



REGULAR PLANNING COMMISSION MEETING

January 19th, 2026 - 5:00 p.m.

City Council Chambers

Fremont Municipal Building

400 East Military Ave.

Fremont, Nebraska

1. Meeting called to order.
2. Roll call.
3. Dispense with the reading and approve the minutes of November 17th, 2025, Planning Commission meeting as prepared.
4. Organize and elect Chair and Vice Chair.
5. A request by Deerfield Fremont LLC (Michael Maley) for a Preliminary Plat Submission for 46-R2(Low/Medium Density Residential District) Duplex Units (47 Lots). The property is generally located southeast of Pathfinder Drive and Wilmont Street.
6. A request by Mark Sanford on behalf of Sunrise Holdings, LLC, for a landscape waiver on property generally located at 1800 E. Military.
7. A request by the Planning Director to review the Comprehensive Plan Action.
8. Adjourn Meeting.

THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE, THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT WWW.FREMONTNE.GOV IN ACCORDANCE WITH THE NEBRASKA OPEN MEETINGS ACT, A COPY OF WHICH IS POSTED CONTINUALLY IN THE COUNCIL CHAMBERS FOR PUBLIC INSPECTION, AND SAID MEETING IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS ALSO KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC IN THE PRINCIPAL OFFICE OF THE DEPARTMENT OF PLANNING, 400 EAST MILITARY AVENUE. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.

PLANNING COMMISSION MINUTES
November 17th, 2025
City Council Chambers, Fremont Municipal Building, Fremont, NE
5:00 p.m. Meeting

Chairman Borisow called the meeting to order at 5:00 p.m. He stated that a copy of the Open Meetings Act is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Chairman Borisow and Commissioners, Landholm, McKay, Einspahr, Jaeger, Nielsen, and Darling were present. Commissioners Horeis and Carlson were absent. A quorum was established.

Commissioner Carlson joined the meeting at 5:03 p.m.

Chairman Borisow read the item: Dispense with the reading of the minutes of the October 20th, 2025, Planning Commission meeting. Commissioner Darling made a motion to approve the minutes; Commissioner Einspahr seconded the motion. By a roll call vote, Landholm, McKay, Borisow, Einspahr, Darling, Nielsen, and Jaeger all vote in favor. Horeis and Carlson were absent. Motion carried 7-0.

Chairman Borisow read the item: A request by Love Signs Inc. on behalf of DPA Properties LLC for a Sign Plan on property generally located at 100 E 6th St. Chairman Borisow opened public comments. Planning Director Ray presented the staff report with findings and proposed conditions of approval. After receiving no comments, Chairman Borisow closed public hearing. Commissioner Darling made a motion to approve; Commissioner McKay seconded the motion. By a roll call vote Einspahr, Borisow, Landholm, Carlson, Darling, McKay, Nielsen, and Jaeger all vote in favor. Horeis was absent. Motion carried 8-0.

Motion was made by Commissioner Landholm to adjourn the meeting. Seconded by Commissioner Darling. By a roll call vote, McKay, Landholm, Borisow, Einspahr, Darling, Carlson, Nielsen and Jaeger all vote in favor. Motion carried 8-0.

Meeting adjourned at approximately 5:18 pm.

APPROVED

Jarod Borisow, Chairman

ATTEST

Jeffrey B. Ray, AICP, Interim Director of Planning

STAFF REPORT

TO: Planning Commission
FROM: Jeffrey B Ray, AICP, Planning Director
DATE: January 12, 2026
SUBJECT: Deerfield 4th Addition Preliminary Plat

Recommendation: Conditionally approve

Application:

Michael Maley Real Estate LLC has requested a Preliminary Plat Subdivision for 46 Duplex lots.

Background:

The proposed residential subdivision project is generally located southeast of the intersection of Pathfinder Drive and Wilmont Street in the Deerfield Subdivision. See Vicinity Map below.

