

City of Scottsbluff, Nebraska

Monday, June 7, 2021

Regular Meeting

Item Pub. Hear.3

Council to conduct a public hearing set for this date at 6:00 p.m. to consider a Zone Change for Lots 2 & 3, Block 1, King's Acres Subdivision, a replat of Block 1, King's Acres Subdivision from Agriculture Residential (AR) to Single Family Residential (R-1A) Zoning.

Staff Contact: Zachary Glaubius, Projects & Planning Coordinator

PLANING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
MAY 10, 2021
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, May 10, 2021, at 6:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of local circulation in the City, on April 30, 2021. The notice stated the date, time, and location of the meeting, and that the meeting was open to the public, that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda is kept current and available for public inspection at the Development Services office provided; the Planning Commission can modify the agenda at the meeting, if the business was determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chairman Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Mark Westphal, Henry Huber, Dave Gompert, Angie Aguallo, Dana Weber. "Absent": Callan Wayman, Jim Zitterkopf, Anita Chadwick. City Officials present were Gary Batt, Secretary, Anthony Murphy, Fire Marshal, Zach Glaubius, Project Planning Coordinator, Taylor Stevens, GIS.
- 2 Chairman Weber informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the January 25, 2021 meeting were reviewed. Conclusion, a motion was made by Westphal and seconded by Huber to approve the minutes from January 25, 2021 meeting. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The motion carried.
- 6 Chairman Weber opened the public hearing for the purpose of creating a Ag Estate Dwelling Site (AEDS) located at 210113 West 42nd Street currently zoned as AG. MC Schaff acted as the survey/engineering company. Chairman Weber asked for Gary Batt to read the staff report for the application. Gary read that the applicant has applied for an AEDS of 17.31 acres and the code requires a minimum of 2 acres. With a remaining 40 plus acres in the Ag zone owned by John Raymond. With no comments or questions raised, Weber motioned to close the public hearing and asked for a recommendation to the City Council for the creation of the AEDS. Estrada made the motion seconded by Westphal to give a positive recommendation for the AEDS to City Council. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 7 Chairman Weber opened a public hearing for a rezone for the applicant Scott James to rezone 1.6 acres from Ag Residential to R1A zoning (Single Family). The parcels are listed as Lots 2&3, Block 1, Kings acres subdivision. Chairman Weber asked Gary Batt to read the Staff Report. Batt stated the applicant wished to rezone the 1.6 acres into R1A. Batt noted that the rezoning was in compliance with the 2016 Comp Plan and that it was not injurious or hazardous to adjacent properties for the surrounding neighborhood. Batt said the sewer for the area is an SID and the surrounding properties were on private wells. Batt also stated the remaining Scott Property would be AR zoning, and the lots adjacent to the area being rezoned were R1A. Batt read the positive recommendation, the denial and the table recommendations to the committee.

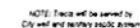
Chairman weber asked if anyone present had questions.? Angie Aguallo asked what is the required lot size in an R1A zone, Batt replied 5500 square feet. Chairman Weber asked if anyone else had any questions, with there being none, he closed the Public Hearing asking for a recommendation for Council. Westphal seconded by Estrada made the motion to make a positive recommendation for the rezone to the City Council. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.

