

# **City of Scottsbluff, Nebraska**

**Monday, March 17, 2014**

**Regular Meeting**

## **Item Subdiv.3**

**Council to consider a final plat and dedication of part of 35th Street, in the City of Scottsbluff, NE situated in the NE ¼ Section 14 and approve the Resolution.**

**Staff Contact: Annie Urdiales, Planning Administrator**

# Agenda Statement

Item No.

For meeting of: March 17, 2014

**AGENDA TITLE:** Final Plat and dedication of part of 35<sup>th</sup> Street, in the City of Scottsbluff, NE situated in the NE ¼ Section 14, T22N, R55W of the 6<sup>th</sup> P.M., Scotts Bluff County.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services

**PRESENTATION BY:** Rick Kuckkahn

**SUMMARY EXPLANATION:** Mark Sitzman, represented by M.C. Schaff and Associates, has requested approval of a final plat for dedication of part of 35<sup>th</sup> Street, in the City of Scottsbluff, NE situated in the NE quarter of Section 14, T22N, R55W of the 6<sup>th</sup> P.M. This final plat will allow for the extension of 35<sup>th</sup> Street to the east where it will connect with Hillcrest Drive and also allow for future development north of 35<sup>th</sup> Street in the Sitzman Subdivision and Northern Heights Addition.

This right of way dedication is done in conjunction with the Northern Heights Subdivision to allow for the final platting of the 16 proposed lots. Hillcrest drive will be extended to the west to meet 35<sup>th</sup> Street which exits onto Avenue B. Mr. Herron is planning to construct the street to City standards sometime in the near future.

The plat meets the requirements of the residential zoning district.

**BOARD/COMMISSION RECOMMENDATION:** At a regular meeting held on March 10, 2014 the Planning Commission approved the Final plat and dedication of part of 35<sup>th</sup> Street, in the City of Scottsbluff, Scotts Bluff County.

**STAFF RECOMMENDATION:** Approval of the final plat and dedication so resolution may be recorded at the Register of Deeds.

---

## EXHIBITS

Resolution x      Ordinance      Contract      Minutes x      Plan/Map x

Other (specify) ☐ \_\_\_\_\_

**NOTIFICATION LIST:** Yes      No ☐      Further Instructions ☐  
M.C. Schaff & Associates, 818 South Beltline Highway East

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

---

**Planning Commission Minutes**  
**Regular Scheduled Meeting**  
**March 10, 2014**  
**Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, March 10, 2014, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on February 28, 2014. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

**ITEM 1:** Chairman, Becky Estrada called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Callan Wayman, Mark Westphal, David Gompert, Anita Chadwick, and Becky Estrada. Absent: Angie Aguallo, Henry Huber, and Dana Weber. City officials present: Annie Urdiales, Planning Administrator, Annie Folck, City Planner, and Gary Batt, Code Administrator II.

**ITEM 2:** Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those interested parties.

**ITEM 3:** Acknowledgment of any changes in the agenda: None.

**ITEM 4:** Business not on agenda: None

**ITEM 5:** Citizens with items not scheduled on regular agenda: None

**ITEM 6:** The minutes of 2/10/14 were reviewed and approved. A motion was made to accept the minutes by Westphal, and seconded by Gompert. "YEAS": Zitterkopf, Chadwick, Wayman, Gompert, Westphal, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Aguallo, Huber and Weber. Motion carried.

**ITEM 7A:** The Planning Commission opened a public hearing for a final plat of lots 11 through 15, Block 2, lots 1 & 2, Block 5, lots 1 through 6, Block 8, and lots 1 through 3, Block 9, Northern Heights Addition. The final plat is approximately 6.42 ± acres and consists of sixteen (16) lots. The property is situated west of 5<sup>th</sup> Avenue east of Avenue B, and North of Highway 26.

This Subdivision was preliminary platted and revised several times by then property owner, Randy Foos, the land has sat idle for a few years and the preliminary plat was renewed as needed (every two years). Steve Herron, the new property owner, is planning to develop the sixteen parcels into residential lots which will fill in the gap between homes along the west side (Ave. B) and east side (5<sup>th</sup> Ave.) of the Subdivision. Hillcrest drive will be extended to the west to meet 35<sup>th</sup> Street which exits onto Avenue B. Mr. Herron is planning to construct the street to City standards sometime this year. The water and sewer infrastructure is in place.

Kelly Beatty of M.C. Schaff & Associates, representing Mr. Herron addressed the Planning Commission and answered questions about the proposed plat and rezone. Mr. Beatty described the plat which will connect 35<sup>th</sup> Street to Hillcrest Drive with lots on both sides; the plan helps to pay for the infrastructure needed to complete the development. Storm water will be stored in a temporary detention pond on the south end until future development to the south continues at which time hope to go across the highway. Storm sewer is in the street and sized to accommodate natural flow. Planning Commissioner Zitterkopf asked about the large hole at the end of Hillcrest Drive, it will be filled in as part of this development.

**Conclusion:** A motion was made by Zitterkopf and seconded by Gompert to make positive recommendation to City Council to approve the proposed final plat of lots 11 through 15, Block 2, lots 1 and 2, Block 5, lots 1 through 6, Block 8, and lots 1 through 3, Block 9, Northern Heights Addition. "YEAS": Zitterkopf, Wayman, Westphal, Chadwick, Gompert, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Aguillo, Huber, and Weber. Motion carried.

