

# **CITY OF GERING**

## **PLANNING COMMISSION MEETING AGENDA**



A REGULAR MEETING OF THE CITY OF GERING PLANNING COMMISSION WILL BE HELD ON **TUESDAY FEBRUARY 20, 2024 AT 6:00 P.M.** IN THE GERING CITY HALL COUNCIL CHAMBERS, 1025 P STREET, GERING, NEBRASKA.

All agenda items are for discussion and action will be taken as deemed appropriate.

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Open Meetings Act - Neb. Rev. Stat. Chapter 84, Article 14, 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 or Vice-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.
4. Approval of Minutes of the December 5, 2023 regular Planning Commission meeting
5. Current Business:
  - a. Planning Commission Organizational Meeting per City Code 32.002 (E)
    - i. Election of Chairman
    - ii. Election of Vice-Chairman
    - iii. Appointment of Planning Commission Secretary
  - b. Public Hearing to Consider a Zone Change from RM Medium Density Residential to RH High Density Residential for a property located in the SW ¼ of Section 1, Township 21 N, Range 5 W of the 6<sup>th</sup> P.M., City of Gering, Scotts Bluff County, Nebraska, as described in Instrument Number 2023-4951
    - i. Make recommendation to City Council

c. Public Hearing to Consider a Conditional Use Permit for Storage Units at 1125 D Street

i. Approve or deny Conditional Use Permit

6. City Engineer report

7. Adjourn

## **CITY OF GERING PLANNING COMMISSION MEETING December 5, 2023**

A regular meeting of the City of Gering Planning Commission was held in open session on December 5, 2023 at 6:00 p.m. in the Gering City Hall Council Chambers at 1025 P Street, Gering, NE. Present were Chairman Miles and Commissioners Taylor, Crews, Shimic, Palm, Hauck and Alvizar. Absent were Commissioner Kaufman and Keener. Also present were City Engineer Annie Folck, and Secretary Carol Martin.

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.

#### **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 September 19, 2023, regular Planning Commission meeting.**

**Motion by Commissioner Taylor to approve the minutes of the September 19, 2023, regular Planning Commission meeting. Second by Commissioner Alvizar. There was no discussion. The Clerk called the roll. "AYES": Taylor, Crews, Shimic, Miles, Hauck, Alvizar. "NAYS": None. Abstaining: Palm. Absent: Kaufman & Keener. Motion carried.**

#### **4. Current Business:**

**A. Consider a Final Plat for Lot 10A, Block 1, Monument Heights, a Replat of Lot 10, Block 1, Monument Heights and a Vacated Portion of Pinewood Road in the City of Gering, Scotts Bluff County, Nebraska**

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

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<b>To:</b>	Planning Commission	<b>Date:</b>	12/5/23
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	RL
<b>Subject:</b>	Recommendation & Report – Final Plat of Lot 10A, Block 1, Monument Heights, a Replat of Lot 10, Block 1, Monument Heights and a Vacated Portion of Pinewood Road in the City of Gering, Scotts Bluff County, Nebraska	<b>Property Size:</b>	.93 Acres
<b>Location:</b>	2835 Applewood Road	<b>#Lots/Parcels:</b>	1
<b>Owner:</b>	Mark and Karen Schlothauer	<b>City Council Public Hearing:</b>	N/A

The City has received an application for a final plat for Lot 10A, Block 1, Monument Heights, a Replat of Lot 10, Block 1, Monument Heights and a Vacated Portion of Pinewood Road in the City of Gering, Scotts Bluff County, Nebraska

The City's garbage trucks have been having issues when trying to drive through the alley behind the properties on Applewood Road, in particular when they turn back north onto Pinewood Road. When staff marked out the City's right-of-way in order to reestablish the property boundaries along the alleyway, it became evident that while the property at this location had encroached into the alleyway on the east side, the City's garbage trucks have encroached into private property on the southeast corner of the property. After working with the property owners, we have negotiated new boundaries wherein the City allows them to extend their property 5' to the east in return for the City receiving additional right-of-way on the southeast corner in order to make it easier for trucks to turn the corner. The property owners and City staff are all in agreement. The replat is to ensure that what is shown on the plat reflects this agreement to provide assurances for future property owners and future City staff.

Engineer Folck stated this came about because there were some issues with the garbage trucks because it is adjacent to the golf course. When the garbage trucks come around the corner and try to make this turn, they slide into the ditch. It happened last year and it got expensive because they had to get a wrecker in there. Staff started looking at what the options were and potentially putting in a pipe line where the water runs so they would have more room there but then decided to first mark the property line boundaries. It looked like there was a little more space there than what was showing on the aerial. The aerial wasn't precise but when the property boundaries were marked, it looked like the edge of their yard actually is about 10 feet into the City Right-of-Way. The easy option would be to get the alley way back and reclaim what is the cities. The issue is when staff marked it, it also showed that it would be cutting it off, when they turn, cutting a huge corner of their property. When staff marked that corner, the property lines actually passed the area where we had been turning.

