

City of Scottsbluff, Nebraska
Monday, May 11, 2015
Regular Meeting

Item Appr. Min.1

Minutes

Approve minutes of 4/13/15

Staff Contact: Minutes

Planning Commission Minutes
Regular Scheduled Meeting
April 13, 2015
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, April 13, 2015, 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 April 3, 2015. 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, Becky Estrada called the meeting to order. Roll call consisted of the following members: Anita Chadwick, Jim Zitterkopf, Mark Westphal, Callan Wayman, David Gompert, Henry Huber, and Becky Estrada. Absent: Angie Aguallo and Dana Weber. City officials present: Annie Urdiales, Planning Administrator, Annie Folck, City Planner, and Gary Batt, Code Administrator II.

ITEM 2: Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on bookcase in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: Agenda Items 7E, 7F, and 7G were removed from the agenda; these items will be brought back to the Planning Commission at their regular meeting in May.

ITEM 4: Business not on agenda: None

ITEM 5: Citizens with items not scheduled on regular agenda: None

ITEM 6: The minutes of March 9, 2015 were reviewed and approved. A motion was made to accept the minutes by Gompert, and seconded by Chadwick. "YEAS": Zitterkopf, Chadwick, Wayman, Huber, Gompert, and Estrada. "NAYS": None. ABSTAIN: Westphal. ABSENT: Aguallo and Weber. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for an Ag Estate Dwelling (AED) request from property owners, Good to Grow L.L.C., represented by Paul Harris, the property is described as a tract of land in the Northeast Quarter of Section 19, Township 22 North, Range 54 West of the 6th P.M Scotts Bluff County, Nebraska and located in our extra territorial jurisdiction. The property is not shown in the Comprehensive Development Plan future land use map but the AED use is consistent with surrounding properties, areas to the west, south, and north are zoned Agricultural, east of County Road 24 the property is in the County's jurisdiction.

The property owner is proposing to separate approximately 19.81 acres more or less of the property to allow for a home and out buildings on the farmland, old structures on the property have been removed. Access into the site will be from the west side of County Road 24 with a 90' access and utility easement

provided by airport property. The Development Services staff has reviewed the application and the lot will meet the necessary requirements of an Agricultural Estate Dwelling (AED) in an Agricultural Zoning District.

Paul Harris representing Good to Grow LLC addressed the Planning Commission questions regarding old buildings and well sites that have been removed.

Conclusion: A motion was made by Westphal and seconded by Gompert to approve the Ag Estate Dwelling of a tract of land situated in the NE ¼ of Section 19, T22N, R54W of the 6th P.M. Scotts Bluff County **“YEAS”**: Chadwick, Zitterkopf, Westphal, Gompert, Huber, Wayman, and Estrada. **“NAYS”**: None. **ABSTAIN**: None. **ABSENT**: Aguillo & Weber. Motion carried.

ITEM 7B: The Planning Commission opened a public hearing for a final plat of Lots 3A & 9A amended River Run Estates a replat of Lots 3 and 4, Block 1, Lot 9, Block 1 of River Run Estates Subdivision and lot 10, Block 1, amended River Run Estates Subdivision and unplatted lands situated in the NW ¼ of Section 17, T22N, R55W of the 6th Principal Meridian in Scotts Bluff County. Property owner is Jason Zitterkopf; the plat was done by Baker & Associates. The lots are located in our extra territorial area, zone R-1B, and situated north of Pheasant Drive and West of County Road 19. The final plat includes an ordinance to vacate with a vacation plat; the final plat is re-platting four lots into two larger lots. Scotts Bluff County reviewed access onto lot 3A which is off of County Road 19, the access for Lot 9A will be off of Mallard Road to the north of the new lot. The vacation consists of part of Mallard Road and Lot 4, Block 2, River Run Estates, which is owned by the City of Gering. The City of Gering was approached by Mr. Zitterkopf and they agreed to the vacation of this lot along with a portion of Mallard Road that abuts the well fields. Mallard Road is a platted road but is not in place except for an area on the south end which will be used as the access on to lot 9A of the new plat. The vacation of the road will not affect Gering’s access onto their well fields. The City of Gering has this item on their April 13th Council meeting.

Conclusion: A motion was made by Huber and seconded by Gompert to make a positive recommendation to City Council to approve the final plat of Lots 3A, and 9A, amended River Run Estates with an ordinance to vacate and vacation plat of Lot 4, Block 2, River Run Estates and a portion of Mallard Road. **“YEAS”**: Huber, Chadwick, Zitterkopf, Aguillo, Gompert, Huber, and Estrada. **“NAYS”**: Wayman. **ABSTAIN**: None. **ABSENT**: Weber and Aguillo. Motion carried.

ITEM 7C. The Planning Commission opened a public hearing for the final plat of Lots 1 & 2, Block 1 City Central Subdivision, a replat of Block 3, Farmland Subdivision and Tax Lots 17 & 45, and a part of Tax Lots 18 & 44, situated in the NW ¼ of the NE ¼ of Section 26, T22N, R55W of the 6th P.M., City of Scottsbluff, Scotts Bluff County, NE. The final plat has two lots; lot one consists of approximately 7.8± acres and lot 2 is approximately 6.03 ± acres. Lot 2 has an alley abutting the north line. We have asked the owners to include an alley or easement to allow another option for emergency and utility vehicles on one. City subdivision code requires an alley on commercial business lots. The existing water easement is 15’ if it is changed to 25’ it will meet the intent of the code. The Planning Commission asked that staff look into changing language in code to allow for exceptions to this requirement by reviewing the plans for development and the different situations of the development.

