

THE OFFICIAL PROCEEDINGS OF THE CITY OF GERING PLANNING COMMISSION REGULAR MEETING, JANUARY 20, 2026

A regular meeting of the City of Gering Planning Commission was held in open session on January 20, 2026, at 6:00 p.m. in the Gering City Hall Council Chambers at 1025 P Street, Gering, NE. Present were Commissioners Alvizar, Hauck, T. Kaufman, Keener, Miles, and Waterman. Absent: Commissioners Crews, C. Kaufman, and Taylor. Also present were City Engineer Annie Folck, City Administrator Pat Heath, 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:

Chairman Miles called the meeting to order at 6:00 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

Chairman Miles 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 December 16, 2025, regular Planning Commission meeting

A motion was made by Commissioner T. Kaufman to approve the minutes of the December 16, 2025 regular Planning Commission meeting. Seconded by Commissioner Alvizar. There was no discussion. The Secretary called the roll. "AYES": Waterman, Keener, Miles, T. Kaufman, Hauck, Alvizar. "NAYS": None. Abstain: None. Absent: Crews, Taylor, C. Kaufman. Motion carried.

4. Current Business:

A. Public Hearing to consider a Zone Change from RR Rural Residential to C-1 Neighborhood Commercial for Lot 1, Block 2, Pappas Northwest Addition, City of Gering, Nebraska.

Chairman Miles opened a public hearing at 6:03 p.m. to consider a Zone Change from RR Rural Residential to C-1 Neighborhood Commercial for Lot 1, Block 2, Pappas Northwest Addition, City of Gering, Nebraska.

CITY OF GERING PLANNING COMMISSION RECOMMENDATION AND REPORT

To:	Planning Commission	Date:	1/20/2026
From:	Planning & Community Development	Zoning:	RR
Subject:	Recommendation & Report – Zone Change from RR Rural Residential to C-1 Neighborhood Commercial	Property Size:	
Location:	Lot 1, Block 2, Pappas Northwest Addition	#Lots/Parcels:	1
Owner:	Highway 71 Trust	City Council Public Hearing:	2/9/2026

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 to change the zoning on a property located on Lot 1, Block 2, Pappas Northwest Addition, generally located at the northwest corner of Five Rocks Road and Country Club Road. The application requests a change in zoning from RR Rural Residential to C-1 Neighborhood Commercial. The majority of the property is currently vacant, with some older farm sheds on the northern edge of the property (built in 1982).

The City's Comprehensive Plan describes this area as District 1, the Northwest Monument Neighborhood District. While it states that the predominant use is residential, it also states, "Small footprint and lower scale commercial uses that act to support the neighborhood may be appropriate at key intersections and in higher traffic areas. Commercial uses should be consistent with the character of the area in scale and design." Because this property is located on the intersection of Country Club Road and Five Rocks Road, two of the City's main arterials, this would be an area that is appropriate for neighborhood commercial. The map of the district also designates this intersection as being appropriate for a commercial node, with C-1 Neighborhood Commercial being listed as appropriate zoning for the node.

While C-2 or C-3, the City's less restrictive commercial zones, would not be appropriate, C-1, Neighborhood Commercial is the City's most restrictive commercial zone. The stated intent of the district is as follows:

3.9.1.A. INTENT. The C-1 Neighborhood Commercial District is intended primarily for the provision of retail and personal service facilities to satisfy the convenience-goods needs of the consumer relatively close to his/her place of residence.

Due to this being such a restrictive zone, uses like beauty shops, retail stores, medical facilities, and restaurants with no drive-through are permitted uses by right. Other uses that have the potential to generate more traffic/parking needs, such as banks, funeral homes, and drive-through restaurants, would be allowed only through a conditional use permit, meaning that neighbors would have to be notified and a public hearing would be held with the Planning Commission before such uses could be approved. The most intensive uses, such as industrial services or automobile repair shops, would not be allowed at all in this zone. A complete table showing permitted and conditional uses is attached.

Findings of Fact regarding the zone change:

- The Comprehensive Plan shows this area as being appropriate for a commercial node with C-1 Neighborhood Commercial zoning.
- The size of the property being rezoned is small enough that the development will be restricted to "small footprint lower scale commercial uses" such as what the Comprehensive Plan describes as being appropriate for the area.
- The location is at the intersection of two of the City's arterials, a very high-traffic area.
- The zone requested is the least intensive of the commercial zones and is intended to provide services relatively close to residential areas.

Recommendation

Approve

Recommend approval of a Zone Change from RR Rural Residential to C-1 Neighborhood Commercial for Lot 1, Block 2, Pappas Northwest Addition, City of Gering, for the following reasons:

Deny

Recommend denial of a Zone Change from RR Rural Residential to C-1 Neighborhood Commercial for Lot 1, Block 2, Pappas Northwest Addition, City of Gering, for the following reasons:

Table

Table considering a Zone Change from RR Rural Residential to C-1 Neighborhood Commercial for Lot 1, Block 2, Pappas Northwest Addition, City of Gering, for the following reasons:

Chairman Miles asked City Engineer Folck to provide her report and recommendation. Engineer Folck reported that the City had received an application to rezone the parcel shown on the map to C-1

Neighborhood Commercial. She reviewed the history of the property, noting that a similar rezoning request had been submitted approximately one year earlier. At that time, issues were identified within the City's Comprehensive Plan. Specifically, the Plan indicated in narrative form that commercial use would be appropriate at the intersection, but this was not reflected on the map.

