESSOR, ASSIGNS, AND PERMITTEES; TO ALLOW ENTRY FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, OPERATION AND MAINTENANCE OF WIRES, CABLES, CONDUITS, FIXTURES, POLES, TOWERS, PIPES, AND EQUIPMENT FOR THE DISTRIBUTION OF ELECTRICITY AND GAS; TELEPHONE AND CABLE TELEVISION; WASTEWATER COLLECTORS; STORM DRAINS; WATER MAINS AND ALL APPURTENANCES THERETO, OVER, UPON, OR UNDER THE EASEMENTS AS SHOWN ON THE FOREGOING PLAT. THE CONSTRUCTION OR LOCATION OF ANY BUILDING OR STRUCTURE, EXCLUDING FENCES, OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON SHALL BE PROHIBITED. LANCASTER COUNTY, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND PERMITTEES ARE HEREBY HELD HARMLESS FOR THE COST OF REPLACEMENT OR DAMAGE TO ANY IMPROVEMENT OR VEGETATION OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON AND OVER OUTLOT B.

THE CONSTRUCTION OR LOCATION OF ANY FENCE OR OTHER IMPROVEMENT WHICH OBSTRUCTS DRAINAGE SHALL BE PROHIBITED OVER, UPON, OR UNDER ANY STORM DRAIN EASEMENTS OR DRAINAGE EASEMENT SHOWN THEREON.

A PUBLIC ACCESS EASEMENT IS HEREBY GRANTED OVER OUTLOT A TO LANCASTER COUNTY, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND PERMITTEES AND TO THE PUBLIC GENERALLY FOR VEHICULAR AND PEDESTRIAN PURPOSES. THE CONSTRUCTION OR LOCATION OF ANY GATE, FENCE, OR OTHER BARRIER RESTRICTING VEHICULAR AND PEDESTRIAN ACCESS OVER THE PRIVATE ROADWAY SHALL BE PROHIBITED EXCEPT WHEN NECESSARY TO CONTROL TRAFFIC DURING THE CONSTRUCTION, RECONSTRUCTION, REPAIR, OR MAINTENANCE OF THE PRIVATE ROADWAY.

THE RIGHT TO DIRECT VEHICULAR ACCESS TO MILL ROAD IS HEREBY RELINQUISHED, EXCEPT FOR THE LOCATIONS IDENTIFIED ON THIS PLAT.

LOTS ARE ALLOWED TWO (2) ACCESS POINTS, AND THEY SHALL BE ONTO THE PRIVATE ROADWAY.

THE RIGHT-OF-WAY ALONG MILL ROAD AND N. 162ND STREET SHOWN HEREON IS HEREBY DEDICATED TO THE PUBLIC.

## CITY COUNCIL APPROVAL

THE DEDICATION SHOWN ON THIS PLAT HAS BEEN ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA.

DATE \_\_\_\_\_ MAYOR \_\_\_\_\_

DATE \_\_\_\_\_ CITY ADMINISTRATOR \_\_\_\_\_

## PLANNING COMMISSION APPROVAL (CITY)

THIS PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA.

DATE \_\_\_\_\_ CHAIRMAN \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

## PLANNING DIRECTOR'S APPROVAL (COUNTY)

THE PLANNING DIRECTOR, PURSUANT TO SECTION 3.16 OF THE LANCASTER COUNTY LAND SUBDIVISION REGULATIONS HEREBY APPROVES THIS PLAT.

PLANNING DIRECTOR \_\_\_\_\_

DATE \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

I, CORY L. REINKE, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA, CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I HAVE ACCURATELY SURVEYED THE FOREGOING PLAT, KNOWN AS DC 1ST ADDITION, A SUBDIVISION COMPOSED OF THE WEST HALF OF THE NORTHEAST QUARTER AND I.T. LOTS 29 AND 34 OF THE NORTHEAST QUARTER, OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N1/4 CORNER OF SAID SECTION 10; THENCE S89°35'53"E (ASSUMED BEARING) ON THE NORTH LINE OF SAID SECTION 10, 2320.33 FEET; THENCE S00°25'32"W, 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF MILL ROAD; THENCE S89°35'53"E ON SAID SOUTH RIGHT-OF-WAY, 271.97 FEET TO POINT ON THE WEST RIGHT-OF-WAY OF N 162ND STREET; THENCE ON SAID WEST RIGHT-OF-WAY FOR THE NEXT THREE (3) COURSES: 1) S00°50'08"E, 843.13 FEET, 2) S00°12'55"E, 430.59 FEET, 3) S01°07'21"E, 1073.62 FEET TO THE NORTHEAST CORNER OF LOT 1, NOONAN ADMINISTRATIVE SUBDIVISION, A PLATTED AND RECORDED SUBDIVISION, LANCASTER COUNTY, NEBRASKA; THENCE ON THE NORTH LINE OF SAID LOT 1 S89°49'53"W, 255.94 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ON THE WEST LINE OF SAID LOT 1, S00°11'44"E, 250.12 FEET TO A POINT OF THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE ON SAID SOUTH LINE, S89°47'59"W, 2372.42 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON SAID WEST LINE OF THE NORTHEAST QUARTER, N00°01'26"E, 1336.92 FEET; THENCE CONTINUING ON SAID WEST LINE, N00°00'19"E, 1337.47 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 157.60 ACRES (6,865,277.92 SQ. FT.), MORE OR LESS, OF WHICH 3.32 ACRES IS DEDICATED AS COUNTY ROAD RIGHT-OF-WAY.

PERMANENT MONUMENTS HAVE BEEN FOUND OR SET AT ALL BOUNDARY CORNERS, LOT CORNERS, POINTS OF TANGENCY AND CURVATURE AS SHOWN ON THIS FINAL PLAT IN ACCORDANCE WITH TITLE 26 OF THE LINCOLN MUNICIPAL CODE. ALL DIMENSIONS ARE CHORD MEASUREMENTS UNLESS OTHERWISE SHOWN, AND ARE IN FEET AND DECIMALS OF A FOOT. SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2025

CORY L. REINKE, L.S. #713  
BENESCH  
825 'M' STREET, SUITE 100  
LINCOLN, NE 68508

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
MATT WARNER  
PRESIDENT  
MILL ROAD DEVELOPMENT, LLC.

## ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) S.S.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY CAME MATT WARNER, WHO IS PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THIS PLAT AS PRESIDENT, MILL ROAD DEVELOPMENT, LLC, A NEBRASKA CORPORATION, AND HE ACKNOWLEDGES THE SAME TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID COMPANY.

\_\_\_\_\_  
NOTARY PUBLIC

# DC 1ST ADDITION

FINAL PLAT  
(BASED UPON THE PRELIMINARY PLAT OF DC ADDTION  
[Reso PC-01916] DATED 6/26/2024)

## LIEN HOLDER CONSENT AND SUBORDINATION

THE UNDERSIGNED HOLDER OF THAT CERTAIN LIENS AGAINST THE REAL PROPERTY DESCRIBED IN THE PLAT KNOWN AS DC 1ST ADDITION (HEREINAFTER "PLAT"), SAID LIENS BEING IN THE OFFICE OF THE REGISTER OF DEEDS OF LANCASTER COUNTY, NEBRASKA AS INSTRUMENT NO. 2022051167 AND NO. 2022051168 (HEREINAFTER "LIENS"), DOES HEREBY CONSENT TO THE DEDICATION OF AND SUBORDINATE THE LIENS TO ANY UTILITY (SEWER, WATER, ELECTRIC, CABLE TV, TELEPHONE, NATURAL GAS) EASEMENTS, OR STREETS, OR ROADS, PEDESTRIAN WAY EASEMENTS, AND ACCESS EASEMENTS AND RELINQUISHMENTS OF ACCESS, DEDICATED TO THE PUBLIC, ALL AS SHOWN ON THE PLAT, BUT NOT OTHERWISE. THE UNDERSIGNED CONFIRMS THAT IT IS THE HOLDER OF THE LIENS AND HAS NOT ASSIGNED THE LIENS TO ANY OTHER PERSON.

NAME OF LIEN HOLDER: PINNACLE BANK

BY: \_\_\_\_\_

PRINTED NAME: KIRK SCHLUETER

TITLE: VICE PRESIDENT

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) s.s.

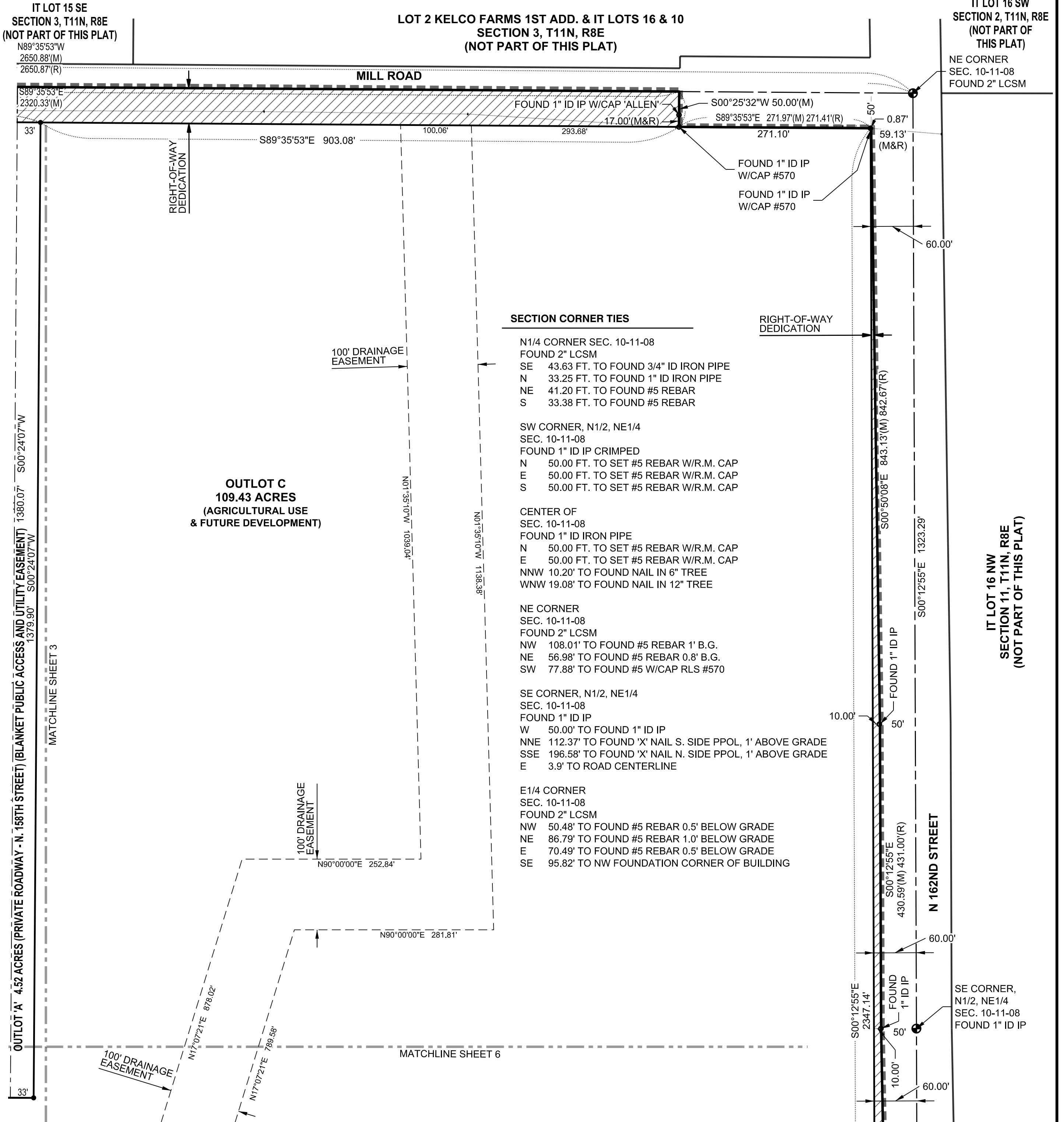
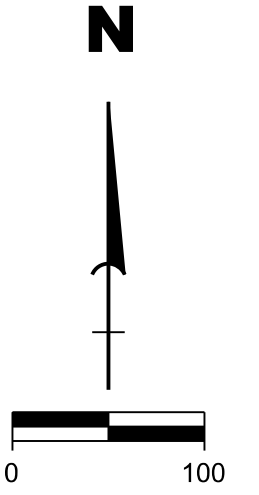
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025,  
BY KIRK SCHLUETER, VICE PRESIDENT, PINNACLE BANK ON BEHALF OF SAID PINNACLE BANK.

