

THE OFFICIAL PROCEEDINGS OF THE CITY OF GERING PLANNING COMMISSION REGULAR MEETING, July 15, 2025

A regular meeting of the City of Gering Planning Commission was held in open session on July 15, 2025, at 6:00 p.m. in the Gering City Hall Council Chambers at 1025 P Street, Gering, NE. Present were Commissioners Crews, Hauck, C. Kaufman, Shimic, and Taylor. Absent: Alvizar, T. Kaufman, Keener, and Miles. Also present were City Engineer Annie Folck, Mayor Kent Ewing, and Secretary Karen Heins. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public.

Call to Order and Roll Call:

Commissioner Taylor called the meeting to order at 6:26 P.M. and noted that a quorum of the Planning Commission was present and business could be conducted.

1. Pledge of Allegiance

2. Open Meetings Act - Neb. Rev. Stat. Chapter 84, Article 14

Commissioner Taylor stated: As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Chairperson. Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and the Planning Commission determines that the matter requires emergency action.

3. Approval of Minutes of the May 6, 2025, regular Planning Commission meeting

Motion made by Commissioner Crews to approve the minutes of the May 6, 2025 regular Planning Commission meeting. Seconded by Commissioner Hauck. There was no discussion. The Secretary called the roll. "AYES": Taylor, Crews, C. Kaufman and Hauck. "NAYS": None. Abstain: Shimic. Absent: Alvizar, T. Kaufman, Keener, and Miles. Motion carried.

4. Current Business:

- A. Public Hearing to consider Conditional Use Permit for an Accessory Dwelling Unit on Lot 6, Block 4, Thorntons Addition, Gering, Nebraska, currently zoned RM, Residential Medium-Density
 - i. Approve or Deny Conditional Use Permit

Commissioner Taylor opened a public hearing at 6:29 p.m. to consider the Conditional Use Permit for an Accessory Dwelling Unit on Lot 6, Block 4, Thorntons Addition, Gering, Nebraska, currently zoned RM, Residential Medium-Density.

City of Gering
PLANNING COMMISSION Recommendation and Report

To:	Planning Commission	Date:	7/15/2025
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report - Conditional Use Permit for an Accessory Dwelling Unit on Lot 6, Block 4, Thorntons Addition, Gering, Nebraska, currently zoned RM, Residential Medium-Density	Property Size:	13,683.87 square feet
Location:	1885 4 th Street; Lot 6, Block 4, Thorntons Addition, Gering, Nebraska	#Lots/Parcels:	1
Owner:	Juan Gerardo Delgadillo	City Council Public Hearing:	N/A

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations and according to Nebraska State Statutes.

Agenda Item Summary

The City of Gering has received an application for a conditional use permit for an accessory dwelling unit (ADU) on Lot 6, Block 4, Thornton's Addition (1885 4th Street). This property is currently zoned RM, Medium Density Residential. The lot currently has a small, 544 square foot house on it. The property owner has a home that he is hoping to purchase and move onto the lot. While the lot is large enough that it could be split into two lots, with a home on each, the home they are planning on moving in is only 672 square feet, which is too small to serve as a primary single-family residence on its own lot. However, it could be considered an accessory dwelling unit, which is allowable as a conditional use in the RM zone.

The following criteria are required to be considered by Planning Commission when deciding whether or not to grant the CUP:

Access/Fire Safety: The property is located on a corner lot, so there is good access to the lot both from the east and the south.

Off Street Parking and Loading Areas: The applicant will provide off-street parking adjacent to the alley. Additionally, there is plenty of on-street parking available as this is a corner lot and there are no residences or businesses to the south.

Refuse and Service Areas: N/A

Utilities: All utilities are currently available to the property.

Screening and Buffering: N/A

Signs and Exterior Lighting: None

Required Yards and Open Spaces: Proposed site plan will meet all required setbacks in the RM zone.

General Compatibility: See attached pictures. The home that is to be moved in is in good condition and should fit in well with the other homes in the area.

Recommendation

Approve

Approve Conditional Use Permit for an Accessory Dwelling Unit on Lot 6, Block 4, Thornton's Addition, City of Gering, Nebraska

Deny

Deny Conditional Use Permit for Lot 6, Block 4, Thornton's Addition, City of Gering, Nebraska

Table

Table considering Conditional Use Permit for Lot 6, Block 4, Thornton's Addition, City of Gering, Nebraska

Engineer Folck reported that the City received an application for an accessory dwelling unit on this property, currently zoned RM. The proposed accessory dwelling unit would serve as a secondary residence, which is conditional use in the RM Zone. The property is located at the First Addition of Gering, a small neighborhood northeast of the Junior High School.

She noted that this particular lot is much larger than surrounding lots, and its size is a key factor in evaluating its suitability for an accessory dwelling unit. The reason this is conditional use and not permitted use by right is because not all residential lots are big enough for more than one dwelling unit. In addition to considering the lot size, parking was also considered. Parking can be a nuisance if you put too many residences in one area. And a final factor for consideration was the appearance of the home itself; is it compatible with the look of the neighborhood.

