

City of Scottsbluff, Nebraska
Monday, December 13, 2021
Regular Meeting

Item Appr. Min.1

November 8, 2021 Meeting

Staff Contact: Zachary Glaubius, Planning Administrator

PLANING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
November 8, 2021
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, November 8, 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 general circulation in the City, on October 29, 2021. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Planning Commission can modify the agenda at the meeting if it is 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, Dana Weber, Angie Aguallo, Becky Estrada, Callen Wayman, Mark Westphal, Jim Zitterkopf, Linda Redfern (Alternate) "Absent": Anita Chadwick, Dave Gompert, Henry Huber. City Officials present were Zachary Glaubius, Secretary/Planning Administrator, Taylor Stephens, GIS Analyst, Gary Batt, Code Administrator II, and Tom Schingle, Fire Chief. Redfern attended the meeting, but did not take any actions on behalf of the Planning Commission.
- 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 October 11 2021 meeting were reviewed. Conclusion, a motion was made by Aguallo and seconded by Estrada to approve the minutes from September 13, 2021 meeting conditional on the revision to correctly show Commissioner Huber as voting "yea" on Lines 11, 12, and 13. "Yeas" Wayman, Estrada, Weber, Aguallo, Zitterkopf "Abstained": Westphal, "Absent": Chadwick, Gompert, Huber. The motion carried.
- 6 Chairman Weber opened the public hearing at 6:04 PM for Items 6A and 6B the preliminary and final plats of Lot 4A, Block 2, Cottonwood Glen. Weber asked Glaubius for the staff report. Glaubius stated that the applicant is looking to combine two lots in order to build an accessory structure. Glaubius stated this would have been done administratively, however the combined lot cannot meet the 3-acre minimum lot size of the R-1B District. Glaubius stated the replat is in line with the comprehensive plan, and it is bringing an existing lot closer to compliance. Glaubius stated that staff is recommends a positive recommendation from the Planning Commission. Property owner Chris Stillahn informed the Planning Commission that he looking to combine the lots to build a shed to house his vehicles. Westphal asked if the neighbors had any problem with the replat. A neighbor was present at the meeting and stated he had no issue with the replat. Stillahn stated he is the president of the HOA and has spoken with the majority of the neighbors. Weber closed the public hearing at 6:07 PM.
. **Conclusion:** Motion by Westphal, seconded by Estrada to make a positive recommendation on the approval of Preliminary and Final Plats for Lot 4A, Block 2, Cottonwood Glen Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber. The motion carried.

- 8 Weber opened the public hearing at 6:08 PM for Item 6C regarding an ordinance text change regarding a R-1 District special permit uses permitting horses or other livestock used solely for non-business recreation of the occupier on lots comprising two acres or more, in the quantity of one animal per each whole acre. Glaubius reported he met with the applicant Jane Fleisbach about a rezone, and staff suggested a zoning text amendment instead. Glaubius stated the language for R-1 special permit use is the same as that found in the R-1B district. Glaubius stated that the GIS Department found this change would affect 17 lots in the City's jurisdiction. Glaubius stated that of these 17, one is the cemetery, one is the community college, two are churches, and two are HOA common areas. Glaubius stated staff recommends a positive recommendation on the zoning text change by the Planning Commission to the City Council. Weber informed the applicant that they would need to come to the Planning Commission for it, and it is only for the property owner. Weber closed the public hearing at 6:10 PM. **Conclusion:** Motion by Zitterkopf, seconded by Westphal to make a positive recommendation on the adoption of the zoning text change regarding horses and other livestock used solely for non-business recreation of occupier are permissible on lots comprising two (2) acres or more, in the quantity of one (1) animal per each whole acre. Shelters or such animals shall be situated not less than fifty (50) feet from the property line and not less than fifty (50) feet from a residence on another lot or tract to the City Council "Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber. The motion carried.
- 9 Weber introduced Item 6D regarding the Gateway Green Overlay Zone site plan review for the proposed Tidal Wave Carwash at 3310 Avenue I. Glaubius reported that since the proposed car wash is located in the Gateway Green Overlay Zone (GG-O), it requires Planning Commission approval. Glaubius stated staff has reviewed the site plan and worked with the applicant to ensure all GG-O requirements have been met. Glaubius stated that staff recommends the approval of the Tidal Wave Car Wash plan by the Planning Commission. **Conclusion:** Motion by Zitterkopf, seconded by Aguallo to approve the site plan. Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber.
- 10 Weber introduced Item 6E regarding updating the Planning Commission rules. Glaubius stated that at the previous Planning Commission meeting he discussed updating the administrative rules. Glaubius stated that the state statutes referred to in the rules needed updated as well as the wording regarding the Planning Commission secretary. Glaubius stated the current rules call for regular Planning Commission meetings both the second and fourth Monday of each month. Glaubius stated he reviewed other first-class cities as well as Lincoln and Omaha, and found the majority have only one Planning Commission meeting a month. Glaubius stated it would be more efficient for both staff and the commission to meet once a month. Glaubius also stated the current rules call for the agenda be hand delivered, and that staff would like to have this changed to electronic delivery. Weber stated that the proposed rule changes appear to bring the Commission into line with state statutes and city code as well as formally adopt what the Planning Commission has been doing already. Redfern suggested from the audience that these rules be reviewed annually at the October meeting. **Conclusion:** Motion by Westphal, seconded by Estrada to approve the proposed rules with the addition of annual review. Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber.
- 11 Item 7: No Staff Reports
- 12 Item 8: No Other Business

- 13 Weber introduced Item 9 regarding scheduling the next Planning Commission meeting on December 13, 2021
- 14 Adjournment: Motion by Estrada, seconded by Zitterkopf to adjourn the meeting at 6:20 PM. Yeas": Wayman, Estrada, Weber, Aguillo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber.

Chairman Dana Weber

Zachary Glaubius, Secretary