\_\_\_\_\_  
NOTARY PUBLIC



# DC 1ST ADDITION

FINAL PLAT  
 (BASED UPON THE  
 PRELIMINARY PLAT OF  
 DC ADDITION  
 [Reso PC-01916] DATED  
 6/26/2024)

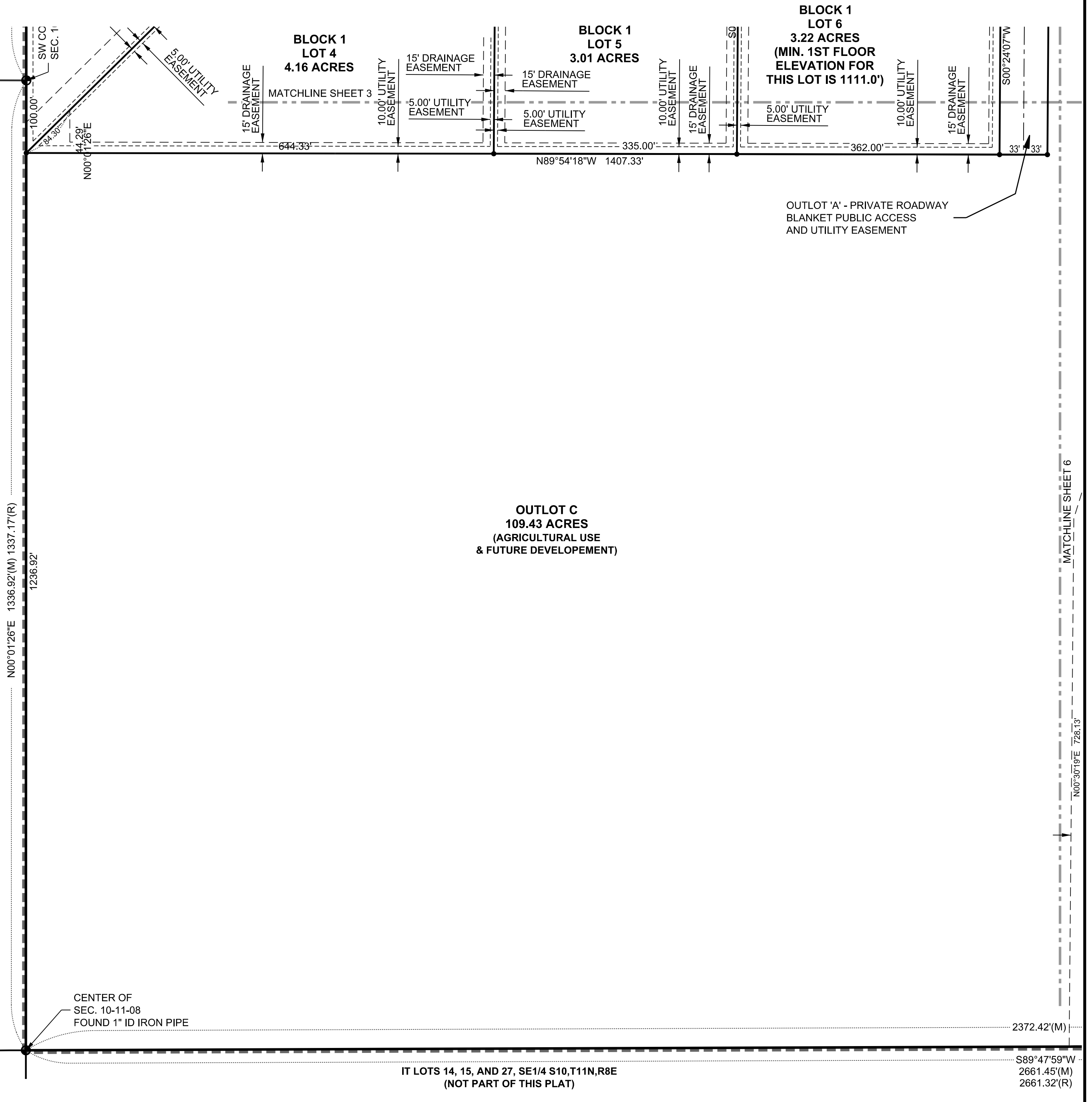
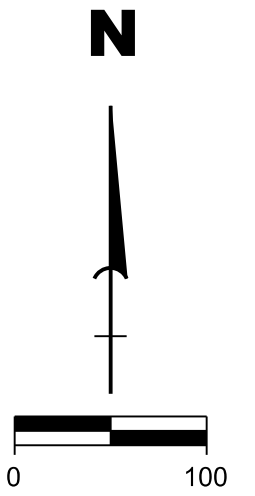


### SECTION CORNER TIES

- N1/4 CORNER SEC. 10-11-08  
 FOUND 2" LCSM  
 SE 43.63 FT. TO FOUND 3/4" ID IRON PIPE  
 N 33.25 FT. TO FOUND 1" ID IRON PIPE  
 NE 41.20 FT. TO FOUND #5 REBAR  
 S 33.38 FT. TO FOUND #5 REBAR
- SW CORNER, N1/2, NE1/4  
 SEC. 10-11-08  
 FOUND 1" ID IP CRIMPED  
 N 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 E 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 S 50.00 FT. TO SET #5 REBAR W/R.M. CAP
- CENTER OF  
 SEC. 10-11-08  
 FOUND 1" ID IRON PIPE  
 N 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 E 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 NNW 10.20' TO FOUND NAIL IN 6" TREE  
 WNW 19.08' TO FOUND NAIL IN 12" TREE
- NE CORNER  
 SEC. 10-11-08  
 FOUND 2" LCSM  
 NW 108.01' TO FOUND #5 REBAR 1' B.G.  
 NE 56.98' TO FOUND #5 REBAR 0.8' B.G.  
 SW 77.88' TO FOUND #5 W/CAP RLS #570
- SE CORNER, N1/2, NE1/4  
 SEC. 10-11-08  
 FOUND 1" ID IP  
 W 50.00' TO FOUND 1" ID IP  
 NNE 112.37' TO FOUND 'X' NAIL S. SIDE PPOL, 1' ABOVE GRADE  
 SSE 196.58' TO FOUND 'X' NAIL N. SIDE PPOL, 1' ABOVE GRADE  
 E 3.9' TO ROAD CENTERLINE
- E1/4 CORNER  
 SEC. 10-11-08  
 FOUND 2" LCSM  
 NW 50.48' TO FOUND #5 REBAR 0.5' BELOW GRADE  
 NE 86.79' TO FOUND #5 REBAR 1.0' BELOW GRADE  
 E 70.49' TO FOUND #5 REBAR 0.5' BELOW GRADE  
 SE 95.82' TO NW FOUNDATION CORNER OF BUILDING

# DC 1ST ADDITION

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 [Reso PC-01916] DATED  
 6/26/2024)



N00°01'26"E 1336.92'(M) 1337.17'(R)  
 1236.92'

MATCHLINE SHEET 6  
 N00°30'19"E 728.13'

2372.42'(M)  
 S89°47'59"W  
 2661.45'(M)  
 2661.32'(R)

IT LOTS 14, 15, AND 27, SE1/4 S10,T11N,R8E  
 (NOT PART OF THIS PLAT)



Minutes of the **Waverly Planning Commission held Monday, May 12th, 2025**, at 5:30 pm at the Waverly City Office Meeting Hall, 14130 Lancashire St, Waverly, Nebraska. Commissioners present were Melissa Brown, Heather Chloupek, Lindsay Erickson, Tony Larson, and Jake Sorenson. Absent were Kris Bohac and Tyson Ritz. City Officials present were Building Inspector/Zoning Administrator Mike Palm and City Administrator Stephanie Fisher. Notice of the meeting and agenda were given to the Chair and all Members of the Planning Commission prior to the meeting. Notice of the meeting was posted at Russ's Market Express, the US Post Office, the City Office, and the City website.

## **1. Call to Order**

The meeting was called to order by Vice Chair Erickson at 5:32 pm.

Erickson acknowledged the Open Meeting Act poster which is posted on the south wall by the meeting hall entrance doors.

## **2. Public Hearings**

### **a. Public Hearing: Anderson North Park 10th Addition Final Plat**

Erickson declared the public hearing open at 5:33 pm.

Public comments: Lizzy Potter, the Site Civil Engineer, from Olsson discussed the next addition at Anderson North Park, which adds the next 18 lots along 147<sup>th</sup> Street. There is a request to delay the connection of St. Ronan Street to 148<sup>th</sup> Street for one year. Potter provided a handout of the current plans for St. Ronan Street and will review those further with the Planning Commission once the design is finalized.

Erickson declared the public hearing closed at 5:36 pm.

### **b. Public Hearing: Annexation of Anderson North Park 10th Addition**

Erickson declared the public hearing open at 5:36 pm.

Public comments: None

Erickson declared the public hearing closed at 5:36 pm.

### **c. Public Hearing: Rezoning a portion of property from Limited Industrial (LI) District and Community Commercial (CC) District to General Commercial (GC) District for a portion of property generally located along US-Highway 6 from Deer Park Road to I-80 Exit #409.**

Erickson declared the public hearing open at 5:37 pm.

Public comments:

Will Scott, with Waverly Development Co., indicated that General Commercial zoning made sense from Amberly Rd to the Tractor Supply location. This could add services needed by the community and enhance the appearance of the Waverly entrance. He was concerned with

the property between the Tractor Supply location and the interchange and would request more time to evaluate the impact, including the County Assessor's viewpoint. Scott was concerned with real estate taxes, making it hard to carry the property to identify the proper uses. He understands the opportunity and desire to improve the entrance to the City, but would ask for more time to evaluate the impact.

Phil Durst with Lincoln Auto Auction requested additional time to review the impact before the counsel moves forward with the proposed changes.

JD Burt agreed that growth needs direction, and he believes Waverly has a lot to offer. The corridor is vital to the Waverly community, but he hopes the process isn't rushed. Burt recommended keeping the corridor as it is until the community gets a little larger to support additional retail at the entrance.

Erickson declared the public hearing closed at 5:44 pm.

Erickson declared the public hearing reopened at 5:59 pm.

