

City of Scottsbluff, Nebraska
Monday, November 14, 2022
Regular Meeting

Item Appr. Min.1

October 10, 2022 Regular Meeting

Staff Contact: Zachary Glaubius, Planning Administrator

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
October 10, 2022
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, October 10, 2022 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 September 30, 2022. 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 Vice-Chair Becky Estrada called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Dave Gompert, Callen Wayman, Henry Huber, Angie Aguallo, Linda Redfern (Alternate, Quorum present so excused). "Absent": Dana Weber, Jim Zitterkopf, Kendall Palu. City Officials present were Zachary Glaubius, Planning Administrator, Taylor Stephens, GIS Analyst, Stormwater Specialist Leann Sato, and Gary Batt, Code Administrator II, and Logan Lund, Code Administrator I.
- 2 Chairman Dana 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 September 12, 2022 meeting were reviewed. **Conclusion:** a motion was made by Wayman and seconded by Gompert to approve the minutes from September 12, 2022 meeting. "Yeas" Aguallo, Huber, Wayman, Gompert, Estrada "Nays": "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.
- 6 Item 6A: Vice-Chair Estrada opened a public hearing at 6:01 PM regarding a Preliminary Plat & Final Plat of Lots 1 & 2, Block 1, Morgan Subdivision, commonly identified as 209 W. 27th Street. Glaubius stated staff had discovered part of the Hilltop Estates subdivision was rezoned with the other part in 2017. Glaubius stated this is a replat of a two lots into two new lots. Glaubius stated the lots would follow the existing zoning district boundary with the north lot being R-1A and the southern lot being C-2. Glaubius stated code required the landowner to dedicate and install a cul de sac at the current dead end of Avenue C. Glaubius informed the Planning Commission that the developer does not desire to construct the cul de sac at this time, and the City and developer have agreed upon the contract for public improvements included in the packet. Glaubius stated the contract requires the Avenue C cul de sac to be installed prior to a building permit being issued for the northern lot. Glaubius stated a deed of trust is the security for the contract. Glaubius stated staff recommended a positive recommendation on approval of the preliminary and final plat of Morgan Subdivision. Neighboring property owners Greg Kerr and Rita Tecson stated they could not hear Glaubius. Glaubius stated the above information again. Aguallo asked if the only change was the property lines. Glaubius stated that the existing two properties will be replatted as two different properties in addition to the cul de sac dedication. Gompert inquired why the City was requiring the cul de sac. Glaubius stated Municipal Code 21-1-18 requires a turn around to be dedicated as with the proposed replat,

Avenue C will have one end permanently closed. Wayman asked if Avenue C would never connect to 27th Street. Glaubius stated Wayman was correct. Greg Kerr, a nearby property owner, spoke to the Planning Commission. Kerr asked if residential units would be built around the Avenue C cul de sac. Glaubius stated the zoning district around the cul de sac is R-1A Residential, and there is no proposed rezone. Gompert asked if any lots were platted around the cul de sac. Glaubius stated that the developer desired to keep one large lot and let a future developer further subdivide. Kerr asked about the future of the fire hydrant located at the end of Avenue C presently. Glaubius stated the fire hydrant would be relocated. Kerr asked what would happen to Cedar Lane. Glaubius stated Cedar Lane is not a dedicated street and will no longer remain. Kerr stated he and his wife were concerned about Avenue C being a dead end. Gompert asked where the Cedar Lane name came from. Stephens stated it was a private drive for a previous apartment complex. Kerr stated the name of the Apartment Complex as Cedar Lane Village. Rita Tecson, a nearby property owner, spoke to the Planning Commission. Tecson asked how big the lot along Avenue B would be. Glaubius stated the size of the lot in the future is unknown and for time being, it will be part of the larger northern lot. Glaubius stated the minimum lot width for a detached single-family dwelling in the R-1A district is 55 feet. Stephens stated the existing width is 104 feet. Tecson concluded only one lot would fit. Tecson asked if multi-family or two-family dwellings would be permitted there. Glaubius stated both would be permitted as long as the lot meets the minimum width and area requirements of the R-1A zoning district. Tecson asked if there would be any covenants with the subdivision. Glaubius stated that would be up to the landowner. Gompert asked if there would be another Planning Commission meeting if the developer would further subdivide. Glaubius confirmed that another meeting would be necessary to further subdivide. Tecson asked who was responsible for mowing, clearing snow, and taking care of the property. Glaubius stated the property owner is responsible for the maintenance. Tecson stated the City has not done anything about the condition of the property. Glaubius stated he would contact Code Enforcement regarding the matter. Wayman stated it was likely the intent of the landowner to subdivide the land and get a buyer lined up. Tecson stated she was concerned about the current state of the property. Kerr stated a drunk driver drove through the fence at the end of Avenue C and if the City could require the fence to be repaired and the broken bollard by the fire hydrant. Kerr stated there has been significant foot traffic through the broken fence, and he suspects the property is being used for drug trafficking. Glaubius stated he would bring this to the attention of Code Enforcement. Estrada closed the public hearing at 6:13 PM. Estrada asked if the exits to the northern property would be on Avenue D and Avenue B. Glaubius stated either or Avenue C could be used as exits. Glaubius stated the primary exit of the property is presently Avenue D as there is an existing single-family dwelling located on the property along Avenue D. Estrada stated she was concerned about another exit onto Avenue B.

