



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
PLANNING COMMISSION AGENDA
Monday, May 9, 2022
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 Items not Scheduled on the Regular Agenda:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.
- 5. Approval of the Planning Commission Minutes From:**
A April 11, 2022 Meeting.
- 6. New Business :**
A Planning Commission to conduct a Public Hearing to consider a Rezone of East Lawn Subdivision, Blk 3, Lt 9, a tract of land situated in the SE Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, NE from C-3 Heavy Commercial to R-1A Single Family Residential.
- 7. Staff Reports:**
A (informational only):
- 8. Other Business:**
A (informational only):
- 9. Schedule Meeting:**
A Confirm next meeting date of June 13, 2022.
- 10. Adjourn**

2525 CIRCLE DRIVE • SCOTTSBLUFF, NEBRASKA 69361 • (308) 630-6243 • FAX (308) 630-6294

City of Scottsbluff, Nebraska

Monday, May 9, 2022

Regular Meeting

Item Appr. Min.1

April 11, 2022 Meeting.

Staff Contact:

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
April 11, 2022
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, April 11, 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 March 31, 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 Chairman Becky Estrada called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Dave Gompert, Anita Chadwick, Callen Wayman, Mark Westphal, Angie Aguallo, Linda Redfern (Alternate, Quorum present so excused). "Absent": Dana Weber, Henry Huber, Jim Zitterkopf, . City Officials present were Taylor Stephens, GIS Analyst/Acting Secretary, Gary Batt, Code Administrator II, and Tom Schingle, Fire Chief.
- 2 Vice Chairman 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 March 14, 2022 meeting were reviewed. Conclusion: a motion was made by Wayman and seconded by Gompert to approve the minutes from March 14, 2022 meeting. "Yeas" Aguallo, Wayman, Chadwick, Westphal, Gompert, Estrada "Nays" "Absent": Huber, Zitterkopf, Weber "Excused": Redfern (alt.) The motion carried.
- 6 Vice Chairman Estrada opened a public hearing at 6:02 PM for Item 6A regarding a special permit request for keeping two (2) horses at part of the South Half of the Southeast Quarter of Section 11, Township 22 North, Range 55 West of the 6th P.M, Scotts Buff County Nebraska commonly identified as 210766 W. 42nd Street. Stephens stated a clerical correction was needed to the agenda to change the common address from W. 42nd Street to E. 42nd Street. Stephens stated that Ms. Fliesbach pursued the zoning text change to allow a land owner to get a special use permit to allow horses on lots greater than 2 acres with 1 animal per acre. Stephens stated that Ms. Fliesbach has letters of recommendation from surrounding neighbors in favor of allowing horses on said property. Stephens stated the property is approximately 2.75 acres which allows for 2 horses. Ms. Fliesbach stated that her property is rural and outside corporate limits and that she has letters from her neighbors of not to objecting of said horses. Stephens stated that staff is recommending that the Planning Commission approve the special use permit for 2 horses at said property. Vice Chairman Estrada closed the public hearing at 6:04 PM.
- 7 **Conclusion:** Motion by Westphal, seconded by Gompert to approve the special use permit to Ms. Fliesbach for 2 horses on 210766 E 42nd Street. "Yeas" Aguallo, Wayman, Chadwick, Westphal, Gompert, Estrada "Nays" "Absent": Huber, Zitterkopf, Weber "Excused": Redfern (alt.) The motion carried. Mr. Hadenfeldt stated for the record that he drafted the special use

permit for Weber to sign and advised Estrada to black out Weber's name and write Estrada's name in with the title Vice Chair.