Ms. Folck stated that the previous request for zone change failed, and subsequently, legal counsel advised the City that the inconsistency in the Comprehensive Plan created vulnerability to legal challenge, as the City could be viewed as not following its own Comprehensive Plan due to the ambiguity. As a result, and upon recommendation of legal counsel, the City undertook an effort to clarify whether commercial use should be allowed or ruled out at that intersection.

The matter was then brought before the Planning Commission and City Council. A recommendation was made, and the City Council voted to amend the Comprehensive Plan to clarify that C-1 Neighborhood Commercial zoning would be appropriate at the intersection.

Engineer Folck stated that, as amended, the Comprehensive Plan describes this area as District 1, the Northwest Monument Neighborhood District. While the district is predominantly residential, the Plan states that small-footprint, lower-scale commercial uses that support the surrounding neighborhood may be appropriate at key intersections and in higher traffic areas. The Plan further provides that such commercial uses should be consistent with the character of the area in terms of scale and design.

Ms. Folck noted that the subject property is located at the intersection of Country Club Road and Five Rocks Road, which are both major arterial streets. This location aligns with the Comprehensive Plan's recommendations for neighborhood commercial use. In addition, the map now shows a commercial node at this intersection, indicating that neighborhood commercial development is appropriate at this location.

Ms. Folck noted the intent of the C-1 Neighborhood Commercial zoning district, stating that the zoning code describes the district as intended primarily for the provision of retail and personal service facilities to satisfy the convenience-goods needs of the consumer relatively close to his/her place of residence. She emphasized that C-1 is the City's most restrictive commercial zoning district and that more intensive commercial zones, such as C-2 or C-3, would not be appropriate at this location. The C-1 district is intended to coexist with residential uses and to have minimal impact on surrounding neighborhoods.

Ms. Folck referenced the land use table included in the packet, which outlines permitted uses in the C-1 district. Permitted uses by right include, but are not limited to, beauty shops, retail stores, medical facilities, and restaurants without drive-through service. She explained that certain uses with the potential for increased traffic or parking impacts—such as banks, funeral homes, or drive-through restaurants—are only allowed through approval of a conditional use permit. Approval of such uses would require the applicant to return to the Planning Commission and demonstrate how traffic, parking, and related impacts would be addressed. More intensive uses, such as industrial services or automobile repair shops, are not permitted in the C-1 district.

Engineer Folck further noted that, during the Comprehensive Plan update process, the City also reviewed the list of permitted uses in the C-1 district and removed several uses, making the district even more restrictive. This was done to further reduce potential impacts on surrounding neighborhoods in the event of a rezoning to C-1.

Ms. Folck outlined findings of fact for the Commission's consideration. The Comprehensive Plan identifies the area as appropriate for a commercial node with C-1 Neighborhood Commercial zoning, and under Nebraska law, zoning changes are required to be consistent with the Comprehensive Plan. The size of the subject property is small, which limits development to small-footprint, lower-scale commercial uses consistent with the Plan's vision. She noted that large-scale retail development would not be feasible due to the physical constraints of the site.

Ms. Folck also stated that the property's location at the intersection of two arterial streets places it in a high-traffic area, and that the requested zoning district is the least intensive commercial classification available, intended to provide services in close proximity to residential areas.

Ms. Folck concluded by asking if there were any questions.

Commissioner Kaufman asked Engineer Folck to explain the difference between a commercial node and spot zoning, stating that the request seemed like spot zoning.

Ms. Folck responded that Nebraska case law establishes specific criteria that must be met for a rezoning to be considered spot zoning. She explained that the courts have made it clear that rezoning a single lot does not, by itself, constitute spot zoning. This is particularly true when the lot is of sufficient size that it could reasonably be subdivided into smaller lots. She noted that while being a single lot can be one factor, it must be considered in conjunction with other criteria.

Ms. Folck stated that one of the primary factors in determining whether a rezoning constitutes spot zoning is the lack of forethought or pre-planning. Spot zoning is typically characterized by an absence of consideration in the Comprehensive Plan and a lack of advance planning for the use. She explained that when the Comprehensive Plan articulates a vision for both the property and the surrounding area, the rezoning should not be considered spot zoning because it reflects intentional planning and forethought. She further explained that arguments against spot zoning often center on whether the rezoning fails to meet the requirements of the Comprehensive Plan and whether it represents an arbitrary or capricious decision unsupported by planning documents. In this case, she stated that the proposed rezoning is supported by the Comprehensive Plan.

Ms. Folck concluded by noting that the City's legal counsel has thoroughly reviewed the matter and is comfortable that the language in the Comprehensive Plan provides strong legal support for the rezoning and that it would be legally defensible.

Chairman Miles asked if there were any further questions from the Commission. Hearing none, he opened the floor to the public and invited anyone wishing to speak on the proposal to come forward, state their name and address, and noted that speakers would have five minutes.

Lonnie O'Bryan, 2830 21st Street, addressed the Commission. Mr. O'Bryan stated that, in reviewing the Comprehensive Plan, the preface emphasizes downtown development as the preferred focus. He expressed concern that the proposed development would not support downtown but would instead detract from it.

Mr. O'Bryan stated that a petition containing 20 signatures from neighboring property owners was previously submitted, indicating opposition to commercial development at the site. He noted that the original Comprehensive Plan showed the location only as a possible commercial node and expressed his belief that the subsequent designation of the area as a commercial node was an insult to the neighbors who opposed it.