In this case, the lot's large size and corner location make it well-suited for additional parking. The existing home on the lot is approximately 544 square feet and the applicant is proposing to add a second home roughly the same size, a little over 600 square feet, aligning with the homes along 3rd Street.

Engineer Folck further added that originally, staff considered splitting the lot into two parcels, as the lot size would allow for it. However, she pointed out that the proposed accessory dwelling unit's square footage falls below the 900-square-foot minimum required for a single-family home under the City's definition. So instead, it's being proposed as an accessory dwelling unit, which is why a conditional use permit is needed.

Again, the lot is sufficiently large and, being located on a corner, offers ample parking. The applicant has also indicated that additional parking could be added off the alley if necessary. The only remaining consideration is the appearance of the proposed accessory dwelling unit. The unit is an existing home that will be relocated to the site. Photos submitted by the applicant show it is in very good condition and compatible with other homes in the neighborhood. Therefore, staff is recommending approval of the conditional use permit.

Public Hearing

Commissioner Taylor asked if anyone in the Chamber wished to speak to this application. No one came forward to speak. Commissioner Taylor stated that with no further comments, the public hearing was closed at 6:31 p.m.

Motion made by Commissioner Crews to approve the Conditional Use Permit for an Accessory Dwelling Unit on Lot 6, Block 4, Thorntons Addition, Gering, Nebraska, currently zoned RM, Residential Medium-Density. Seconded by Commissioner Shimic.

Discussion followed: Commissioner Hauck inquired about the type of foundation for the proposed dwelling. Engineer Folck confirmed that it will be placed on a crawl space. Commissioner Hauck also asked whether the unit would have access to City utilities, to which Engineer Folck responded affirmatively.

Commissioner Taylor observed that the existing home on the property is only 544 square feet and does not meet the current minimum size requirement. He asked whether the City's regulations were previously more lenient. Engineer Folck explained that the existing home predates the current code and is located in one of the oldest areas of the city.

The Secretary called the roll. "AYES": Taylor, Crews, Shimic, C. Kaufman and Hauck. "NAYS": None. Abstain: None. Absent: Alvizar, T. Kaufman, Keener, and Miles. Motion carried.

- B. Consider Preliminary Plat for Block 2A, Prairie View Addition, a Replat of Block 2, Prairie View Addition, and Unplatted Lands in the N ½ of the NW ¼ of Section 12, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Scotts Bluff County, Nebraska

City of Gering
PLANNING COMMISSION Recommendation and Report

To:	Planning Commission	Date:	7/15/2025
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Preliminary Plat for Block 2A, Prairie View Addition, A replat of Block 2, Prairie View Addition, an addition to the City of Gering, Nebraska and unplatted lands in the North half of the Northwest quarter of Section 12, Township 21 North, Range 55 West of the 6 th P.M., Scotts Bluff County, Nebraska	Property Size:	3.05 ACRES
Location:	665 D Street, Gering Nebraska	#Lots/Parcels:	1
Owner:	Kurt L. / Vicke E. Weber	City Council Public Hearing:	7/28/2025

Agenda Item Summary

The City has received an application for a Preliminary Plat for Block 2A, Prairie View Addition. This is a replat that will combine three existing lots into one. The property owner has requested the replat for tax

purposes. Because a portion of the property is currently unplatted, this must go through Planning Commission and Council instead of being approved administratively.

Recommendation

Approve

Make a Positive Recommendation for City Council to approve the Preliminary Plat for Block 2A, Prairie View Addition, a replat of Block 2, Prairie View Addition, and addition to the City of Gering, Nebraska, and unplatted lands in the North ½ of the Northwest ¼ of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Deny

Make a Negative Recommendation for City Council to approve the Preliminary Plat Preliminary Plat for Block 2A, Prairie View Addition, a replat of Block 2, Prairie View Addition, and addition to the City of Gering, Nebraska, and unplatted lands in the North ½ of the Northwest ¼ of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Table

Table making a recommendation on the Preliminary Plat of Preliminary Plat for Block 2A, Prairie View Addition, a replat of Block 2, Prairie View Addition, and addition to the City of Gering, Nebraska, and unplatted lands in the North ½ of the Northwest ¼ of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Engineer Folck presented her report and highlighted the property's location on a map—situated at the intersection of D Street and 7th Street. She commented that while the site may appear to be a single lot when driving by, it actually consists of three separate parcels. The current proposal involves removing the internal plat lines to consolidate the three parcels into one lot.

Typically, this type of lot combination could be handled administratively. However, since part of the property is currently unplatted and some utility easement changes are proposed, it must be reviewed by both the Planning Commission and City Council.