Public comments:

Rob Otte, from U.S. Property Inc., representing Property Investors, LLC, acknowledged that the meeting notification letter, mailed to the affected property owners, indicated a 6:00 PM meeting start, so he was disappointed that he did not hear the other public comments. Otte began by objecting since he was unable to listen to the other public comments at the start of the meeting.

Otte indicated that there have been numerous conversations over the past three years with the City of Waverly and various groups interested in the property. The owner is reticent to take an adverse position on Waverly's plans, but they did not feel there was notice of any plans to transition the property to General Commercial over the years. Otte indicated that while they were paying attention to what was going on in Waverly, they were unaware of the proposed directions and timelines. He realized there may have been a lot of planning, but they were not notified or approached for an opinion.

They have owned the property since 2002 and submitted a formal objection letter about the rezoning to the Planning Commission. Otte provided a handout with a potential use design for the property with an Industrial building. He indicated that progress had been delayed due to a lack of dirt availability, but that issue had recently been resolved. Otte additionally provided a handout with a breakdown of Limited Industrial uses versus General Commercial uses and what they believed would be usage losses should the rezoning proceed. The owner considers this to be a significant "downzoning" and believes more consideration should be given to the definitions and timing.

Otte acknowledged a desire to work with Waverly to help determine what should happen with the corridor. He requested a delay, as there was no reason to rush this effort, and he asked that the rezoning consideration and associated definitions be further analyzed.

Erickson declared the public hearing closed at 6:13 pm.

### **3. Public Comments**

Erickson declared the public comments open at 5:44 pm.

Public comments: None

Erickson declared the public comments closed at 5:45 pm.

### **4. Approval of Minutes**

Brown moved to approve the April 28, 2025, meeting minutes. Chloupek seconded the motion.

Discussion: None

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

### **5. Introduction of Business**

- a. Consideration of Recommendation of Approval of Anderson North Park 10th Addition Final Plat.

Larson moved to recommend to the City Council approval of Anderson North Park 10th Addition Final Plat. Brown seconded the motion.

Discussion: Chloupek asked about the pond and whether it would become a dry bed field, and if that would impact valuations. Palm indicated that he did not believe it would have an impact since it was designed for water retention and flood management.

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

- b. Consideration of Recommendation of Approval of Annexation of Anderson North Park 10th Addition.

Larson moved to recommend to the City Council approval of annexation of Anderson North Park 10th Addition. Brown seconded the motion.

Discussion: None

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

- c. Consideration of Recommendation of Approval of the Rezoning a portion of property from Limited Industrial (LI) District to General Commercial (GC) District for properties generally located at N 120th Street and US-Highway 6.

Larson moved to recommend to the City Council the approval of rezoning a portion of property from Limited Industrial (LI) District to General Commercial (GC) District for properties generally located at N 120th Street and US-Highway 6. Brown seconded the motion.

Discussion: Fisher provided a visual overview of the parcels under consideration. Erickson asked about the impact to existing businesses. Palm indicated that there may be some impact if they decide to change the use type of the property. Fisher indicated that General Commercial was not limited to just retail operations.

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

- d. Consideration of Recommendation of Approval of the Rezoning a portion of property from Limited Industrial (LI) District to General Commercial (GC) District for properties generally located along US-Highway 6 between N 120th Street and N 130th Street.

Brown moved to recommend to the City Council the approval of rezoning a portion of property from Limited Industrial (LI) District to General Commercial (GC) District for properties generally located along US-Highway 6 between N 120th Street and N 130th Street. Larson seconded the motion.

Discussion: Fisher provided a visual overview of the parcels under consideration. Chloupek asked about the impact on existing businesses. Palm affirmed that any effect would be based on a use change.

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

- e. Consideration of Recommendation of Approval of the Rezoning a portion of property from Limited Industrial (LI) District and Community Commercial (CC) District to General Commercial (GC) District for properties generally located along US-Highway 6, between N 130th Street and Deer Park Road.

Brown made a motion to reopen the Public Hearing. Chloupek seconded the motion.

Discussion: The notification letters sent to property owners had inadvertently stated that the Planning Commission start time was 6:00 PM instead of 5:30 PM. The Planning Commission is voting to reopen the Public Hearing to enable additional comments to be heard.

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

Note: The reopened Public Hearing notes are captured in section 2.c above. The Introduction of the Business Agenda was resumed at 6:15 PM, and no additional public attendees were present to provide comments.

Larson moved to recommend to the City Council the approval of rezoning a portion of property from Limited Industrial (LI) District and Community Commercial (CC) District to General Commercial (GC) District for properties generally located along US-Highway 6, between N 130th Street and Deer Park Road. Sorenson seconded the motion.

Discussion: Fisher acknowledged that all members of the Planning Commission were provided with a copy of the formal objection letter from Property Investors LLC. Fisher provided a visual overview of the parcels under consideration. Sorenson asked to verify that uses such as convenience stores would still be allowed under the rezoning. Palm confirmed that it was still permitted under General Commercial zoning. Larson indicated that the directions seem very consistent with the intent outlined in the 2013 Comprehensive Plan and also within the 2023 Comprehensive Plan, which aims to move the corridor toward commercial use. Chloupek made a point to the commission that the business types U.S. Property had discussions with, as mentioned by Mr. Otte during the public hearing, are allowed in a General Industrial District, per the zoning regulations. Palm indicated that if a proposed use is outside of the current definitions, the city may revisit the classification and definitions or handle it under a Special Use Permit.

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

- f. Consideration of Recommendation of Approval of the Rezoning a portion of property from Limited Industrial (LI) District to General Commercial (GC) District for properties generally located northwest of the intersection of Amberly Road and Cannongate Road.

Brown moved to recommend to the City Council the approval of rezoning a portion of property from Limited Industrial (LI) District to General Commercial (GC) District for properties generally located northwest of the intersection of Amberly Road and Cannongate Road. Larson seconded the motion.

Discussion: Fisher provided a visual overview of the parcels under consideration.

The following Commission Members voted “YEA”: Brown, Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 5 – 0.

Brown departed at 6:23PM.

g. Administrative Report

- 2 New Residential Plans received since last meeting (Anderson North Park), Under Review
- Custom Concrete Specialties, Searcey 1st Addition, Lot 2, under construction
- Hote Kote LLC, building under construction at 12901 N 148<sup>th</sup> St., under construction
- Smart Chicken Cooler Expansion, 13351 Dovers, nearing completion
- Waverly Ridge Estates, per latest Olsson report:
  - Sanitary Sewer Complete
  - Water Main construction approximately 65% complete
  - Box Culvert construction approximately 85% complete
  - Storm Sewer construction approximately 10% complete
- Anderson North Park 10<sup>th</sup> Addition
- D C Addition (162<sup>nd</sup> & Waverly Rd.)
  - Grading improvements nearing completion
  - Will likely need to go through second approval process with city and county

**6. Adjournment**

Larson moved to adjourn the meeting. Chloupek seconded the motion.

Discussion: None

The following Commission Members voted “YEA”: Chloupek, Erickson, Larson, and Sorenson.

The following Commission Members voted “NAY”: None. Motion carried. 4 – 0.

Meeting adjourned at 6:26 pm.

Respectfully submitted,  
Tony Larson, Waverly Planning Commission, Secretary

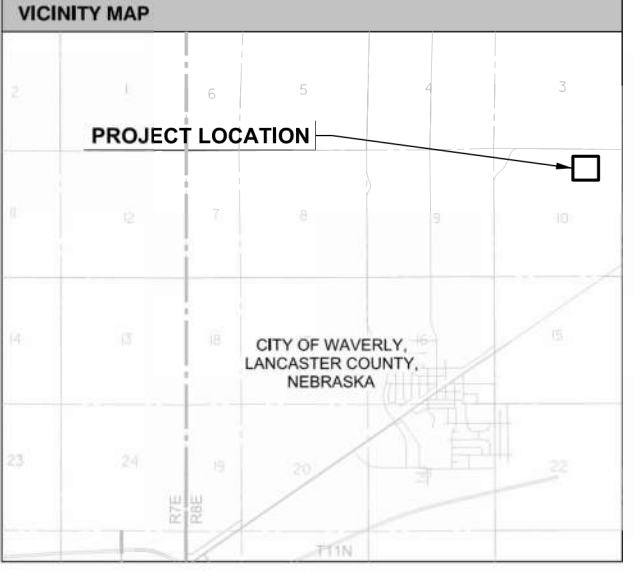
SHEET INDEX	
COVER	1
SITE PLAN	2
PROPERTY BOUNDARY	3
GRADING PLAN	4
ROADWAY PLAN & PROFILES	5
EXISTING DRAINAGE CONDITIONS	6
PROPOSED DRAINAGE CONDITIONS	7-8
CULVERT CROSS SECTIONS	9