Staff decided to sit down with the property owners to figure out what could be done. They were in agreement to move the property lines, so basically in return we ended up giving them five feet. There was a little bit of work to clear that alley, trim some trees and widen the alley a little bit but we did give them an additional five feet which saved some of the trees that they were wanting to

save and in return they gave us a corner. Staff will cut that corner in order to make it easier for the trucks to turn. Basically, the point of this replat is memorize that to make sure that for future property owners, for future staff members that there was an assurance of where that property line is and where they actually have the right to be, and the same thing for them so they can make investments on their property and know that there will not be any issues with that in the future. Basically, this is just trying to get the property lines to match where they have been driving and will be driving in the future.

Annie said that staff's recommendation is that Planning Commission will recommend approval to City Council. Annie said this is not a final decision on this plat. It will go to the City Council and they will consider that as well and that may not happen until January.

Chairman Miles wanted to confirm that it is adjacent to the golf course. Annie said it is. Annie explained it and showed it on the map where the location of the replat is.

Commissioner Hauck inquired about Pinewood, instead of getting 40 feet now it will be 35 feet? Annie said yes. Commissioner Hauck asked if that would be wide enough for the garbage truck. Annie said it is more than enough and alley ways are typically 20 feet. Pinewood Road, Annie was assuming it was 40 feet wide incase it ever develops to the south, but in order to do that, they would have to go through the golf course or go over a very large irrigation lateral here. Annie thinks that if it ever develops, they will access it from the south and not from the north, it would make a lot more sense to her.

Commissioner Hauck asked if the garbage truck driver happy with this new deal. Annie replied yes, they are much happier with the changes.

Commissioner Crews asked about the remaining trees and if it will be an issue with the garbage truck. Annie said they had to do a little trimming.

Commissioner Palm said their alley has become overgrown with trees over the last 35 years and is it the city or property owners' responsibility. Annie said, technically it should be the property owners' responsibility to take care of weeds and other things on or adjacent to their property. Annie said, that being said, its not just your neighborhood. Staff has been going through systematically through the city and clearing alleys and trying to get the alley back, trimming trees and that sort of thing. Staff will get to your neighborhood eventually but it is a process. Commissioner Palm said she just knew that they were there and didn't affect her  
Chairman Miles asked if there was any further discussion.

**Commissioner Palm moved to recommend approving the final plat of Lot 10A, Block, 1, Monument Heights, a Replat of Lot 10, Block 1, Monument Heights and a Vacated Portion of Pinewood Road in the City of Gering, Scotts Bluff County, Nebraska to City Council. Seconded by Councilmember Shimic. There was no discussion. The Clerk called the roll. "AYES": Taylor, Crews, Shimic, Palm, Miles, Hauck, and Alvizar. "NAYS": None. Abstaining: None. Absent: Kaufman and Keener. Motion carried.**

## **5. Report**

Engineer Folck stated there will not be another meeting until most likely until the third Tuesday in January. That will be our organizational meeting when we elect our chair, vice chair. At that time, we should also go through the By-Laws. It has been a while for everyone and she thinks it is just a good idea for everyone to review those periodically. There is nothing for an agenda item, other than that yet. She has had a few people pick up some applications, so we will see if they get back

to us or not. Annie said as of right now it will just be an organizational meeting and go through the By-Laws. If it is third Tuesday in January, they have time to get those in for the 30-day time frame.

#### **7. Adjourn**

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

The meeting adjourned at 6:11 p.m.

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Jody Miles, Chairman

ATTEST:

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Carol Martin, Secretary

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

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<b>To:</b>	Planning Commission	<b>Date:</b>	2/20/24
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	C-3
<b>Subject:</b>	Recommendation & Report – Zone Change RM Medium Density to RH High Density	<b>Property Size:</b>	29.75
<b>Location:</b>	SW ¼ of Section 1, Township 21 N, Range 55 W, as described in Instrument #2023-4951, generally located between D Street and K Street and between 5 <sup>th</sup> Street and Pappas Boulevard	<b>#Lots/Parcels:</b>	3
<b>Owner:</b>	OIKOS Development Corporation	<b>City Council Public Hearing:</b>	N/A

**Public Notice:** This Public Hearing was noticed meeting City Zoning and Subdivision Regulations and according to Nebraska State Statutes.

**Public Hearing**

The property owners of the property located within the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6<sup>th</sup> P.M., City of Gering (see map), have requested a rezone from RM, Medium Density Residential, to RH, High Density Residential. A portion of the property (1.6 acres) is already zoned RH. This request would change the remainder of the property to RH as well. The purpose of the zone change is to allow for development of the property into residential duplex and quadplexes. This would provide for workforce housing at a lower price point than single family residential.