Mr. O'Bryan stated that he would like to see downtown developed in a way that encourages appropriate traffic flow, attracts people to stop, and offers reasonable pricing so residents can enjoy downtown Gering rather than seeking lower prices elsewhere. He noted that he frequently travels through downtown for fuel and dines downtown several times per week, but noted that prices are often 10 to 20 percent higher than elsewhere and that service quality does not always meet expectations.

Mr. O'Bryan further stated that he had previously spoken with the City Administrator and Mayor regarding the placement of signage directing traffic to downtown, including signage with a website reference. He noted that the City's website previously listed a commercial group with outdated business names, which he stated was later corrected. He stated that he was told signage could not be placed along the street near the proposed development due to an ordinance intended to preserve visual views toward the Monument. He questioned how the proposed development would align with that goal, noting that existing trees already obstruct the view.

Mr. O'Bryan stated that, in his view, the City has focused on actions that increase sales tax revenue without adequately supporting opportunities for downtown development and use. He reiterated his belief that the proposed rezoning would detract from downtown and that downtown development should remain the primary focus, as referenced in the original Comprehensive Plan. He stated that he believed there was a

reason the location was originally identified only as a possible commercial node and not definitively designated as one. Mr. O'Bryan concluded by reiterating that there are approximately 20 individuals on record who oppose the proposed development.

Peggy Fegler, 120 Buffalo Circle, noted that she resides directly across from the location where she believes the entrance to the proposed multi-unit commercial development would be located. She stated that she reviewed the City of Gering zoning regulations adopted in November 2024 and referenced the section regarding amendments to change zoning districts.

Ms. Fegler commented on several criteria listed in the zoning regulations for amending zoning districts.

- 1) Would the change in district classification be consistent with the purpose of these regulations and the intent of the proposed district? She stated that the proposed change would be consistent with the purpose of allowing commercial use, as the intent is to rezone the property to a C-1 district.
- 2) What is the character and condition of the surrounding neighborhood? She described the surrounding neighborhood as entirely residential, quiet, and in good condition.
- 3) What are the uses of the properties nearby and district classification? She stated that nearby properties are zoned residential, with a mix of low-density and high-density housing.
- 4) Is the proposed amendment requested because of change or changing conditions in the area? Ms. Fegler stated that there have been no changes in the neighborhood during the eight years she has lived there.
- 5) Is the subject property suitable for the use to which it is restricted by the current district classification? She stated that the subject property is currently zoned R-1, which she believes is appropriate.
- 6) Is the subject property suitable for the uses that are permitted by the proposed district classification? Ms. Fegler stated that she does not believe the property is suitable for the uses allowed under the proposed C-1 zoning. She stated that this would be the only commercial node in Gering completely surrounded by residential development and noted that the site would have only one entrance. She expressed concern that the development would have only one access point, likely located across from her driveway and slightly east of another nearby residence due to grade limitations. She questioned whether a single access point would be sufficient and noted that other multi-unit commercial developments in Gering typically have both an entrance and an exit.

Ms. Fegler expressed concern about traffic impacts, particularly vehicles attempting to make left turns onto Country Club Road, which she described as busy at times. She also expressed concern about traffic from the Buffalo Ridge area and potential visibility issues for drivers determining right-of-way. She stated that drivers unable to make a left turn may instead turn right and travel into the dead-end street or residential areas to turn around. She noted that Buffalo Circle is a private road maintained by residents and expressed concern about increased traffic and wear.

Ms. Fegler also commented on the issue of spot zoning. She stated that she Googled the term and read a definition describing spot zoning: "Spot zoning is when a small parcel of land gets a different zoning classification than the surrounding area, often benefiting a single owner, but potentially conflicting with the community's master plan, making it controversial and sometimes illegal if seen as unfair, arbitrary, or not serving a broader public interest like a needed park or school. While it can be valid if it aligns with the comprehensive plan, it often faces the legal challenges as unreasonable treatment if it only serves private interests and harms neighbors by increasing traffic or noise."

Ms. Fegler stated that, in her view, the Comprehensive Plan was changed solely to do this. Some nodes were added along the new bypass, but nothing else. She acknowledged that the request may now technically meet the Comprehensive Plan but stated that it did not meet the original Plan prior to the amendments.

Kathy Carrillo, 2860 Monument Valley Drive, addressed the Commission and stated that the proposed rezoning affects her neighborhood. Ms. Carrillo referenced the City of Gering zoning regulations updated in November 2024 and cited the purposes and objectives section of the zoning ordinance: The Zoning Ordinance is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, the Zoning Ordinance is adopted in order to achieve the following objectives: which #11 states to protect and enhance real property values.

Ms. Carrillo stated that the property located at the corner of Country Club Road and Five Rocks Road is currently zoned Rural Residential. She stated that the surrounding area consists entirely of residential homes, with the exception of the golf course, which she said preserves and enhances the beauty and property values of the area.

She stated that allowing a commercial site at the entrance to this residential area would go against the purpose and objectives of the City of Gering's ordinances. She stated her understanding that the buyer of the property is requesting a zoning change to convenience commercial in order to place multiple businesses on the site. She noted that there are many reasons why changing the zoning to commercial would not be appropriate and added that she did not have sufficient time to address all of them.