Commissioner Westphal indicated that it may be helpful in the future if the developer is required to show on the plat how trash and emergency vehicles can access that area, and that this should be reviewed by the City engineer, who would then make recommendations to the Planning Commission on whether or not an alley is necessary.

102 Rex Morse and Shane Aulick representing Four Play LLC addressed the Commission as to why they do
103 not want an alley on the south end at this time. They want to eliminate the possibility of traffic cutting
104 across one lot to get to the proposed fuel station and food store. Main access onto those businesses will
105 be from Broadway and 8th Street.

106

107 Zell Cantrell with Galloway addressed the Planning Commission regarding the lot layout and the way the
108 trash truck and other large vehicles can access the lot. The plan is to have a trash compactor and only one
109 truck will be used for trash pickup. When Lot 1 is developed in the future as some type of retail services
110 the assumption is that they will have cross access on both lots and if any changes are needed at the time of
111 development it can be done with a replat.

112

113 Commissioner Wayman stated that the existing layout will work best to eliminate drivers from taking
114 short cuts through an alley which could be dangerous.

115

116 The Planning Commission asked that the plat be changed to increase the water easement from 15' to 25'
117 to allow for emergency and utility vehicles.

118

119 Bob Pile and Susan Weideman addressed the Planning Commission voicing concerns about increased
120 truck traffic on Broadway. They also were concerned about increased traffic on Avenue B if an alley
121 access is provided from Broadway to Avenue B on the south end of both lots.

122

123 Shane Aulick, with Four Play LLC also addressed the Planning Commission the plan they have for the
124 development will improve this area of Broadway which has sat vacant for years. They have exceeded
125 landscape requirements and will enhance the neighborhood.

126

127 **Conclusion:** A motion was made by Gompert and seconded by Chadwick to approve the final plat of n
128 Lots 1 & 2, Block 1 City Central Subdivision, a replat of Block 3, Farmland Subdivision and Tax Lots 17
129 & 45, and a part of Tax Lots 18 & 44, situated in the NW ¼ of the NE ¼ of Section 26, T22N, R55W of
130 the 6th P.M., City of Scottsbluff, Scotts Bluff County, Nebraska with the condition that the 15' easement
131 on the final plat be changed to reflect the change of the water easement from 15' to a 25'. "YEAS":
132 Chadwick, Zitterkopf, Westphal, Gompert, Huber, Wayman, and Estrada. "NAYS": None. ABSTAIN:
133 None. ABSENT: Aguillo & Weber. Motion carried

134

135 **ITEM 7D.** The Planning Commission opened a public hearing for a zone change request from Four Play
136 LLC represented by Galloway & Company for property described as Lots 1 & 2, Block 1, City Central
137 Subdivision, a replat of Block 3, Farmland Industries Subdivision and tax lots 17 & 45, and a part of tax
138 lots 18 & 44, situated in the NW ¼ of the NE ¼ of Section 26, T22N, R55W of the 6th P.M., City of
139 Scottsbluff, Scotts Bluff County, NE. Lot one is zoned M-1 Light Manufacturing. Lot 2 is zoned both
140 M-1 Light Manufacturing and C-3 Heavy commercial. The request is for both lots to be changed to C-3
141 Heavy commercial. This is consistent with our comprehensive development plan. Properties to the north
142 and south are zoned C-3, properties to the east and west are zoned M-1.

143

144 **Conclusion:** A motion was made by Westphal and seconded by Wayman to approve the zone changes
145 request of Lots 1 & 2, Block 1 City Central Subdivision, a replat of Block 3, Farmland Subdivision and
146 Tax Lots 17 & 45, and a part of Tax Lots 18 & 44, situated in the NW ¼ of the NE ¼ of Section 26,
147 T22N, R55W of the 6th P.M., City of Scottsbluff, Scotts Bluff County, Nebraska from M-1 Light
148 Manufacturing to C-3 Heavy Commercial. "YEAS": Chadwick, Zitterkopf, Westphal, Gompert, Huber,
149 Wayman, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Aguillo & Weber. Motion carried

150

151 **ITEM 7E:** The Planning Commission opened a public hearing for a request for Annexation of
152 approximately 32.67 acres in the Five Oaks Subdivision, this area has been preliminary platted and

153 situated south of 42nd Street and east of Avenue I to the current city limit signs. Property owners C & T
154 Holdings LLC and Clark Nation LLC have requested the annexation in anticipation of future development
155 in the area.

156

157 **Conclusion:** A motion was made by Westphal and seconded by Zitterkopf to approve the annexation of
158 approximately 32.67 acres of Five Oaks Subdivision into the City's corporate limits.(legal is attached)

159 "YEAS": Chadwick, Zitterkopf, Westphal, Gompert, Huber, Wayman, and Estrada. "NAYS": None.

160 ABSTAIN: None. ABSENT: Aguillo & Weber. Motion carried

161

162 **ITEM 8. Unfinished Business:** None.

163

164 There being no further business, a motion to adjourn was made by Weber and seconded by Gompert. The
165 meeting was adjourned at 6.55 p.m. "YEAS": Gompert, Wayman, Westphal, Chadwick, Zitterkopf,

166 Huber, and Estrada. "NAYS": None. **ABSTAIN:** None. **ABSENT:** Aguillo & Weber. Motion carried.

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170 _____
Becky Estrada, Chairperson

171

172 Attest: _____

173 Annie Urdiales