The City’s Comprehensive Plan designates this area as District 4, the East Gering Neighborhood District. Under Future Desired Characteristics, the Plan states, “As new neighborhoods are developed, inclusion of a variety of housing types and densities at various price points should be prioritized. The district has a considerable amount of vacant land providing opportunities for new housing, which should include a compatible mix of single family on different lot sizes, as well as townhomes, condominiums, and apartments that are designed to fit the context of nearby housing and neighborhoods serving a mix of incomes.” The Future Places map for District 4 designates this particular property as one that would be suitable for higher density residential (see Comprehensive Plan Excerpts attached).

Staff recommends that the proposal is in accordance with the Comprehensive Plan and recommends approval of the zone change.

## **Recommendation**

### **Approve**

Make a POSITIVE RECOMMENDATION to City Council for the rezone of a portion of the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6<sup>th</sup> P.M., City of Gering, Scotts Bluff County, Nebraska, as described in Instrument #2023-4951 from RM Residential Medium Density to RH Residential High Density for the following reasons:

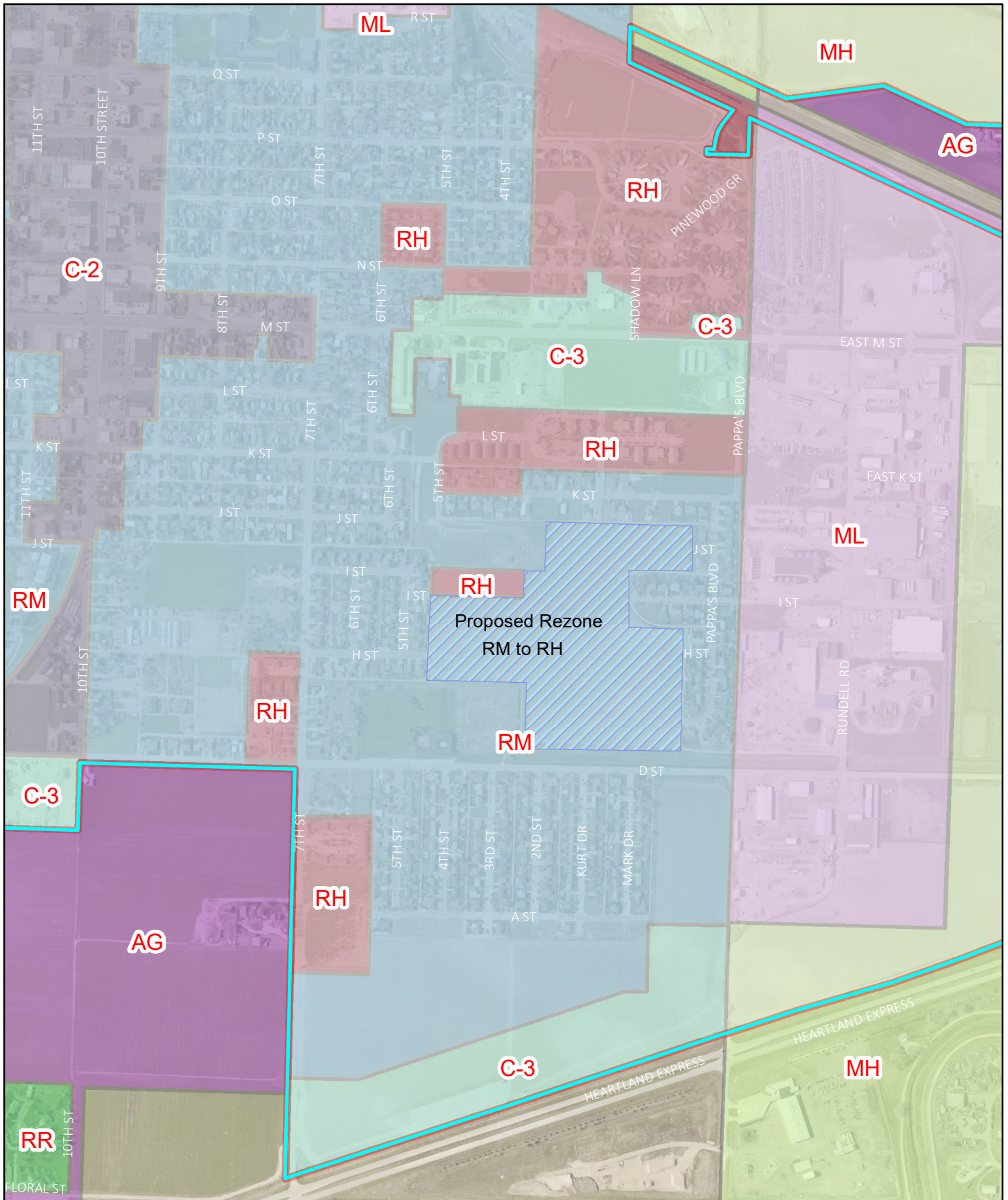
### **Deny**

Make a NEGATIVE RECOMMENDATION to City Council for the rezone of a portion of the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6<sup>th</sup> P.M., City of Gering, Scotts Bluff County, Nebraska, as described in Instrument #2023-4951 from RM Residential Medium Density to RH Residential High Density for the following reasons:

