



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
PLANNING COMMISSION AGENDA

Regular Meeting
March 11, 2024
6:00 PM

1. **Roll Call**
2. **Nebraska open Meetings Act** (For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the south wall of the council chambers.)
3. **Notice of changes in the agenda by the City Manager** (Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless added under Item 4 of this agenda.)
4. **Citizens with business not scheduled on the agenda** (As required by state law, no matter may be considered under this item unless council determines that the matter requires emergency action.)
5. **Approval of the Planning Commission Minutes From**
 - A. Minutes from the January 8, 2024 Meeting
6. **New Business**
 - A. Planning Commission to make a recommendation on the annexation request by Daniel Raymond for Lots 1-2, Block 1, Seth Raymond Subdivision.
7. **Public Hearing**
 - A. Planning Commission to conduct a Public Hearing to consider a Vacation Request of the Agricultural Estate Dwelling Site at 210570 W. 42nd Street.
 - B. Planning Commission to conduct a Public Hearing to consider the Preliminary and Final Plats of Lots 1-2, Block 1, Seth Raymond Subdivision, a tract of unplatted land located in Section 11, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.
 - C. Planning Commission to conduct a Public Hearing to a Rezone of the Lots 1-2, Block 1, Seth Raymond Subdivision, a tract of unplatted land located in Section 11, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska from AG Agricultural to R-1 Single-Family Residential

8. **Staff Reports**

A. Informational Only

9. **Schedule a Meeting**

A. April 8th, 2024

10. **Adjournment**

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 5.A

Minutes from the January 8, 2024 Meeting

Staff Contact: Zachary Glaubius

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
JANUARY 8TH, 2024
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, January 8th, 2024 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 December 28, 2023. 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 Chair Becky Estrada called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Angie Aguillo, Jerry Stricker, Callan Wayman, Kendall Palu, Jim Zitterkopf, Dave Gompert "Absent": Henry Huber, Dana Weber. "Excused": Linda Redfern (alternate) City Officials present were Zachary Glaubius, Development Services Director, Taylor Stephens, GIS Analyst, Gary Batt, Code Administrator II, Logan Lund, Code Administrator I, Tom Schingle, Fire Chief, and Chris Perales, Fire Prevention.
- 2 Estrada 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 December 11th, 2023 meeting were reviewed. **Conclusion:** a motion was made by Palu and seconded by Stricker to approve the minutes from December 11th, 2023 meeting. "Yeas:" Becky Estrada, Angie Aguillo, Jerry Stricker, Callan Wayman, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None. The motion carried.
- 6 Estrada introduced Item 6A, a Public Hearing to consider a rezone of Lot 5, Block 1, Country Club View Addition, commonly identified as 617 W. 19th Street, from C-2 Neighborhood & Retail Commercial to R-1A Single Family Residential. Estrada opened the public hearing at 6:01 PM. Glaubius presented a staff report on the property. Glaubius stated the property has been a residential house for over 100 years. Glaubius stated the neighbors are also houses and will address their zoning at a later date. Glaubius stated the only issue is that the lot does not meet the minimum lot width for R-1A but due to the plats age from 1919, staff does not see this as an issue. Glaubius stated that staff recommends that the planning commission make a positive recommendation to the city council to approve the rezone. The property owner, Sharaya Toof, stated that in order to do upgrades to the property that she wants in zoned properly. Wayman stated a question to Glaubius asking about the corner property for the larger rezone. Glaubius stated that this property would remain as C-2. Estrada closed the public hearing at 6:03 PM. Stricker asked Glaubius if all the residential lots on the block are 50 feet wide and Glaubius answered that they are.
- 7 **Conclusion:** Motion by Stricker to make a positive recommendation to the city council to approve the rezone and seconded by Zitterkopf. "Yeas:" Becky Estrada, Angie Aguillo, Jerry Stricker, Callan Wayman, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None. The motion carried.

