



SCOTTSBLUFF CITY
PLANNING COMMISSION AGENDA
Monday, May 8, 2017, 6:00 PM
City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, NE
69361

PLANNING
COMMISSIONERS

BECKY ESTRADA
CHAIRPERSON

ANGIE AGUALLO
VICE CHAIRPERSON

DANA WEBER

HENRY HUBER

MARK WESTPHAL

CALLAN WAYMAN

DAVID GOMPERT

JIM ZITTERKOPF

ANITA CHADWICK

LINDA REDFERN
ALTERNATE

- 1. WELCOME TO THE PLANNING COMMISSION MEETING:** Chairman
- 2. NEBRASKA OPEN MEETINGS ACT:** For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the back of the council chambers in the west corner.
- 3. ROLL CALL:**
- 4. NOTICE OF CHANGES IN THE AGENDA:** Additions may not be made to this agenda less than 24-hours prior to the beginning of the meeting unless added under item 5 of this agenda.
- 5. CITIZENS WITH ITEMS NOT SCHEDULED ON THE REGULAR AGENDA:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.
- 6. APPROVAL OF THE PLANNING COMMISSION MINUTES FROM:**
 - A Approve Minutes from April 24 Meeting**
- 7. NEW BUSINESS:**
 - A Final Plat Lots 1-6, Menards Subdivision Replat No. 1**
 - B Preliminary Plat Lots Lots 1-4, Fairacres Addition**
 - C Final Plat Lots 1-4 Fairacres Addition**
 - D Special Use Permit 24-hour daycare in an R-1a zone, located at 1717 12th Ave**
- 8. ADJOURN**

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the Development Services Department at (308) 630-6243, 24-hours prior to the meeting.

City of Scottsbluff, Nebraska

Monday, May 8, 2017

Regular Meeting

Item Appr. Min.1

Approve Minutes from April 24 Meeting

Staff Contact:

**Planning Commission Minutes
Regular Scheduled Meeting
April 24, 2017
Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regularly scheduled meeting on Monday, April 24, 2017, 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 April 14, 2017. 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: Anita Chadwick, David Gompert, Angie Aguillo, Callan Wayman, Mark Westphal, Henry Huber, Dana Weber, and Becky Estrada. Absent: Jim Zitterkopf. City officials present: Annie Folck, Planning Coordinator, Gary Batt, Code Administrator II, Jordan Diedrich, Deputy Public Works Director, and Anthony Murphy, Fire Prevention Officer.

ITEM 2: Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on bookcase 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 the April 10, 2017 meeting were reviewed. **Conclusion:** A motion was made by Wayman and seconded by Gompert to approve the minutes for the April 10th meeting. **“YEAS”:** Estrada, Westphal, Wayman, Huber, Gompert, Aguillo, and Chadwick. **“NAYS”:** None **Abstain:** Weber **Absent:** Zitterkopf

ITEM 7A: Planning Commission opened a public hearing for the review of a Final Plat for Hilltop Estates. Annie Folck gave a staff review of the project, stating that it included 41 residential lots in 5 blocks. The lots are configured to allow some existing structures to remain in place after the property is divided. The lots will be large for a residential area, varying from 15,000-25,000 square feet, with the majority around 25,000 sq ft.

The City is going to be working with the developer on stormwater retention. In the past, developers have been required to provide retention on-site, and historically, those retention areas have not been well-maintained. Once the lots of a subdivision are sold off, there is typically no one who wants to retain responsibility for maintaining the retention areas long-term, and homeowners' associations have not been successful in the community. Due to new regulatory requirements through the City's NPDES MS4 (municipal separate storm sewer system) permit, the City will soon be responsible for ensuring that all of these retention areas are inspected and maintained on a regular basis. In order to alleviate the maintenance burden on developers and the City, and to minimize the amount of developable land that must be sacrificed in order to create these retention areas, the City is pursuing a new policy that would allow developers to direct stormwater runoff to regional retention facilities that would be owned and maintained by the City. In return for accepting their stormwater, the City would charge developers an

