THE OFFICIAL PROCEEDINGS OF THE CITY OF GERING PLANNING COMMISSION REGULAR MEETING, MARCH 17, 2026

A regular meeting of the City of Gering Planning Commission was held in open session on March 17, 2026, at 6:00 p.m. in the Gering City Hall Council Chambers at 1025 P Street, Gering, NE. Present were Commissioners Waterman, Crews, Taylor, Keener, Miles, C. Kaufman, T. Kaufman, and Hauck. Absent: Commissioner Alvizar. Also present were City Engineer Annie Folck 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, Article14

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 January 20, 2026, regular Planning Commission meeting

A motion was made by Commissioner Keener to approve the minutes of the January 20, 2026 regular Planning Commission meeting. Seconded by Chairman Miles. There was no discussion. The Secretary called the roll. "AYES": Hauck, Miles, Keener and Crews. "NAYS": None. Abstain: C. Kaufman and Taylor. Absent: Waterman (arrived after vote), T. Kaufman (arrived after vote), Alvizar. Motion carried.

4. Current Business:

A. Planning Commission Organizational Meeting per City Code 32.002 (E)

i. Election of Chairperson

Chairman Miles entertained nominations for Chairperson. Commissioner Miles nominated Commissioner Keener. Commissioner Hauck nominated Commissioner Miles. There were no other nominations for Chairperson.

Commissioner Crews moved to cease nominations. Motion seconded by Commissioner T. Kaufman. Commissioners voted by ballot submitted to Secretary. Chairman Miles then asked the Secretary to read the ballots aloud. Results were Commissioner Keener five (5) votes and Chairman Miles three (3) votes.

Commissioner Miles announced Commissioner Levi Keener as the City of Gering Planning Commission Chairperson. Commissioner Keener assumed the duties of Chair immediately.

ii. Election of Vice-Chairperson

Chairman Keener entertained nominations for Vice-Chairperson. Commissioner Taylor nominated Commissioner Miles. Commissioner Miles nominated Commissioner C. Kaufman. There were no other nominations for Vice-Chairperson.

Commissioner T. Kaufman moved to cease nominations. Motion seconded by Commissioner Miles. Commissioners voted by ballot submitted to Secretary. Chairman Keener then asked the Secretary to read the ballots aloud. Results were Commissioner Miles four (4) votes and Commissioner C. Kaufman four (4) votes. Commissioner Miles yielded to Commissioner C. Kaufman.

Chairman Keener announced Commissioner C. Kaufman as the City of Gering Planning Commission Vice-Chairperson.

iii. Appointment of Planning Commission Secretary

Motion by Commissioner Miles to appoint Karen Heins as Planning Commission Secretary. Seconded by Commissioner Taylor. There was no discussion. The Secretary called the roll. "AYES": Waterman, Keener, T. Kaufman, C. Kaufman, Hauck, Taylor, Miles and Crews. "NAYS": None. Abstaining: None. Absent: Alvizar. Motion carried.

B. Public Hearing to consider a Redevelopment Plan submitted by Paul and Adam, LLC for the Scotts Bluff County DMV Project, generally located near intersection of Country Club Road and 12th Street

i. Review and take action on Resolution PC3-26-1 regarding a recommendation on the Redevelopment Plan for the Scotts Bluff County DMV Project

Chairman Keener opened a public hearing at 6:13 p.m. to consider a Redevelopment Plan submitted by Paul and Adam, LLC for the Scotts Bluff County DMV Project, generally located near intersection of Country Club Road and 12th Street.

Chairman Keener asked City Engineer Folck to provide her report and recommendation. Engineer Folck reported that the City had received an application for Tax Increment Financing (TIF) and proceeded to describe the general location of the proposed project. She indicated the site in relation to Country Club Road, 10th Street, and the Western Sleep Center, explaining that the new development would be constructed behind that existing facility. She referenced a conceptual drawing, noting the plan included a building, associated parking, and an area designated for motorcycle testing. She added that a loading dock was anticipated to allow for semi-inspections and CDL testing.

