

**City of Scottsbluff, Nebraska**  
**Monday, April 13, 2015**  
**Regular Meeting**

**Item Appr. Min.1**

**Minutes**

*Approval of Minutes 3/9/15*

**Staff Contact: Annie Urdiales**



51 **Conclusion:** A motion was made by Gompert and seconded by Zitterkopf to approve the proposed  
52 changes to the Sign Code 25-6-1.6 “YEAS”: Weber, Chadwick, Zitterkopf, Aguallo, Gompert, Huber,  
53 Wayman, and Estrada. “NAYS”: None. **ABSTAIN:** None. **ABSENT:** Westphal. Motion carried.

54  
55 **ITEM 7B:** The Planning Commission opened a public hearing for a proposed ordinance amendment  
56 change of Chapter 21, Article 1 in our Subdivision Code, relating to amending or re-platting a final plat,  
57 and limiting the number of times a plat can be amended or re-platted (21-1-68).

58  
59 Staff had previously discussed changing the number of times a final plat can be re-platted or amended.  
60 When a property is final platted it is assumed this will be the last time the property will be changed and  
61 access and size will be developed as shown on the final plat, but there are times when the original final  
62 plat was approved several years back and current circumstances have changed, a new plan may work  
63 better with the surrounding development and a change in the layout may be a better fit with the  
64 surrounding lots either in size or access onto the property which would be a better fit, a re-plat or  
65 amended plat could be filed with the Planning Commission for review and approval with final approval  
66 from City Council. In working with the Register of Deeds we have found it is easier for them, title  
67 companies, and others to track a property if it is vacated instead of repeatedly re-platted. The George  
68 Baltes subdivision is one of the subdivisions that have had several amendments and re-platting making it  
69 difficult to research and tract the individual lots as they are sold and resold. Also, when the surveyor re-  
70 plats a lot they have to go back to the very beginning and list this in the title of the plat, this can be quite  
71 lengthy when it has been platted and changed several times, and if something is missed has to be done  
72 over.

73  
74 Annie Folck, City Planner, did some research with other cities, The City of Kearney does not allow for  
75 any replat and the City of Chadron only allows two. In talking with Jean Bauer at the Register of Deeds  
76 on how this could be improved, changing our code to allow a minimum of two re-plats/amendments,  
77 seems to be a good fit for the City and if more than two requests for change are made an ordinance to  
78 vacate will be required to accompany a new final plat for the requested changes, the ordinance and plat  
79 can be done simultaneously.

80  
81 Carl Gilbert, a surveyor for Baker & Associates addressed the Planning Commission; he wants to make  
82 sure that the request to vacate will be allowed for smaller partial vacations of final plats. Working on  
83 preliminary and final plats can be a challenge when many changes have been made the vacation plat or  
84 ordinance allows for a clean process. This can help developers to pre-plan better and have less re-plats in  
85 the future development. The Planning Commission asked if the cost of a re-plat would be prohibitive to  
86 the developer this would depend on the type of development. A survey can cost anywhere from \$500 to  
87 \$5,000 depending on the factors.

88  
89 The City can check with legal to make sure partial vacates are allowed, the City wants to work with the  
90 developers, surveyors, and the register of deeds and will work on making the process easier.

91  
92 **Conclusion:** A motion was made by Weber and seconded by Chadwick to make a positive  
93 recommendation to City Council to approve the proposed ordinance amendment changes of Chapter 21,  
94 Article 1 Amending Sections 21-1-68 of the City’s Subdivision Code relating to the number of times a  
95 plat may be re-platted, limiting the number to two. “YEAS”: Weber, Chadwick, Zitterkopf, Aguallo,  
96 Gompert, Huber, and Estrada. “NAYS”: Wayman. **ABSTAIN:** None. **ABSENT:** Westphal. Motion  
97 carried.

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99 **ITEM 7C.** The Planning Commission reviewed a proposed ordinance text change in the City’s Chapter  
100 20 Obstruction Code. More and more we are receiving requests for Block parties, usually during  
101 Holidays or other special events. Annie Folck has been working with Police Chief, Kevin Spencer on

102 setting guidelines for Block parties. The permit will be checked and approved by the Police Department  
103 the permit will require that the need to notify all the neighbors, use proper barricades (provided by  
104 Transportation Dept.), no alcohol on the public street, sales of any items will be prohibited, no open fires,  
105 and emergency access will be available at all times. Time limits of 10:00 p.m. during week days and  
106 12:00 midnight on holidays and weekends.

107

108 The Planning Commission had concerns about emergency access, want to make sure they are not using  
109 vehicles as barricades and the area is kept clear in case of an emergency. Also, asked if there was any  
110 language on clean up. A \$250 fine will be imposed if the applicant does not clean up after the party and  
111 the City have to come in and clean up.

112

113 **ITEM 8. Unfinished Business:** Updated the Planning Commission on the comprehensive development  
114 plan. Taking Request for bids for extension of utilities, where to put in future water and sewer lines, the  
115 Army Core of Engineers is also working on a study for the City's floodplain these two items will help  
116 plan where physical limitations are and we will be able to plan for future development of the City.  
117 PADD is also working on some of the demographics' of the City everything we hope will be ready in  
118 October and these will all be incorporated into our comprehensive development plan.

119

120 There being no further business, a motion to adjourn was made by Weber and seconded by Gompert. The  
121 meeting was adjourned at 6.40 p.m. "YEAS": Gompert, Wayman, Weber, Chadwick, Zitterkopf,  
122 Aguallo, Huber, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Westphal. Motion  
123 carried.

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Becky Estrada, Chairperson

128

129 Attest: \_\_\_\_\_

130 Annie Urdiales