### **Table**

Table making a recommendation to City Council for the rezone of a portion of the SW ¼ of Section 1, Township 21 N, Range 55 W of the 6<sup>th</sup> P.M., City of Gering, Scotts Bluff County, Nebraska, as described in Instrument #2023-4951 from RM Residential Medium Density to RH Residential High Density for the following reasons:





Rezone Application  
Planning Commission  
February 20, 2024

Final 2.8.24  
A. Folck

## VICINITY MAP

Engineering and Mapping Department City of Gering

NORTH



LINEAR SCALE (MILES)

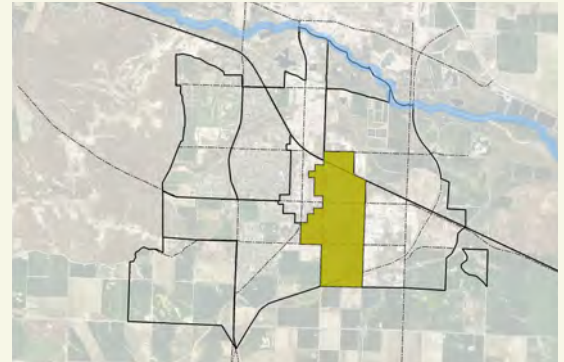


## District 4

### East Gering Neighborhood District

#### Existing Characteristics

Eastern Gering neighborhoods consist primarily of single-family detached residential uses on small to medium lots, with a few two – to three-unit uses integrated within several of the neighborhoods. The district also has a mix of low– to mid-scale multi-unit residential options clustered together on select sites throughout the district. The district has urban block patterns close to downtown transitioning to longer block patterns as you move east and south across the district. Detached sidewalks are prevalent in blocks near downtown with attached sidewalks in the newer developed residential areas.



Access to residences are taken from driveways with alleys in the rear. Both attached and detached garage forms are present in the district, with buildings set back from the street. Access is primarily from local and collector streets with good connectivity for all modes.

Open space is in the form of private yards and neighborhood parks.

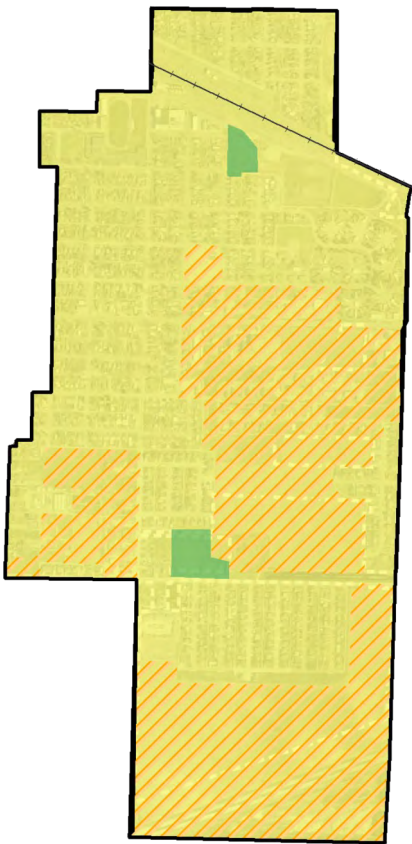
Secondary uses include parks and open space systems, schools, retirement centers and assembly uses.

#### Future Desired Characteristics

As new neighborhoods are developed, inclusion of a variety of housing types and densities at various price points should be prioritized. The district has a considerable amount of vacant land providing opportunities for new housing, which should include a compatible mix of single family on different lot sizes, as well as townhomes, condominiums, and apartments that are designed to fit the context of nearby housing and neighborhoods serving a mix of incomes. Higher-density housing should be located along major roads such as M Street and 10th Street. Parks should be incorporated into new neighborhoods in addition to other community facilities where appropriate. Alternative transportation connections should be provided to the Downtown area and other key destinations.

# District 4: East Gering Neighborhood District


## Future Places



### Land Use

 Residential

### Intensity

 Higher Density

### Land Use Scale & Form

**Residential:** New residential development should consist of detached single-family homes on small lots, as well as a range of attached units (duplex, triplex, townhomes) and standalone apartments or condominium style buildings with up to four units. Vacant lots located near major roads would be appropriate for higher density housing, including mid-scale apartment buildings of 8 units.

Neighborhood and community based public/ semi-public facilities— places of worship; public safety; schools.

Neighborhood parks, trails, and recreational facilities.

