

City of Scottsbluff, Nebraska

Monday, April 8, 2019

Regular Meeting

Item Appr. Min.2

Approve Minutes of the March 11, 2019 Meeting

Staff Contact: Gary Batt

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
March 11, 2019
6:00 PM
SCOTTSBLUFF, NEBRASKA

The Planning Commission of the City of Scottsbluff, Nebraska met in regular scheduled meeting on March 11, 2019, at 6:00 PM in the Scottsbluff Council Chambers, at 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 22, 2019 and on March 1, 2019. The notice stated the date, time and the location of the meeting, that the meeting was open to the public, 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 offices; 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: at 6:00 PM, Chairman Angie Aguillo called the meeting to order. Roll call consisted of the following members. Jim Zitterkopf, Becky Estrada, Henry Huber, Dana Weber, Dave Gompert, Angie Aguillo.

Absent: Anita Chadwick, Callan Wayman, Mark Westphal

City officials that were present; Anthony Murphy, City Fire Marshal and Gary Batt Code Administrator II; recording secretary.

Item 2: Chairman Aguillo informed those present of the Nebraska Open Meetings Act and that a copy is posted in the back of the council chambers in the west corner.

Item 3: Acknowledgement of any changes on the agenda; None.

Item 4: Business not on the agenda; None.

Item 5: Citizens with business not on the regular agenda; None.

Item 6: The minutes from the February 11, 2019 meeting were reviewed. Gompert made motion to approve and Second by Estrada to approve the February 11, 2019 minutes. "Yeas": Zitterkopf, Estrada, Gompert, Aguillo. "Nays": None. "Abstained": Huber, Weber. "Absent": Chadwick, Wayman, Westphal. Since there were only four members eligible to vote, Chairman Aguillo asked for the minutes to be tabled till the next meeting.

Item 7: A motion was made by Weber and seconded by Estrada to table the February 11, 2019 minutes to the next meeting. "Yeas": Zitterkopf, Estrada, Huber, Weber, Gompert, Aguillo. "Nays": None. "Absent": Chadwick, Wayman, Westphal. "Abstained": None. Motion Carried.

Item 8: The Planning Commission opened a public hearing to discuss and consider action on the GGO Zone. Batt explained that the city is seeking input from the Planning Commission members about combining sections of the GGO Zone with the current landscaping ordinance.

Batt explained that all entry points into Scottsbluff including, Highway 26 west and east entrances, Highland Road, Highway 71 north, south Broadway by the YMCA, south Avenue I entering from Terrytown, were included in the GGO zone. Batt said the GGO Zone extends 1000 feet from the right of way, measured perpendicular.

Batt went on to say that this zone has stricter requirements, such as lighting in parking lots, signage (limiting heights, and amount of signage on buildings), trees, shrubbery, screening (Loading docks, waste receptacles and so on), requiring power lines be placed under ground and not overhead, buffer areas on the lots.

Batt explained that combining both the GGO and Landscaping Ordinance into one, would make it more viable and easier to administer. Batt said the two could be revised taking the good points making them into one ordinance.

Anthony Murphy addressed the members and reiterated that the GGO Zone adds extra costs to a project and the zoning extends 1000 from right of way. He said this has caused problems for projects not being able to meet parking lot requirements (having to place vehicles to the rear of structures). Murphy did say the lighting requirements are a plus and this could be incorporated into the landscaping ordinance.

Dana Weber said he would like to see a side by side comparison of the Landscaping ordinance and the GGO Zone and see what might be a good combination. Batt said that could be done.

Linda Redfern added she would prefer having that adding the GGO zone and the landscaping ordinance before eliminating the GGO zone.

Chairman Aguillo asked that the matter be tabled for the next meeting. The public hearing was closed.

A motion was made by Weber and seconded by Estrada to table any action on the GGO Zone until the next meeting to further look into combining the GGO Zone and the Landscaping ordinance. "Yeas": Zitterkopf, Estrada, Huber, Weber, Gompert, Aguillo. "Nays": None, "Abstained": None, "Absent": Chadwick, Wayman, Westphal. Motion Carried.

Item 9: The planning commission opened a public hearing for the purpose of reviewing and obtaining comment on a redevelopment Plan submitted by 26 Group, LLC for the fuel station and convenience store project. John Selzer Jr. (Deputy City Attorney) gave presentation. John said the law office he is associated with does represent Eric Reichert but that he (John Selzer) was at the meeting representing the City of Scottsbluff.

John stated that the members would make a recommendation to the CRA and then that would be submitted to Council. John explained that the Planning commission is asked to review and recommend whether the project and plan comply with the general plan for development of the City and whether the plan conforms with the 2016 Comprehensive Plan. John said the members would be asked to make a positive recommendation to the CRA and Council by a resolution.

John explained the location and zoning of the district. John then went through the packet given to the members explaining what was on each page. John talked about TIF revenues being used and the proposed financing of the project by the redeveloper (Reichert). John spoke about the implementation of the plan and the contract between the redeveloper and the CRA and the City.

John went over the attached maps and site plans and existing land uses that this project will be a benefit to the City. John asked if anyone had any questions?

Dana Weber asked John about the zoning district and the compliance with the comp plan? John stated it was M-1 and this project will comply with the zoning requirements. John also said this lies within the GGO zone. John went on to say that this project does comply with the 2016 Comprehensive plan.

Henry Huber asked who or whether the redeveloper puts these figures together when it comes to the Tax Increment Finance and are they accurate? John said the redeveloper puts these together, but, the final numbers are reviewed by the City Manager and the finance director so they need to be accurate. John said the redeveloper will enter into a contract with the CRA and they govern the implementation of the plan. John then mentioned that engineering is required, public improvement ordinances are followed and any other agreements between the redeveloper and the Cty. John said the agreement between the CRA and the redeveloper do not supersede any requirements from of the City in regards to public improvements and work done at the projects site.

With no further questions, the Chairman Aguallo then closed the public hearing. Chairman Aguallo asked if there was a motion to adopt the resolution which is attached to be sent to the CRA and Council. Dana Weber made a motion to adopt the resolution, he then read the resolution which was seconded by Jim Zitterkopf to adopt the resolution sending it to the CRA and Council. "Yeas": Zitterkopf, Estrada, Huber, Weber, Gompert, Aguallo. "Nays": None, "Abstained": None, "Absent": Chadwick, Wayman, Westphal.

Item 10: With no further business, Chairman Aguallo Asked for a motion to adjourn at 6:35 PM. Estrada made the motion to adjourn and it was seconded by Weber. "Yeas": Zitterkopf, Estrada, Huber, Weber, Gompert, Aguallo. "Nays": None, "Abstain": None, "Absent": Chadwick, Wayman, Westphal.

Angie Aguallo

Attest: _____
Gary Batt, Secretary