The area of the proposed development contains is an incomplete street grid with Pathfinder Drive and Sheridan Street both terminating into the proposed site. The proposed subdivision will extend these streets and the public infrastructure to complete Street and utility loops.

The future land use plan is medium density residential for the area the Zoning designation is R-2, Low/medium Density Residential.

The subject site is bound by R-2 residential to the north and west; a R-2 Residential Planned Unit Development to the east and vacant land zoned Light Industrial to the south across Old Highway 8

Vicinity Map



Project:

The project's concept and intent are to extend the existing residential neighborhood with forty-six duplexes.

Recommended Conditions of Approval:

Staff recommends approval with conditions prior to Final Plat submittal to include:

1. Include Utility Easements per the Attached Utility Easement Exhibit.;
2. Extend the 16" waterline on the proposed improvements to Pathfinder to complete the waterline loop;
3. Connect and extend the existing waterline in Meadowlark Cir;
4. Include the Public Works comments and requirements per the attached City Engineer's comments.
5. Submit utility and street plans to the city for approval prior to the Final Plat approval.

APPLICANT *(all correspondence will be directed to the applicant)*

Name DeerfieldFremont LLC (Michael Maley) Phone 402-981-7400
 Address 331 Village Pointe Plaza Fax _____
 City Omaha State NE Zip 68118
 Email Michael.Maley@bhhsamb.com

PROPERTY OWNER *(if not the same as applicant above)*

Name Michael Maley Real Estate LLC Phone 402-981-7400
 Address 331 Village Pointe Plaza Fax _____
 City Omaha State NE Zip 68118
 Email Michael.Maley@bhhsamb.com

ENGINEER, SURVEYOR, OR ARCHITECT *(if not the same as applicant above)*

Name Thompson, Dreessen, & Dorner Inc (TD2) Phone 402-330-8860
 Address 10836 Old Mill Road Fax 402-330-5866
 City Omaha State NE Zip 68154
 Email dsdreessen@td2co.com bfinley@td2co.com

AGENT *(if not the same as applicant above)*

Name _____ Phone _____
 Address _____ Fax _____
 City _____ State _____ Zip _____
 Email _____

(application continued on next page)

SUBDIVISION SUBMITTAL REVIEW NOTES

Date: December 31, 2025

City Engineer / Public Works Director / Civil Engineer

Owner: Michael Maley Real Estate, LLC

Project: Deerfield Fourth Addition

Consultant: TD2 Engineering and Surveying

Sheet	Notes	Check
	<ul style="list-style-type: none"> Storm Sewer – Storage Facility 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Submit drainage calculations for the area being proposed. Refer to Fremont’s Drainage Criteria Manual online. https://www.fremontne.gov/DocumentCenter/View/9375/Fremont-Drainage-Criteria-Manual-PDF?bidId= 	<input type="checkbox"/>
	<ul style="list-style-type: none"> The outlet shown is not within the property. Please provide a dedicated easement for this area. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Lots # 6, 7, 13, 38, 21, and 18. Drawing show inlets in front of these properties. Relocate to ensure inlets are not crossing the driveway approaches. 	<input type="checkbox"/>
	<ul style="list-style-type: none"> Sanitary Manhole – Service line Lot # 14 indicate sanitary service 	
	<ul style="list-style-type: none"> Developer is responsible for SWPPP. Agreement should state it’s their responsibility and should coordinate with DU appropriately. If vegetation is disturbed prior or after, reseed or resod needs to be established. 	

If you have any questions or need additional information, feel free to contact Public Works Department any time 402-727-2636 and/or email Veronica.Trujillo@FremontNE.gov.

Staff Report

TO: Planning Commission
FROM: Jeffrey B Ray, AICP, Planning Director
DATE: January 12, 2026
SUBJECT: Waiver of required landscaping

Recommendation: Denial of a special exception to reduce required installation of landscaping as shown on approved plan along Military Ave.