- 8 Vice Chairman Estrada opened a public hearing at 6:05 PM for Item 6B regarding a Public Hearing to consider a Final Plat of Big Dog Meadows Subdivision, a tract of land situated in the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska. Mr. Kiltbau, President of LRK Farms, stated that he is looking to divide this land off the farm in hopes that someday he will be able to build a home there. Westphal requested to see the final plat via the chamber TVs. Hadenfeldt asked about the three lots and about building on all three. Kiltbau responded with possibly building on all three but final plans for each lot are not completed. Kiltbau stated he may reserve two lots to himself. Wayman stated from last meeting minutes that the preliminary plat was already approved and Stephens confirmed this. Stephens stated that the plat was delivered to Scotts Bluff County for their planning commission to review per state statute because there is a road dedication in the plat. Stephens stated that per Bill Maybin of the Scotts Bluff County Building and Zoning that they would just like to be notified when the road is built to add to their roads to maintain. Stephens also stated that a contract for public improvements is drafted and approved from city staff to go to City Council. Stephens stated that staff is recommending that the Planning Commission recommend the approval the final plat to the city council on the condition that the City Council also approve the contract for public improvements. Estrada closed the public hearing at 6:07 PM.
- 9 **Conclusion:** Motion by Wayman, seconded by Gompert make a positive recommendation on the approval of the final plat of Big Dog Meadows Subdivision on the condition that the City Council also approve the contract for public improvements. "Yeas" Aguillo, Wayman, Chadwick, Westphal, Gompert, Estrada "Nays" "Absent": Huber, Zitterkopf, Weber "Excused": Redfern (alt.) The motion carried.
- 10 Estrada introduced Item 6C regarding a rezone of Big Dog Meadows, a tract of land situated in the Southeast Quarter of Section 26, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska from Agricultural to R-1A Single Family Residential. Estrada opened the public hearing at 6:08 PM. Stephens stated the lots are currently zoned agriculture but the proposed lots support an R-1A Single Family Residential rezone. Stephens stated the lots are roughly 2 acres in size and the minimum requirement in R-1A zoning is 5,500 square feet and are in character with the surrounding area. Stephens stated that the staff is recommending that the Planning Commission make a positive recommendation to the City Council to approve the rezone of block 1, lots 1-3, Big Dog Meadows Subdivision on the condition that the City Council approves the contract for public improvements. Estrada closed the public hearing at 6:09 PM.
- 11 Wayman asked about the contracts and plan and what does long term development mean in the comprehensive plan. Stephens stated that the lots in question in the comp. plan are called to be rural and 2 acre lots are rural in nature. Stephens stated that the area is considered long term development with the issue of getting sewer access to the property in a cost-effective process. Stephens stated that long term development is generally anything over 10 years, near term is 1-2 years, and short term is around 5 years. Gompert asked if there has been any communication with the railroad company to bore a sewer line under the railroad. Stephens and Hadenfeldt stated that there has not been any communications yet with the railroad company about this. Hadenfeldt stated that because there is only three new lots that this is unlikely without further development.
- 12 **Conclusion:** Motion by Gompert, seconded by Aguillo to make a positive recommendation to City Council on the approval of the rezone from Agricultural to R-1A Single Family Residential for Big Dog Meadows Subdivision on the condition that the City Council also approve the contract

for public improvements. "Yeas" Aguallo, Wayman, Chadwick, Westphal, Gompert, Estrada
"Nays" "Absent": Huber, Zitterkopf, Weber "Excused": Redfern (alt.) The motion carried.

13 Item 7: Stephens stated that Zachary Glaubius is out on leave.

14 Item 8: No Other Business

15 Estrada introduced Item 9 regarding scheduling the next Planning Commission meeting on May 9, 2022.

16 Item 10: Adjournment

Adjournment: Motion by Gompert, seconded by Wayman to adjourn the meeting at 6:13 PM.

"Yeas" Aguallo, Wayman, Chadwick, Westphal, Gompert, Estrada "Nays" "Absent": Huber, Zitterkopf, Weber "Excused": Redfern (alt.) The motion carried.

Chairman Dana Weber

Taylor Stephens, Acting Secretary

City of Scottsbluff, Nebraska

Monday, May 9, 2022

Regular Meeting

Item New Bus1

Planning Commission to conduct a Public Hearing to consider a Rezone of East Lawn Subdivision, Blk 3, Lt 9, a tract of land situated in the SE Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, NE from C-3 Heavy Commercial to R-1A Single Family Residential.

Staff Contact:



Scottsbluff City Zoning Map (Rezone) Application

2525 Circle Drive, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date: April 1, 2022		Number (Office Use Only):
Property Address: 909 and 909 1/2 East Overland, Scottsbluff, NE 69361		
Current Zone: COMMERCIAL	Proposed Zone: RESIDENTIAL	Acreage of Property: Lot size 150' x 80'
Comprehensive Plan Designation:	Comprehensive Plan Amendment Required?	

Applicant Information

Applicant: MARGARETA PIAZZA FRANKLIN		Property Owner: MARGARETA PIAZZA FRANKLIN	
Address: 909 1/2 East Overland		Telephone: 308-641-5146	
City: Scottsbluff	State: NE	Zip: 69361	Alt. Telephone: 308-632-7034

City Development Process and Requirements

- Staff Review Time:** Approximately 4 to 5 weeks prior to the Public Hearing date.
- Planning Commission:** Held the second Monday of each month at 6:00 p.m.
- City Council:** Held the first and third Mondays of each month at 6:00 p.m.

All meetings are held in the City Council Chambers at 2525 Circle Drive in Scottsbluff.

REQUIREMENTS

- ☐ Pre-application meeting with City Planner?
- ☒ Rezone Fees \$100.00 plus
- ☐ Cost of postage for everyone within 300 feet + \$3.00 per property owner
- ☒ Provide a list (in mailing label format) of property owners within 300 feet of the exterior boundaries of the property to be rezoned together with:
 - ☐ A map(s) that clearly show the ownership within the 300 feet

- ☒ A letter from the property owner giving permission that their property maybe rezoned.
- ☐ Legal description of the property - on disk or emailed to the City Development Service Department in Word format and a map of property to be rezoned.
- ☒ A Letter from the petitioner that the proposed use:
 - ☐ Would provide a service required by the neighborhood and/or community and be consistent with sound land use.
 - ☐ Would not be injurious to the adjacent properties or uses
 - ☐ That rezoning the property would not create special hazards or problems for the neighborhood or community
 - ☐ Would be harmonious and consistent with the plan for the area in the Comprehensive Plan
- ☒ Why the rezone of the property should be granted.