57 impact fee. The fee that is currently proposed is \$1.50 per square foot of impervious area, to be paid as
58 each lot is developed. Hilltop Estates will be the first subdivision that will use this model. This would
59 mean that before a building permit can be issued for a lot, the property owner will have to pay \$1.50 per
60 square foot of impervious surface, i.e. for a lot with a 2000 sq ft house and a 500 sq ft driveway, there
61 would be a total of 2500 sq ft of impervious surface, so the charge would be \$3,750. The Developer's
62 Agreement will outline this fee in lieu of the developer constructing individual retention ponds on site.

63

64 Commissioner Westphal asked when the fee would be paid. Folck answered that it would be paid at the
65 time that a building permit was issued. This allows the City to accurately charge each lot for the amount
66 of impervious area they are installing, and provides a small incentive to reduce impervious cover, which in
67 turn reduces the amount of runoff from the development. Commissioner Wayman stated this seems like
68 a good model, as it doesn't make sense to have individual retention ponds on each development, which
69 can take up a lot of developable property.

70

71 **Conclusion:** A motion was made by Wayman and seconded by Gompert to recommend approval of the
72 Final Plat for Hilltop Estates Subdivision **"YEAS"**: Wayman, Gompert, Huber, Chadwick, Aguallo,
73 Westphal, Weber, and Estrada. **"NAYS"**: None. **ABSTAIN:** None **ABSENT:** Zitterkopf. Motion carried.

74

75 **ITEM 7B:** The Planning Commission opened a public hearing for the annexation of Hilltop Estates. This
76 annexation is being done as part of the final plat. The developer will be providing streets, water, and
77 sewer to all of the lots, which will be outlined in the Developer's Agreement. Staff recommended approval
78 of annexation.

79

80 **Conclusion:** A motion was made by Westphal and seconded by Aguallo to recommend approval of the
81 annexation of Hilltop Estates. **"YEAS"**: Wayman, Gompert, Huber, Chadwick, Aguallo, Westphal,
82 Weber, and Estrada. **"NAYS"**: None. **ABSTAIN:** None **ABSENT:** Zitterkopf. Motion carried.

83

84 **ITEM 7C:** The Planning Commission opened a public hearing for a Final Plat for the Melroy Addition, a
85 replat of Lots 12 and 13 of Wildy and Lana Commercial Tracts. The applicant is Steve Melroy,
86 represented by Baker and Associates. The property is situated south of 15th Street, between 19th and
87 21st Ave. The preliminary plat includes 6 commercial lots, which are all part of the same block. The
88 property is zoned C-3, Heavy Commercial, and the properties to the north, west, and south are also C-3,
89 with M-1 zoning to the east.

90

91 The preliminary plat was approved by the Planning Commission at their April 10th meeting. Infrastructure
92 is already available to each lot, and no streets, water, or sewer improvements are proposed. The
93 developer will be required to install sidewalks and landscaping to meet City code as the lots are
94 developed. Commissioner Gompert asked if they were already building on the property. Folck answered
95 that they do have a couple of buildings going up, and that because it is zoned C-3, it is allowable for them
96 to do so. The way they are dividing the property meets the requirements for the existing buildings to each
97 be on their own lots.

98

99 **Conclusion:** A motion was made by Aguallo and seconded by Gompert to approve the Final Plat for the
100 Melroy Addition, a replat of lots 12 and 13 of Wildy and Lana Commercial Tracts. **"YEAS"**: Wayman,
101 Gompert, Huber, Chadwick, Aguallo, Westphal, Weber, and Estrada. **"NAYS"**: None. **ABSTAIN:** None
102 **ABSENT:** Zitterkopf. Motion carried.

103

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

105

106 There being no further business, a motion to adjourn was made by Weber and seconded by Westphal.
107 The meeting was adjourned at 6:15 p.m. **"YEAS"**: Wayman, Gompert, Aguallo, Chadwick, Huber,
108 Westphal, Weber, and Estrada. **"NAYS"**: None. **ABSTAIN:** None. **ABSENT:** Zitterkopf. Motion carried.