Ms. Carrillo expressed concern for pedestrian safety, noting that residents frequently walk, run, bike, and walk dogs along Country Club Road and cross Five Rocks Road to continue north. She stated that the likelihood of vehicle accidents or pedestrian incidents would increase, thereby reducing safety and general welfare of residents in the area. Ms. Carrillo stated that she expects the Planning Commission to consider the future residential and commercial growth of Gering and Scottsbluff and noted that such growth would continue to increase traffic on Five Rocks Road, thereby increasing safety concerns.

Ms. Carrillo stated that the appearance of a commercial site would not enhance the look of the area and would not protect or increase surrounding property values. She stated that many existing commercial buildings in Gering and Scottsbluff lack architectural quality and are not well maintained, and she described many as appearing run down. She noted that the area in question is one of the few upscale areas of Gering and that residents take pride in maintaining their homes and properties. She expressed the opinion that commercial property owners rarely take pride in maintaining their properties, which she stated eventually results in unkempt and deteriorated appearances. She added that she does not want such an eyesore at the entrance to the neighborhood and that commercial development is not appropriate for the area. She further stated that construction in the area should be limited to residential use only and expressed concern about what she referred to as commercial "slum lords" in Gering.

Ms. Carrillo added that if the buyer were to sell the businesses or property in the future, there would be no guarantee regarding the type of businesses that might locate there. Noting that potential uses could include a vaping or cannabis store, convenience store, bar, or restaurant, she expressed concern about the types of customers associated with some of those uses. She stated that loitering could occur in the neighborhood, reducing safety, peace, comfort, and general welfare for residents and for those using the golf course or accessing the Scotts Bluff National Monument trail. She also stated that there would be an increased risk of robbery affecting both homes and individuals and that residents would no longer be able to enjoy the area.

Ms. Carrillo also expressed concern about conditions behind a commercial site, stating that dumpster areas are often not kept clean, which could lead to litter spreading into surrounding properties. She noted that trash accumulation can attract rodents, leading to pest and health issues. She further stated that homeless individuals are known to congregate or live behind commercial buildings, which could result in panhandling and additional impacts to the safety, peace, comfort, and general welfare of business patrons and nearby residents. Having exceeded the allotted five minutes for addressing the Commission, she concluded her remarks requesting the Commission to vote against the rezoning.

Jeffrey Alexandre, 2434 Pacific Boulevard, stated that he previously served on the Planning Commission and participated in the economic development comprehensive plan process from its inception through completion. He stated that he attended nearly all meetings related to the Plan and described himself as strongly pro-business, noting that his votes while serving on the Commission were consistently in support of business development.

Mr. Alexandre stated that opposition to development near neighborhoods is common and that he has heard similar concerns many times. He stated that, in his view, if the City does not grow, it will decline. He referenced information from Twin City Development indicating that Gering is projected to shrink in population, which he stated would result in reduced tax revenue and fewer resources for the community.

Mr. Alexandre stated that the City has earned the opportunity to grow and that Gering should be recognized as a pro-business community. He acknowledged concerns about potential impacts to nearby properties but stated that he is concerned about rising property taxes and believes economic growth can benefit the community as a whole.

Mr. Alexandre stated that the Comprehensive Plan was always intended to allow for change and adaptation over time. He disagreed with the assertion that recent amendments were made solely for this proposal and stated that the Plan was developed with thoughtful intent from the beginning.

Mr. Alexandre stated that he was speaking on behalf of many individuals who want to keep families and young people in the community, maintain affordable property taxes, and welcome new businesses. He stated that he trusts the City to ensure that appropriate businesses locate in Gering and expressed confidence in the City's decision-making process. He concluded by stating his full support for the proposed rezoning.

Kevin Mooney, 70 Buffalo Circle, stated that he resides in the same subdivision as a prior speaker and that he initially shared many of the same concerns and opposition expressed by neighboring residents.

Mr. Mooney stated that, after further review and discussions with City staff, he believes that commercial development at the site is likely to occur in the future and that continued opposition may not ultimately change that outcome. He noted that while the property has been residential for many years and he believes it is well suited for residential use, current market conditions have limited the construction and sale of residential homes of that type.

Mr. Mooney added that while government is often believed to act in the public's best interest, this is not always the case. He stated that if the rezoning is approved, several concerns would still need to be addressed. He emphasized traffic impacts as a primary issue and stated that traffic on Country Club Road is more than many people realize due to residential development in the area and traffic associated with the golf course.

Mr. Mooney stated that a traffic study had been proposed but was not completed, and that a study should be conducted to more accurately assess traffic conditions. He expressed concern regarding the proximity of multiple access points, including the entrance to Buffalo Circle, the proposed commercial access, Five Rocks Road traffic, and traffic from the golf course and nearby homes.

Mr. Mooney described difficulty exiting Buffalo Circle, particularly when attempting to turn right onto Country Club Road due to downhill traffic traveling at speeds exceeding the posted limit. He stated that traffic safety concerns need to be addressed and suggested the installation of traffic signage, similar to speed display signs near schools, to encourage drivers to slow down and be aware of entering and exiting traffic.

Mr. Mooney stated that these concerns should be considered as conditions of approval if the rezoning is granted. He emphasized that the traffic concerns raised by nearby residents, particularly those living along Buffalo Circle, are valid. He noted that additional considerations such as landscaping and buffering could be addressed at a later stage but urged the Commission to recognize that unresolved issues remain and should be evaluated if the rezoning is approved. Mr. Mooney concluded by thanking the Commission for considering his comments.