Background

This is a request to waive the landscaping required due to an expansion of a building for Express Way generally located at 1800 E. Military Ave. See attached Vicinity Map and Site Plan.

In June 2025, the applicant received a Landscape Waiver for plantings along Military Avenue. The applicant has completed the building expansion but did not replace the fuel pump canopy, which will be a later construction phase. The following was the approved Landscape Waiver:

The UDC requires a "Type A" buffer yard along Clarmar that is 5' wide with 2 trees and 5 shrubs per 100 lineal feet. The applicant has proposed 2 trees and 3 shrubs adjacent to the car wash addition. A portion of pavement will be removed to install the landscaping. An area of grass turf is proposed under the sign at the intersection.

A "Type B" Buffer is required adjacent to Military Ave. that is 10' wide with 2 trees and 8 shrubs per 100 lineal feet. The applicant proposes adding 2 trees and 3 shrubs between the driveways along Military Ave. between the sidewalk and the gas station canopy. An additional tree is proposed just east of the east driveway. A 10' wide buffer is not feasible in that area.

Staff recommends that 2 additional shrubs be added to the Clarmar landscape area, and 5 shrubs be added adjacent to Military Ave.

The site has been developed for decades, prior to the requirement for buffer yards. The parking lot is built up to the property line.

The applicant is requesting to waive the required landscaping around the foundation of the building.

Additional landscaping would be desirable, but it is difficult to retrofit an existing site.

While the proposed landscaping does not bring the properties into conformance with the landscape requirements, it does provide buffering that advances the spirit of Section 11-

800. The proposal does advance the spirit of Section 11-800 and will improve the character of the area.

Table 11-325.02 states that landscaping for major building expansions must further the objectives of Section 11-810 and that buffer yards shall be provided as required by Section 11-815.

Section 11-812(D) of the UDC states:

Adjustments and Changes:

1. *Necessary or requested adjustments or changes to the requirements of Section 11-810, Landscaping, Buffering, and Screening, may only be by reason of:*
 - a. *Site constraints or impracticalities that are due to special conditions of the property that do not exist on other properties in the same zoning district;*
 - b. *Conditions that have not been brought about by action of the applicant or owner; and*
 - c. *Unnecessary hardship caused by the strict interpretation of this UDC.*

