

**CITY OF GERING PLANNING COMMISSION MEETING  
August 1, 2023**

A regular meeting of the City of Gering Planning Commission was held in open session on August 1, 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, Kaufman, Hauck and Alvizar. Absent were Commissioners Kautz, Shimic, Palm 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 June 20, 2023, regular Planning Commission meeting.**

**Motion by Commissioner Kaufman to approve the minutes of the June 20, 2023, regular Planning Commission meeting. Second by Commissioner Taylor. There was no discussion. The Clerk called the roll. "AYES": Taylor, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz, Shimic, Palm and Keener. Motion carried.**

**4. Current Business:**

**A. Consider Final Plat of Blocks 1A and 2A, Crossroads Subdivision**

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

<b>To:</b>	Planning Commission	<b>Date:</b>	August 1, 2023
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	MH
<b>Subject:</b>	Consider Final Plat of Blocks 1A and 2A, Crossroads Subdivision, a Replat of Block 1, Crossroads Subdivision and Lots 1-6, Block 1, Lots 1-6, Block 5, Lots 1-4, Block 7, First Addition to North Gering, and Unplatted Lands within the Northwest	<b>Property Size:</b>	28.8 Acres

	Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska		
<b>Location:</b>	220435 East U Street	<b>#Lots/Parcels:</b>	
<b>Owner:</b>	Crossroads Cooperative	<b>City Council Meeting</b>	August 14, 2023

The City of Gering has received an application for a final plat of Blocks 1A and 2A of Crossroads Subdivision. The western end of this property was originally platted into residential lots and blocks, but was never developed. The property has been owned by Crossroads Cooperative since 2001, and has been utilized as a grain handling facility. Crossroads has now moved their main facility to the east and is planning on selling a portion of their former site. This replat gets rid of the residential lots and streets, creating a parcel that can be sold, as well as a parcel that will accommodate the new Crossroads facility, including a proposed rail spur.

Both lots have access to U Street and to City sewer. Both lots will have access to City water once the Pioneer Trails Industrial Park Water Main project is completed (this project is funded through the Crossroads Cooperative TIF). City staff recommends approval of the final plat.

**Recommendation**

**Approve:** Move to recommend approval of the Final Plat of Blocks 1A and 2A, Crossroads Subdivision, a Replat of Block 1, Crossroads Subdivision and Lots 1-6, Block 1, Lots 1-6, Block 5, Lots 1-4, Block 7, First Addition to North Gering, and Unplatted Lands within the Northwest Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska to City Council

**Deny:** Move to recommend denial of the Final Plat of Blocks 1A and 2A, Crossroads Subdivision, a Replat of Block 1, Crossroads Subdivision and Lots 1-6, Block 1, Lots 1-6, Block 5, Lots 1-4, Block 7, First Addition to North Gering, and Unplatted Lands within the Northwest Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska to City Council for the following reasons:

**Table:** Move to table a recommendation for the Final Plat of Blocks 1A and 2A, Crossroads Subdivision, a Replat of Block 1, Crossroads Subdivision and Lots 1-6, Block 1, Lots 1-6, Block 5, Lots 1-4, Block 7, First Addition to North Gering, and Unplatted Lands within the Northwest Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska to City Council for the following reasons:

City Engineer, Annie Folck, stated that the City received a final plat for Crossroads Subdivision. To provide context, she showed the location on the overhead screens. She pointed out U Street on the north and the City's Industrial Park to the east. Right now, the property is in several different lots. There are two parcels that are triangular-shaped and there are several parcels that were originally part of the First Addition to Gering, which is the little neighborhood. These parcels were platted, but never developed. There are spots where the streets were supposed to go through and areas where the blocks would have gone; they're all currently separate parcels.

The current property owner is Crossroads Cooperative. They are the applicant and are looking at re-platting this. They are intending to keep part of it on the east, keep Block 1A and they're looking at having Block 2A that they could potentially convey to another entity. Block 1A has a strange shape that goes off to the west and up; that's to accommodate a rail spur. The rail spur will serve the Crossroads property which is their big grain elevator. They'll load grain out of there by rail. By re-platting it, the rail spur will be a buffer between the residential neighborhood and the industrial property to the east (she showed the location on the screen). Typically, when looking at final plats, we're making sure that all lots created have access to public right of way, to a public street, and also that they have access to utilities. These properties have access to U Street to the north, they also have access to sewer (in Block 1A and in the alleyway to the west). Additionally, there is a water main that has been designed; they are currently in the process of getting bids for it. A water main will be extended to Pioneer Trails Industrial Park. That was part of the Crossroads TIF and splitting that off on the Industrial Park to allow them to build there. That was part of the development agreement - that the Crossroads TIF would pay for that. They're hoping to get that done this fall; there is a plan that both lots will have access to water in the near future. Staff is recommending approval of this final plat.