- 8 Chairman Weber opened the public hearing for an application made by Scott James for a Preliminary Plat of the property Lots 2&3 , Block 1, Kings Acres Subdivision previously approved for rezoning. Weber asked Batt to read from the staff report. Batt said the applicant was asking for a prelim plat for lots 2&3 of Block 1, Kings Acre Subdivision. The two lots are a total of 1.6 acres. Batt read the report along with the positive recommendation, denial of and the tabling of the plat. Chairman Weber asked if anyone had questions, with there being none, he closed the public hearing asking for a recommendation to the City Council. Westphal made a motion seconded by Estrada to approve the Preliminary Plat. "Yeas": Estrada, Westphal, Huber, Gompert, Agualo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 9 Chairman Weber opened the public hearing for an application made by Scott James for a Final Plat for Lots 2&3 of Block 1, Kings Acres Subdivision. Batt was asked if there contained any other information than was already known about the property from the Preliminary Plat. Batt said no, Chairman Weber asked if anyone had any further info, with there being none, Chairman Weber closed the public hearing asking for a recommendation for the City Council. Weber then made the positive recommendation seconded by Aguallo to approve the Final Plat. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 10 Chairman Weber opened the public hearing for the Blight and Substandard Study for area #13. Chairman Weber asked Zach Glaubius to read and explain the areas affected in the area #13 study. Zach said the area affected is north and south of the intersection of 20th Street and Broadway. Zach stated the purpose is to aid for redevelopment of the study area, he read from the packet for the study area quoting the total amount this study would eventually blight. Zach said in total the amount of area would be add 1.86% to the already 24.55% bring a total to 26.41% if all four studies are approved. Zach said the city can blight a total of 35% of the City. After Zach finished Chairman Weber asked if anyone had questions, Henry Huber asked why a property is considered blighted if your property is kept up and your neighbors is in bad shape. And how does being blighted affect taxes? Kent Hadenfeldt (City Attorney) answered by saying the term blighted has no bearing upon your tax's, it allows for the area to be considered for redevelopment and the term blighted would be better named as redevelopment plan, except the State of Nebraska has not approved it. Weber asked if Starr Lehl had anything she cared to present, Starr also reiterated that the term Blighted should probably be called or deemed an Economic Redevelopment Area. She said this opened the area to possibilities for the owners and to developers in the study area. Chairman Weber asked why four study areas were coming to the Planning Commission, Starr replied that the funds are there for the studies at this time. Chairman Weber then asked if anyone had anything further, with there being none, he closed the public hearing asking for a resolution for Area #13. Huber made a positive recommendation for the resolution seconded by Agualo to the City Council to declare the Redevelopment Area #13 as substandard and blighted and in need of redevelopment. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "abstained": None, "absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.

- 11 Chairman Weber opened the public hearing for Area #14, Blight and Substandard study. He asked Zach what area was affected, Zach produced an arial map of the City showing the four study areas. Note: There was a map placed attached in the Planning Commission member packet. Zach spoke of the Area #14. Chairman Weber asked if anyone had questions concerning Area #14. With there being none, Chairman Weber closed the public hearing asking for a resolution and positive recommendation to Council for Area #14. Westphal made the recommendation seconded by Aguallo to ask City Council to declare the Redevelopment Area #14 as substandard and blighted and in need of development. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 12 Chairman Weber opened the public hearing for Area #15, Blight and Substandard study. He asked Zach if anything in area #15 was different from the two previous studies, Zach answered no. Chairman Weber asked if anyone had any other comments for Area #15. Starr Lehl said that the area shown is the old beef packing facility and that a company on Beltline East. She said that the occupant is wanting to demo the current building and build a new one at the recycle site. She said this would accommodate future growth in that area as well. Chairman Weber asked if anyone else had anything to add, with there being none, he closed the public hearing asking for a recommendation to positive resolution being forward to council. Huber made the motion seconded by Estrada to ask City Council to declare the Redevelopment area #15, as substandard and blighted and in need of development. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 13 Chairman Weber opened the public hearing for Area #17, Blight and Substandard study. Weber asked Zach if he had anything different in this study, Zach said no. Weber asked if anyone had any questions, Anthony Murphy, City Fire Marshal said that this area is in the primary fire zone and that any structures that are seriously damaged from a fire are required to be demolished in this area also in Area #13. But this aids in the redevelopment for the replacing of the structure or structures. After Anthony finished, Chairman Weber asked for any further questions or info. With there being none, Chairman Weber closed the public hearing asking for recommendation to pass the resolution . Estrada made a positive recommendation seconded by Westphal to ask City Council to declare the Redevelopment area #17 , as substandard and blighted and in need of development. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 14 Chairman Weber asked if there was any further business, with there being none, he declared the meeting adjourned with the members to signify by saying Aye. Eastrada, Westphal, Huber, Gomper, Aguallo, Weber all signified by saying aye.

Chairman Dana Weber

Gary Batt, Secretary



SHEET 1 OF 1
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