Ms. Folck explained that the property owner intended to construct the facility and lease it to the State for use by the DMV, which would allow the property to remain on the tax rolls as privately owned. She noted the property is currently vacant and valued at $67,629, and that upon completion it is estimated to be valued at approximately $2,600,000. This increase in value would generate about $799,134.62 in available TIF funds. She stated the redeveloper is requesting $588,241 in TIF assistance to offset eligible project costs, including grading, utilities, paving, and landscaping.

She clarified that the Planning Commission's role in reviewing the TIF application is limited by state statute to determining whether the project conforms to the City's Comprehensive Plan. She referenced a memo from legal counsel included in the packet that outlined this standard of review and explained how the project meets those requirements.

Ms. Folck highlighted that the Comprehensive Plan designates the area as part of the 10th Street Commerce and Industry District and encourages efforts to enhance the appearance of this northern gateway into Gering. She stated the zoning is appropriate for the proposed development and reviewed several applicable policies. These included promoting commercial development in areas with good transportation access, encouraging infill development on vacant or underutilized sites, supporting compatible redevelopment consistent with neighborhood character, and enhancing gateway areas. She noted that the location along Country Club Road would improve traffic conditions, particularly by reducing semi traffic through downtown.

Based on these considerations, Ms. Folck stated that staff finds the project to be in conformance with the Comprehensive Plan and recommended approval. She added that legal counsel also recommended approval and then opened the floor for questions.

In response, Commissioner Hauck inquired about the status of 12th Street. Ms. Folck explained that staff had discussed this with the redeveloper, noting the property is currently one large parcel that will be subdivided. She stated that a remaining portion would stay undeveloped, and future access options were being considered. While the cul-de-sac extension may not be immediately necessary if access is taken from 10th Street, she indicated that extending it in the future would provide greater flexibility for subdividing the property into additional lots.

Ms. Folck further explained that paving at least a portion of the area initially would be beneficial, as it would allow the parking lot to outlet on the west, improving traffic flow, particularly for vehicles entering and exiting the site.

Commissioner Hauck inquired about the presence of a chain link fence on the west end of the property and asked whether it would be removed to accommodate access.

Ms. Folck responded that she was not certain of the exact location of the fence but noted that the area is City property. She explained that a portion of the land would be dedicated as public right-of-way and that it is currently used for snow storage. She added that adjustments may be necessary once the street is constructed.

Commissioner Hauck then asked whether access to the DMV facility would be exclusively from Country Club Road or from multiple points. Ms. Folck indicated that the plan included access from more than one location and deferred to the applicant for confirmation. The applicant confirmed that access would be provided from both locations, particularly to accommodate semi-truck circulation, allowing vehicles to enter from one access point and exit from another.

Chairman Keener asked if there were any additional questions for staff. Hearing none, he invited the public wishing to speak to come forward, state their name and address, and noted a five-minute time limit.

Curt Richter, 495 Second Street, addressed the Commission, noting his role as the Special County Public Transit Manager. He explained that he had submitted a grant application for a new transit facility and identified the project site as a preferred location. He stated that his initial concept utilized the entire lot and requested consideration for maintaining access from 12th Street. He explained that, if the grant were awarded, maintaining that access would allow for placement of a transit facility designed to accommodate up to 50 buses, representing an estimated $17 million federally funded project.

Mr. Richter emphasized the importance of access to Country Club Road for safety reasons, noting that it would prevent buses from entering and exiting onto 10th Street. He added that the proposed facility would include public parking, a large meeting room capable of accommodating up to 100 people for community events or meetings, and consolidated administrative and bus storage functions, which are currently located in separate and limited spaces. He reiterated that while the grant had not yet been awarded, the site remained his preferred location and requested that 12th Street access be preserved for future flexibility.

Shane Cochran with Paul Reed Construction, representing the owner, stated he was available to answer questions. He noted that the DMV has recently constructed similar facilities in Norfolk and Grand Island and that the proposed design reflects the State's preferred layout.

In response to a question from Commissioner Hauck regarding the project timeline, Mr. Cochran stated that, if approved, construction could begin within three to four weeks, with an anticipated completion timeframe of approximately ten months, targeting completion by February of the following year.

Chairman Keener asked if there were any additional questions or comments from the public. Hearing none, he closed the public hearing at 6:23 p.m.