**APPROVED BY  
PLANNING  
COMMISSION**


**Reso PC-01916**  
Resolution Number

**June 26, 2024**  
Date

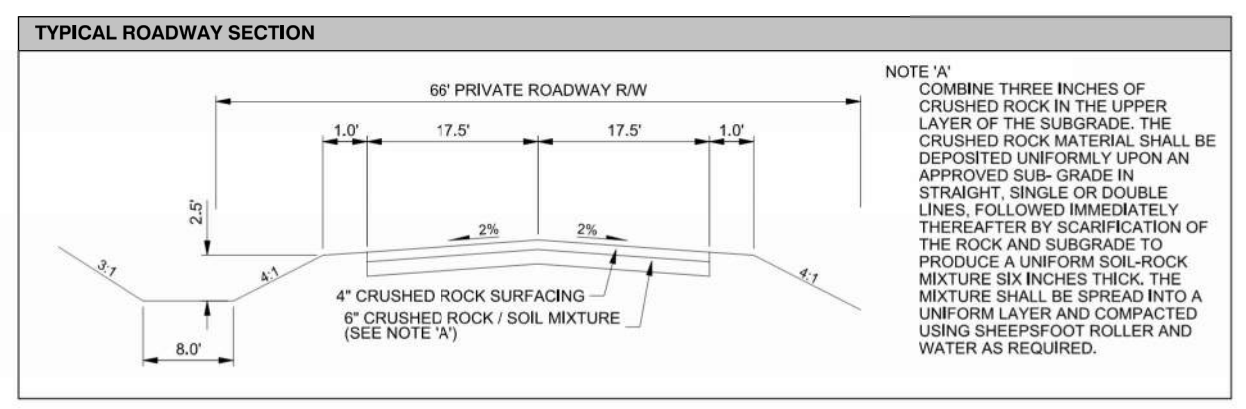
# DC ADDITION PRELIMINARY PLAT



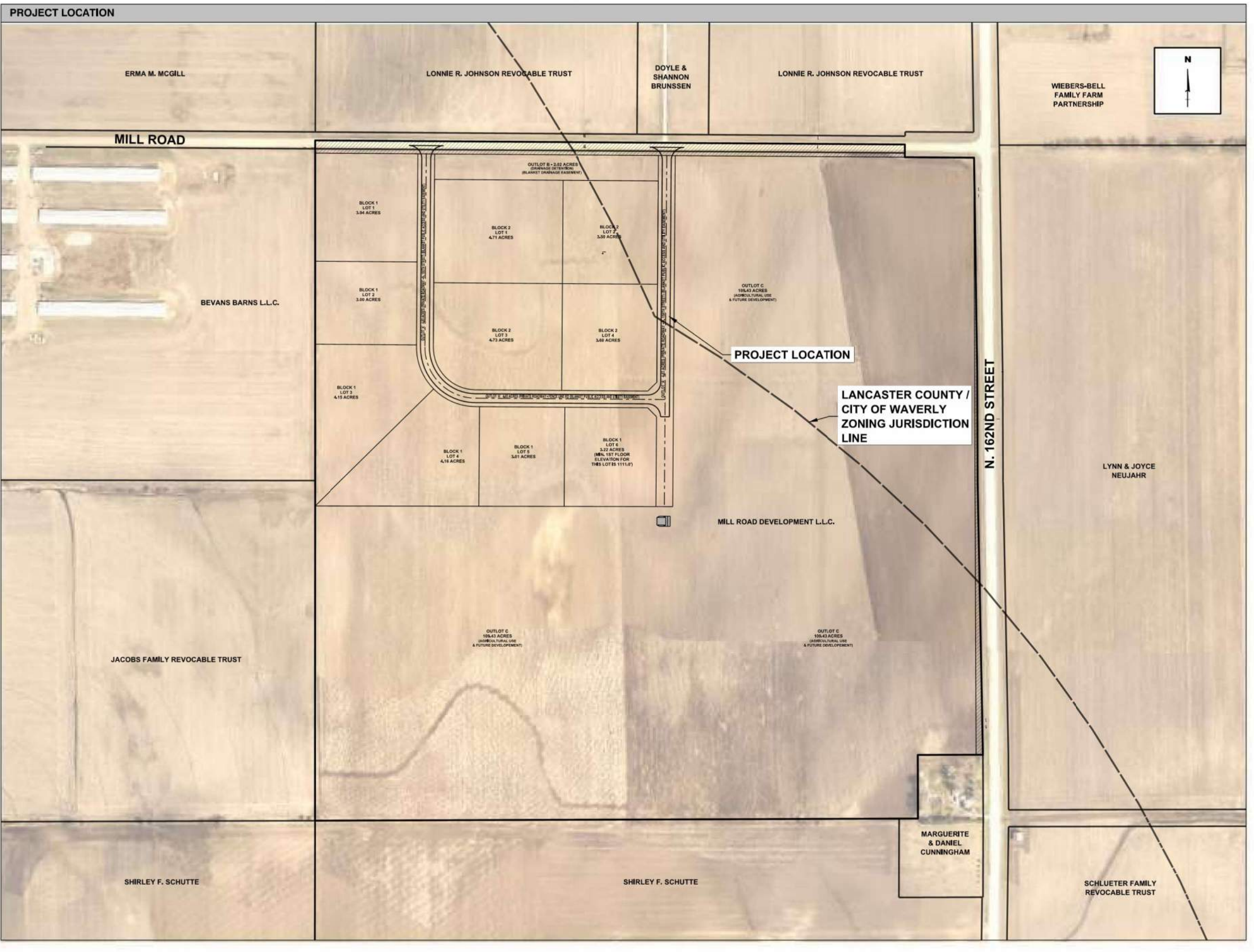
**ENGINEER / PREPARER**



Alfred Benesch & Company  
825 M Street, Suite 100  
Lincoln, Nebraska 68508  
402-479-2200



- GENERAL NOTES**
- THE EXISTING REGISTERED WELL WILL BE USED FOR A COMMUNITY WATER SYSTEM. EACH LOT WILL BE REQUIRED TO HAVE ITS OWN WASTEWATER (SEPTIC) SYSTEM.
  - ALL PAVEMENT RETURN RADII TO BE 50' (MIN.) UNLESS OTHERWISE NOTED.
  - THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF WAVERLY FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION.
  - ALL ROADS ARE PROPOSED TO BE PRIVATE WITH BLANKET ACCESS AND UTILITY EASEMENTS ON OUTLOT A.
  - THE PROPOSED AREA IS CURRENTLY ZONED AGRICULTURAL (AG).
  - ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES UNLESS NOTED OTHERWISE.
  - ALL ELEVATIONS ARE NAVD 1988.
  - PROPOSED INTERNAL LOT DIMENSIONS, SIZES AND CONFIGURATIONS SHOWN ARE CONCEPTUAL ONLY AND CAN BE ADJUSTED AT THE TIME OF FINAL PLATS.
  - SPECIFIC DETAILED PLANS FOR PARKING AND BUILDING LAYOUT WILL BE SUBMITTED WITH PLANS AS THEY ARE DEVELOPED AND SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS PROVIDED THEY MEET ZONING AND SETBACK REQUIREMENTS.
  - UNLESS OTHERWISE SHOWN, BUILDING ENVELOPES FOR INDIVIDUAL LOTS SHALL BE IN ACCORDANCE WITH THE CITY OF WAVERLY PLANNING AND ZONING REGULATIONS. BUILDING STRUCTURES INCLUDING EAVES, OVERHANGS, CANOPIES, PATIOS, ETC. CAN BE LOCATED ANYWHERE WITHIN THE LOT PROVIDED THEY DO NOT ENCRoACH ANY REQUIRED FRONT YARDS, SIDE YARDS, REAR YARDS, EASEMENTS OR EXTEND ACROSS LOT LINES. PARKING LOTS SHALL NOT ENCRoACH INTO PUBLIC ACCESS EASEMENTS ALONG ANY DESIGNATED ROADWAY. LOTS 2 AND 4 OF BLOCK 2 AND OUTLOTS B AND C ARE SUBJECT TO LANCASTER COUNTY ZONING REGULATIONS.
  - TOTAL USAGE: TOTAL BLOCKS - 2  
TOTAL LOTS - 10 (LI ZONING)  
TOTAL OUTLOTS - 3
  - A DEVELOPMENT ASSOCIATION SHALL BE CREATED TO MAINTAIN STORM WATER DETENTION CELLS AND OTHER PRIVATE IMPROVEMENTS.
  - ANY RELOCATION OF EXISTING UTILITY FACILITIES WILL BE AT THE DEVELOPER'S EXPENSE.
  - ALL PROPERTY CORNERS HAVE BEEN VERIFIED AND PROPERTY CORNER MONUMENTS FOUND OR SET BY A LICENSED SURVEYOR.
  - ALL CULVERTS SHALL HAVE EITHER A FLARED-END SECTION OR CONCRETE HEADWALL. GRADING SHALL BE CONSTRUCTED TO ALLOW FOR PROPER DRAINAGE THROUGH THE CULVERT.
  - THE DEVELOPER IS REQUIRED TO PROVIDE ALL TESTING RELATED TO IMPROVEMENT INSTALLATION IN COMPLIANCE WITH EITHER LANCASTER COUNTY DESIGN STANDARDS OR CITY OF WAVERLY DESIGN STANDARDS. BOTH ENTITIES SHALL RECEIVE REPORTS OF ALL TESTING RESULTS.
  - ALL CUT OR FILL SLOPES SHALL BE 3:1 OR FLATTER.



**LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE NORTHEAST QUARTER AND I.T. LOTS 29 AND 34, SECTION 10, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N1/4 CORNER OF SAID SECTION 10; THENCE S89°35'53"E (ASSUMED BEARING) ON THE NORTH LINE OF SAID SECTION 10, 2320.33 FEET; THENCE S00°25'32"W, 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF MILL ROAD; THENCE S89°35'53"E ON SAID SOUTH RIGHT-OF-WAY, 271.97 FEET TO POINT ON THE WEST RIGHT-OF-WAY OF N 162ND STREET; THENCE ON SAID WEST RIGHT-OF-WAY FOR THE NEXT THREE (3) COURSES: 1) S00°50'08"E, 843.13 FEET, 2) S00°12'55"E, 430.59 FEET, 3) S01°07'21"E, 1073.62 FEET TO THE NORTHEAST CORNER OF LOT 1, NOONAN ADMINISTRATIVE SUBDIVISION, A PLATTED AND RECORDED SUBDIVISION, LANCASTER COUNTY, NEBRASKA; THENCE ON THE NORTH LINE OF SAID LOT 1 S89°49'53"W, 255.94 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ON THE WEST LINE OF SAID LOT 1, S00°11'44"E, 250.12 FEET TO A POINT OF THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE ON SAID SOUTH LINE, S89°47'59"W, 2372.42 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON SAID WEST LINE OF THE NORTHEAST QUARTER, N00°01'26"E, 1336.92 FEET; THENCE CONTINUING ON SAID WEST LINE, N00°00'19"E, 1337.47 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 157.60 ACRES (6,865,266.30 SQ. FT.), MORE OR LESS, OF WHICH 3.32 ACRES IS DEDICATED AS COUNTY ROAD RIGHT-OF-WAY.

**OWNER / DEVELOPER**

MILL ROAD DEVELOPMENT L.L.C.  
P.O. BOX 553  
WAVERLY, NE 68462

DATE \_\_\_\_\_ MATT WARNER

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

DATE \_\_\_\_\_ CORY L. RENKE NE.L.S. #713

**ENGINEER'S CERTIFICATION**

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NEBRASKA. THESE PLANS MEET THE REQUIREMENTS OF THE CITY ENGINEER'S OFFICE DESIGN REQUIREMENTS.

DATE \_\_\_\_\_ FRANK J. DOLAND E-7854

**APPROVAL**

THE PRELIMINARY PLAT OF DC ADDITION WAS APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF WAVERLY, LANCASTER COUNTY, NEBRASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DATE \_\_\_\_\_ PLANNING COMMISSION CHAIRMAN

