

**CITY OF GERING PLANNING COMMISSION MEETING
April 18, 2023**

A regular meeting of the City of Gering Planning Commission was held in open session at 6:00 p.m. in the Gering City Hall Council Chambers at 1025 P Street, Gering, NE, on April 18, 2023. Present were Chairman Miles and Commissioners Taylor, Shimic, Palm, Kaufman, Hauck, Alvizar. Absent were Commissioners Kautz and Keener. Also present were Engineering Technician Sergio Rodriguez and Secretary Kathy Welfl.

Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings here after 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.

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 Chairman. 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 February 21, 2023, regular Planning Commission meeting.

Motion by Commissioner Alvizar to approve the minutes of the February 21, 2023, regular Planning Commission meeting. Second by Commissioner Hauck. There was no discussion. The Clerk called the roll. "AYES": Taylor, Shimic, Miles, Hauck, Alvizar. "NAYS": None. Abstaining: Palm, Kaufman. Absent: Kautz and Keener. Motion carried.

4. Current Business:

a. Planning Commission to consider a Preliminary Plat for Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering

Chairman Miles stated that Engineering Technician, Sergio Rodriguez, will provide the staff report and recommendation. He noted that Gregg Schilz with MC Schaff (representative for the applicant) was present. Mr. Rodriguez stated that the City received an application for a preliminary and final plat. This will be for Block 10B in the Midtown Development. This is located on northern part of town, east of 10th Street over towards the end of Crescent Drive (a map was shown on the overhead screen). This is an existing subdivided lot, it currently contains a single-family home with water, sewer and electrical utilities served by the City. The lot is zoned Rural Residential with the surrounding property zoned as AG. Typically for review of a preliminary plat, staff would focus on its layout on access to utilities and/or street access. However, since this is

an existing subdivided lot with utilities and access already established, the review will only focus on the change to its boundary.

In looking at the preliminary plat, we can see the existing property boundary. The applicant is proposing to enlarge the boundary by acquiring property on the north side of the subdivided lot, as well as property on the southwest; this will increase the size of the lot from 2.74 acres to 4.20 acres. The plat has been reviewed by City staff and it was determined that it does meet all of the City's Subdivision and Zoning Requirements. Staff is recommending the approval of this preliminary plat.

Chairman Miles asked, where the line is running out (that looks like a dirt road), is that the current access to the property? Mr. Schilz replied that Deer Haven Road is the access right now. Mr. Rodriguez stated the property owner has access from the side on a private drive, he believes. They have frontage to Crescent, but he doesn't believe it's being used. Chairman Miles asked Mr. Schilz if the thought was to pave a path or drive there to get to the property? Mr. Schilz replied that Mr. Holliday is not sure what he wants to do right there. He has access but Paul Reed is giving him easement while Paul owns all of that. You can see his driveway is right on the boundary on the north part he wants to acquire. He wants to move it north for maintenance purposes. On the northwest, there's a building; it was built off his property so he wants to include that into his property. Right now, he has easement from Paul Reed to get to his place on Deer Haven Road. Mr. Schilz stated that Paul claims it will be that way until he doesn't own it anymore. Just in case, there is that access there that can be developed. Chairman Miles clarified that the new plat will be extended to include the building and the road that loops up. Mr. Schilz pointed out the new and old boundary on the overhead projection for clarification. Mr. Schilz added that Mr. Holliday will be buying the additional property (to make it bigger) from Mr. Reed.

Mr. Rodriguez stated that the reason this is going through Planning Commission is because the area the applicant is acquiring the land from is un-platted. If it had been platted land, this could have been approved administratively.

Motion by Commissioner Kaufman to recommend approving a Preliminary Plat for Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering. Seconded by Commissioner Shimic. There was no discussion. The Clerk called the roll. "AYES": Taylor, Shimic, Palm, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz and Keener. Motion carried.

b. Public Hearing to consider a Final Plat for Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering

Chairman Miles opened a public hearing to consider a Final Plat for Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering at 6:13 p.m.

Chairman Miles noted that there is a three-minute time limit for anyone wanting to address the Planning Commission.

Engineering Technician Rodriguez presented the staff report and recommendation and stated that this is the final plat for Block 10B, Midtown Development Addition. It is very similar to the preliminary plat except for some of the topographic features that are not included (such as the utilities and contours).

The final plat is focused primarily on the delineation of the proposed boundary line as shown. The boundary is described using distances and bearings. The other part of the final plat is what is known as the signature pages, these would include the surveyor's certificate, the owner's signatures and the approval and acceptance block. All these combined create the final plat tying it to this property and it's also the document recorded with the County.

The final plat was reviewed by City staff who determined it meets all the subdivision regulations required. Staff recommends approval of this final plat.

Chairman Miles asked if there were any additional comments. Mr. Schilz stated that the additional land will be annexed in to the City. Mr. Rodriguez noted that that was the next item on the agenda.

Chairman Miles asked if there was anyone in the Council Chambers wishing to speak in regards to the final plat. With no further comments the public hearing was closed at 6:15 p.m.

Motion by Commissioner Kaufman to recommend approving the Final Plat for Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering. Seconded by Commissioner Palm. There was no discussion. The Clerk called the roll. "AYES": Taylor, Shimic, Palm, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz and Keener. Motion carried.

c. Public Hearing to consider the Annexation of Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering

Chairman Miles opened a public hearing to consider the Annexation of Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering at 6:17 p.m.

Engineering Technician Rodriguez presented the staff report and recommendation and stated in recent years City staff have been working on cleaning up our annexation areas and making sure that the annexation boundary accurately aligns with property lines; this is a good way to have a well-defined boundary.

For this plat, we have requested to include an annexation approval and acceptance signature block, which if approved, will allow for the annexation of the areas acquired within this platting process. This will seamlessly align the annexation boundary line to match the proposed property boundary line. This is able to be done through the platting process as long as a separate public hearing and vote are held for the annexation.

Chairman Miles asked if there was anyone in the Council Chambers wishing to speak regarding the proposed annexation. With no further comments the public hearing was closed at 6:18 p.m.

Chairman Miles stated when the City was doing all the annexation recently, was this originally part of that plan along with the other Paul Reed property that ended up getting taken out? Mr. Rodriguez replied, that was separate. The City is just adding the areas that Mr. Holliday just acquired. His property is already annexed.

Motion by Commissioner Kaufman to recommend approval of the annexation of Block 10B, Midtown Development Addition, a replat of Block 10A, Midtown Development Addition, a replat of Block 10, Midtown Development Addition to the City of Gering. Seconded by Commissioner Taylor. There was no discussion. The Clerk called the roll. "AYES": Taylor, Shimic, Palm, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz and Keener. Motion carried.

5. City Engineer Report

Engineering Technician Rodriguez stated that the Planning Commission is scheduled to have their next meeting on May 2, and will be discussing approval of a TIF.

6. Adjourn

Commissioner Alvizar moved to adjourn the meeting. Commissioner Palm seconded the motion. There was no discussion. The Clerk called the roll. "AYES": Taylor, Shimic, Palm, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz and Keener. Motion carried.

The meeting adjourned at 6:22 p.m.



Jody Miles, Chairman

ATTEST:



Carol Martin, Secretary