### Primary Zoning

**R1** Low Density Residential

**R2** Medium Density Residential

**R3** High Density Residential

**CITY OF GERING  
REZONING  
AMENDMENT APPLICATION**

**Prepared For:**  
Oikos Development Corporation  
1712 Main Street  
Suite 206  
Kansas City, Missouri 64108

**JANUARY 2024**

## CONTACT INFORMATION

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1712 Main Street  
Suite 206  
Kansas City, Missouri 64108  
Phone: 816.352.4258

Raymond W. Greer, AICP  
DesignWest Group  
Project Manager  
2910 Kerry Forest Parkway  
Suite D-4 126  
Tallahassee, Florida 32309  
Phone: 850.545.6503

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- IV. Public Facilities and Services**
- V. Consistency with Comprehensive Plan**
- VI. Figures**

Location Map

## **I. General Information**

### **Parcel Identification Numbers:**

010329846, 1.02 acres  
010000457, 14.98 acres  
010019022, 21.35 acres

### **Acreage:**

Changing 29.75 +/- acres

### **Existing Zoning:**

Residential Medium

### **Proposed Zoning:**

Residential High

The application package contains a proposed zoning amendment to the City of Gering Zoning Map. The amendment proposes to change a total of 29.75 acres from the Residential Medium Zoning Category to the Residential High Zoning Category on the City of Gering Zoning Map to allow for the development of workforce housing in the form of duplexes. The amendment area is located west of I Street within the City of Gering. Please see the location map in Section VI.

## **II. Type of Request**

The request is for an amendment to the City of Gering's Future Land Use Map for 29.75 acres on three parcels totaling 31.35 acres. The site currently has Residential Medium zoning designations on 29.75 acres and a Residential High zoning designation on 1.6 acres. This request would change all 29.75 acres from Residential Medium to Residential High.

## **III. Description of Property / Adjacent Uses**

The subject site is approximately 29.75 acres designated as Residential Medium on the City of Gering Zoning Map. The subject property is currently vacant and is in use as an agricultural field. The surrounding properties are developed primarily with single family homes and are designated as Residential Medium.

## **IV. Public Facilities and Services**

The subject site is proposed for a residential attached duplex and quadplex development. City of Gering water, wastewater, and stormwater systems are available on all sides of the subject site for connections to future development. The proposed development is accessed by local and collector streets and will continue the existing street network. The site is in an existing neighborhood serviced by police, fire, and schools. Additional development in this area will maximize these resources by increasing density in an area already served. The subject site is located adjacent to McClellan Park on the park's northeast corner and is approximately 420 feet from the park via D Street, giving potential future residents easy access to open space and recreation facilities.

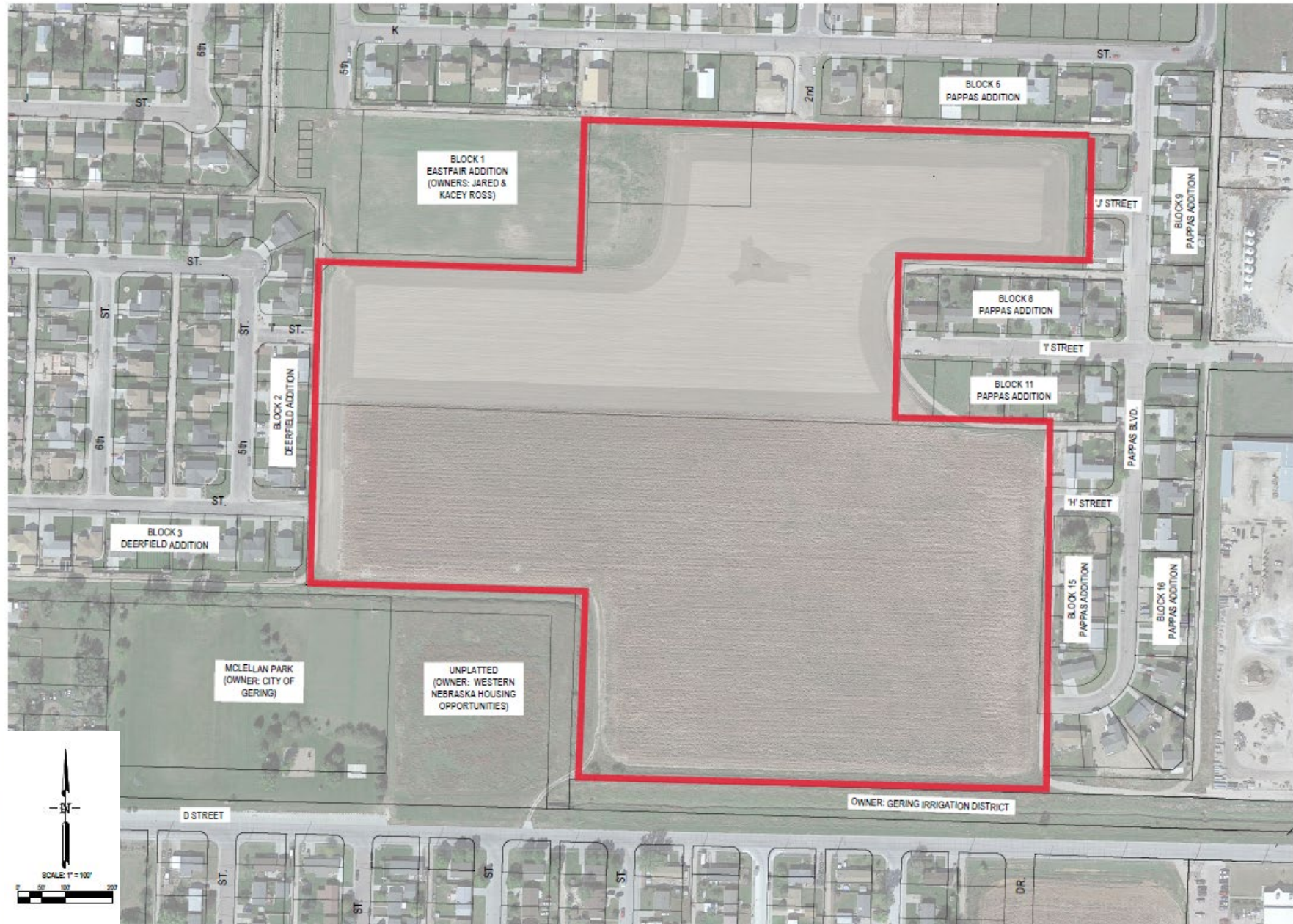
## **V. Consistency with the Comprehensive Plan**