Tom Swan, 3005 Monument Shadows, stated that he also has concerns regarding traffic in the area. He further questioned the economic impact of the proposed development, asking what types of businesses are anticipated and whether they would provide higher-paying jobs with benefits such as health insurance and retirement plans, or be primarily minimum-wage positions.

Mr. Swan stated that while new construction would generate additional property tax revenue, he was concerned about the broader economic benefit to families in the community. He expressed the view that the City needs more quality jobs that support families and stated that such positions are currently lacking in the area.

Mr. Swan noted that, although he is retired and does not commute during peak hours, residents who must travel to work in the morning may experience increased traffic congestion. He stated that accessing the area can already be challenging at times and expressed concern that additional development could worsen traffic conditions.

Mr. Swan concluded by asking whether an economic impact study or job creation analysis had been conducted in connection with the proposed development.

Engineer Folck responded to questions regarding economic impact, stating that with a zoning change, the City must consider not only the applicant's immediate proposal but also any uses that could be permitted under the zoning classification in the future. She noted that while the applicant was present and could speak to her specific plans, the City does not typically conduct economic impact studies as part of zoning change requests.

Commissioner Swan asked whether the proposed development would create new jobs or simply relocate existing jobs from other parts of the City. Ms. Folck indicated that the applicant could address those questions following the conclusion of public comments. Commissioner Swan stated that he had no further comments.

Katie Smith, 90110 CR 19, Scottsbluff, addressed the specific question from the earlier speaker, and explained that she operates a physical therapy practice and described her plans for the proposed development. She stated that the project would include medical-related businesses, including her physical therapy practice and a medical spa operated by a nurse practitioner. She stated that the medical spa would provide primary care services as well as services such as weight loss treatment and cosmetic procedures, and that it would employ additional nurse practitioners and medical staff.

Ms. Smith further stated that the development would include a gym facility with an estimated staff of 10 to 15 employees, as well as another spa business with approximately 10 support staff. She stated that the project would consist of two buildings housing multiple businesses and estimated that the development would create approximately 30 to 40 jobs, including both professional, higher-paying positions and support staff roles.

Bonnie Fedders, 2445 Shadow Ridge Rd, submitted the following note:

"I am Bonnie Fedders and a resident of Gering. I have concerns about the proposed zoning changes in order to develop the land on the corner of Five Rocks Rd and Country Club Rd. My main concerns are as follows: I am concerned about the increased traffic especially since that corner is prone to traffic accidents already. I am concerned about commercial buildings being so close to a residential area. In the event that the commercial property would not be properly maintained, it would cause our property values to decrease. I also feel that the vacant downtown Gering buildings would be a great place for the proposed development. I am in favor of new business coming to Gering. We need more restaurants, gyms, doctor's offices, salons, etc. Thank you for your consideration."

Chairman Miles asked if there were any additional questions or comments. Commissioner Alvizar asked whether uses listed as permitted uses in the zoning table could be changed to conditional uses in the future if the rezoning were approved and additional feedback were received regarding desired or undesired uses.

Ms. Folck responded that the land use table can be amended. She explained that any such amendment would be required to follow the same process previously used, including review by the Planning Commission and City Council and the holding of public hearings before both bodies. She noted that similar changes had been made following prior actions.

Commissioner Alvizar further asked whether a request to amend permitted uses could be initiated by a Planning Commissioner or whether it must originate from the public.

Ms. Folck responded that a request for a change can be initiated by any party and would be considered by staff. She stated that if the request is supported by staff and legal counsel, it would be placed on an agenda for consideration by the Planning Commission and City Council. Commissioner Alvizar thanked staff for the clarification.

The Chair then asked for any further comments. Hearing none, the Chair closed the public hearing at 6:41 p.m.

Before a motion was made, Commissioner Alvizar asked for clarification regarding the next steps if the zone change were approved, specifically whether conditions could be applied to address concerns such as landscaping, traffic, and screening of dumpsters.

Ms. Folck clarified that conditions cannot legally be applied to a zone change. However, existing zoning regulations already require compliance with landscaping standards, buffer zones, and screening of trash areas, which will automatically apply. She also noted that traffic concerns would be addressed by the City, including budgeted studies and improvements to traffic signals to improve efficiency. Ms. Folck further explained that conditions could be applied if a conditional use permit were sought for a specific use under the zoning code. It was emphasized that the Planning Commission's role is to make a recommendation to the City Council, which has the final authority on the zone change. Ms. Folck also noted that, per bylaws, at least four affirmative votes are required to advance a positive recommendation; a 3-3 tie would result in no recommendation being forwarded to the Council.

Commissioner Keener asked Ms. Folck for further clarification regarding potential traffic modifications at the intersection of Country Club Road and Five Rocks Road. Ms. Folck reported that some improvements had already been completed, including the extension of turn lanes on Five Rocks Road to accommodate traffic speed and volume. She indicated that the next steps include additional traffic studies and potential updates to the traffic signal controller to optimize light timing and improve efficiency, particularly for right-turn movements and traffic counts.