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114 _____

115 Becky Estrada, Chairperson

116

117 Attest: _____

118 Annie Folck

City of Scottsbluff, Nebraska

Monday, May 8, 2017

Regular Meeting

Item NewBiz1

Final Plat Lots 1-6, Menards Subdivision Replat No. 1

Staff Contact:

SCOTTSDLUFF CITY

PLANNING COMMISSION STAFF REPORT

To: Planning Commission
From: Development Services Department
Date: May 8, 2017
Subject: Final Plat Menards Subdivision
Location: Highway 26 and 25th Ave

Zoning: C-3
Property Size: 65.89 acres

Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

Public Notice: This item was noticed in the paper and a notice was posted on the property.

Background

The applicant(s), Menards, Inc., represented by MC Schaff and Associates, has requested approval of a Final Plat of the Menards Subdivision, a replat of Lots 1-6, Menards Subdivision. The property is situated north of Highway 26 along 25th Avenue. The purpose of the replat is to incorporate all of the known utilities into appropriate easements. There are no changes proposed to the lots lines.

RECOMMENDATION

Approve

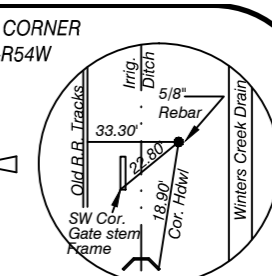
Make a POSITIVE RECOMMENDATION to the City Council to approve the final plat of Lots 1-6, Menards Subdivision Replat No. 1, City of Scottsbluff, Nebraska subject to the following condition(s):

Deny

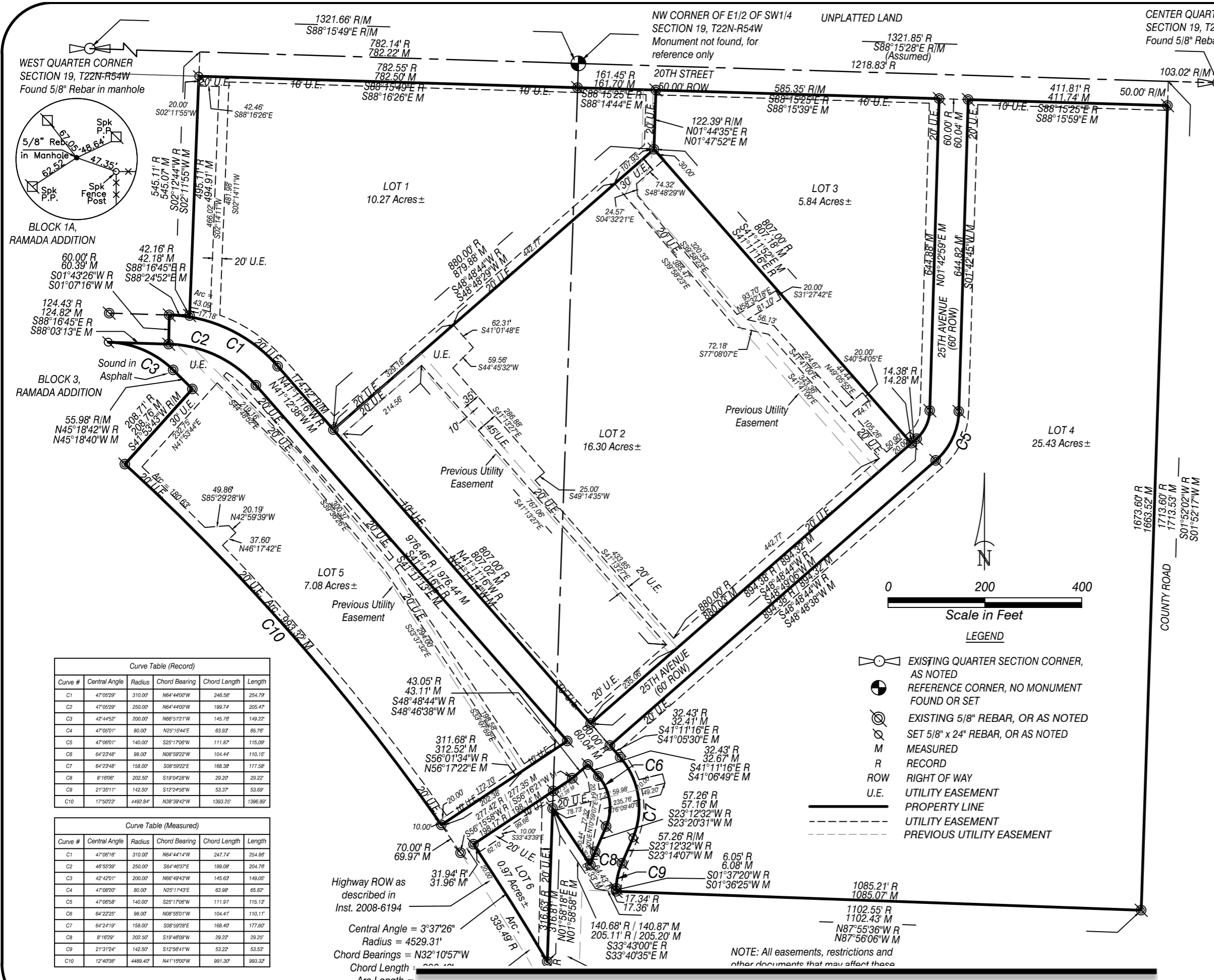
Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the final plat of Lots 1-6, Menards Subdivision Replat No. 1, City of Scottsbluff, Nebraska for the following reason(s):