Commissioner Taylor made a motion to approve Resolution PC3-26-1 for Redevelopment Plan submitted by Paul and Adam, LLC for the Scotts Bluff County DMV Project, generally located near intersection of Country Club Road and 12th Street. The motion was seconded by Commissioner Miles. There was no further discussion. The Secretary called the roll. "AYES": T. Kaufman, Waterman, Hauck, Crews, C. Kaufman, Keener, Miles, and Taylor. "NAYS": None. Abstain: None. Absent: Alvizar. The motion carried.

C. **Consider Final Plat of Lots 1, 2, and 3, Kinnaman Addition, to the City of Gering, Scotts Bluff County, Nebraska**

   i. Make recommendation to City Council regarding proposed Final Plat

Chairman Keener introduced the next agenda item stating that the Planning Commission would consider the final plat of Lots 1, 2, and 3, Kinnaman Addition, to the City of Gering, Scotts Bluff County, Nebraska. He asked Engineer Folck to provide the recommendation and report.

Engineer Folck presented an aerial view of the subject property, explaining that it is located along M Street and 8th Street and borders both as a corner lot. She noted that the parcel is currently a fairly large lot, and the applicant is proposing to subdivide it into three lots as shown on the final plat.

Ms. Folck stated that staff has been working with the applicant, who is in the process of extending utilities to serve each of the three proposed lots. Engineer Folck indicated that the proposal meets all zoning requirements, including lot frontage, and that staff identified no issues in that regard.

She further explained that staff's only recommendation is that approval be made conditional upon either the completion of the required utility extensions or the execution of a development agreement prior to final plat approval. She added that the applicant appears to be on track to have the utilities in place, but recommended including the condition regardless.

Chairman Keener then asked whether the applicant was present to respond to any questions from the Commission and invited questions or discussion.

Commissioner Waterman inquired about the intended use of the three proposed lots. The applicant approached the podium and explained that the intent is to subdivide the property and potentially sell one or two of the lots, as the land is not currently being fully utilized. He stated that he plans to retain one lot for his current use, which involves working on cars as a hobby. He noted that he is retired and uses the property as a personal workspace where he occasionally spends time with friends.

In response to a follow-up question, the applicant confirmed that there is already an existing shop on the property that he uses and that he does not intend to construct a new one. He reiterated that he plans to sell the portions of the property that he is not using. The applicant further stated that most utility work has been completed or is in progress, including sewer and water, with the gas line paid for but not yet relocated and electrical service currently being addressed.

Chairman Keener then asked if there were additional questions for the applicant. Commissioner Taylor directed a question to staff for clarification regarding zoning. Engineer Folck clarified that the property is not zoned residential, correcting an earlier statement in the staff report, and confirmed that the property is zoned C-2 commercial.

Commissioner Taylor asked whether there had been any consideration of making Lot 1 residential due to its location off M Street. The applicant responded that there are no plans for residential use and that the property will remain commercial.

With no further questions, Chairman Keener closed the discussion and stated that he would entertain a motion to recommend to City Council approval, denial, or tabling of the final plat for Lots 1, 2, and 3 of the Kinnaman Addition to the City of Gering, Scotts Bluff County, Nebraska.

Commissioner T. Kaufman made a motion to recommend approval of the final plat of Lots 1, 2, and 3, Kinnaman Addition, to the City of Gering, Scotts Bluff County, Nebraska. The motion was seconded by Commissioner Taylor. There was no further discussion. The Secretary called the roll. "AYES": Crews, Taylor, Waterman, Keener, Miles, C. Kaufman, T. Kaufman, and Hauck. "NAYS": None. Abstain: None. Absent: Alvizar. Motion carried.

D. Public Hearing to consider a Zone Change from RH Residential High-Density to C-3 General Commercial District for Lot 2, Block 2, Shadow Lane Estates, City of Gering, Nebraska

i. Make recommendation to City Council regarding proposed zone change

Chairman Keener opened a public hearing at 6:33 p.m. to consider a Zone Change from RH Residential High-Density to C-3 General Commercial District for Lot 2, Block 2, Shadow Lane Estates, City of Gering, Nebraska.