DATE \_\_\_\_\_ ADMINISTRATIVE OFFICIAL

DATE \_\_\_\_\_ MAYOR



NO.	REVISIONS	DATE

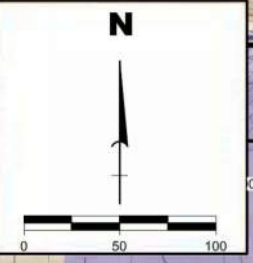
COVER

DC ADDITION  
N 162ND ST & MILL ROAD  
WAVERLY, NEBRASKA



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MILL ROAD



NO.	REVISIONS	DATE

**OUTLOT B - 2.02 ACRES  
(DRAINAGE DETENTION)  
(BLANKET DRAINAGE EASEMENT)**

**BLOCK 1  
LOT 1  
3.94 ACRES**

**BLOCK 2  
LOT 1  
4.71 ACRES**

**BLOCK 2  
LOT 2  
3.50 ACRES**

**BLOCK 1  
LOT 2  
3.00 ACRES**

**BLOCK 2  
LOT 3  
4.73 ACRES**

**BLOCK 2  
LOT 4  
3.60 ACRES**

**OUTLOT C  
109.43 ACRES  
(AGRICULTURAL USE  
& FUTURE DEVELOPMENT)**

LANCASTER COUNTY /  
CITY OF WAVERLY  
ZONING JURISDICTION LINE

**BLOCK 1  
LOT 3  
4.15 ACRES**

**OUTLOT 'A' 4.83 ACRES (PRIVATE ROADWAY - FENCE LINE RD (BLANKET PUBLIC ACCESS AND UTILITY EASEMENT))**

**BLOCK 1  
LOT 4  
4.16 ACRES**

**BLOCK 1  
LOT 5  
3.01 ACRES**

**BLOCK 1  
LOT 6  
3.22 ACRES  
(MIN. 1ST FLOOR  
ELEVATION FOR  
THIS LOT IS 1111.0')**

FLOOD PLAIN

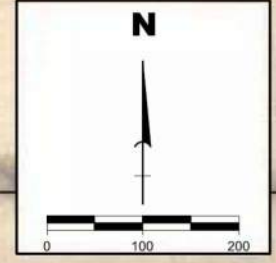
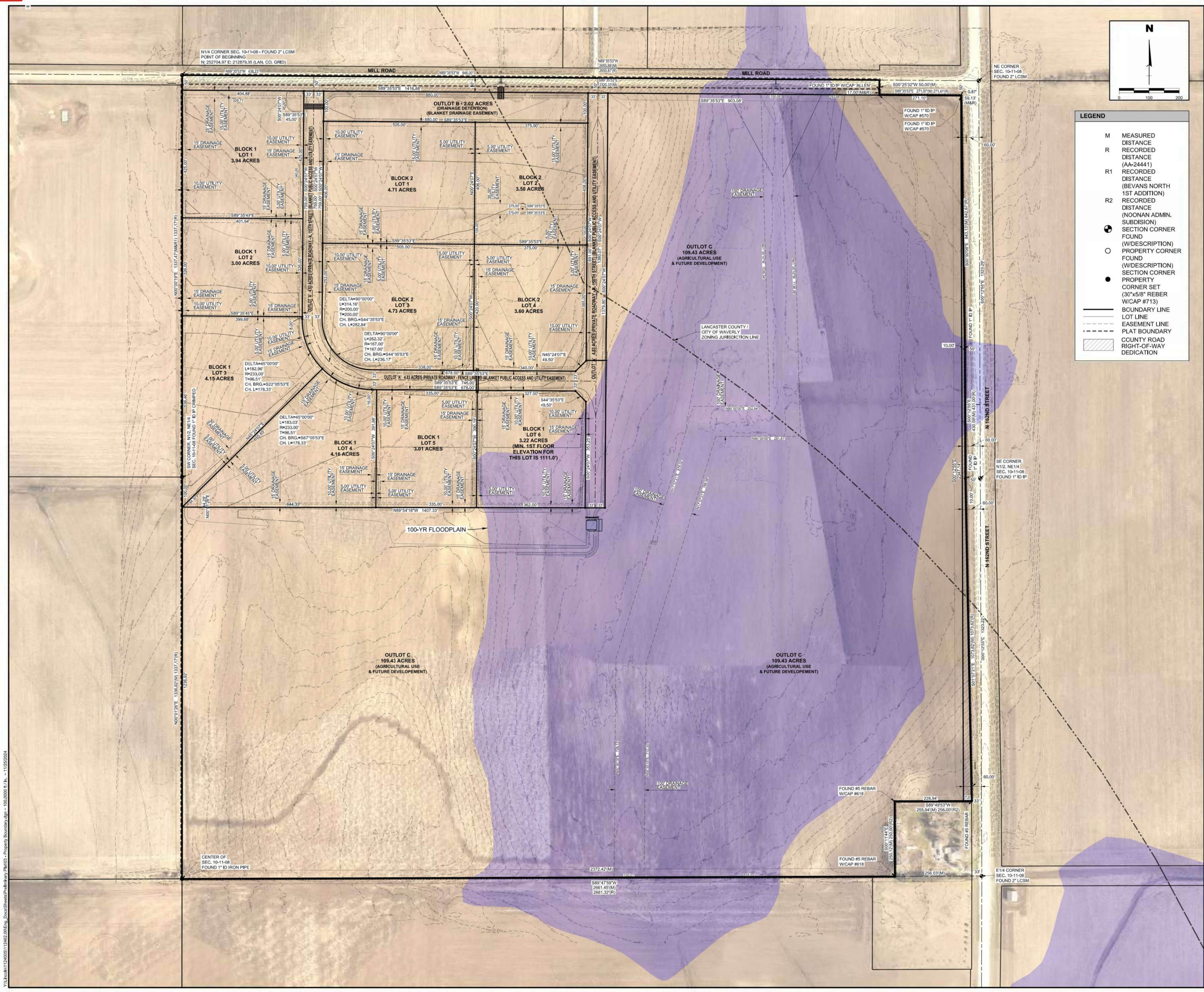
SITE PLAN

DC ADDITION  
N 162ND ST & MILL ROAD  
WAVERLY, NEBRASKA



PROJECT: 112462.00  
DATE: 11/25/2024

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**LEGEND**

- M MEASURED DISTANCE
- R RECORDED DISTANCE
- R1 RECORDED DISTANCE (AA-24441)
- R2 RECORDED DISTANCE (BEVANS NORTH 1ST ADDITION)
- R3 RECORDED DISTANCE (NOONAN ADMIN. SUBDIVISION)
- SECTION CORNER FOUND (W/DESCRIPTION) PROPERTY CORNER FOUND (W/DESCRIPTION)
- SECTION CORNER PROPERTY CORNER FOUND (W/DESCRIPTION)
- SECTION CORNER CORNER SET (30"x5/8" REBER W/CAP #713)
- BOUNDARY LINE
- - - LOT LINE
- - - EASEMENT LINE
- - - FLAT BOUNDARY
- ▨ COUNTY ROAD RIGHT-OF-WAY DEDICATION

NO.	REVISIONS	DATE

**PROPERTY BOUNDARY**

**DC ADDITION  
N 162ND ST & MILL ROAD  
WAVERLY, NEBRASKA**



PROJECT	112462.00
DATE	11/25/2024

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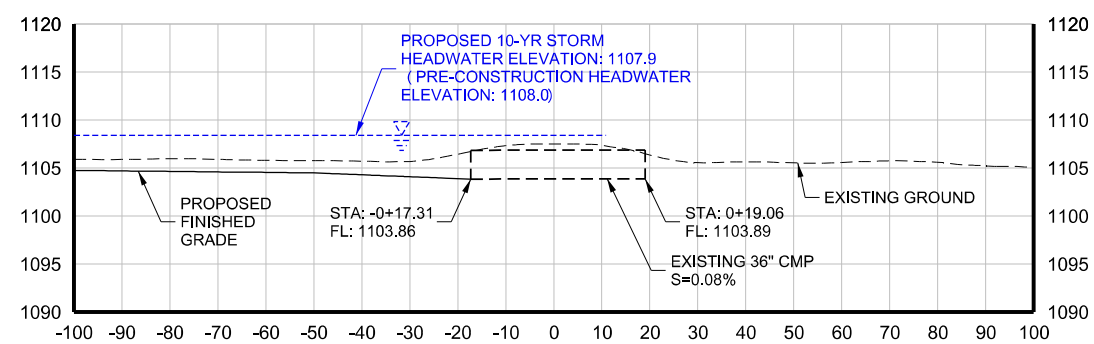
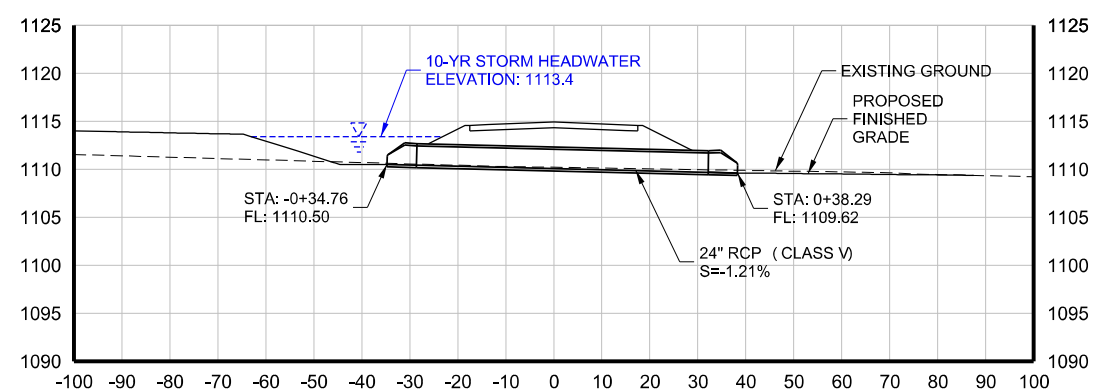
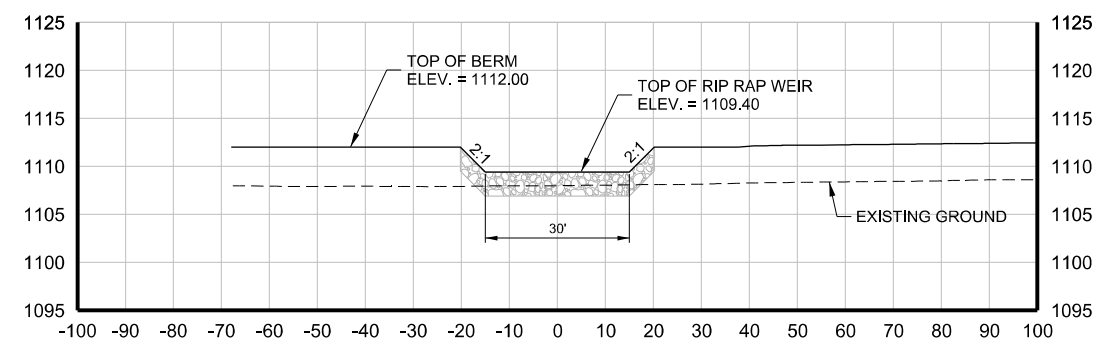
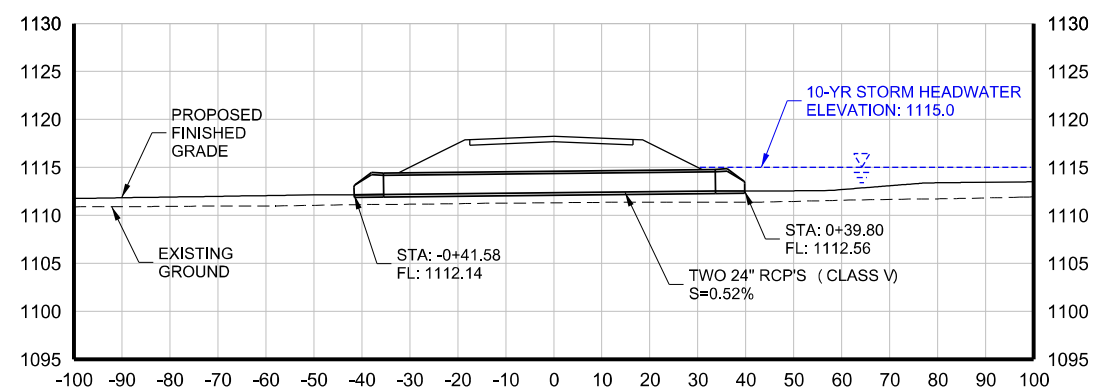
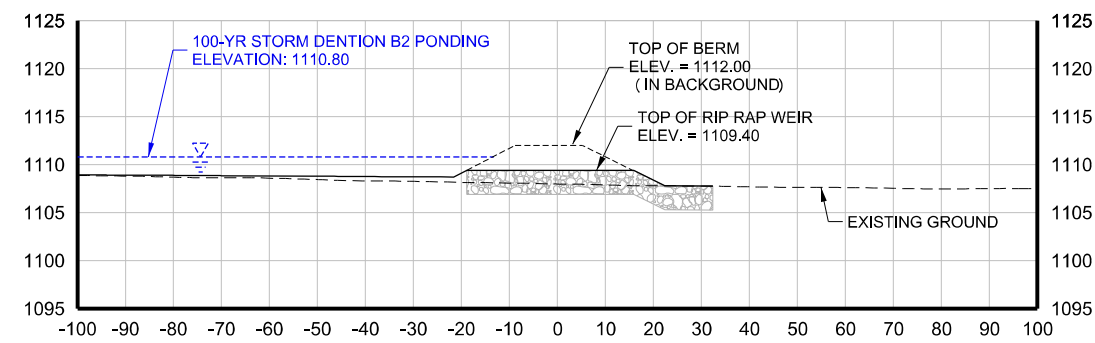
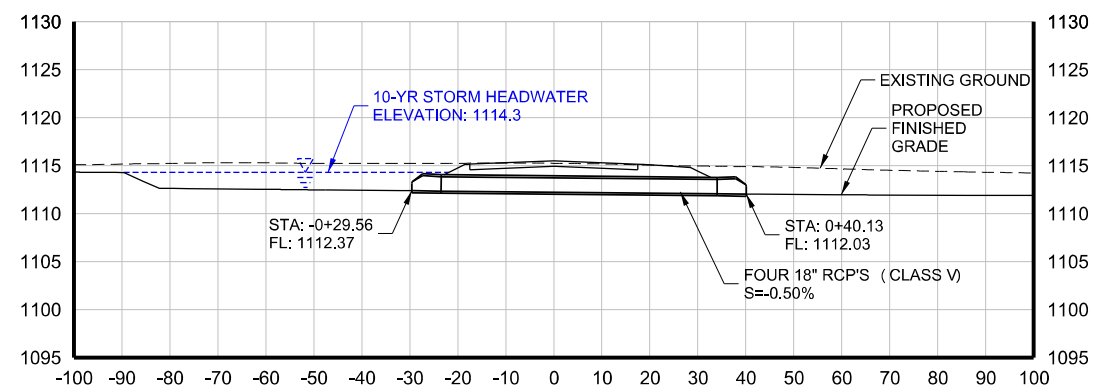
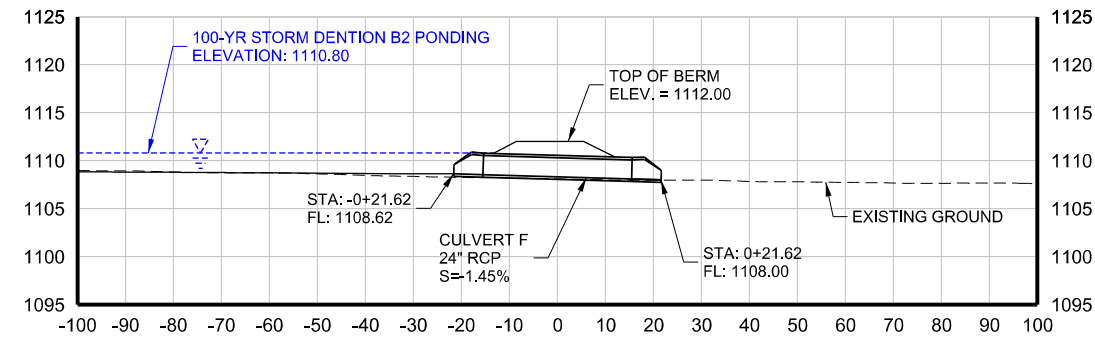
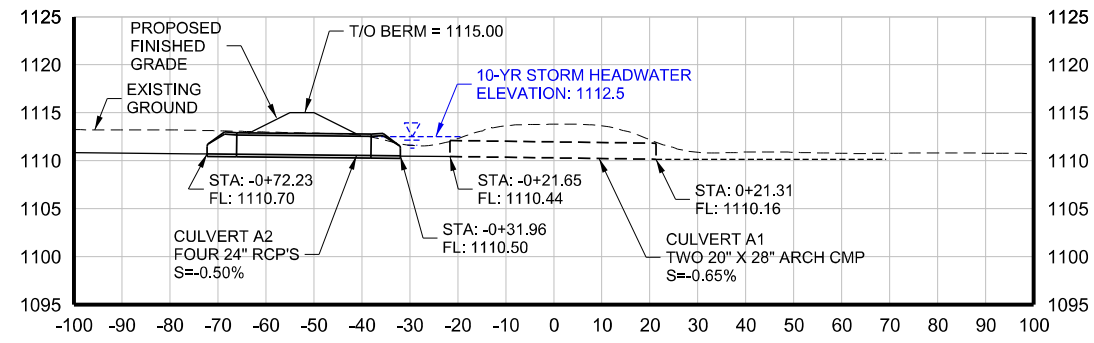