**Agenda Item 7B:** The Planning Commission opened a public hearing for a final plat and dedication of part of 35<sup>th</sup> Street in the City of Scottsbluff, NE situated in the NE quarter of Section 14, T22N, R55W of the 6<sup>th</sup> P.M. The applicant, Mark Sitzman, represented by M.C. Schaff and Associates, has requested approval of the final plat & dedication. This final plat will allow for the extension of 35<sup>th</sup> Street to the east where it will connect with Hillcrest Drive which will also allow for future development north of 35<sup>th</sup> Street in the Sitzman Subdivision

This right of way dedication is done in conjunction with the Northern Heights Subdivision to allow for the final platting of the 16 proposed lots. Hillcrest drive will be extended to the west to meet 35<sup>th</sup> Street which exits onto Avenue B. The plats were done separately to accommodate the two property owners.

**Conclusion:** A motion was made by Gompert and seconded by Wayman to approve the final plat and dedication of part of 35<sup>th</sup> Street in the City of Scottsbluff, NE situated in the NE quarter of Section 14, T22N, R55W of the 6<sup>th</sup> P.M. "YEAS": Zitterkopf, Westphal, Chadwick, Gompert, Wayman, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Aguillo, Huber, and Weber. Motion carried.

**ITEM 7C:** The Planning Commission opened a public hearing for a request for a final plat of Lots 1A and 2A, Block 2, a replat of part of Lot 1, Lots 2,3, & 4, Block 2, Amended Five Oaks Subdivision. The Property Owners, C& T Holdings had Baker and Associates prepare the final plat which will create two larger lots from the existing lots. These lots are located in a Planned Unit Development (PUD) which was approved through a Special Use Permit approved by the Planning Commission in January of 2005. The final plat comes with a request to amend the Special Use Permit to remove part of Lot 1, Lots 2, 3, & 4, Block 2, Amended Five Oaks Subdivision from the PUD. A letter from the Homeowners Association was submitted along with the request to amend the Special Use Permit with their approval of the change to the PUD. The main portion of the PUD will front Blue Stem Drive. The new lots will comply with the R-1A zone and the lots will face existing public streets, Aspen Drive to the west and 38<sup>th</sup> Street to the north. Existing infrastructure is in place for residential development of the proposed lots.

**Conclusion:** A motion was made by Westphal and seconded by Chadwick to approve the amendment of the Special Use Permit of a Planned Unit Development (PUD) to remove part of lot 1, and lots 2, 3, & 4, Block 2, Amended Five Oaks Subdivision from the PUD. "YEAS": Zitterkopf, Westphal, Chadwick, Gompert, Wayman, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Aguillo, Huber, and Weber. Motion carried



A **second motion** was made by Westphal and seconded by Zitterkopf to approve the final plat of Lots 1A and 2A, Block 2, a replat of a part of Lots 1, Lots 2, 3, and 4, Block 2, Amended Five Oaks Subdivision situated in the NW quarter of Section 14, T22N, R55W of the 6<sup>th</sup> P.M. “**YEAS**”: Zitterkopf, Westphal, Chadwick, Gompert, Wayman, and Estrada. “**NAYS**”: None. **ABSTAIN**: None. **ABSENT**: Aguillo, Huber, and Weber. Motion carried.

**ITEM 7D:** A public hearing was opened to discuss proposed text changes to the Gateway Greenway Overlay Zoning District. Annie Folck, City Planner, addressed the Planning Commission regarding some changes City Staff is proposing. The GGO zone was put in place to heighten the landscaping standards and development in the City’s entryways. The existing overlay zone is difficult to follow and the changes we propose should make it easier and flexible. A few of the changes we are looking at are to allow for groupings of the trees instead of spacing them forty feet apart. Grouping the trees will allow for a framing of the buildings making a nice visual impact. Grouping the trees is also a healthier option as trees are healthier when grouped together. Adding language to address redevelopment and the percentage of landscaping required for the remodeling or additions to existing development. We would add incentives if the planting and trees used are low maintenance and require less water usage, we would allow less landscaping requirements. Other things we want to work on are signage, height requirements for lighting, and maintenance of the landscaping. Annie Folck is researching and working with the State Forestry on what kind of plants and trees will work best in our area. A draft of changes will be brought back to the Planning Commission for further review before it is forwarded to City Council for approval.

**ITEM 8: Unfinished Business:** None.

There being no further business the Planning Commission with a motion to adjourn made by Westphal and seconded by Wayman the meeting was adjourned at 6:20 p.m. “**YEAS**”: Wayman, Westphal, Chadwick, Gompert, Zitterkopf, and Estrada. **NAYS**: none. **ABSENT**: Huber, Aguillo, and Weber. Motion carried.

\_\_\_\_\_  
Becky Estrada, Chairperson

Attest: \_\_\_\_\_  
Annie Urdiales

# FINAL PLAT

**PLAT AND DEDICATION  
OF PART OF 35TH STREET,  
IN THE CITY OF SCOTTSBLUFF,  
SCOTTS BLUFF COUNTY, NEBRASKA**

SITUATED IN PART OF THE NORTHEAST QUARTER OF SECTION 14,  
TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M.,  
SCOTTS BLUFF COUNTY, NEBRASKA

*That the accompanying plat is a true delineation of such survey drawn to a scale of 50 feet to the inch. That all dimensions are in feet and decimals. That each lot and block has its own number and that the boundary of the plat is shown with a heavy solid line. That all corners found or set are marked as shown.*

*Kelly A. Beatty, Nebraska Registered Land Surveyor, L. S. 476*



RESOLUTION NO. \_\_\_\_\_

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE  
CITY OF SCOTTSBLUFF, NEBRASKA:

That the final plat and dedication of part of 35<sup>th</sup> Street, in the City of Scottsbluff, Scotts Bluff County, Nebraska situated in part of the NE ¼ of Section 14, T22N, R55W of the 6th P.M., Scotts Bluff County, Nebraska dated February 10, 2014, duly made, acknowledged and certified, is approved. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 17th day of March 2014.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

SEAL