Chairman Keener invited Engineer Folck to provide her report and recommendation. Engineer Folck reported that the request arose when the applicant inquired about constructing storage units on the property. During the review process, staff discovered that although the site appears to be part of the same property as the existing building when viewed from the street, it is actually platted as a separate lot with a residential zoning designation. She noted that the property in question is the former OT building located on N Street and is surrounded by Evergreen Estates. She further explained that the parcels are legally separate lots and include an alleyway that appears to have never been developed, though it remains part of the official plat.

Folck stated that this configuration creates challenges for the property owner's intended development. She characterized the situation as a "gray area," noting that there is no clear-cut answer. She reminded the Commission that proposals are typically evaluated for consistency with the Comprehensive Plan; however, this particular situation is unique and not directly addressed in the Plan. While the Comprehensive Plan identifies the area as appropriate for residential use and would support a change from commercial to residential zoning, it does not indicate a need for additional commercial development in that location. As a result, she indicated that a rezoning from residential to commercial is not clearly supported or anticipated by the Plan.

She also discussed general zoning best practices, explaining that transitions between commercial and residential areas typically include buffers, such as streets, to provide separation. In this case, there is no buffer between the residential and commercial zoning districts, which is not considered a best practice.

In conclusion, Folck stated that staff does not have a strong recommendation on the matter and believes the request could reasonably be decided either way. She added that, based on consultation with legal counsel, the Planning Commission has flexibility in zoning decisions to address unique circumstances. Therefore, a recommendation for approval would be appropriate if the Commission is comfortable, but denial would also be justified if the Commission finds the request inconsistent with the Comprehensive Plan.

Chairman Keener clarified that there was no formal staff recommendation. Engineer Folck confirmed this and reviewed potential findings of fact that could support either approval or denial. She explained that findings in favor of approval could include the lack of an existing buffer, the property's current commercial character, and its suitability for C-3 uses with minimal disruption to nearby residential properties. Conversely, she noted that a key finding supporting denial would be that the Comprehensive Plan does not anticipate commercial expansion in that area.

Commissioner Taylor inquired whether the lot could be recombined with the adjacent property under the same ownership so that it would be uniformly zoned commercial. Engineer Folck explained that such an action would require a separate process, noting that replatting could be considered after the rezoning request, if approved. She clarified that combining lots alone would not change the zoning designation and emphasized that having two different zoning classifications on a single lot is not considered good practice.

Commissioner Taylor further asked whether the presence of the alley would prevent combining the lots. Engineer Folck responded that additional investigation would be needed, including utility locates, to determine whether any infrastructure such as fiber or gas lines exists within the alley. She indicated that she was not aware of any City utilities in that area but stated that confirmation would be necessary before supporting the vacation of the alley.

At the request of Chairman Keener, Engineer Folck described the location of the alley, explaining that it runs south and then diagonally across the property, and noted that it is a standard 20-foot alley.

Commissioner Waterman asked whether the intent would be to maintain the alley as a dividing feature between the properties and whether it would be the owner's responsibility to keep it open. Engineer Folck clarified that the current discussion is limited to the rezoning request and does not involve consideration of property layout or the alley. She explained that if the rezoning were approved, the owner could later pursue vacating the alley, which might allow the lots to be combined, but that such actions cannot be considered until the zoning issue is resolved.

Commissioner Waterman also questioned whether denying the rezoning could create a precedent requiring similar accommodations in other parts of the city. Engineer Folck responded that she did not believe the situation would set a significant precedent, rather describing it as a unique situation. She reiterated that development must comply with the permitted uses of the existing zoning and that the issue arises because the proposed use is not allowed under the current residential designation.

Commissioner Crews asked whether the lot, given its size of approximately 8,800 square feet, could be used for residential purposes under the RH zoning designation. Engineer Folck confirmed that the property is large enough to accommodate a single-family residence, noting that the minimum lot size requirement is 6,000 square feet. However, she added that the lot would not be large enough to support a duplex under current regulations.

Chairman Keener asked if there was anyone present in the Council Chambers who wished to speak regarding the application and invited them to come forward and state their name and address.

Robert Shaffer, Birchwood Grove, stated that he lives directly across the street from the subject lot. He asked whether the proposed rezoning would have any effect on Evergreen Estates or if any portion of that development would be rezoned. Engineer Folck responded that the zoning for Evergreen Estates would not change at all. She added that the only potential impact would be that, if the applicant were allowed to construct something not currently permitted, residents of Evergreen Estates would have a view of that development.