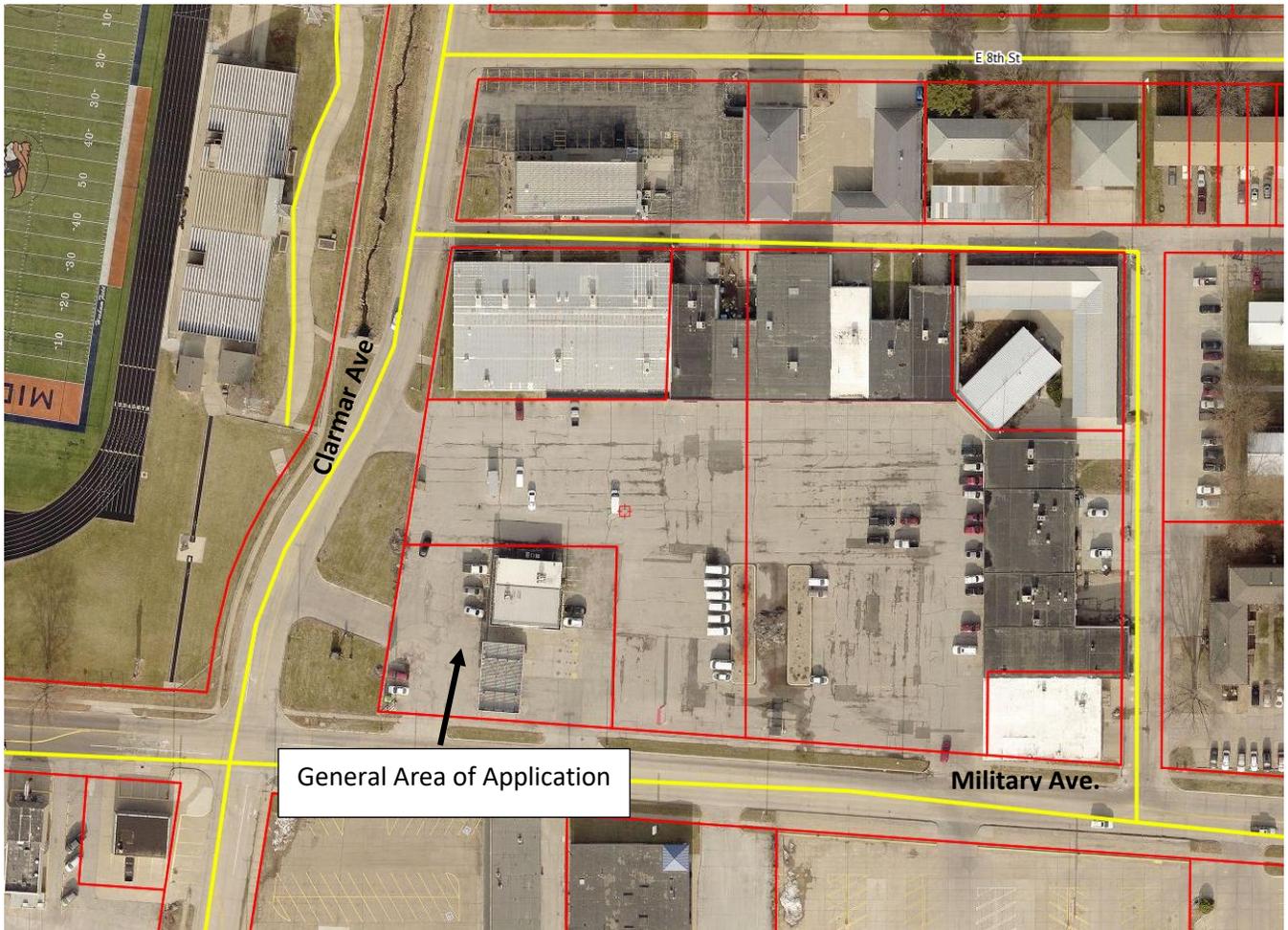
2. *In these instances, the planning commission may consider authorizing a special exception, or if the standards of approval may not be met, by considering approval, approval with conditions or denial of the site plan, as set out in Section 11-315.08 Site Plan.*

At this point in time the applicant is requesting a waiver of the landscaping along Military until they commence construction of the proposed future canopy.

Staff recommends denial of the request based upon the following:

1. The landscaping and previous Landscape Waiver are associated with the building expansion not the accessory canopy.
2. There is no guarantee when or if the canopy construction will proceed.
3. The approved landscaping in the previous Landscape Waiver will not be under or will be affected by the future construction of a new canopy.

Vicinity Map



STAFF REPORT

TO: Planning Commission
FROM: Jeffrey B Ray, AICP, Planning Director
DATE: January 12, 2026
SUBJECT: Comprehensive Plan Review

Recommendation: Discussion

The Fremont Comprehensive Plan tasks the Planning Commission with creation of an Annual Progress Report. As part of the report which staff will prepare, the Planning Commission should review the Action Matrix on page 119-124 of the Comprehensive Plan.

Please review Chapter 3 and 4 goals outlined in the Action Matrix and be prepared to discuss each at our meeting. We will continue the remaining goals at future meetings.

Specifically consider the following:

1. Has the goal been met or is it still on track to be met in the specified timeline?
2. Is the goal still relevant or have conditions changed so that the goal should be amended or eliminated?
3. What are the priorities that should be conveyed to the City Council to implement the people's vision in the Comprehensive Plan?