- 8 Estrada introduced Item 6B, a Public Hearing to consider a plat vacation of Block 2, Residency Addition, commonly identified as 2204 Circle Drive. Estrada opened the public hearing at 6:04 PM. Glaubius presented a staff report on the property. Glaubius stated the property owners want to do a future replat of the northern lot of their campus to split off the caretaker's house. Glaubius stated that they need to vacate the plat due to the property already being replatted twice and code states a property cannot be replatted more than two times and this would make it a third replat. Glaubius stated that once the property owner is ready that the replat will be done administratively. Glaubius stated that the buildings on the plat vacation are just used as a diagram and the sewer main will be addressed once building plans are submitted. Glaubius stated that staff recommends that the planning commission make a positive to the city council to approve the plat vacation. Estrada closed the public hearing at 6:06 PM. Stricker posed the question if all easements will be addressed with the proposed structures. Glaubius stated that all easements will be addressed when construction plans are submitted.
- 9 **Conclusion:** Motion by Wayman to make a positive recommendation to the City Council for the plat vacation and seconded by Aguallo. "Yeas:" Becky Estrada, Angie Aguallo, Jerry Stricker, Callan Wayman, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None. The motion carried.
- 10 Estrada introduced item 7, staff reports. Glaubius stated that he has not worked on the zoning updates yet. Glaubius also stated that there will not be a February meeting. Glaubius stated that the comp plan RFP is out and he has reached out to several consulting firms and that it closes in April. Wayman asked about the Counties Comp Plan RFP and if we could team up. Glaubius stated that we will keep them separate.
- 11 Planning Commission confirmed the next meeting date of March 11.
- 12 Item 9: Adjournment
- 13 Adjournment: Motion by Stricker, seconded by Palu to adjourn meeting at 6:08 PM. "Yeas:" Becky Estrada, Angie Aguallo, Jerry Stricker, Callan Wayman, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None. The motion carried.

Becky Estrada, Chairperson

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 6.A

Planning Commission to make a recommendation on the annexation request by Daniel Raymond for Lots 1-2, Block 1, Seth Raymond Subdivision.

Staff Contact: Zachary Glaubius

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 4, 2024 For Meeting of: March 11, 2024



I. GENERAL INFORMATION

- A. Daniel Raymond, owner of the proposed Lots 1 & 2, Block 1, Seth Raymond Subdivision has requested annexation by the City of Scottsbluff.

II. STAFF COMMENTS

- A. The reference Nebraska Revised Statutes below have been summarized for this agenda item. The complete statutes are included in the packet
- B. According Nebraska Revised Statute § 18-3301, an owner of territory contiguous to the corporate limits of a city desire to be annexed, the owner shall prepare a plat of the territory. A copy of the plat shall be filed with the city with a written request for annexation. The City Council shall at the next regular meeting after filing and request vote on the annexation. If the request is approved, an ordinance shall be prepared declaring the territory as within the corporate limits of the city.
- C. However, according Nebraska Revised Statute § 19-929, the city council shall not take final action on matters relating annexation of territory until it has received the recommendation of the planning commission
- D. Furthermore, according to Nebraska Revised Statute § 16-117 (7), when any owner of property contiguous to a city of the first class may by petition request that such property be included within the corporate limits of the city. The city council may include such property within the corporate limits without complying to subjection 3-6.
 - i. Subsection 3-6 require a resolution for annexation, public notice in the newspaper, and a public hearing.
- E. To summarize, a property owner next to the city may request annexation, and when this occurs a public hearing on the annexation is not necessary.
- F. This land is located within the “Near-Term Development” designation on the future land use map.

III. STAFF RECCOMENDATION

- A. Staff recommends the Planning Commission make a positive recommendation on approval by City Council on annexation of Lots 1 and 2, Block 1, Seth Raymond Subdivision.

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 7.A

Planning Commission to conduct a Public Hearing to consider a Vacation Request of the Agricultural Estate Dwelling Site at 210570 W. 42nd Street.