Following the discussion, Commissioner Keener made a motion to recommend approval of the zone change from RR Rural Residential to C-1 Neighborhood Commercial for Lot 1, Block 2, Pappas Northwest Addition, City of Gering. Commissioner Keener stated that the proposal aligns with the Comprehensive Plan, supports business growth, and adds medical job opportunities to the community. The motion was seconded by Commissioner Waterman. There was no further discussion. The Secretary called the roll. "AYES": Waterman, Keener and Alvizar. "NAYS": Miles, T. Kaufman and Hauck. Abstain: None. Absent: Crews, C. Kaufman, Taylor. The motion resulted in a tie vote. As a result, the item will go forward to the City Council without a formal recommendation from the Planning Commission.

B. Consider Preliminary Plat for Hobbs Horizon Addition, Southwest Quarter of Section 1, Township 21 North, Range 55 West, 6th P.M., City of Gering, Scotts Bluff County, Nebraska

Chairman Miles introduced the next agenda item stating that the Planning Commission would consider the preliminary plat for Hobbs Horizon Addition, Southwest Corridor, Section 1, Township 21 North, Range 55 West, City of Gering, Scotts Bluff County, Nebraska. He asked Engineer Folck to provide the recommendation and report.

CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT

To:	Planning Commission	Date:	1/20/2026
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Preliminary Plat for Hobbs Horizon Addition, Southwest Quarter of Section 1, Township 21 North, Range 55 West, 6 th P.M., City of Gering, Scotts Bluff County, Nebraska	Property Size:	37.4 acres
Location:		#Lots/Parcels:	95
Owner:	OIKOS Development Corporation	City Council Public Hearing:	2/9/2026

Agenda Item Summary

The City has received an application for a Preliminary Plat for Hobbs Horizon Addition, Southwest Quarter of Section 1, Township 21 North, Range 55 West, 6th P.M., City of Gering, Scotts Bluff County, Nebraska. While the applicant plans on developing this property in phases, the Preliminary Plat lays out all of the streets and utilities for the entire property. This ensures that there is a comprehensive plan rather than a piecemeal approach to development. The preliminary plat includes 95 lots, which are sized appropriately for four-plexes or duplexes.

The street layout is designed to tie in to the existing surrounding streets, with H and I Streets being connected as through streets. Pappas Boulevard would also be extended through the development to intersect with H and I. The property would have additional outlets through 2nd Street, J Street, and 3rd Street. The 3rd Street outlet will be especially important as that will allow the development to have direct access to D Street.

The water and sewer plans will tie into the existing system which has been stubbed into the property. Water will be looped at all locations to provide better water quality and adequate fire flows. There will be a storm sewer system installed, which will outlet into a proposed detention basin. The overflow from the detention basin will go to the D Street drain to the south.

Staff has reviewed the preliminary plat and believes that it meets all of the requirements to be approved.

Recommendation

Approve

Make a positive recommendation for City Council to approve the Preliminary Plat for Hobbs Horizon Addition, located in the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Nebraska

Deny

Make a negative recommendation for City Council to approve the Preliminary Plat for Hobbs Horizon Addition, located in the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Nebraska

Table

Table making a recommendation on the Preliminary Plat for Hobbs Horizon Addition, located in the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Nebraska

Engineer Folck reported that it had been a couple of years since this area was rezoned. Showing a vicinity map, she explained that the property is located north of D Street near McClellan Park, west of the Pappas Addition, and east of the Deerfield Addition. The parcel encompasses 37.4 acres, and the current owner plans to develop the property over time in multiple phases.

Engineer Folck emphasized the importance of a long-term vision for phased developments to ensure coherent planning for water, sewer, streets, grading, utilities, stormwater management, alleyways, and access. She noted that the preliminary plat includes multiple pages, each covering these aspects, and that it clearly outlines the proposed phasing.

She described the phasing as follows:

Phase 1: Completion of I Street to connect the currently stubbed ends, extending north to 2nd Street and south to the proposed Snodgrass Street.

Phase 2: Development north of Phase 1, connecting to 2nd Street and completing J Street.

Phase 3: Extension of H Street to Snodgrass Street and Third Street down to D Street, providing an essential outlet to the arterial roadway.

Phase 4: Extension of H Street eastward to the stubbed end.

Phase 5: Extension of Pappas Boulevard and connection with Snodgrass Street.

Engineer Folck also highlighted stormwater management plans, noting a designated retention area intended to serve dual purposes as both recreational green space and stormwater retention, with overflow directed to the D Street drain. She concluded that staff had reviewed all materials, requested minor changes, and recommended approval of the preliminary plat.

When asked by Chairman Miles to locate McClellan Park, Engineer Folck indicated its position on the map adjacent to the property.

Chairman Miles asked if the applicants were present in case the commissioners had any questions. Engineer Folck indicated that no one was present on behalf of the applicants. Chairman Miles then inquired if there were any questions for Engineer Folck.

Commissioner Alvizar asked whether the street completion and other concerns mentioned were already addressed in the proposed plan or if staff recommended adding them as conditions. Engineer Folck responded that the phasing plan proposed by the applicant already includes these elements. She noted that the phasing is shown on the preliminary plat, and explained that enforcement would occur as the applicant submits final plats. The final plats would correspond to each phase, beginning with Phase 1, and would proceed in the order proposed in the preliminary plat as properties are formally subdivided.

Commissioner Hauck pointed out a map on the bottom of the materials, which referenced Japan, East China, and Hong Kong, and asked for clarification on its relevance to the City of Gering. Engineer Folck explained that the reference was related to ESRI, the company providing the aerial imagery, which has licenses internationally. She clarified that the notation did not indicate a direct connection between the City of Gering and those countries.