Chairman Miles asked if there were any questions from the Commissioners. He confirmed that Block 1A wraps around and is basically like a "U". He asked if the thought was that they're going to keep that because of the railroad spur. Engineer Folck replied, yes. Chairman Miles asked if 2A would be residential. Engineer Folck replied no, these are both zoned Heavy Manufacturing already - the entire property, including these lots that originally were slated for residential. She said the zoning would not change, staff would not recommend a zone change, but when that area does become a rail spur, that will be somewhat of a buffer area. The amount of train traffic in that area will be minimal.

Chairman Miles said he was a little confused because on the plat they looked like residential lots. Engineer Folck stated those are the ones being vacated as part of this replat. She showed the map on the overhead screens and pointed out the existing lots that will be erased with this new plat. She showed the Commissioners where the switch on the rail spur would be off of the main line, and noted that they'll have to back in from the east.

With no further questions, Chairman Miles entertained a motion to approve, deny, or table an application for a final plat of Blocks 1A and 2A, Crossroads Subdivision.

**Motion by Commissioner Taylor to approve a Final Plat of Blocks 1A and 2A, Crossroads Subdivision as described. Seconded by Commissioner Alvizar. There was no discussion. The Clerk called the roll. "AYES": Taylor, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz, Shimic, Palm and Keener. Motion carried.**

**A. Public Hearing to consider Zone Change for Tax Lot 32, Section 2, Township 21 North, Range 55 West of the 6<sup>th</sup> P.M., from C-2 Central Business District to RM Residential Medium Density**

Chairman Miles opened a public hearing to consider a Zone Change for Tax Lot 32, Section 2, Township 21 North, Range 55 West of the 6<sup>th</sup> P.M., from C-2 Central Business District to RM Residential Medium Density at 6:10 p.m.

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

<b>To:</b>	Planning Commission	<b>Date:</b>	August 1, 2023
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	C-2
<b>Subject:</b>	Consider Rezone of Tax Lot 32, Section 2, Township 22, Range 55 West of the 6 <sup>th</sup> P.M., City of Gering from C-2 Central Business District to RM, Residential Medium Density District	<b>Property Size:</b>	
<b>Location:</b>	1200 11 <sup>th</sup> Street	<b>#Lots/Parcels:</b>	1
<b>Owner:</b>	Patricia Deines	<b>City Council Public Hearing</b>	August 14, 2023

The City has received an application for the rezone of a lot located at 1200 11<sup>th</sup> Street, from C-2, Central Business District to RM, Residential Medium Density. The properties to the north, west, and south are all zoned RM, while the property to the east is zoned C-2 (see attached map). According to the Comprehensive Plan, the property is located on the western boundary of District 8, Downtown Gering District. While this district is primarily commercial in nature, there are other principles and policies in the Comprehensive Plan that support the rezone of this lot to residential. Policy 3.2.B states, "Focus commercial development in areas that have good transportation access and support the development of multiple uses." The location of this lot is on a local, residential street that is designed to carry minimal traffic, which is less than ideal for commercial development. Policy 3.2.E states, "Promote compatible infill and redevelopment that fits Gering's neighborhoods and is consistent with the desired future character of the area." The property owner would like to utilize the property as a residential property, which is more consistent with all the surrounding properties than the current commercial zoning. For these reasons, staff recommends approval of the rezone.