Staff Contact: Zachary Glaubius

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 1, 2024 For Hearing of: March 11, 2024



I. GENERAL INFORMATION

- A. Applicant:** Daniel Raymond
210570 W 42nd Street
Scottsbluff, NE 69361
- B. Property Owner:** Same as applicant
- C. Proposal:** Vacate Agricultural Estate Dwelling Site in order to replat
- D. Legal Description:** See petition
- E. Location:** 22210570 W 42nd Street
- F. Existing Zoning & Land Use:** A - Agricultural
- G. Size of Site:** Approximately 7.73 acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Residential	A Agricultural	Farmland
East	Residential	A Agricultural	Acreage and Farmland
South	Avenue B & Hospital Campus	O&P Office and Professional	Regional West Medical Center
West	Avenue B & Hospital Campus	R-1A Single-Family Residential	Acreage

B. Relevant Case History

1. AEDS was approved in 2019.

III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential.
- B. Traffic & Access:**
1. The land is adjacent to 42nd Street.

IV. STAFF COMMENTS

- A.** As the property owner wishes to subdivide the land in the AEDS, the AEDS must be vacated to plat the property.

V. FINDINGS OF FACT

A. Findings of Fact to Recommend Its Approval May Include:

1. The land occupied by the AEDS must be vacated in order to plat the land.

B. Findings of Fact to Not Recommend Approval May Include:

1. None

VI. STAFF RECCOMENDATION

- A.** Staff recommends the Planning Commission make a positive recommendation to City Council to approve vacation of the Daniel Raymond Agricultural Estate Dwelling Site at 210570 W. 42nd Street.

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 7.B

Planning Commission to conduct a Public Hearing to consider the Preliminary and Final Plats of Lots 1-2, Block 1, Seth Raymond Subdivision, a tract of unplatted land located in Section 11, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.

Staff Contact: Zachary Glaubius

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: February 29, 2024

For Hearing of: March 11, 2024



I. GENERAL INFORMATION

A. Applicant: Daniel Raymond
210570 W 42nd Street
Scottsbluff, NE 69361

B. Property

Owner: Same as applicant

C. Proposal: Preliminary Plat and Final Plat, Lots 1-2, Block 1, Seth Raymond Subdivision

D. Legal Description: See Preliminary Plat

E. Location: 210570 W. 42nd Street

F. Existing Zoning & Land Use: A – Agricultural and Acreage

G. Proposed Zoning: R-1 Single-Family Residential

H. Size of Site: Approximately 7.73 Acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Residential	A Agricultural	Farmland
East	Residential	A Agricultural	Acreage and Farmland
South	Avenue B & Hospital Campus	O&P Office and Professional	Regional West Medical Center
West	Avenue B & Hospital Campus	R-1A Single-Family Residential	Acreage

B. Relevant Case History

1. Land is currently an AEDS which was approved in 2019.

III. ANALYSIS

A. Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential.

B. Traffic & Access:

1. Access to the subdivision will be via 42nd Street.
2. An access easement on the flagpole portion Lot 1 will serve as the access to 42nd Street for both Lot 1 and Lot 2.
 - i. The City will not allow for an additional curb cut due to 42nd Street being an arterial street.
3. 50' of right-of-way will be dedicated for 42nd Street.
4. A 50' special right-of-way along the west edge of the subdivision will be platted in the event Avenue B is continued along the quarter section line.

C. Utilities:

1. Water, sewer, and stormwater mains are located in the right-of-way of 42nd Street.
2. Lot 1 is currently served by city water and has a septic system.
 - i. Per §18-2-1, annexed premises must connect to city sewer within 1 year of annexation; or
 - ii. The City Council may extend the time of connecting to city sewer based on a time frame and/or situation.
 1. Development
3. Lot 2 will be served by both city water and sewer.

IV. STAFF COMMENTS

- A.** Regarding the connection of Lot 1 to city sewer, the Development Services and Public Works Departments propose a 5-year extension or when the septic system fails; whichever occurs sooner. The owner of Lot 1 will have 1 year to connect to city sewer in the event the septic system fails.
- B.** Per §25-3-23 (S), quarter section lines which do not have a street established shall have street setbacks applied to the part of the tract which abuts the quarter section line. The quarter section line shall be treated as a 100' wide street.
- C.** The subdivision will be annexed into the City of Scottsbluff.