Table

Make the motion to TABLE the final plat of Lots 1-6, Menards Subdivision Replat No. 1, City of Scottsbluff, Nebraska for the following reason(s):



LOTS 1 THROUGH 6, MENARDS SUBDIVISION REPLAT NO. 1,
 A REPLAT OF LOTS 1-6, MENARDS SUBDIVISION,
 A REPLAT OF BLOCKS 4, 5, & 7, RAMADA ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY,
 NEBRASKA, EXCEPT THAT PART OF BLOCK 5 CONVEYED TO THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, IN
 DEED BOOK 209, PAGE 363 AND PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 54
 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



Curve Table (Record)

Curve #	Central Angle	Radius	Chord Bearing	Chord Length	Length
C1	47°05'29"	310.00'	N64°44'00"W	246.58'	254.79'
C2	47°05'29"	250.00'	N64°44'00"W	199.74'	205.47'
C3	42°44'52"	200.00'	N66°57'21"W	145.78'	149.22'
C4	47°09'01"	80.00'	N25°15'44"E	63.93'	65.76'
C5	47°09'01"	140.00'	S25°17'06"W	111.87'	115.09'
C6	64°23'48"	98.00'	N08°59'22"E	104.44'	110.15'
C7	64°23'48"	158.00'	S08°59'22"E	168.38'	177.58'
C8	8°16'29"	202.50'	S19°04'28"W	29.20'	29.22'
C9	21°31'11"	142.50'	S12°24'56"W	53.37'	53.69'
C10	17°50'23"	4489.40'	N38°39'42"W	1393.29'	1396.89'

Curve Table (Measured)

Curve #	Central Angle	Radius	Chord Bearing	Chord Length	Length
C1	47°08'16"	310.00'	N64°44'14"W	247.74'	254.88'
C2	46°55'39"	250.00'	S64°46'37"E	199.08'	204.78'
C3	42°42'01"	200.00'	N66°57'43"W	145.63'	149.05'
C4	47°08'20"	80.00'	N25°11'43"E	63.98'	65.82'
C5	47°06'58"	140.00'	S25°17'06"W	111.91'	115.13'
C6	64°22'25"	98.00'	N08°59'01"W	104.41'	110.11'
C7	64°24'19"	158.00'	S08°59'28"E	168.40'	177.60'
C8	8°16'29"	202.50'	S19°04'09"W	29.22'	29.25'
C9	21°31'24"	142.50'	S12°58'41"W	53.22'	53.53'
C10	12°40'38"	4489.40'	N41°19'00"W	991.30'	993.32'