Commissioner Keener asked whether the proposed plans accommodate emergency vehicle access, including fire and ambulance services. Engineer Folck confirmed that the plans are designed to meet those requirements.

Chairman Miles then called for a motion to recommend to the City Council approval, denial, or tabling of the preliminary plat for Hobbs Horizon Addition, Southwest Corridor of Section 1, Township 21 North, Range 55 West, City of Gering, Scotts Bluff County, Nebraska.

Commissioner T. Kaufman made a motion to recommend approval of the preliminary plat for Hobbs Horizon Addition, Southwest Corridor of Section 1, Township 21 North, Range 55 West, City of Gering, Scotts Bluff County, Nebraska. The motion was seconded by Commissioner Keener. There was no further discussion. The Secretary called the roll. "AYES": Waterman, Keener, Miles, T. Kaufman, Hauck and Alvizar. "NAYS": None. Abstain: None. Absent: Crews, C. Kaufman, Taylor. Motion carried.

C. Consider Final Plat for Block 1 of Hobbs Horizon Addition, Southwest Quarter of Section 1, Township 21 North, Range 55 West, 6th P.M., City of Gering, Scotts Bluff County, Nebraska

The Planning Commission next considered the final plat for Block 1 of Hobbs Horizon Addition, Southwest Corridor of Section 1, Township 21 North, Range 55 West, City of Gering, Scotts Bluff County, Nebraska. Chairman Miles invited Engineer Folck to provide the recommendation and report.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	1/20/2026
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Final Plat for Hobbs Horizon Addition, Southwest Quarter of Section 1, Township 21 North, Range 55 West, 6 th P.M., City of Gering, Scotts Bluff County, Nebraska	Property Size:	10.15 Acres
Location:	East of 6 th Street and North of D Street	#Lots/Parcels:	24
Owner:	OIKOS Development Corporation	City Council Public Hearing:	2/9/2026

Agenda Item Summary

The City has received an application for a Final Plat for Hobbs Horizon Addition, Southwest Quarter of Section 1, Township 21 North, Range 55 West, 6th P.M., City of Gering, Scotts Bluff County, Nebraska. The final plat is for the first phase of the subdivision, which will include approximately 10.15 acres. For this initial phase, there will be 24 lots. I Street will be completed, and 2nd Street and Snodgrass Street will be stubbed out for future development.

Staff has reviewed the final plat and is recommending approval contingent on a development agreement being executed that will specify that the applicant is responsible for the cost of all necessary improvements.

Recommendation

Approve

Make a positive recommendation for City Council to approve the Final Plat for Block 1, Hobbs Horizon Addition, located in the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Nebraska

Deny

Make a negative recommendation for City Council to approve the Final Plat for Block 1, Hobbs Horizon Addition, located in the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Nebraska

Table

Table making a recommendation on the Final Plat for Block 1, Hobbs Horizon Addition, located in the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6th P.M., City of Gering, Nebraska

Engineer Folck reported that the final plat under consideration represents phase one of the development. The developer intends to construct the roadway and complete utilities for all lots within the phase. Initially, homes are planned only on the eastern half, but utility infrastructure will be installed for the entire phase to maintain continuity.

Engineer Folck recommended approval of the final plat, confirming that it meets all code requirements and aligns with the preliminary plat. Approval is contingent upon the execution of a development agreement at the City Council level, which will specify the timeline for installation of streets and utilities and clarify that associated costs are the responsibility of the developer, not the city.

Chairman Miles inquired about drainage and stormwater management, noting that portions of the development currently lack completed infrastructure. Engineer Folck explained that the development agreement will

address these concerns. The current plan requires the developer to establish the retention area so that storm sewer systems can outlet appropriately, even prior to full build-out.

Chairman Miles then called for a motion to recommend to the City Council approval, denial, or tabling of the Final Plat for Block 1, Hobbs Horizon Addition, Southwest Corridor of Section 1, Township 21 North, Range 55 West, 6 P.M., City of Gering, Scotts Bluff County, Nebraska.

Commissioner T. Kaufman made a motion to recommend approval of the Final Plat for Block 1 of Hobbs Horizon Addition, Southwest Corridor of Section 1, Township 21 North, Range 55 West, 6th P.M., City of Gering, Scotts Bluff County, Nebraska. The motion was seconded by Commissioner Alvizar, noting that the approval should include the development agreement as part of the final plat conditions. Commissioner T. Kaufman agreed to include that addition to the motion. There was no further discussion. The Secretary called the roll. "AYES": Waterman, Keener, Miles, T. Kaufman, Hauck and Alvizar. "NAYS": None. Abstain: None. Absent: Crews, C. Kaufman, Taylor. Motion carried.

5. City Engineer Report

Engineer Folck stated that there was not much to report at this time. She noted that the primary planning items had already been addressed during this meeting. No additional applications had been received. She added that if any new applications are received in the coming days, a meeting would be scheduled in February; otherwise, the next Planning Commission meeting would likely occur in March. Chairman Miles thanked Engineer Folck for her report.

6. Open Comments:

Chairman Miles noted that the Planning Commission would not be engaging in discussion or taking action on any unscheduled business during this portion of the meeting. He explained that this time was designated for citizen comment only. He invited members of the public to speak, requesting that they state their name and address before addressing the Commission, and reminded speakers of the five-minute time limit.

