

THE OFFICIAL PROCEEDINGS OF THE GERING CITY PLANNING COMMISSION
MEETING APRIL 3, 2018

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, Arnold, Bowman, Erdman, Hauck, Kaufman, Marietta and Rechsteiner. Commissioners absent were Arnold and Parks. Also present were applicants for the Preliminary & Final plats, MC Schaff representative, members of the public and 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, the proof of the publication being attached to these minutes. 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.

Chairman Rechsteiner called the meeting to order at 6:00 p.m., roll call was taken and the Pledge of Allegiance was recited; also reviewed were: 1) Nebraska Revised Statutes Chapter 84, Article 14, which requires at least one copy of the Open Meetings Act be posted in the meeting room, 2) the notice of publication and 3) the time limit for public comment.

Chairman Rechsteiner asked for a motion to approve or disapprove the minutes from the March 20, 2018 meeting. Commissioner Hauck made the motion to approve the minutes and Commissioner Marietta seconded. On roll call vote, the following voted "AYE": Allen, Bowman, Erdman, Hauck, Kaufman, Marietta and Rechsteiner. "NAY": None. Absent: Arnold and Parks.

Chairman Rechsteiner asked if there were Commissioners absent that needs to be excused from the March 20, 2018 meeting (Erdman and Parks). Commissioner Bowman made the motion to excuse the members absence and it was seconded by Commissioner Kaufman. On roll call vote, the following voted "AYE": Allen, Bowman, Erdman, Hauck, Kaufman, Marietta and Rechsteiner. "NAY": None. Absent: Arnold and Parks.

Agenda item a:

The City of Gering Planning Commission will conduct a public hearing to consider a Preliminary Plat of Tract A, Block 1, 2, 3, 4, 5, 6, 7 and 8 Five Rocks Estates, a parcel of land situated in the Northwest Quarter of the Southwest Quarter of Section 2, Township 21 North, Range 55 West of the 6th Principal Meridian, in the City of Gering, Scotts Bluff County, Nebraska. Located South of M Street and East of Five Rocks Road. (Open 6:04 pm)

CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Preliminary Plat MQ Subdivision	Property Size:	3.61 Acres
Location:	North of K Street, between 12 th and 13 th St	#Lots/Parcels:	2

Owner:	MQ Investments	City Council Public Hearing:	4/23/18
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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 Preliminary Plat in the RM zone (Medium Density Residential). The property is approximately 3.61 acres, located north of K Street, between 12th and 13th Streets. This is to be a Class II Subdivision.

The preliminary plat shows the alley moving farther south from its current location. A 20' utility easement is provided over the existing water main. Block 1 is already developed, with Dome Rock Manor located on this block. Block 2 is currently undeveloped and will eventually be developed into townhomes. The owner has applied for a PTD Planned Townhouse Development Zone to be appended to the current RM zoning. This will allow the property to be developed into townhomes, which would be single family units erected in a row as a single building. Currently, Block 2 has access to water and sanitary sewer on the south side of the street. This block will eventually be subdivided into lots and sublots to provide for the development of the townhomes. The preliminary plat provides for an alley down the center of the block to provide access for a sanitary sewer that will need to be constructed to serve the lots if/when they are subdivided and to allow for rear access to the properties. Both blocks have adequate street access. Staff is recommending approval of the preliminary plat.

Mr. Chairman and Commission Members, this completes my entry regarding this recommendation and report to consider this application for Preliminary Plat for MQ Subdivision. I would ask this Commission to recommend approval or denial of the Preliminary Plat to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Preliminary Plat for Block 1 and 2, MQ Subdivision, with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Preliminary Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Table

Table making a recommendation on the Preliminary Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Discussion:

Annie: Last year this came before the Commission for an SPD on the property, in order to accomplish the goals for the property owner there need to be some changes made. Owner wants to build garages for the apartment building that is there, this is a non-conforming use. By changing the non-conforming code as discussed in a previous meeting, it will allow to build garages for the apartment building but won't allow additional apartment buildings to be built. The alley will have to be relocated and the garages have to be on same property as the primary structure. To the South there is a water line so an easement is needed. The owner wants to put up townhouses. Currently those lots do not have sanitary sewer – it will be

extended through the alley that will run north to south. The alley corners will be cut out for trash pickup & emergency vehicles. There is water to the east & south of the property but not on the west – that will have to be done when developer gets to that point of construction. With the PTD zoning district the lots can be broken into smaller lots and done administratively. All department heads have reviewed plans and staff is recommending approval of the preliminary plat. Lot sizes will depend on what type of townhomes are built, owner is looking at 3 or 4 plex units.

