

City of Scottsbluff, Nebraska

Monday, July 8, 2013

Regular Meeting

Item Appr. Min.1

6/10/13

Staff Contact: Annie Urdiales

Planning Commission Minutes
Regular Scheduled Meeting
June 10 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, June 13 2013, 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 May 31, 2013. 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, Glen Vandenberg called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Gary Hutzel, Angie Aguillo, Anita Chadwick, Becky Estrada, and Glen Vandenberg. Absent: Henry Huber, and Dana Weber. City officials present: Annie Urdiales, Planning Administrator, Marlon Johnson, City Planner, and Gary Batt, Code Administrator I.

ITEM 2: Chairman Vandenberg informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the Conference Room on the north wall, 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 5/13/13 were reviewed and approved with a correction to line 95 changing Vandenberg to Zitterkopf. A motion was made to accept the minutes with correction by Estrada, and seconded by Zitterkopf. "YEAS": Zitterkopf, Aguillo, Chadwick, Estrada, and Vandenberg. "NAYS": None. ABSTAIN: Hutzel. ABSENT: Huber and Weber. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for a request to rezone property described as proposed Lot 1, Spengler Subdivision, a replat of Lot 1, Hessler Subdivision and un-platted land situated in the north half of the SE ¼ of Section 11, T22N, R55W of the 6th P.M. this property is situated West of County Road 22 (5th Ave. extended north) north of 42nd Street. This property is owned by HVS; LLP (Shane Aulick) Existing un-platted area is approximately 80 acres and zoned Agricultural where minimum lot size required is 20 acres. Proposed Lot 1, Spengler subdivision will be approximately 14.88 acres and will be approved as an administrative survey plat. The requested zone change is to Agricultural Residential where minimum lot size is 5 acres. Access onto the proposed parcel is from County Road 22. The parcel has existing buildings on site. The AR zone will fit and provide a buffer with the surrounding Agricultural zoning districts.

Kelly Beatty, from M.C. Schaff and Associates addressed the Planning Commission in favor of the change and explained the request for the AR zone and the administrative survey plat.

52
53 **Conclusion:** A motion was made by Estrada and seconded by Zitterkopf to make positive
54 recommendation to City Council on the rezone of proposed Lot 1, Spengler Subdivision from
55 Agricultural to AR Agricultural Residential subject to the rezone becoming effective upon filing of the
56 survey plat. "YEAS": Hutzel, Zitterkopf, Chadwick, Aguallo, Estrada and Vandenberg. "NAYS":
57 None. ABSTAIN: None. ABSENT: Huber, and Weber. Motion carried.

58
59 **Agenda Item 7B:** The Planning Commission opened a public hearing for a request to rezone property
60 described as proposed Block1, King's Acres Subdivision situated in the NW ¼ of the SW ¼ of Section
61 11, T22N, R55W of the 6th P.M. Scotts Bluff County, NE, this property is located East of Highway 71,
62 across from Scotts Bluff Country Club, & North of Mountain View Avenue. The property is owned by
63 Gerald and JoAnn King Revocable Trust; they are requesting the proposed parcel which is approximately
64 11.47 acres be rezoned from Agricultural to AR Agricultural Residential.

65
66 Kelly Beatty, from M.C. Schaff and Associates addressed the Planning Commission in favor of the
67 change.

68
69 **Conclusion:** A motion was made by Hutzel and seconded by Estrada to make positive recommendation
70 to City Council on the rezone of proposed Block1, King's Acres Subdivision (11.47 acres) from
71 Agricultural to AR Agricultural Residential subject to the rezone becoming effective upon filing of the
72 survey plat. "YEAS": Hutzel, Zitterkopf, Chadwick, Aguallo, Estrada and Vandenberg. "NAYS":
73 None. ABSTAIN: None. ABSENT: Huber, and Weber. Motion carried.

74
75 **Agenda Item 7C:** The Planning Commission opened a public hearing on a proposed ordinance text
76 change/amendment in Chapter 21, Subdivision (B) General Provisions. . Section 21-1-10 Provisions:
77 applicability. The provisions of this Article shall be applicable to all lots, tracts of land, and parts thereof
78 within the corporate limits of the City and, except as hereinafter otherwise specified, to all lots, utility
79 sublot, lot tracts of land, and parts thereof outside but with two (2) miles of the corporate limits of any
80 other incorporated city or village. Utility sub-lot will be added to the current language, along with an
81 updated definition of a plat (21-1-2).

82
83 Marlin reviewed the background on the proposed text change. With the ordinance approval of the
84 Wireless Communication Facilities the term utility sublot and definition was added to the City's code.
85 The addition of utility sublot in the General Provision language will cover the smaller lot and the Special
86 Permit application needed for the WCF will cover any other conditions for the lot development. The
87 utility sublots will also be available for other utilities. This change was approved by City legal counsel.

88
89 **Conclusion:** A motion was made by Zitterkopf and seconded by Hutzel to make positive
90 recommendation for ordinance text amendment adding *utility sub-lot* to language in Chapter 21,
91 Subdivisions, (B) General Provisions 21-1-10 to the City Council subject to the following condition(s):

92
93 **ITEM 8. Unfinished Business:** Marlin updated the Planning Commission regarding the off-street
94 parking in the C-1 Central Business District. The Planning Commission had asked for more information
95 and specific language for the off street parking & hours listed on the municipal lots and Marlin had
96 offered to facilitate proposed recommendations and changes. At the last City Council Marlin let them
97 know that the Planning Commission asked that the existing parking requirements be enforced.

98
99 The City Manager has asked the Assistant City Manager, Nathan Johnson to take the reins on this project
100 along with the Downtown Revitalization group. Marlin will keep the Planning Commission informed on
101 what is happening with the off-street parking.

103 Marlin has scheduled a meeting on Wednesday, June 26, 10:00 A.M. to provide informational and
104 educational opportunities regarding water law in general and its relation to subdivisions, rezones and
105 anything else that might come up. Harriet Hageman M. Hageman, with Hageman Law P.C. and Tom
106 Hayden with NRD will be guest speakers. The City of Gering will provide a meeting place at the Gering
107 City Council chambers, the meeting should end by noon. Please come to the meeting if at all possible.
108

109 Also, the Planning Commission has been invited to a Community Forestry & Landscape bus tour to Fort
110 Collins, CO on June 27, it is an all-day event, if interested contact Annie and she will let Amy Seiler
111 know.
112

113 The Planning Commission had a few questions regarding the July 8 regular meeting and asked
114 that they have legal guidance on the proposed zone change which may be on the agenda. Marlin
115 will talk with legal staff and get any information provided to them before the meeting.
116

117 There being no further business the Planning Commission with a motion to adjourn made by Estrada and
118 seconded by Hutzel the meeting was adjourned at 6:30 p.m. "YEAS": Hutzel, Aguallo, Estrada,
119 Chadwick, Zitterkopf, and Vandenberg. NAYS: none. ABSENT: Weber and Huber. Motion carried.
120

121 _____
122 Glen Vandenberg, Chairperson
123

124 Attest: _____
125 Annie Urdiales