NO.	REVISIONS	DATE



CULVERT CROSS SECTIONS

DC ADDITION N 162ND ST & MILL ROAD WAVERLY, NEBRASKA



PROJECT 112462.00  
DATE 11/25/2024

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**City of Waverly  
Building and Zoning Department  
Zoning Change Report**

Date: June 27, 2025

To: Waverly Planning Commission Members:  
Kris Bohac, Melissa Brown, Lindsay Erickson, Heather Chloupek, Tyson Ritz, Jake Sorenson, Tony Larson

CC: Stephanie Fisher, Abbey Pascoe, Megan Frye

From: Mike Palm, Building Inspector/Zoning Administrator

Subject: **Change of Zoning Request 25-05**

**General Information:**

**Legal Description:** Portion of West half of the Northeast Quarter and Irregular Tract Lots 29 & 34 of the Northeast Quarter of Section 10, Township-11-North, Range-8-East of the Sixth Principal Meridian of Lancaster County, Nebraska

**Land area:** Approx. 41.6 Acres

**Applicant:** Matt Warner  
14650 Woodstock Blvd.  
Waverly, NE 68462

**Owner:** Mill Road Development, LLC (Attn: Matt Warner)

**Existing Zoning:** Agricultural (AG)

**Propose Zoning:** Limited Industrial District (LI)

**Existing Land Use:** Crops

**Surrounding Land Use and Zoning:**

North:	Zoned: Agricultural	Use: Crops/Residence
South:	Zoned: Agricultural	Use: Crops
East:	Zoned: Agricultural	Use: Crops
West:	Zoned: Agricultural	Use: Crops/Chicken Barns/Residence

**Comprehensive Plan Considerations:**

The Future Land Use Map designates this area as Industrial.

**Analysis:**

1. There is 1 portion of a lot proposed to change zoning from Agricultural to Limited Industrial.
2. The lot lies outside of the city's corporate limits, partially within Waverly's 1-mile extra-territorial jurisdiction and Lancaster County Jurisdiction. Waverly is responsible for any zoning change approval for property within its jurisdiction. Lancaster County will be responsible for zoning change approval for property within its jurisdiction.
3. Per the City's Future Land Use Map, this property is designated as Industrial use.

4. The portion to be rezoned fronts Bluff Rd (North) and is bound by a private property to the East (Mill Road Development), AG residence to the West (Bevans Barns), and private property to the South (Mill Road Development).
5. The portion to be rezoned is planned to be subdivided into 10 Limited Industrial use lots, Outlot A (Private roadway/blanket public access & utility easement), and Outlot B (Drainage/Detention easement).
6. Proposed Outlot C is to remain AG, per the Change of Zone Exhibit.
7. Portions of Block 1, Lot 6, Outlot A and Outlot C contain 1% Chance Annual Flood Risk Areas (100-year floodplain). A base flood elevation has been determined for development purposes. The city has received and reviewed the floodplain development permit application.
8. The plat has been peer reviewed by the city's engineering consultant and Lancaster County. All comments have been addressed by the developer's engineer.
9. The original DC Addition subdivision was approved by planning commission on 5/20/24. However, the area lies partly in Lancaster County's zoning jurisdiction, so their approval is also required. After Waverly approved the original plat, the county had additional comments and changes were made to the grading plans and overall footprint of the development – additional water detention areas were added adjacent to Mill Rd and lots were shifted to the south. The plat was never filed with the Register of Deeds, so the original plat is now considered null and void – therefore the plat will need to be re-approved by the city before Lancaster County will approve.
10. Grade work for the addition is substantially complete and street signage is installed.
11. Based on the information provided, I recommend approval of the zoning change request.

**ORDINANCE NO. 25-12**

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO REZONE A TRACT OF LAND LOCATED IN THE WEST HALF OF THE NORTHEAST QUARTER, IRREGULAR TRACT LOT 34 AND IRREGULAR TRACT LOT 29, SECTION 10, TOWNSHIP-11-NORTH, RANGE-8, EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN LANCASTER COUNTY, NEBRASKA FROM AGRICULTURAL (AG) DISTRICT TO LIMITED INDUSTRIAL (LI) DISTRICT.

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

That the Official Zoning Map for the City of Waverly be amended by changing the following:

- Rezoning a Tract of Land Located in the West Half of the Northeast Quarter, Irregular Tract Lot 34 and Irregular Tract Lot 29, Section 10, Township-11-North, Range-8, East of the Sixth Principal Meridian, in Lancaster County, Nebraska from Agricultural (AG) District to Limited Industrial (LI) District as shown in Exhibit A.

That the City Clerk is hereby directed to take such actions as are necessary and appropriate to effectuate the change as set forth above on the official zoning map of the City.

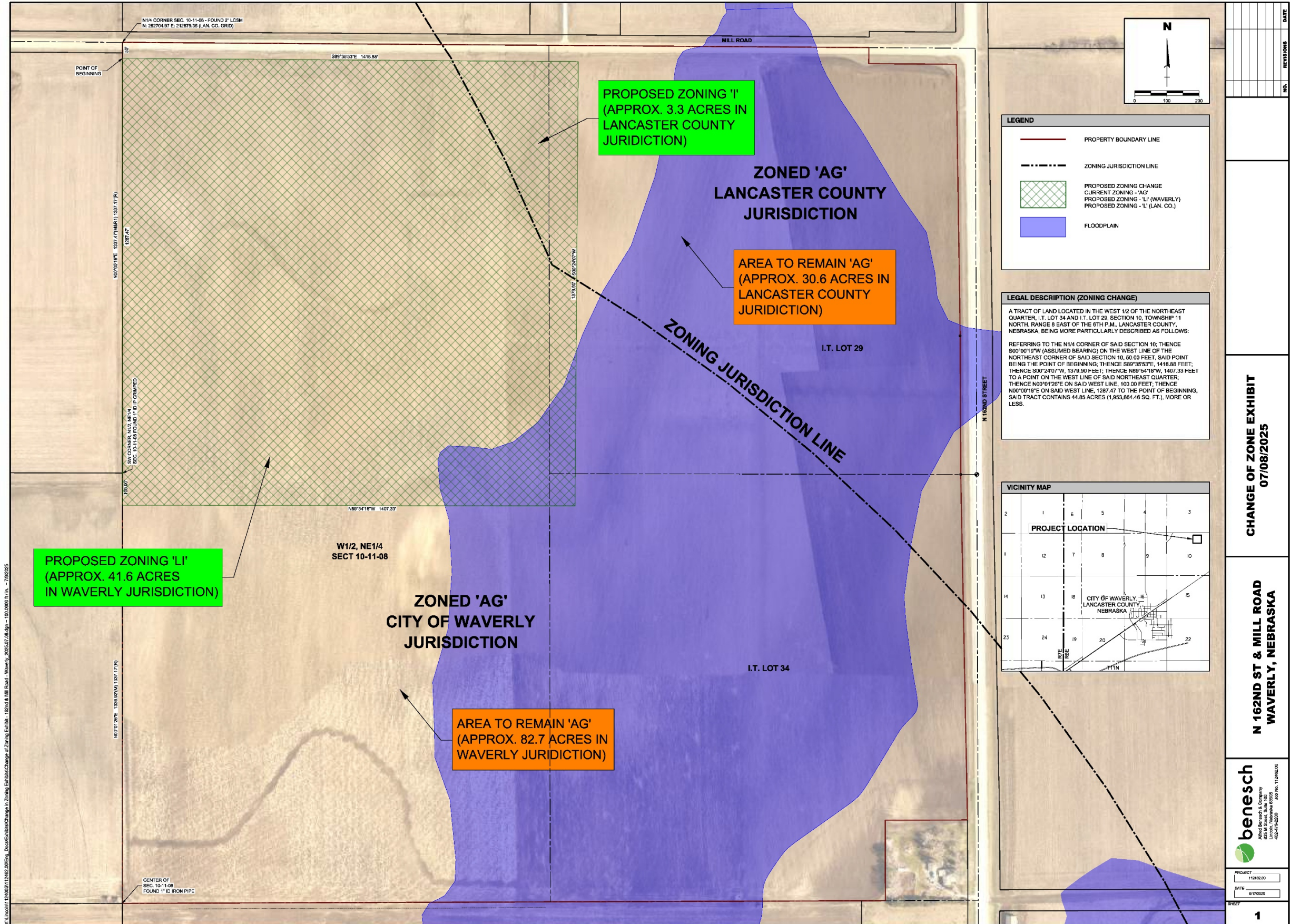
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
Abbey L. Pascoe,  
Mayor