The proposed FLUM amendment is consistent with the City of Gering Comprehensive Plan. The subject site is within District 4, the East Gering Neighborhood District. Within this district new residential development should consist of detached single-family homes on small lots, as well as a range of attached units (duplex, triplex, townhomes) and standalone apartments or condominium style buildings with up to four units. Within the map provided for District 4, the subject site is identified for higher density. Duplex units on smaller lots would provide the higher density for the subject site.



**VI. Figures**  
**Location Map**

## Location Map



**Appendix A**  
**Zoning Application**



City of Gering  
1025 P Street  
P.O. Box 687  
Gering, NE 69341  
Phone (308) 436-6800  
Fax (308) 436-2184

## Zone Change Application

Date: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

*NOTE: Applicant must be owner or have written consent of owner to be considered.*

Address: \_\_\_\_\_

Present Owner \_\_\_\_\_ Phone: \_\_\_\_\_

*(If different than Applicant)*

Present Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Property Legal Description or Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Other  
Description: \_\_\_\_\_

Present Use of Property: \_\_\_\_\_

Reason for request: \_\_\_\_\_

Applicant's Signature

Staff Use Only

Adjoining Property Use:

North: \_\_\_\_\_ South: \_\_\_\_\_

East: \_\_\_\_\_ West: \_\_\_\_\_

If change is granted, how will it affect adjoining property? \_\_\_\_\_

Fee \$150.00

For Office Use Only

Receipt no. \_\_\_\_\_

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

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<b>To:</b>	Planning Commission	<b>Date:</b>	2/20/24
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	C-3
<b>Subject:</b>	Recommendation & Report – Conditional Use Permit for Storage Units	<b>Property Size:</b>	2.49 Acres
<b>Location:</b>	1125 D Street	<b>#Lots/Parcels:</b>	1
<b>Owner:</b>	Todd Hoke	<b>City Council Public Hearing:</b>	N/A

**Public Notice:** This Public Hearing was noticed meeting City Zoning and Subdivision Regulations and according to Nebraska State Statutes.

**Public Hearing**

The property owner at 1125 D Street has applied for a Conditional Use Permit to build storage units. These units would be rented out to the public. They are proposing between 32-36 units, with the buildings to be built around the perimeter of the property. This would allow the storage units to screen the rest of the property from public view. The storage units would be 24’ deep, with a unit that would be approximately 200’ long on the west side and another unit that would be between 200-240’ on the north side (see attached site plan).

**Motion and Vote**

**Approve**

Approve the Conditional Use Permit for Storage Units to be located at 1125 D Street with the following conditions:

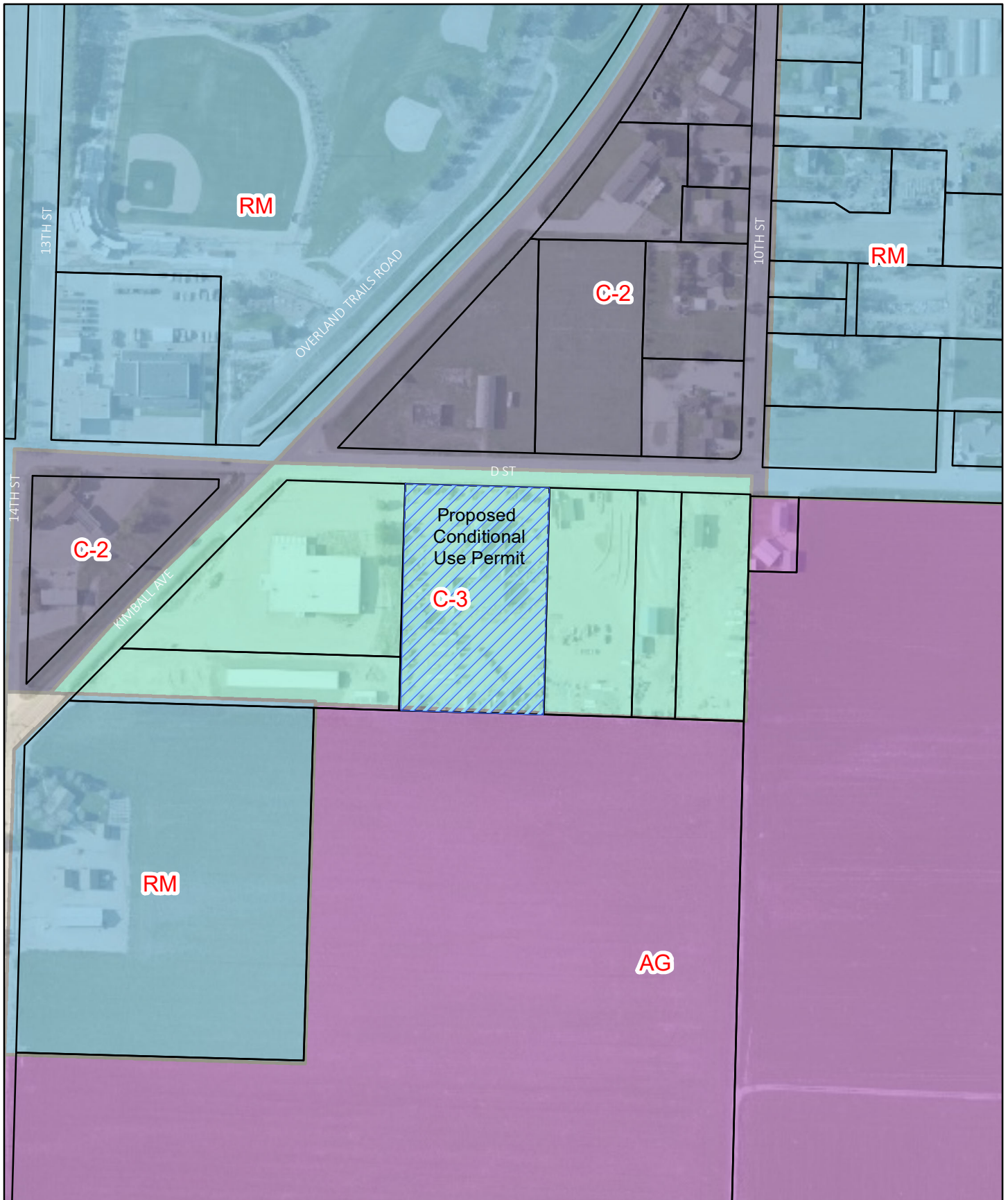
**Deny**

Deny the Conditional Use Permit for Storage Units to be located at 1125 D Street for the following reasons:

**Table**

Table the Conditional Use Permit for Storage Units to be located at 1125 D Street for the following reasons:



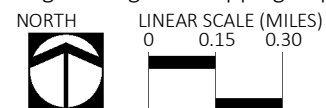


Conditional Use Permit Application  
1125 D Street  
Planning Commission  
February 20, 2024

Final 2.8.24  
A. Folck

## VICINITY MAP

Engineering and Mapping Department City of Gering





City of Gering  
1025 P Street  
P.O. Box 687  
Gering, NE 69341  
Phone (308) 436-6800  
Fax (308) 436-2184

## Application for Conditional Use Permit

Date Filed: 1-19-24 Hearing Date: 2-22-24

Applicant's Name: TODD Hoke Phone: 303-929-0647

Address: 1125 0<sup>th</sup> Gering NE, 69341

Present Owner: TODD Hoke / Hoke Transport Present Zoning: \_\_\_\_\_

Property Description or Location: Subdivision Greenwalt 1<sup>st</sup> Addition  
Other Description: \_\_\_\_\_ Block No.: #1 Lot No.: #1A

Present Use of Property: FAB SHOP / MECHANIC SHOP  
Desired Use of Property: FAB SHOP / MECHANIC SHOP / STORAGE

Reasons for request: would like to generate more income and use building as privacy fence also.

Additional data or comments submitted: (site plan required) most vehicles in yard would be in the unit + no longer be visible to public.

  
Applicant's Signature

\*\*\*\*\*PLEASE FILL OUT FOLLOWING PAGE AND TURN IN WITH APPLICATION\*\*\*\*\*

## ARTICLE 2 REGULATION ADMINISTRATION

### SECTION 2.2: PLANNING COMMISSION

2.2.2.D 1. ACCESS: Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Applicant proposal: Changes + new structures within the  
current fence area access will remain the same

2.2.2.D 2. Off-street parking and loading areas where required, with particular attention to the noise, glare, or odor effects of the conditional use on adjoining properties and properties generally in the district.

