

**THE OFFICIAL PROCEEDINGS OF THE GERING CITY PLANNING COMMISSION**  
**MEETING APRIL 16, 2019**

The Gering City Planning Commission of Gering, Nebraska was held in open session at 6:00 p.m. in the Gering City Council Chambers. Present were Commissioners Allen, Bowman, Hauck, Kaufman and Marietta. Commissioner absent Arnold, Rajewich, Rechsteiner and Shimic. Alternate Commissioner Erdman was not present. Also, present was a member of the public, City Planner Annie Folck and Secretary Bruntz - Secretary to the Planning Commission.

Notice of the meeting was given in advance by publication in the Star Herald, the designated method of giving notice. Availability of the agenda was communicated in advance to the Media and Commissioners. All proceedings hereafter were taken while the meeting was open to the attendance of the public.

Vice Chairman Hauck called the meeting to order at 6:01 p.m., roll call was taken and the Pledge of Allegiance was recited; also reviewed were the Nebraska Revised Statutes Chapter 84, Article 14, which requires at least one copy of the Open Meetings Act be posted in the meeting room and the time limit for public comment.

Vice Chairman Hauck asked for a motion to approve or disapprove the minutes from the January 15, 2019 meeting. Commissioner Bowman made the motion to approve the minutes and Commissioner Kaufman seconded. On roll call vote, the following voted "AYE": Allen, Bowman, Hauck, Kaufman and Marietta. "NAY": None. Absent: Arnold, Rajewich, Rechsteiner and Shimic.

Current business is the City of Gering Planning Commission will conduct a public hearing to consider a Final Plat on Block 1, Five Rocks Estates, A part of the Northwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6<sup>th</sup> P.M., in the City of Gering, Scotts Bluff County, Nebraska. (Open 6:03 pm)

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

|                  |  |                                     |              |
|------------------|--|-------------------------------------|--------------|
| <b>To:</b>       | Planning Commission  | <b>Date:</b>                        | 4/16/19      |
| <b>From:</b>     | Planning & Community Development                                 | <b>Zoning:</b>                      | RM           |
| <b>Subject:</b>  | Recommendation & Report – Final Plat Block 1, Five Rocks Estates | <b>Property Size:</b>               | 5.4 Acres    |
| <b>Location:</b> | South of M Street, east of Five Rocks Road                       | <b>#Lots/Parcels:</b>               | 1            |
| <b>Owner:</b>    | VSL Gering II, LLC   | <b>City Council Public Hearing:</b> | May 13, 2019 |

**Public Notice:** This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

**Public Hearing**

Mr. Chairman and Commission Members,

This is a recommendation and report to consider an application for a Final Plat in the RM zone (Medium Density Residential). The property is approximately 5.4 acres, located east of Five Rocks Road and south of M Street. This portion of the property is to be subdivided from the larger parcel which is approximately 35.263 acres.

The final plat is consistent with the preliminary plat that Planning Commission and Council approved in September of last year. The proposed streets meet all City standards for minimum right of way for Yucca Drive and Westwood Drive, which will eventually be extended to provide access through the property. Water and sewer will be located within the street right-of-way. No storm sewer will be constructed as all of the stormwater drainage in the area is overland flow. Stormwater retention will be provided on site. A developer's agreement will be executed with the property owners stating that the property owners will be responsible for the cost of all improvements, and these improvements must be made before a building permit can be issued for the property. Staff recommends approval of the final plat conditional on the agreement being executed.

Mr. Chairman and Commission Members, this completes my entry regarding this recommendation and report to consider this application for a final plat for Block 1, Five Rocks Estates. I would ask this Commission to recommend approval or denial of the final plat to the City Council.