ATTEST:

\_\_\_\_\_  
Megan K. Frye  
City Clerk/Human Resources Assistant

(SEAL)



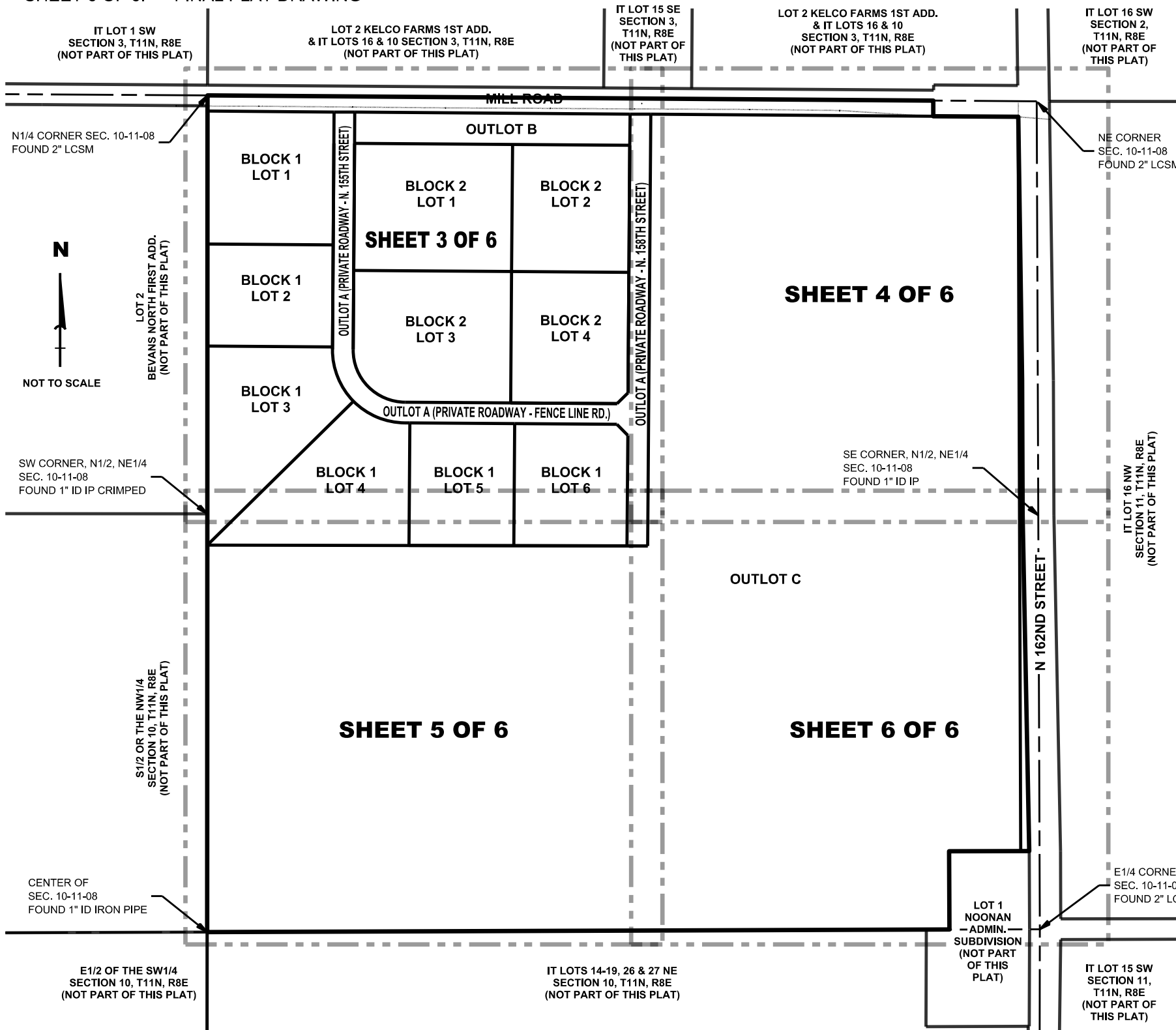


# DC 1ST ADDITION

FINAL PLAT  
(BASED UPON THE PRELIMINARY PLAT OF DC ADDTION  
[Reso PC-01916] DATED 6/26/2024)

## INDEX OF SHEETS

- SHEET 1 OF 6: FINAL PLAT DEDICATION, ACKNOWLEDGEMENT OF NOTARY, PLANNING DIRECTOR'S APPROVAL, SURVEYOR'S CERTIFICATE AND LEGAL DESCRIPTION  
SHEET 2 OF 6: LIEN HOLDER CONSENT AND SUBORDINATION  
SHEET 3 OF 6: FINAL PLAT DRAWING AND LEGEND  
SHEET 4 OF 6: FINAL PLAT DRAWING AND SECTION CORNER TIES  
SHEET 5 OF 6: FINAL PLAT DRAWING  
SHEET 6 OF 6: FINAL PLAT DRAWING



## FINAL PLAT DEDICATION

THE FOREGOING PLAT, KNOWN AS DC 1ST ADDITION, AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED, THE SOLE OWNER(S), AND THE EASEMENTS SHOWN THEREON ARE HEREBY GRANTED IN PERPETUITY TO LANCASTER COUNTY, NEBRASKA; WINDSTREAM NEBRASKA, INC.; TIME WARNER CABLE MIDWEST, LLC; BLACK HILLS ENERGY; AND NORRIS PUBLIC POWER DISTRICT, THEIR SUCCESSOR, ASSIGNS, AND PERMITTEES; TO ALLOW ENTRY FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, OPERATION AND MAINTENANCE OF WIRES, CABLES, CONDUITS, FIXTURES, POLES, TOWERS, PIPES, AND EQUIPMENT FOR THE DISTRIBUTION OF ELECTRICITY AND GAS; TELEPHONE AND CABLE TELEVISION; WASTEWATER COLLECTORS; STORM DRAINS; WATER MAINS AND ALL APPURTENANCES THERETO, OVER, UPON, OR UNDER THE EASEMENTS AS SHOWN ON THE FOREGOING PLAT. THE CONSTRUCTION OR LOCATION OF ANY BUILDING OR STRUCTURE, EXCLUDING FENCES, OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON SHALL BE PROHIBITED. LANCASTER COUNTY, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND PERMITTEES ARE HEREBY HELD HARMLESS FOR THE COST OF REPLACEMENT OR DAMAGE TO ANY IMPROVEMENT OR VEGETATION OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON AND OVER OUTLOT B.

THE CONSTRUCTION OR LOCATION OF ANY FENCE OR OTHER IMPROVEMENT WHICH OBSTRUCTS DRAINAGE SHALL BE PROHIBITED OVER, UPON, OR UNDER ANY STORM DRAIN EASEMENTS OR DRAINAGE EASEMENT SHOWN THEREON.

A PUBLIC ACCESS EASEMENT IS HEREBY GRANTED OVER OUTLOT A TO LANCASTER COUNTY, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND PERMITTEES AND TO THE PUBLIC GENERALLY FOR VEHICULAR AND PEDESTRIAN PURPOSES. THE CONSTRUCTION OR LOCATION OF ANY GATE, FENCE, OR OTHER BARRIER RESTRICTING VEHICULAR AND PEDESTRIAN ACCESS OVER THE PRIVATE ROADWAY SHALL BE PROHIBITED EXCEPT WHEN NECESSARY TO CONTROL TRAFFIC DURING THE CONSTRUCTION, RECONSTRUCTION, REPAIR, OR MAINTENANCE OF THE PRIVATE ROADWAY.

THE RIGHT TO DIRECT VEHICULAR ACCESS TO MILL ROAD IS HEREBY RELINQUISHED, EXCEPT FOR THE LOCATIONS IDENTIFIED ON THIS PLAT.

LOTS ARE ALLOWED TWO (2) ACCESS POINTS, AND THEY SHALL BE ONTO THE PRIVATE ROADWAY.

THE RIGHT-OF-WAY ALONG MILL ROAD AND N. 162ND STREET SHOWN HEREON IS HEREBY DEDICATED TO THE PUBLIC.

## CITY COUNCIL APPROVAL

THE DEDICATION SHOWN ON THIS PLAT HAS BEEN ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA.

DATE \_\_\_\_\_ MAYOR \_\_\_\_\_

DATE \_\_\_\_\_ CITY ADMINISTRATOR \_\_\_\_\_

## PLANNING COMMISSION APPROVAL (CITY)

THIS PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA.

DATE \_\_\_\_\_ CHAIRMAN \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

## PLANNING DIRECTOR'S APPROVAL (COUNTY)

THE PLANNING DIRECTOR, PURSUANT TO SECTION 3.16 OF THE LANCASTER COUNTY LAND SUBDIVISION REGULATIONS HEREBY APPROVES THIS PLAT.

PLANNING DIRECTOR \_\_\_\_\_

DATE \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

I, CORY L. REINKE, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA, CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I HAVE ACCURATELY SURVEYED THE FOREGOING PLAT, KNOWN AS DC 1ST ADDITION, A SUBDIVISION COMPOSED OF THE WEST HALF OF THE NORTHEAST QUARTER AND I.T. LOTS 29 AND 34 OF THE NORTHEAST QUARTER, OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 8 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N1/4 CORNER OF SAID SECTION 10; THENCE S89°35'53"E (ASSUMED BEARING) ON THE NORTH LINE OF SAID SECTION 10, 2320.33 FEET; THENCE S00°25'32"W, 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF MILL ROAD; THENCE S89°35'53"E ON SAID SOUTH RIGHT-OF-WAY, 271.97 FEET TO POINT ON THE WEST RIGHT-OF-WAY OF N 162ND STREET; THENCE ON SAID WEST RIGHT-OF-WAY FOR THE NEXT THREE (3) COURSES: 1) S00°50'08"E, 843.13 FEET, 2) S00°12'55"E, 430.59 FEET, 3) S01°07'21"E, 1073.62 FEET TO THE NORTHEAST CORNER OF LOT 1, NOONAN ADMINISTRATIVE SUBDIVISION, A PLATTED AND RECORDED SUBDIVISION, LANCASTER COUNTY, NEBRASKA; THENCE ON THE NORTH LINE OF SAID LOT 1 S89°49'53"W, 255.94 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ON THE WEST LINE OF SAID LOT 1, S00°11'44"E, 250.12 FEET TO A POINT OF THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE ON SAID SOUTH LINE, S89°47'59"W, 2372.42 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ON SAID WEST LINE OF THE NORTHEAST QUARTER, N00°01'26"E, 1336.92 FEET; THENCE CONTINUING ON SAID WEST LINE, N00°00'19"E, 1337.47 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 157.60 ACRES (6,865,277.92 SQ. FT.), MORE OR LESS, OF WHICH 3.32 ACRES IS DEDICATED AS COUNTY ROAD RIGHT-OF-WAY.