Jeffrey Alexandre, 2434 Pacific Boulevard, inquired about the potential financial impact of the development on the City of Gering. City Engineer Folck responded that she was not prepared to provide an estimate without further research.

Barry Hadsell, 665 H Street, requested updated copies of the project maps, noting that he only had an older version. Chairman Miles and Engineer Folck confirmed that hard copies were available that evening and that the full packet is also accessible online through the City's website.

Mr. Hadsell expressed concerns about the condition of H Street, noting that it is not suited for construction equipment, citing existing potholes and the creation of dust storms from ongoing construction. He emphasized the impact of construction on residents, including difficulties with dirt, equipment traffic, and snow removal in the winter.

He asked whether the development would provide access to D Street. Engineer Folck confirmed that access to D Street is planned during the third phase of construction. Mr. Hadsell also inquired about access to M Street, which Engineer Folck clarified is not currently connected but could be possible in future platting plans. Mr. Hadsell concluded by stating that proper access to D Street would be critical for mitigating impacts to H Street residents during construction.

Kim Graslie, 985 5th Street, indicated that she had listened to previous speakers regarding traffic concerns and noted that residents attempted to raise similar concerns when the rezoning issue for this area was first discussed. She explained that the Deerfield Addition is currently an isolated neighborhood, primarily accessed only by residents and their visitors, which allows children to safely play and ride bicycles due to low traffic volume.

Ms. Graslie expressed concern that the proposed development would introduce a new street connecting directly into her street, resulting in a significant increase in traffic. She stated that residents' previous concerns about traffic were dismissed and that assurances were given that traffic would not be an issue. She referenced the City's Comprehensive Plan, which indicates that higher-density residential development should be located near a main thoroughfare, such as M Street, and noted that access from D Street had been discussed. She stated she was pleased to hear that an additional access point to D Street would be added, noting that D Street currently has homes on only one side due to a drainage ditch.

Ms. Graslie asked whether the preliminary plat reflected what the developer intended to build. Ms. Folck responded that the preliminary and final plat show what is currently proposed. Ms. Graslie stated that the developer had previously indicated that duplexes would be located near already established homes, such as those backing up to the pasture, and asked whether anything higher than a fourplex could be built. Ms. Folck responded that the current proposal shows no development higher than fourplexes.

Ms. Graslie noted that the original rezoning application was for duplexes and fourplexes only and asked whether the developer could later change that plan. Ms. Folck explained that while the zoning could allow more density, the current lot sizes shown on the preliminary plat would only accommodate up to fourplexes, and any higher density would require reconfiguration of lots. Ms. Graslie reiterated her concern about higher-density development and expressed hope that the developer would be held to the commitments made in the original application, particularly regarding the placement of duplexes near existing residences.

Ms. Graslie stated that the proposed development would significantly change the character of the neighborhood, including traffic patterns. She noted that the developer had withdrawn from several prior commitments, including a proposed covenant limiting development to fourplexes if the property were sold, and had changed plans regarding partially rezoning the property. She expressed concern about whether commitments made to help existing residents would be followed through, particularly for those who have lived in the area for over 40 years, paid taxes, and supported the community.

Ms. Graslie also asked for clarification if the proposed units would be rental properties, with no owner-occupied homes in the first phase, and asked whether the developer would retain ownership. Ms. Folck responded that for the first phase, the units would be privately owned by the developer, with future phases yet to be determined. Ms. Graslie thanked the Commission for the opportunity to speak.

Toni Lacy, 695 H Street, expressed concern about the potential traffic impact from the Hobbs Horizon Addition. She stated that she feared the neighborhood would no longer be the same as the one she has lived in for the past 13 years or wishes to continue living in.

Ms. Lacy indicated that increased traffic would make it difficult for residents to exit their driveways and noted that traffic would be present both in the mornings due to school activity and in the afternoons as people return home from work. She stated that she believed access to the development should be directed to D Street rather than through the existing neighborhood streets, as constant traffic through the neighborhood was her primary concern.

Ms. Lacy stated that, as previously noted by Ms. Graslie, current traffic on neighborhood streets consists primarily of residents. She acknowledged the desire to bring more people to the community and provide additional housing but questioned the need for new housing when there is limited industry and job availability in the area. She requested that the Commission reconsider opening neighborhood streets and instead limit access to streets such as D Street or M Street, where higher traffic volumes already exist, and impacts on nearby residents would be reduced. Ms. Lacy thanked the Commission.

Jeffrey Alexandre, 2434 Pacific Boulevard, commented on the concerns regarding housing availability and economic development in Gering. Mr. Alexandre noted that companies are unlikely to relocate to City of Gering without adequate housing for employees. He emphasized that Gering currently lacks sufficient rental and quality housing and stated that new development is necessary to support future economic growth. He stressed that restricting housing development based on a perceived lack of jobs would be counterproductive, as housing availability is a key factor companies consider when deciding to move to a community.

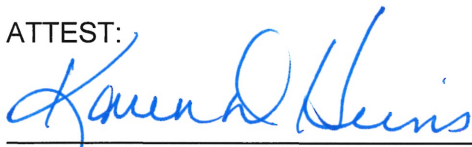
With no further public comments or business before the Planning Commission, Chairman Miles called for a motion to adjourn the meeting.

7. Adjourn

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

The meeting adjourned at 7:15 p.m.

ATTEST:



Karen Heins, Administrative Secretary



Jody Miles, Chairman