Mr. Shaffer then explained that he serves as the community manager for Evergreen Estates and mentioned that he had an early morning call scheduled to report the outcome of the meeting. He remarked that it appeared he may not have needed to attend. He also clarified that the alley referenced runs east and west before curving back and does not extend all the way through to the street.

Drawing on his experience living across from the property for many years, he stated that, in his opinion, it would not make a difference if the lot were used for commercial purposes. He noted that the site was previously used as a dance hall, where large campers would park in the back and bands would unload equipment. He added that the building is now partially used as a daycare and reiterated his belief that potential changes would not negatively affect the surrounding area.

Mr. Shaffer further described the alley location, indicating that it runs behind the gas station and curves past nearby apartment buildings. Ms. Folck clarified that the alley he described is the developed alley, whereas the alley referenced by staff exists on the plat but has not been physically developed. He acknowledged that there is little visible evidence of the undeveloped alley and concluded his comments by thanking the Commission.

Chairman Keener asked if there were any additional speakers.

Vladimir Castro, the property owner, then addressed the Commission. He explained that portions of the property had previously been developed and that he has since worked to clean up the site and remove those structures. He outlined his plan to develop the property over the next several years by constructing two storage unit buildings, each approximately 40 by 80 feet, to serve nearby residential areas, including apartments and mobile homes that lack adequate storage. He stated that the units would be available for rent and would provide a needed service to the surrounding community. He also noted his involvement in operating a nearby daycare facility with his spouse.

In response to questions from Commissioner Hauck, Mr. Castro confirmed that the storage units would be rental units and described the proposed layout, including 20 units of varying sizes within the buildings. He reiterated that the development is intended to meet local demand for storage and to further invest in the property.

Chairman Keener asked for any further comments. Hearing none, the Chair closed the public hearing at 6:48 p.m.

Commissioner T. Kaufman made a motion to recommend approval a Zone Change from RH Residential High-Density to C-3 General Commercial District for Lot 2, Block 2, Shadow Lane Estates, City of Gering, Nebraska.

He commented that the situation appeared to be the result of an oversight from many years ago and characterized the request as an opportunity to correct or "clean up" that issue. He referenced earlier discussion regarding whether approval might set a precedent and expressed the opinion that it would not, noting that communities evolve over time and that unique situations such as this occasionally arise. Commissioner Kaufman concluded that the request should be viewed as a one-time circumstance and an opportunity to address a long-standing inconsistency.

The motion was seconded by Commissioner Taylor. There was no further discussion. The Secretary called the roll. "AYES": Hauk, T. Kaufman, C. Kaufman, Miles, Keener, Waterman, Taylor and Crews. "NAYS": None. Abstain: None. Absent: Alvizar. Motion carried.

5. City Engineer Report

Prior to the report, Commissioner Hauck asked for clarification regarding the approval process. Engineer Folck confirmed that the Planning Commission's action is a recommendation only and that final approval of the zone change rests with the City Council. Chairman Keener reiterated that the Commission is only making a recommendation on the zoning request. Engineer Folck further explained that, if the zone change is approved, the applicant would still be required to return for a Conditional Use Permit, which cannot be considered until the zoning is in place.

Engineer Folck then provided a brief report, noting that an additional Planning Commission meeting would be scheduled for the first Tuesday in April due to a time-sensitive lot split application that could not be added to the current agenda. She stated that there will be two items on that upcoming agenda and indicated that, at this time, no additional meeting later in April is anticipated.

She also reported that she and a colleague recently attended the Nebraska Planning Conference, which she described as beneficial. As a result of discussions at the conference, she informed the Commission that voting procedures would be adjusted to rotate the order among members, rather than consistently placing the final vote with the same individual. She explained that this change is intended to reduce pressure on any one member, particularly in situations where the final vote is decisive.

With no further items, Engineer Folck concluded her report, and Chairman Keener thanked her.

6. OPEN COMMENT: Discussion or action by the Planning Commission regarding unscheduled business will not take place. This section is for citizen comment only.

There was no comment.

7. Adjourn

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

The meeting adjourned at 6:52 p.m.

Levi Keener, Chairman

ATTEST:

Karen Heins

Karen Heins, Administrative Secretary