V. FINDINGS OF FACT

A. Findings of Fact to Recommend Its Approval May Include:

1. The Comprehensive Plan identifies the area as Residential, and the subdivision and proposed rezone comply with the plan.
2. The minimum lot size requirement for the R-1 zoning district is 12,000 square feet, and the smallest proposed lot is 2 acres.
3. Both lots have the minimum 20' of public road frontage

B. Findings of Fact to Not Recommend Approval May Include:

1. None

VI. STAFF RECCOMENDATION

- A.** Staff recommends Planning Commission make a positive recommendation on approval of the preliminary plat and final plat for Lots 1 and 2, Block 1, Seth Raymond Subdivision on the condition the City Council approves the extension for Lot 1 to connect to city sewer.

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 7.C

Planning Commission to conduct a Public Hearing to a Rezone of the Lots 1-2, Block 1, Seth Raymond Subdivision, a tract of unplatted land located in Section 11, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska from AG Agricultural to R-1 Single-Family Residential

Staff Contact: Zachary Glaubius

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 4, 2024 For Hearing of: March 11, 2024



I. GENERAL INFORMATION

- A. Applicant:** Daniel Raymond
210570 W 42nd Street
Scottsbluff, NE 69361
- B. Property Owner:** Same as applicant
- C. Proposal:** Vacate Agricultural Estate Dwelling Site in order to replat
- D. Legal Description:** See petition
- E. Location:** 22210570 W 42nd Street
- F. Existing Zoning & Land Use:** A - Agricultural
- G. Size of Site:** Approximately 7.73 acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Residential	A Agricultural	Farmland
East	Residential	A Agricultural	Acreage and Farmland
South	Avenue B & Hospital Campus	O&P Office and Professional	Regional West Medical Center
West	Avenue B & Hospital Campus	R-1A Single-Family Residential	Acreage

III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential.
- B. Traffic & Access:**
- Access to the subdivision will be via 42nd Street.
 - An access easement on the flagpole portion Lot 1 will serve as the access to 42nd Street for both Lot 1 and Lot 2.

- i. The City will not allow for an additional curb cut due to 42nd Street being an arterial street.
- 3. 50' of right-of-way will be dedicated for 42nd Street.
- 4. A 50' special right-of-way along the west edge of the subdivision will be platted in the event Avenue B is continued along the quarter section line.

C. Utilities:

- 1. Water, sewer, and stormwater mains are located in the right-of-way of 42nd Street.
- 2. Lot 1 is currently served by city water and has a septic system.
 - i. Per §18-2-1, annexed premises must connect to city sewer within 1 year of annexation; or
 - ii. The City Council may extend the time of connecting to city sewer based on a time frame and/or situation.
 - 1. Development
- 3. Lot 2 will be served by both city water and sewer.

IV. STAFF COMMENTS

- A. The rezone is an expansion of the existing R-1 District to the west. Another R-1 District is located closely to the east.
- B. The minimum lot size of R-1 is 12,000 square feet.
- C. The purpose of the rezone is to allow the property owner subdivide and sell the proposed Lot 2.
- D. The Comprehensive Plan identifies this area as Residential.

V. FINDINGS OF FACT

A. Findings of Fact to Recommend Its Approval May Include:

- 1. The Comprehensive Plan identifies the area as Residential and the proposed rezone to R-1 aligns with the future land use map.
- 2. The rezone would not be injurious to adjacent properties as the lot will remain a residential use.
- 3. No special hazards or problems will be created from the rezone as the lot will remain a commercial lot and will be less intensive zoning district.

B. Findings of Fact to Not Recommend Approval May Include:

- 1. None

VI. STAFF RECOMMENDATION

- A. Staff recommends Planning Commission make a positive recommendation on approval of the rezone of the proposed Lots 1 & 2, Seth Raymond Subdivision by City Council.

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 8.A

Informational Only

Staff Contact: Zachary Glaubius

City of Scottsbluff, Nebraska

Monday, March 11, 2024

Regular Meeting

Item 9.A

April 8th, 2024

Staff Contact: Zachary Glaubius