Highway ROW as described in Inst. 2008-6194

Central Angle = 3°37'26"
 Radius = 4529.31'
 Chord Bearings = N32°10'57"W
 Chord Length = 200.00'
 Arc Length = 200.00'

NOTE: All easements, restrictions and other documents that may affect these

City of Scottsbluff, Nebraska

Monday, May 8, 2017

Regular Meeting

Item NewBiz2

Preliminary Plat Lots Lots 1-4, Fairacres Addition

Staff Contact:

SCOTTSBLUFF CITY
PLANNING COMMISSION STAFF REPORT

To: Planning Commission
From: Development Services Department
Date: May 8, 2017
Subject: Preliminary Plat Lots 1-4 Fairacres Addition
Location: Highway 26 and 25th Ave

Zoning: R-1a
Property Size: 26,121 sq ft

Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

Public Notice: This item was noticed in the paper and a notice was posted on the property.

Background

The applicant(s), Western Nebraska Housing Opportunities, represented by MC Schaff and Associates, has requested approval of a Preliminary Plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition. The property is situated north of 24th St, between Ave E and Ave F. The replat divides one large lot into four smaller lots. All lots meet the minimum square footage for the R-1a zoning district.

All four proposed lots have access to streets and water, but only the two west lots have access to sewer. A sewer easement has been added to allow the two east lots, Lots 3 and 4, access to the sewer line on Ave F. The developer will be responsible for extending the sewer line to these lots.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve the preliminary plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition, City of Scottsbluff, Nebraska subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the preliminary plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition, City of Scottsbluff, Nebraska for the following reason(s):

Table

Make the motion to TABLE the the preliminary plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition, City of Scottsbluff, Nebraska for the following reason(s):

PRELIMINARY PLAT

LOTS 1 THROUGH 4, FAIRACRES ADDITION, a Replat of Fairacres Addition, to the City of Scottsbluff, Scotts Bluff County, Nebraska

SITUATED ON PART OF THE NORTHEAST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 22 NORTH, RANGE 55 WEST
OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



LEGAL DESCRIPTION

LOTS 1 THROUGH 4, FAIRACRES ADDITION, a Replat of Fairacres Addition, to the City of Scottsbluff, Scotts Bluff County, Nebraska, situated on part of the Northeast Quarter of the Northwest Quarter of Section 23, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska

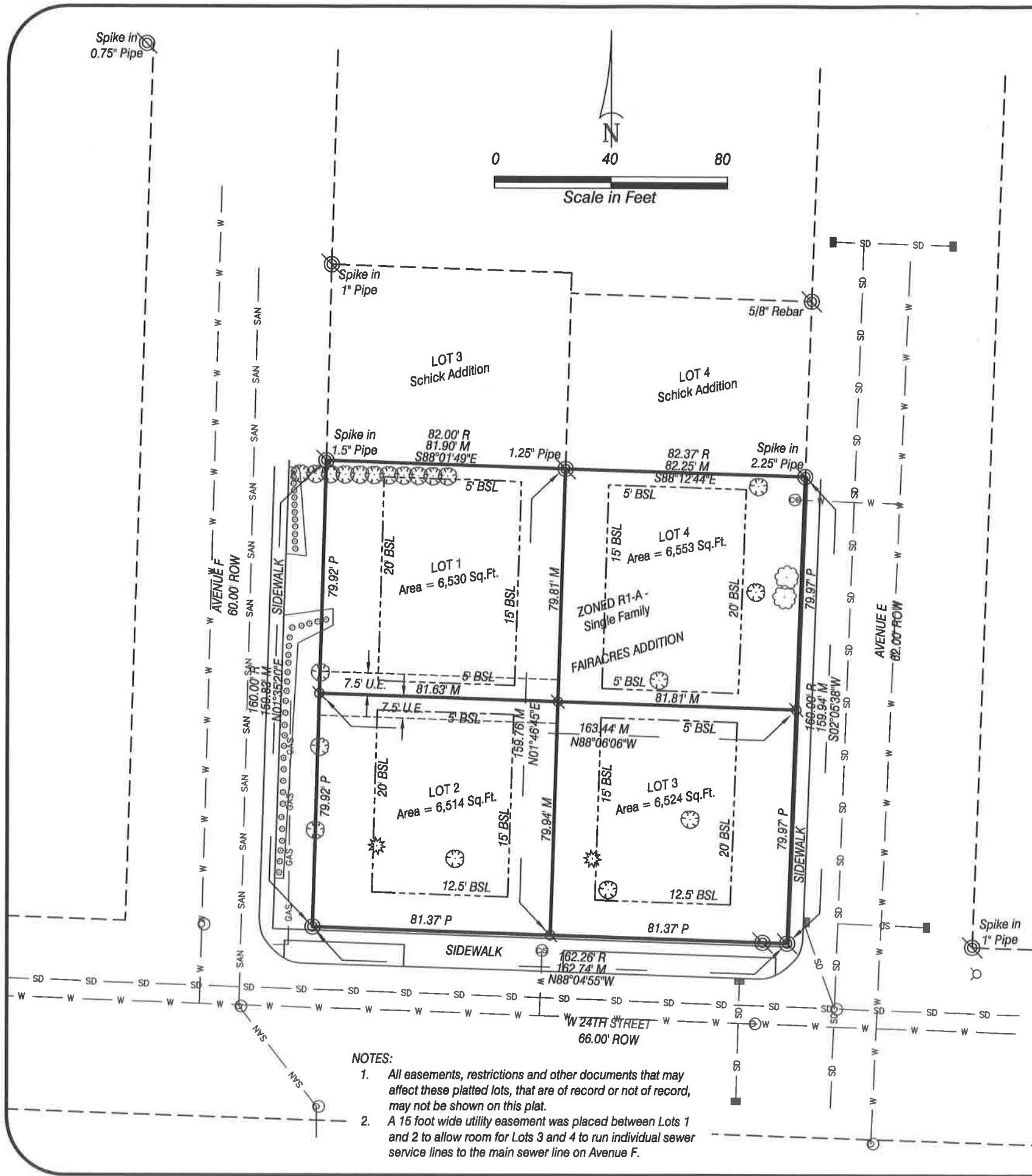
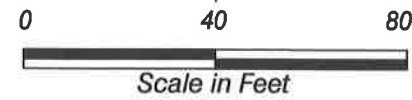
LEGEND

	EXISTING PROPERTY CORNER, AS NOTED		EXISTING MANHOLE
	SET 5/8" X 24" REBAR, W/CAP		FIRE HYDRANT
	RIGHT OF WAY		CURB STOP
	RECORD		INLET
	MEASURED		BUSH
	PROPORTIONED DISTANCE		DECIDUOUS TREE
	EXISTING STORM SEWER		CONIFEROUS TREE
	EXISTING SANITARY SEWER		UTILITY EASEMENT
	EXISTING WATERLINE		BUILDING SETBACK LINE
	EXISTING GASLINE		EASEMENT LINE
	CONCRETE LINE		BUILDING SETBACK LINE

NOTES:

- All easements, restrictions and other documents that may affect these platted lots, that are of record or not of record, may not be shown on this plat.
- A 15 foot wide utility easement was placed between Lots 1 and 2 to allow room for Lots 3 and 4 to run individual sewer service lines to the main sewer line on Avenue F.