**Recommendation**

**Approve:** Recommend approval of the rezone of Tax Lot 32, Section 2, Township 22, Range 55 West of the 6<sup>th</sup> P.M., City of Gering from C-2 Central Business District to RM, Residential Medium Density District

**Deny:** Recommend denial of the rezone of Tax Lot 32, Section 2, Township 22, Range 55 West of the 6<sup>th</sup> P.M., City of Gering from C-2 Central Business District to RM, Residential Medium Density District for the following reasons:

**Table:** Table a recommendation for the rezone of Tax Lot 32, Section 2, Township 22, Range 55 West of the 6<sup>th</sup> P.M., City of Gering from C-2 Central Business District to RM, Residential Medium Density District for the following reasons:

Engineer Folck stated that the City received an application for the rezone of 1200 11<sup>th</sup> Street (as shown on the map). Currently this is zoned C-2 which is Central Business District, which is Gering's downtown zoning. This is the only property on this portion of the block that is zoned C-2. It is surrounded to the north, west and south by residential. The applicant is requesting to go from C-2 zoning to Residential Zoning. When looking at the Comp Plan for guidance, it actually shows 11<sup>th</sup> Street as being a boundary between the downtown neighborhood and residential neighborhood. She thinks the reason the consultants did it that way was because they wanted the street to serve as a boundary, rather than the alley, just to make it a little clearer.

In looking at the context of the existing zoning and at some of the policies in the Comp Plan which talk about focusing commercial development in areas with good transportation access, promoting compatible in-fill and redevelopment that fits Gering's neighborhoods and is consistent with the desired future character of the area, she thinks that the rezone from Commercial to Residential makes a lot of sense.

She has had some phone calls from some of the neighboring property owners questioning what was going on. One thing to note is currently, as a commercial property, if someone wanted to open a bar there or a restaurant or something like that, it would be an allowable use under the current zoning. Whereas, if this is rezoned to residential, then it will be consistent with all the other properties on either side as well as across the street. She feels this is much more appropriate with the local residential street and with the neighborhood that surrounds it. For those reasons, staff is recommending approval of the rezone.

Chairman Miles asked if anyone in the Council Chambers wished to speak regarding the application, noting the five-minute time limit to address the Planning Commission.

Roger Palmer addressed the Commission and stated that he's concerned about either side of this property. His understanding is that it is already, on either side, residential. Engineer Folck replied, that's correct. Mr. Palmer stated he was not aware of that because in the late 1970s, he owned the property next door to this property. He understood it was a Commercial District then, or Central Business District at that time. Apparently since then, this property (in that area) has changed to residential, except perhaps this one property. Engineer Folck replied that she can't speak to what the uses or zoning was in the 70s; that pre-dates her. Currently the uses and zoning are residential for all the properties that are related to this area. Everything that's shown in blue (on the map) is zoned residential. Mr. Palmer replied that that cleared it up for him.

With no further comments, Chairman Miles closed the public hearing at 6:15 PM.

**Motion by Commissioner Kaufman approve a Zone Change for Tax Lot 32, Section 2, Township 21 North, Range 55 West of the 6<sup>th</sup> P.M., from C-2 Central Business District to RM Residential Medium Density. Seconded by Commissioner Alvizar.**

**Discussion:** Commissioner Taylor stated that at one time this property was a day care. He asked if it was currently still running or is there some other business there. Engineer Folck replied no; it's currently vacant. The property owner requested the property be rezoned, but it's currently vacant.

**The Clerk called the roll. "AYES": Taylor, Miles, Kaufman, Hauck, Alvizar. "NAYS": None. Abstaining: None. Absent: Kautz, Shimic, Palm and Keener. Motion carried.**

## 5. Engineers Report

Engineer Folck thanked the Commissioners for being present to get through all of the applications in a timely manner. She stated that Planning Commissioner, Matt Kautz, has chosen to step down due to personal and career reasons. He is going to be submitting his letter of resignation. If anyone knows someone who would be interested in joining the Planning Commission, please let staff know. There will be a full-time opening now, and the alternate position is still open. It's understandable that everyone will miss every now and then, but it's really important to make sure there is a quorum (which is easier to do with 10 people).


She invited the Commissioners to check out the new pickleball courts. A ribbon cutting will be held on August 2 at 5:30 p.m. They are located at Oregon Trail Park, just north of Geil Elementary. Staff hope to have the parking lot done before school starts. It can serve the ball fields, pickleball courts, and be a drop-off and pick-up area for the school as well. The courts themselves, and the surrounding area, are complete.

Staff have not received any applications for the September Planning Commission meeting. There could potentially still be a meeting the third week in September. She stated that Chairman Miles had a good suggestion; she will start sending out a calendar invite for scheduled meetings. That will be a little quicker and easier and hopefully it will be a good reminder for everyone.

## 6. Adjourn

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

The meeting adjourned at 6:20 p.m.

  
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Jody Miles, Chairman

ATTEST:

  
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Carol Martin, Secretary