- 7 **Conclusion:** A motion was made by Aguillo and seconded by Wayman to make a positive recommendation on the approval of the preliminary and final plat of Lots 1 and 2, Block 1, Morgan Subdivision. "Yeas" Aguillo, Huber, Wayman "Nays": Gompert, Estrada "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.
- 8 Vice-Chair Estrada introduced Item 6B regarding a Public Hearing to consider the creation of an AEDS situated on a tract of land in the Southeast Quarter of the Northeast Quarter of Section 7, Township 22N, Range 55 West of the 6th PM, commonly identified as 80436 CR 24. Estrada opened the public hearing at 6:16 PM. Glaubius stated the AEDS would be approximately 4.16 acres in size and the reserved land would be approximately 82.8 acres. Glaubius stated the property is zoned agricultural and the future land use map identifies it as rural. Glaubius stated the AEDS meets the 150 feet width along a road as it has a width of 515 feet. Glaubius stated

staff recommends a positive recommendation on the approval of the AEDS at 80436 CR 24. Estrada closed the public hearing at 6:18 PM.

- 9 **Conclusion:** A motion was made by Gompert and seconded by Huber to make a positive recommendation on the approval of AEDS at 80436 CR 24. "Yeas" Aguillo, Huber, Wayman, Gompert, Estrada "Nays": None "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.
- 10 Estrada introduced Item 6C regarding a public hearing to consider the Plat Vacation of Lots 2A, 2, and 3a, Block 7, Fairway Estates, commonly identified as 1214 Mockingbird Drive. The public hearing was opened at 6:18. Glaubius stated the landowner wishes to split their property into two lots. Glaubius stated the land has already been replatted twice and due to 21-1-68, the plat must be vacated in order to replate again. Glaubius stated staff recommends a positive recommendation on the approval of the plat vacation. Estrada closed the public hearing at 6:19.
- 11 **Conclusion:** A motion was made by Wayman and seconded by Gompert to make a positive recommendation on the approval Plat Vacation of Lots 2A, 2, and 3A, Block 7, Fairway Estates. . "Yeas" Aguillo, Huber, Wayman, Gompert, Estrada "Nays": None "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.
- 12 Estrada introduced Item 6D regarding a public hearing to consider the Plat Vacation of Part of Lots 1, 2, Part of Lot 3, and Part of Lot 1A, Block 10, Imperial Addition, commonly identified as 1501 E. Overland Drive. The public hearing was opened at 6:20. Glaubius stated this plat vacation was requested by the Scotts Bluff County Register of Deeds. Glaubius stated this plat vacation is related to the Orphan Motors subdivision and the plat vacation of Lot 1B. Glaubius stated the City is obliging the County's request, and staff recommends a positive recommendation on the approval of the plat vacation of Lots 1, 2, Part of Lot 3, and Part of Lot 1A, Block 10, Imperial Addition. Estrada closed the public hearing at 6:21. Gompert asked why the County requested this for record keeping purposes. Wayman stated this shortens the deed as they can get very long with multiple replats.
- 13 **Conclusion:** A motion was made by Wayman and seconded by Gompert to make a positive recommendation on the approval Plat Vacation of Lots 1, 2, Part of Lot 3, and Part of Lot 1A, Block 10, Imperial Addition. "Yeas" Aguillo, Huber, Wayman, Gompert, Estrada "Nays": None "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.
- 14 Estrada introduced Item 7A regarding Officer Elections. Wayman stated he would prefer to table the elections until the next meeting when more Planning Commission members are present.
- 15 **Conclusion:** A motion was made by Wayman and seconded by Aguillo to table office elections until the next meeting. "Yeas" Aguillo, Huber, Wayman, Gompert, Estrada "Nays": None "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.
- 16 Estrada introduced Item 8A regarding staff reports. Glaubius introduced Code Administrator I Logan Lund. Lund stated he is doing the residential and plumbing code administration.
- 17 Estrada introduced Item 9A regarding Other Business. Glaubius stated the Community Survey discussion would be postponed for the next meeting when Chair Weber is present.
- 18 Estrada introduced Item 10 regarding scheduling the next Planning Commission meeting on November 14, 2022.
- 19 Item 10: Adjournment
- 20 Adjournment: Motion by Aguillo, seconded by Gompert to adjourn the meeting at 6:25 PM. "Yeas" Aguillo, Huber, Wayman, Gompert, Estrada "Nays": None "Absent": Weber, Zitterkopf, Palu "Excused": Redfern (alt.) The motion carried.

Chairman Dana Weber

Zachary Glaubius, Secretary