Spike in
0.75" Pipe



City of Scottsbluff, Nebraska

Monday, May 8, 2017

Regular Meeting

Item NewBiz3

Final Plat Lots 1-4 Fairacres Addition

Staff Contact:

SCOTTSDLUFF CITY

PLANNING COMMISSION STAFF REPORT

To: Planning Commission
From: Development Services Department
Date: May 8, 2017
Subject: Final Plat Lots 1-4 Fairacres Addition
Location: Highway 26 and 25th Ave

Zoning: R-1a
Property Size: 26,121 sq ft

Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

Public Notice: This item was noticed in the paper and a notice was posted on the property.

Background

The applicant(s), Western Nebraska Housing Opportunities, represented by MC Schaff and Associates, has requested approval of a Final Plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition. The property is situated north of 24th St, between Ave E and Ave F. The replat divides one large lot into four smaller lots. All lots meet the minimum square footage for the R-1a zoning district.

All four proposed lots have access to streets and water, but only the two west lots have access to sewer. A sewer easement has been added to allow the two east lots, Lots 3 and 4, access to the sewer line on Ave F. The developer will be responsible for extending the sewer line to these lots. This will be addressed in the Developer's Agreement before the final plat can be approved by City Council.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve the final plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition, City of Scottsbluff, Nebraska subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the final plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition, City of Scottsbluff, Nebraska for the following reason(s):

Table

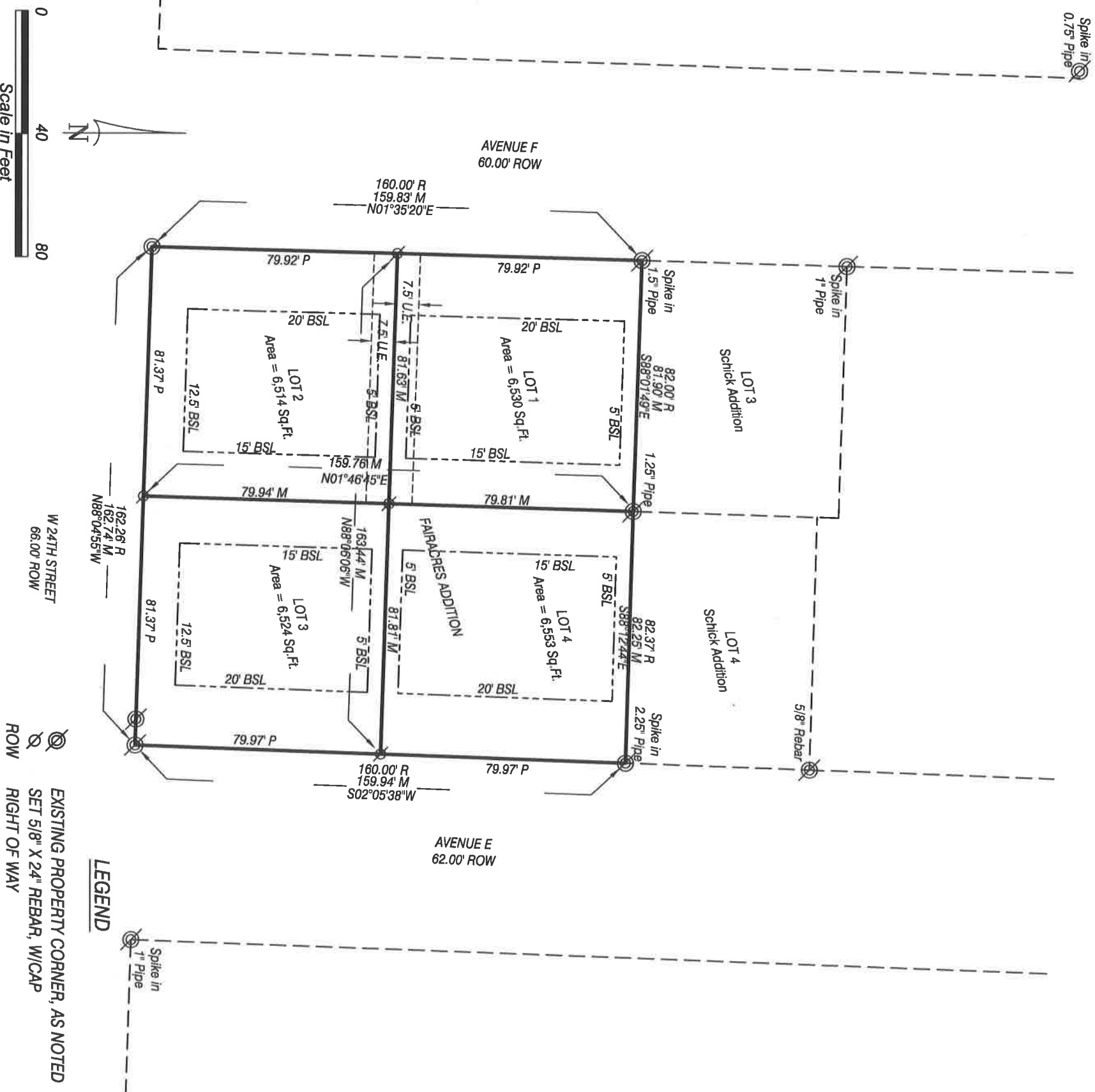
Make the motion to TABLE the final plat of Lots 1-4, Fairacres Addition, a replat of Fairacres Addition, City of Scottsbluff, Nebraska for the following reason(s):