Cinda Munoz - (owner of the property) spoke at the podium. The new alley lines were the first thing to get approved and from there will decide what the townhomes will look like. Original SPD was looked at where there can be more than one primary building per lot, Cinda wants to do opposite - more than one lot per building. PTD zoning will fit the property and meet the intentions of owner. Passed previous zoning, tonight the Commission is just looking at the plat. It will remain RM zoning and if passed the PTD zone will be appended to the RM zone resending the previous motion to PTD zoning district. Staff does not have any conditions. (Closed 6:16 pm)

Commissioner Hauck made the motion to Make a POSITIVE RECOMMENDATION for City Council to approve the Preliminary Plat for Block 1 and 2, MQ Subdivision, with the following conditions: None. It was seconded by Commissioner Erdman. On roll call vote, the following voted "AYE": Allen, Bowman, Erdman, Hauck, Kaufman, Marietta and Rechsteiner. "NAY": None. Absent: Arnold and Parks.

Agenda item b:

The City of Gering Planning Commission will conduct a public hearing to consider a final plat for MQ Subdivision in the RM zone (Medium Density Residential). The property is approximately 3.61 acres, located North of K Street, between 12th and 13th Streets. (Open 6:17 pm)

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

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Final Plat MQ Subdivision	Property Size:	3.61 Acres
Location:	North of K Street, between 12 th and 13 th St	#Lots/Parcels:	2
Owner:	MQ Investments	City Council Public Hearing:	4/23/18

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

Public Hearing

Mr. Chairman and Commission Members,

I hereby recommend that the City Council approve the Preliminary Plat for Block 1 and 2, MQ Subdivision, with the following conditions: None.

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 3.61 acres, located north of K Street, between 12th and 13th Streets. This is to be a Class II Subdivision.

The final plat conforms with the preliminary plat with all lots served by water, sewer, and with access to a City street. A 20' utility easement is provided over the existing water main, and two alleys are provided to create future access for utilities if and when the property is further subdivided. Block 1 is already developed, with Dome Rock Manor located on this block. Block 2 is currently undeveloped and will eventually be developed into townhomes. The owner has applied for a PTD Planned Townhouse Development Zone to be appended to the current RM zoning. This will allow the property to be developed into townhomes, which would be single family units erected in a row as a single building. Staff is recommending approval of the final plat.

Mr. Chairman and Commission Members, this completes my entry regarding this recommendation and report to consider this application for Final Plat for MQ Subdivision. 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 for Block 1 and 2, MQ Subdivision, with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Final Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Table

Table making a recommendation on the Final Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Discussion:

Annie said this is everything that was just discussed on the preliminary plat. There are no conditions. (Closed 6:20 pm)

Commissioner Hauck made the motion to Make a POSITIVE RECOMMENDATION for City Council to approve the Final Plat for Block 1 and 2, MQ Subdivision, with the following conditions: None. It was seconded by Commissioner Erdman. On roll call vote, the following voted "AYE": Allen, Bowman, Erdman, Hauck, Kaufman, Marietta and Rechsteiner. "NAY": None. Absent: Arnold and Parks.