PERMANENT MONUMENTS HAVE BEEN FOUND OR SET AT ALL BOUNDARY CORNERS, LOT CORNERS, POINTS OF TANGENCY AND CURVATURE AS SHOWN ON THIS FINAL PLAT IN ACCORDANCE WITH TITLE 26 OF THE LINCOLN MUNICIPAL CODE. ALL DIMENSIONS ARE CHORD MEASUREMENTS UNLESS OTHERWISE SHOWN, AND ARE IN FEET AND DECIMALS OF A FOOT. SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2025

CORY L. REINKE, L.S. #713  
BENESCH  
825 'M' STREET, SUITE 100  
LINCOLN, NE 68508

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
MATT WARNER  
PRESIDENT  
MILL ROAD DEVELOPMENT, LLC.

## ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA )  
COUNTY OF LANCASTER ) S.S.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY CAME MATT WARNER, WHO IS PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THIS PLAT AS PRESIDENT, MILL ROAD DEVELOPMENT, LLC, A NEBRASKA CORPORATION, AND HE ACKNOWLEDGES THE SAME TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID COMPANY.

\_\_\_\_\_  
NOTARY PUBLIC

# DC 1ST ADDITION

FINAL PLAT  
(BASED UPON THE PRELIMINARY PLAT OF DC ADDTION  
[Reso PC-01916] DATED 6/26/2024)

## LIEN HOLDER CONSENT AND SUBORDINATION

THE UNDERSIGNED HOLDER OF THAT CERTAIN LIENS AGAINST THE REAL PROPERTY DESCRIBED IN THE PLAT KNOWN AS DC 1ST ADDITION (HEREINAFTER "PLAT"), SAID LIENS BEING IN THE OFFICE OF THE REGISTER OF DEEDS OF LANCASTER COUNTY, NEBRASKA AS INSTRUMENT NO. 2022051167 AND NO. 2022051168 (HEREINAFTER "LIENS"), DOES HEREBY CONSENT TO THE DEDICATION OF AND SUBORDINATE THE LIENS TO ANY UTILITY (SEWER, WATER, ELECTRIC, CABLE TV, TELEPHONE, NATURAL GAS) EASEMENTS, OR STREETS, OR ROADS, PEDESTRIAN WAY EASEMENTS, AND ACCESS EASEMENTS AND RELINQUISHMENTS OF ACCESS, DEDICATED TO THE PUBLIC, ALL AS SHOWN ON THE PLAT, BUT NOT OTHERWISE. THE UNDERSIGNED CONFIRMS THAT IT IS THE HOLDER OF THE LIENS AND HAS NOT ASSIGNED THE LIENS TO ANY OTHER PERSON.

NAME OF LIEN HOLDER: PINNACLE BANK

BY: \_\_\_\_\_

PRINTED NAME: KIRK SCHLUETER

TITLE: VICE PRESIDENT

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ ) s.s.

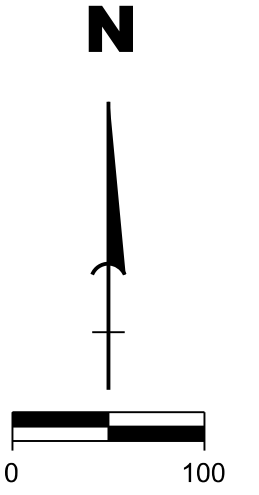
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025,  
BY KIRK SCHLUETER, VICE PRESIDENT, PINNACLE BANK ON BEHALF OF SAID PINNACLE BANK.

\_\_\_\_\_  
NOTARY PUBLIC



# DC 1ST ADDITION

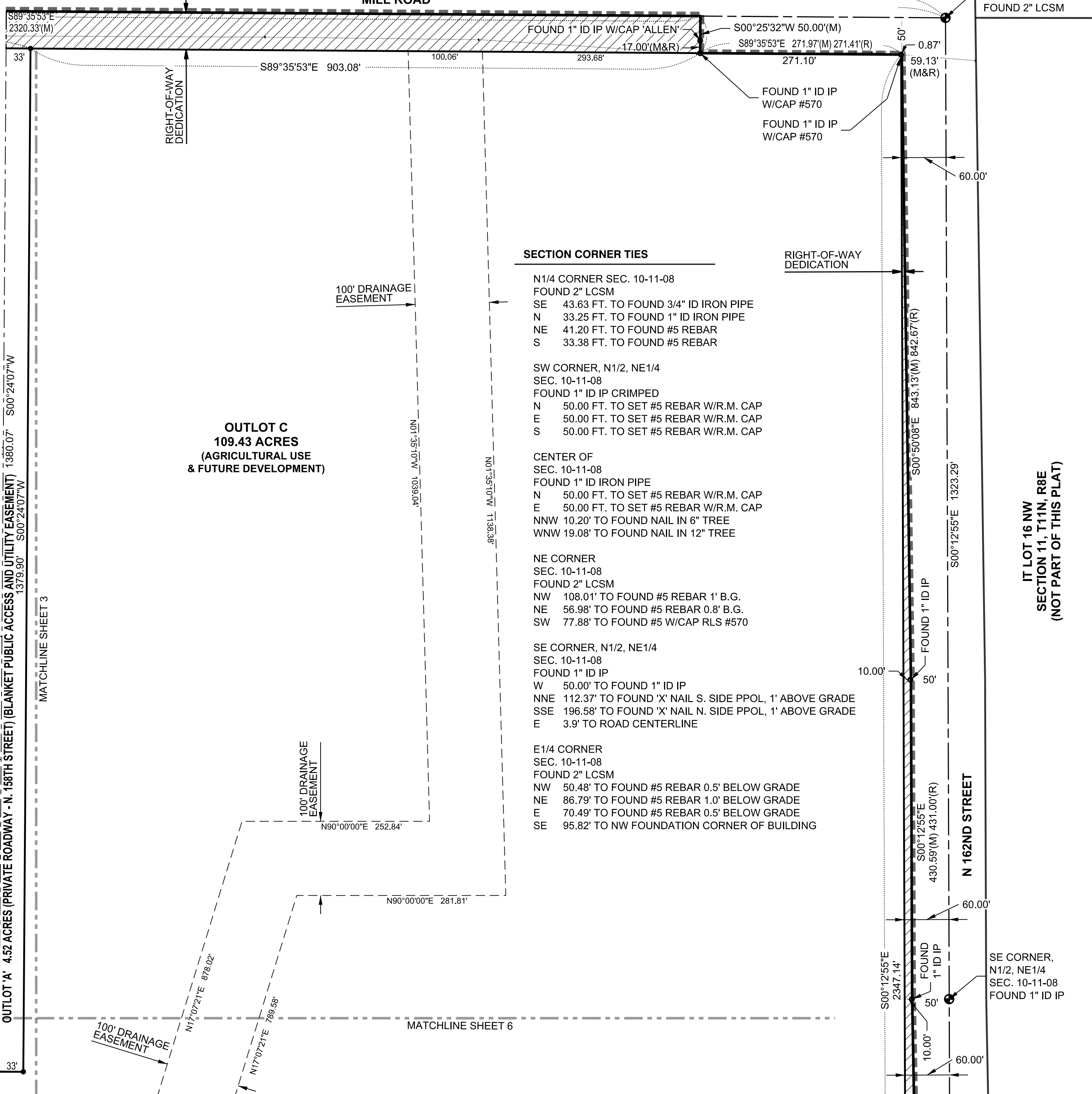
FINAL PLAT  
 (BASED UPON THE  
 PRELIMINARY PLAT OF  
 DC ADDITION  
 [Reso PC-01916] DATED  
 6/26/2024)



IT LOT 15 SE  
 SECTION 3, T11N, R8E  
 (NOT PART OF THIS PLAT)  
 N89°35'53"W  
 2650.88'(M)  
 2650.87'(R)

LOT 2 KELCO FARMS 1ST ADD. & IT LOTS 16 & 10  
 SECTION 3, T11N, R8E  
 (NOT PART OF THIS PLAT)

IT LOT 16 SW  
 SECTION 2, T11N, R8E  
 (NOT PART OF  
 THIS PLAT)  
 NE CORNER  
 SEC. 10-11-08  
 FOUND 2" LCSM



**SECTION CORNER TIES**

- N1/4 CORNER SEC. 10-11-08  
 FOUND 2" LCSM  
 SE 43.63 FT. TO FOUND 3/4" ID IRON PIPE  
 N 33.25 FT. TO FOUND 1" ID IRON PIPE  
 NE 41.20 FT. TO FOUND #5 REBAR  
 S 33.38 FT. TO FOUND #5 REBAR
- SW CORNER, N1/2, NE1/4  
 SEC. 10-11-08  
 FOUND 1" ID IP CRIMPED  
 N 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 E 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 S 50.00 FT. TO SET #5 REBAR W/R.M. CAP
- CENTER OF  
 SEC. 10-11-08  
 FOUND 1" ID IRON PIPE  
 N 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 E 50.00 FT. TO SET #5 REBAR W/R.M. CAP  
 NNW 10.20' TO FOUND NAIL IN 6" TREE  
 WNW 19.08' TO FOUND NAIL IN 12" TREE
- NE CORNER  
 SEC. 10-11-08  
 FOUND 2" LCSM  
 NW 108.01' TO FOUND #5 REBAR 1' B.G.  
 NE 56.98' TO FOUND #5 REBAR 0.8' B.G.  
 SW 77.88' TO FOUND #5 W/CAP RLS #570
- SE CORNER, N1/2, NE1/4  
 SEC. 10-11-08  
 FOUND 1" ID IP  
 W 50.00' TO FOUND 1" ID IP  
 NNE 112.37' TO FOUND 'X' NAIL S. SIDE PPOL, 1' ABOVE GRADE  
 SSE 196.58' TO FOUND 'X' NAIL N. SIDE PPOL, 1' ABOVE GRADE  
 E 3.9' TO ROAD CENTERLINE
- E1/4 CORNER  
 SEC. 10-11-08  
 FOUND 2" LCSM  
 NW 50.48' TO FOUND #5 REBAR 0.5' BELOW GRADE  
 NE 86.79' TO FOUND #5 REBAR 1.0' BELOW GRADE  
 E 70.49' TO FOUND #5 REBAR 0.5' BELOW GRADE  
 SE 95.82' TO NW FOUNDATION CORNER OF BUILDING

OUTLOT 'A' 4.52 ACRES (PRIVATE ROADWAY - N. 158TH STREET) (BLANKET PUBLIC ACCESS AND UTILITY EASEMENT) 1380.07' S00°24'07"W 1379.90' S00°24'07"W MATCHLINE SHEET 3

IT LOT 16 NW  
 SECTION 11, T11N, R8E  
 (NOT PART OF THIS PLAT)

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