Applicant proposal: see

2.2.2.D 3. Refuse and service areas.

Applicant proposal: will use existing may move Dumpster

2.2.2.D 4. Utilities, with reference to locations, availability, and incompatibility.

Applicant proposal: no new utilities required

2.2.2.D 5. Screening and buffering with reference to type, dimensions, and character.

Applicant proposal: New structure will provide its own  
privacy fence

2.2.2.D 6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district.

Applicant proposal: no signs

2.2.2.D 7. Required yards and other open spaces.

Applicant proposal: see

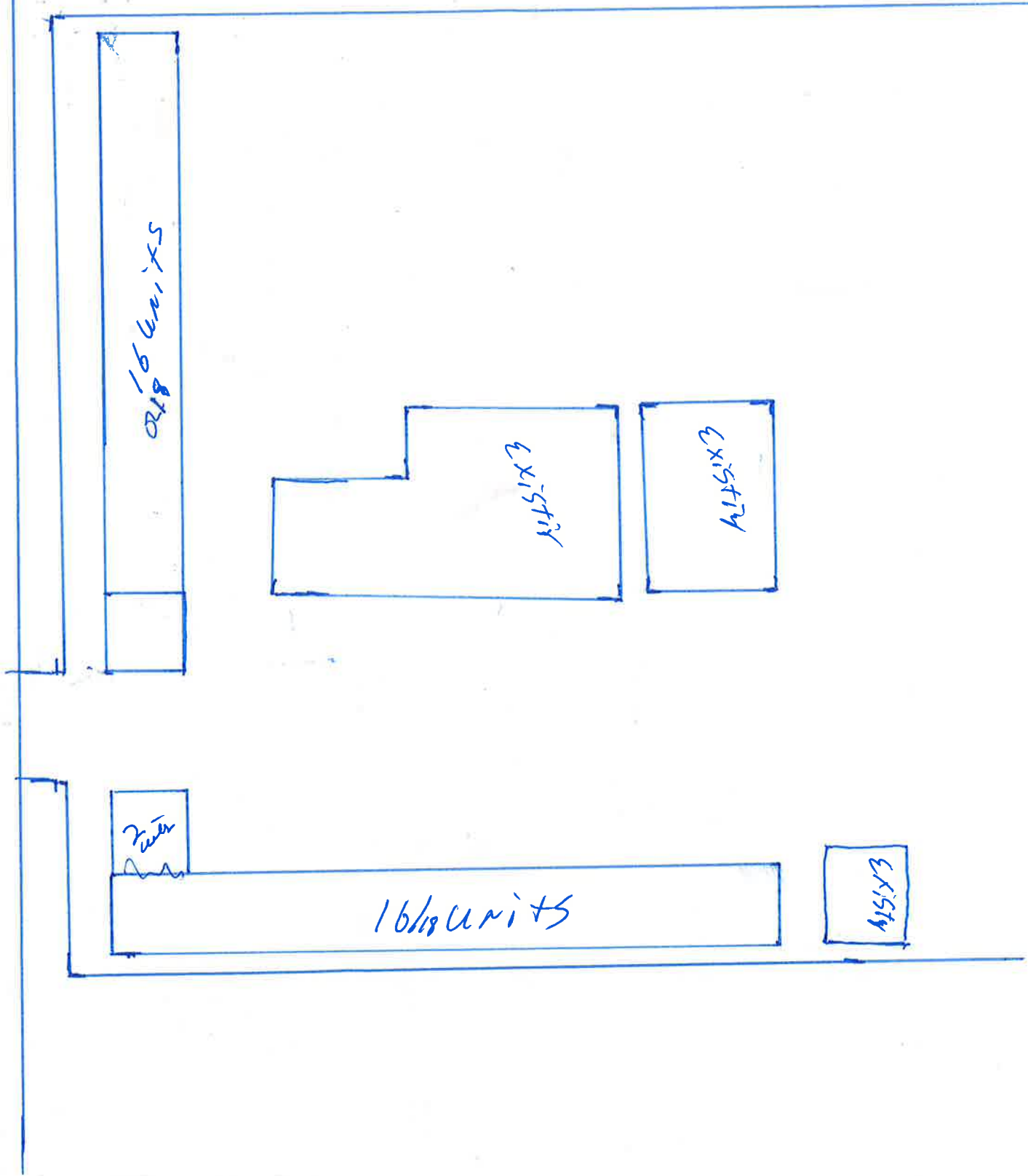
2.2.2.D 8. General compatibility with adjacent properties and other property in the district.

Applicant proposal: There is currently storage facility next  
property to the west.



Site plan

D Street



Design #: 326051408458  
Estimate #: 70280  
Store: SCOTTSBLUFF



**Post Frame Building Estimate**  
Date: Jan 19, 2024 10:26:05 AM

### Elevation Views