FINAL PLAT

LOTS 1 THROUGH 4, FAIRACRES ADDITION,

a Replat of Fairacres Addition, to the City of Scottsbluff, Scotts Bluff County, Nebraska

SITUATED ON PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



LEGEND

- EXISTING PROPERTY CORNER, AS NOTED
- SET 5/8" X 24" REBAR, W/CAP
- RIGHT OF WAY
- RECORD MEASURED
- PROPORTIONED DISTANCE
- BUILDING SETBACK LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- UTILITY EASEMENT

NOTES:
1. All easements, restrictions and other documents that may affect these platted lots, that are of record or not of record, may not be shown on this plat.

City of Scottsbluff, Nebraska

Monday, May 8, 2017

Regular Meeting

Item NewBiz4

**Special Use Permit 24-hour daycare in an R-1a zone, located at
1717 12th Ave**

Staff Contact:



*SCOTTSBLUFF
PLANNING COMMISSION
Staff Report*

To:	Planning Commission	Zoning:	R-1a
From:	Development Services Department	Property Size:	9250 sq ft
Date:	May 8, 2017	# Lots/Units:	1
Subject:	Special Use Permit Request – Ashley Hill Frederick, Amber Swanson Daycare		
Location:	1717 12 th Ave.		

Background: The applicant(s), Ashley Hill-Frederick and Amber Swanson, are requesting a special use permit to allow for a 24-hour home daycare in an R-1a Single Family Zone. The property is located at 1717 12th Ave, Scottsbluff, Ne.

24-hour daycares are listed under special permits uses in the R-1a Single Family zoning district with approval from the Planning Commission.

Analysis: The property is located in an R-1a Single Family zoning district. The applicant has submitted all the necessary paper work for the special use permit. The surrounding properties are all zoned R-1a (see attached map). Increased traffic in the neighborhood should be minimal. Other potential effects on nearby residences include parking and increased activity during all hours of the day and night.

RECOMMENDATION

Approve

Make a motion to approve the special use permit to allow for a 24-hour daycare at 1717 12th Ave. in a R-1a Single Family zoning district to Ashley Hill-Frederick and Amber Swanson subject to the following condition(s):

Deny

Make a motion to disapprove the special use permit to allow for a 24-hour daycare at 1717 12th Ave in a R-1a Single Family zoning district to Ashley Hill-Frederick and Amber Swanson for the following reason(s):

Table

Make a motion to TABLE the special use permit request for a special use permit to allow for a 24-hour daycare at 1717 12th Ave in a R-1a Single Family zoning district to Ashley Hill-Frederick and Amber Swanson for the following reason(s):