Agenda item c: Sign Ordinance (Open 6:21 pm)

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

To:	Planning Commission	Date:	4/3/18
From:	Planning & Community Development	City Council Public Hearing:	4/23/18
Subject:	Recommendation & Report – Sign Ordinance		

In reviewing the City’s sign ordinance while considering sign permit applications, it has come to the attention of staff that there is a prohibition against projecting signs in the BCB zoning district. Downtown property owners have pointed out that this code requirement has not been uniformly enforced in the past. Staff also notes that the requirement is not consistent within the same article which allows for awnings and signs under awnings to project in the right of way. At the last meeting, planning commission indicated that they would like some restrictions on sign size. Staff has surveyed current projecting signs downtown to come up with a recommendation for a size restriction. Staff recommends approval of this ordinance, which will allow for projecting signs in the BCB zoning district.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Ordinance Amendment to amend the City’s sign code with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Ordinance Amendment to amend the City’s sign code, for the following reasons:

Table

Table making a recommendation on the Ordinance Amendment to amend the City’s sign code, for the following reasons:

Discussion:

Annie said this is brought back from the last meeting. Sign code for BCB has not been applied in the past. Current code does not allow projecting signs – like the one at Union Bar and Logoz – should not have been approved. There is a property owner who wants to put up a projecting sign & Annie doesn’t feel she can approve the application since it doesn’t meet code. At the last meeting it was discussed that one sign shouldn’t block the view of another. It is recommended to strike from the code the prohibition of projection signs.

Current Zoning and Subdivision Regulations Section 10.1505 Central Business District: Subsection (8) Projecting signs other than those hanging beneath awnings are prohibited.

The current restriction of size for signs is 3 square feet per lineal foot of street frontage, the code also says a sign can’t be more than 300 square feet. These signs were measured/estimated to give you an idea of size: Union Bar is 25 sq. ft, Logoz is 32 sq. feet and Nazwear is 75 feet per side. Any projection will be in the R.O.W. Requirements for free standing & pole signs are not to extend more than 2/3 into the public R.O.W. – this could be added for the projecting signs. Annie said projecting signs could be added to Subsection (7) (which reads: free standing and pole signs are not to extend over 2/3 of the public right-of-way adjacent to property line. (This is interpreted as 2/3 of the public right-of-way left after

AFFIDAVIT OF PUBLICATION

Star Herald
PO Box 1709
Scottsbluff, NE 69363

State of Nebraska
County of Scotts Bluff] ss.

I, Jennifer Harms do solemnly swear that I am the Accounts Receivable Bookkeeper of the Star-Herald, a legal newspaper of general circulation, published daily except Mondays, at Scottsbluff, Scotts Bluff County, Nebraska; that the notice hereto attached and which forms a part of this affidavit was Published in said paper 1 (one)

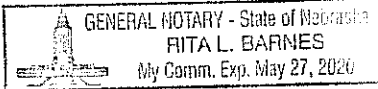
consecutive week (s) in the issues published, respectively April 6, 2018

that said notice was published in the regular and entire issues and every number of the paper on the days mentioned, the same being the corresponding day of each week during the period of time of publication and that said notice was published in the newspaper proper and not in the supplement.

Jennifer Harms

SUBSCRIBED in my presence and sworn to before me on 4-7-18

Rita L. Barnes
Notary Public



The publication fees amount to \$ 18.71

CTYGER - 54007029

**GERING PLANNING
COMMISSION AND CITY
COUNCIL MEETING
NOTICE**

The City of Gering Planning Commission will conduct a public hearing to consider a Planned Townhouse Development District (PTD) for MC Subdivision in the RM zone (Medium Density Residential). The property is approximately 3.61 acres, located North of K Street, between 12th and 13th Streets.

The Planning Commission meeting will be held on Tuesday April 17, 2018 at 6:00 p.m. The Gering City Council will conduct a public hearing on the above Monday, May 14, 2018 at 6:00 p.m. All meetings will be held in the Gering City Council Chambers, 1025 P Street Gering, Nebraska.

Any person with a disability desiring reasonable accommodation to attend a public meeting must contact the City Clerk's office at City Hall, 1025 P Street, Gering, NE by 12:00 p.m. five (5) days prior to the date of each meeting. Agendas kept current and up to date are available at the office of the City Clerk during normal business hours.

/s/ Kathy Weill, City Clerk
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