### **Recommendation**

#### **Approve**

Make a POSITIVE RECOMMENDATION for City Council to approve the Final Plat of Block 1, Five Rocks Estates, with the following conditions:

#### **Deny**

Make a NEGATIVE RECOMMENDATION to City Council for the Final Plat of Block 1, Five Rocks Estates, for the following reasons:

#### **Table**

Table making a recommendation on the Final Plat of Block 1, Five Rocks Estates, for the following reasons:

Annie gave an overview: The preliminary plat was approved in September 2018; they are not final platting the entire area just the southeast corner. The plan is to extend Yucca & Westwood Drive. Everything meets City standards. It is her understanding this is being split off for Community Christian School. Before a school can be put in this area, they will need to come back to the Planning Commission for a Conditional Use Permit and at that time submit a traffic plan. Current property owner VLS Gering does not want to develop this property just split off this part. There is no plan to build the streets, waterlines or sewer lines. Annie said before the plat is approved, a developer's agreement to put in all of the improvements is needed and will be recorded with the plat (property owners will be responsible for those improvements). Attorneys are reviewing a draft of a developer's agreement, once finalized that will go to City Council for approval. Her recommendation is to recommend approval to City

Council for the final plat on Block 1, Five Rocks Estates, with the condition that a development agreement is decided upon (approved by legal & City Council) – the property owners will be responsible for all improvements shown on the preliminary plat. The agreement should be in place before the plat is approved.

Jack Baker with Baker & Associates – they are just the engineer & surveyor on the plat. The whole concept when the property was bought is that they would sell back this corner to Community Christian and there are no plans to develop on this property by Vetter.

Larry Soto - knows a little bit about what is going on, is it a good deal, if it is good for the community, he is good with it.

Mark Payne lives on 19th street – there is a lot of traffic that dumps onto D Street which is access to Five Rocks Rd. This probably will add more burden in these neighborhoods (young people with families). Consideration should be taken for Oregon Trail Blvd to be continued up to the highway, D street is busy enough with the school. It is good for the community he is all for it.

Annie added there is an approval for access onto Five Rocks Rd from the State of Nebraska that will roughly connect up with Yucca Drive. She thinks there could be one off of Oregon Trail Blvd; the property owners would have to finish.

Jody Miles asked about drainage off of Five Rocks Rd and how will that be addressed. Jack Baker replied the City is aware there is an issue, it is under investigation. Storm water retention will have to be addressed when that area is developed. Annie said that would be part of the agreement.

Lisa Blanco lives on Oregon Trail Blvd – what will be developed around this area. What is it going to look like? What will be out beyond this area. If the School can't afford to develop the infrastructure – what is going to happen. Drainage is a problem but not for them. Last year it was discussed about cottages, will that happen, it was a good idea. A busy road can't go through that area. Jack replied to the question about the area around this property – there are no plans for developing this area at this time. Annie added if that other area were to be developed it would have to come back to the Planning Commission.

Phil Blanco lives on Oregon Trail Blvd - if Community Christian sells that property what will become of the property, will it be developed into residential. Annie said it is currently zoned residential (RM); will be used as AG until it is developed. This area is residential for single family homes or something very compatible.

It was stated again that Heritage has no plans to develop now and they may sell the land. (Closed 6:23 pm)

The motion was made by Commissioner Marietta: Make a POSITIVE RECOMMENDATION for City Council to approve the Final Plat of Block 1, Five Rocks Estates, with the following conditions: There will be in place a developer's agreement between the property owners and

the City. Commissioner Kaufman seconded the motion. On roll call vote, the following voted "AYE": Allen, Bowman, Hauck, Kaufman and Marietta. "NAY": None. Absent: Arnold, Rajewich, Rechsteiner and Shimic.

Next agenda item: Subcommittee appointments for zoning code review. Annie said we want several people looking at this including staff since it is so detailed. Tonight, Annie would like to know who would be interested in volunteering. She will send out the information as it comes along. Appointments can be made at the next meeting.

Planner report by Annie:

Staff is continuing to work on the Comprehensive Plan and Zoning Code Update. We would like to put together a committee of Planning Commissioners to help with the Zoning Code Update. This will involve some meetings and conference calls to discuss the new zoning code as well as time spent reading through the proposed new zoning code to make recommendations to the consultants and staff.

Motion to adjourn was made by Commissioner Marietta and seconded by Commissioner Kaufman. On roll call vote, the following voted "AYE": Allen, Bowman, Hauck, Kaufman and Marietta. "NAY": None. Absent: Arnold, Rajewich, Rechsteiner and Shimic.

**Note: If a member needs to abstain from voting, the member should communicate this prior to a motion being made.**

Adjourn 6:34 p.m.



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Jeremy Rechsteiner, Chairman  
Dale Hauck, Vice Chairman



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Brenda Bruntz, Secretary