Engineer Folck summarized that the application seeks to: 1) Merge the three existing parcels into a single, larger lot by eliminating the interior plat lines; and, 2) Remove utility and access easements that will no longer be necessary once the parcels are combined. She added that the City is requesting that the utility easement along the south side remain in place to ensure adequate access and space for maintenance of the sewer line located along the property line, and to allow room for the crews to place dirt as needed. Additionally, a slight adjustment to the easement on the west side was proposed because currently, there is no formal recorded easement—only a prescriptive easement—and this adjustment would formalize and clarify this information.

Engineer Folck stated that this is the preliminary plat. Access to all utilities, streets, etc. are already in place, making this proposal relatively straight forward. Based on these factors, staff is recommending approval of the preliminary plat.

Commissioner Taylor asked if the applicant(s) were present and recognized that the applicant raised their hand.

Commissioner Kaufmann made a motion to approve the Preliminary Plat for Block 2A, Prairie View Addition, a Replat of Block 2, Prairie View Addition, and Unplatted Lands in the N ½ of the NW ¼ of Section 12, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Scotts Bluff County, Nebraska. Second by Commissioner Crews. There was no discussion. The Secretary

called the roll. “AYES”: Taylor, Crews, Shimic, C. Kaufman and Hauck. “NAYS”: None. Abstain: None. Absent: Alvizar, T. Kaufman, Keener, and Miles. Motion carried.

- C. Consider Final Plat for Block 2A, Prairie View Addition, a Replat of Block 2, Prairie View Addition, and Unplatted Lands in the N ½ of the NW ¼ of Section 12, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Scotts Bluff County, Nebraska

City of Gering
PLANNING COMMISSION Recommendation and Report

To:	Planning Commission	Date:	7/15/2025
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Final Plat for Block 2A, Prairie View Addition, A replat of Block 2, Prairie View Addition, an addition to the City of Gering, Nebraska and unplatted lands in the North half of the Northwest quarter of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska	Property Size:	3.05 ACRES
Location:	665 D Street, Gering, Nebraska	#Lots/Parcels:	1
Owner:	Kurt L. / Vicke E. Weber	City Council Public Hearing:	7/28/2025

Agenda Item Summary

The City has received an application for the Final Plat of Block 2A, Prairie View Addition. This is a replat that will combine three existing lots into one. The property owner has requested the replat for tax purposes. Because a portion of the property is currently unplatted, this must go through Planning Commission and Council instead of being approved administratively.

Recommendation

Approve

Make a Positive Recommendation for City Council to approve the Final Plat of Block 2A, Prairie View Addition, a replat of Block 2, Prairie View Addition, and addition to the City of Gering, Nebraska, and unplatted lands in the North ½ of the Northwest ¼ of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Deny

Make a Negative Recommendation for City Council to approve the Final Plat Block 2A, Prairie View Addition, a replat of Block 2, Prairie View Addition, and addition to the City of Gering, Nebraska, and unplatted lands in the North ½ of the Northwest ¼ of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

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Table making a recommendation on the Final Plat Block 2A, Prairie View Addition, a replat of Block 2, Prairie View Addition, and addition to the City of Gering, Nebraska, and unplatted lands in the North ½

of the Northwest ¼ of Section 12, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

Engineer Folck explained that this report correlates with the previously presented preliminary plat for this location; this is the final plat, which will be the official document recorded with the Register of Deeds. She stated that staff is recommending approval of the final plat.

Motion made by Commissioner Kaufmann to approve the Final Plat for Block 2A, Prairie View Addition, a Replat of Block 2, Prairie View Addition, and Unplatted Lands in the N ½ of the NW ¼ of Section 12, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Scotts Bluff County, Nebraska. Seconded by Commissioner Crews.

Discussion followed: Commissioner Hauck asked for clarification on whether this item would proceed to the City Council. Engineer Folck confirmed that the Planning Commission's recommendation will be forwarded to the City Council for final approval.

The Secretary called the roll. "AYES": Taylor, Crews, Shimic, C. Kaufman and Hauck. "NAYS": None. Abstain: None. Absent: Alvizar, T. Kaufman, Keener, and Miles. Motion carried.

5. City Engineer Report

Engineer Folck stated that, in the interest of time, she would distribute her report to the Planning Commission via email.

6. Open Comments:

Commissioner Taylor noted that discussion or action by the Planning Commission regarding unscheduled business will not take place. This section is for citizen comment only. He asked they state their name and address if they would like to address the Planning Commission.

There was none.

7. Adjourn

Motion made by Commissioner C. Kaufmann to adjourn. Seconded by Commissioner Crews. There was no discussion. The Secretary called the roll. "AYES": Taylor, Crews, Shimic, C. Kaufman and Hauck. "NAYS": None. Abstain: None. Absent: Alvizar, T. Kaufman, Keener, and Miles. Motion carried.

The meeting adjourned at 6:41 P.M.



Jody Miles, Chairman

ATTEST:



Karen Heins, Administrative Secretary