If any of these items are not submitted with the application City Staff maintains the right to return the application as incomplete.

Rezone Process

After staff receives a completed application the staff will write a report to the Planning Commission including their recommendation. The Planning Commission will then hold a public hearing (which must be noticed in newspaper 10 days prior to the hearing) pertaining to the Zone Change and either recommend supporting the zone change or not to the City Council. After the Planning Commission the City Council will also hold a public hearing on the rezone request and either approve, approve with conditions or deny the request.

Page 10-52
April 1, 2022

To Whom it May Concern

I MARGARETA PIAZZA-FRANKLIN
Give The City of Scottsbluff
Permission to Rezone my
Property located at 909 and
909 1/2 EAST OVERLAND SCOTTSBLUFF
NE. 69361. Lot 9, Block 3 East
Lawn Addition City of Scottsbluff
NE 69361 County of Scotts Bluff
State of Nebraska

I believe that this would not
do any other properties around
this location any harm
also 3/4 of this property is
residential and not commercial
only one small building on the
front of the property was used
for commercial use it has not
been used for that for 5 years it is
now used for storage because of
this property being commercial
I can not get insurance or
refinance because most of it is
being used for residential this is
why it needs to be rezoned

I AM ASKING THAT YOU PLEASE
REZONE MY PROPERTY TO
ALL RESIDENTIAL THERE ARE
OTHER RESIDENTIAL ZONED
PROPERTY RISTH ACROSS THE
SAME STREET FROM MY PROPERTY
SO ONCE AGAIN PLEASE REZONE
THIS PROPERTY FOR ME TO
RESIDENTIAL

Signed / sputt Hoggan Eureka
Dated April 1, 2022

City of Scottsbluff Planning Commission

Development Services Staff Report – Taylor Stephens

Prepared on: April 7, 2022 For Hearing of: May 9, 2022



I. GENERAL INFORMATION

- A. Applicant:** Margareta Piazza-Franklin
909 ½ East Overland
Scottsbluff, NE 69361
- B. Property Owner:** Same as Applicant
- C. Proposal:** Request to rezone Lot 9, Block 3, East Lawn Addition to R-1A Single Family Residential from C-3 Heavy Commercial
- D. Legal Description:** Lot 9, Block 3, East Lawn Addition
- E. Location:** 909 & 909 ½ East Overland
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial
- G. Size of Site:** Approximately 7,000 square feet

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	R-1A Single Family	Single-Family Dwellings
East	East Overland	C-3 Heavy Commercial	Single-Family Dwellings
South	East Overland	R-1A Single Family	Single-Family Dwellings
West	East Overland	C-3 Heavy Commercial	Commercial Building

B. Relevant Case History

1. N.A.

III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as East Overland Corridor and according to Comprehensive Plan, the East Overland Corridor

suggests the appropriate zones C-1, C-2, and R-1a. C-3 and R-1a are the most common zoning districts in the East Overland Corridor.

B. Traffic & Access:

1. Current access to Lot 9 is via East Overland Dr.
2. An alley is located along the north property line.

C. Utilities:

1. Lot 9 has access to Water, Wastewater, and Stormwater lines under East Overland Dr.

IV. STAFF COMMENTS

- A. The rezone is aligned with the 2016 Comprehensive Plan Future Land Use Map.
- B. The proposed rezone to R-1A is not a spot zone as the lot to the North and South of Lot 9 is zoned R-1A.
- C. The property has been used as a single-family dwelling for the known past.
- D. The property has been zoned C-3 since before 1974

V. FINDINGS OF FACT

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

1. The Comprehensive Plan identifies the area as East Overland and the rezone will permit residential development which is allowed in the East Overland Corridor.
2. The rezone is not a spot zone.

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 the rezone of Lot 9, Block 3, East Lawn Addition from C-3 Heavy Commercial to R-1A single family residential.

REZONE 909 E Overland Dr. Parcel: 010119523



- Proposed Changes
- Corporate Limits
- Extended Jurisdiction
- Parcel Boundaries

City Zoning

- A
- AR
- C-1
- C-2
- C-3
- M-1
- M-2
- O&P
- PBC
- R-1
- R-1A
- R-1B
- R-4
- R-6

Street Centerlines

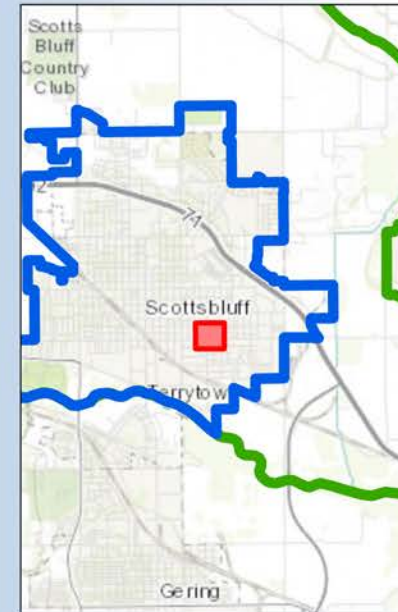
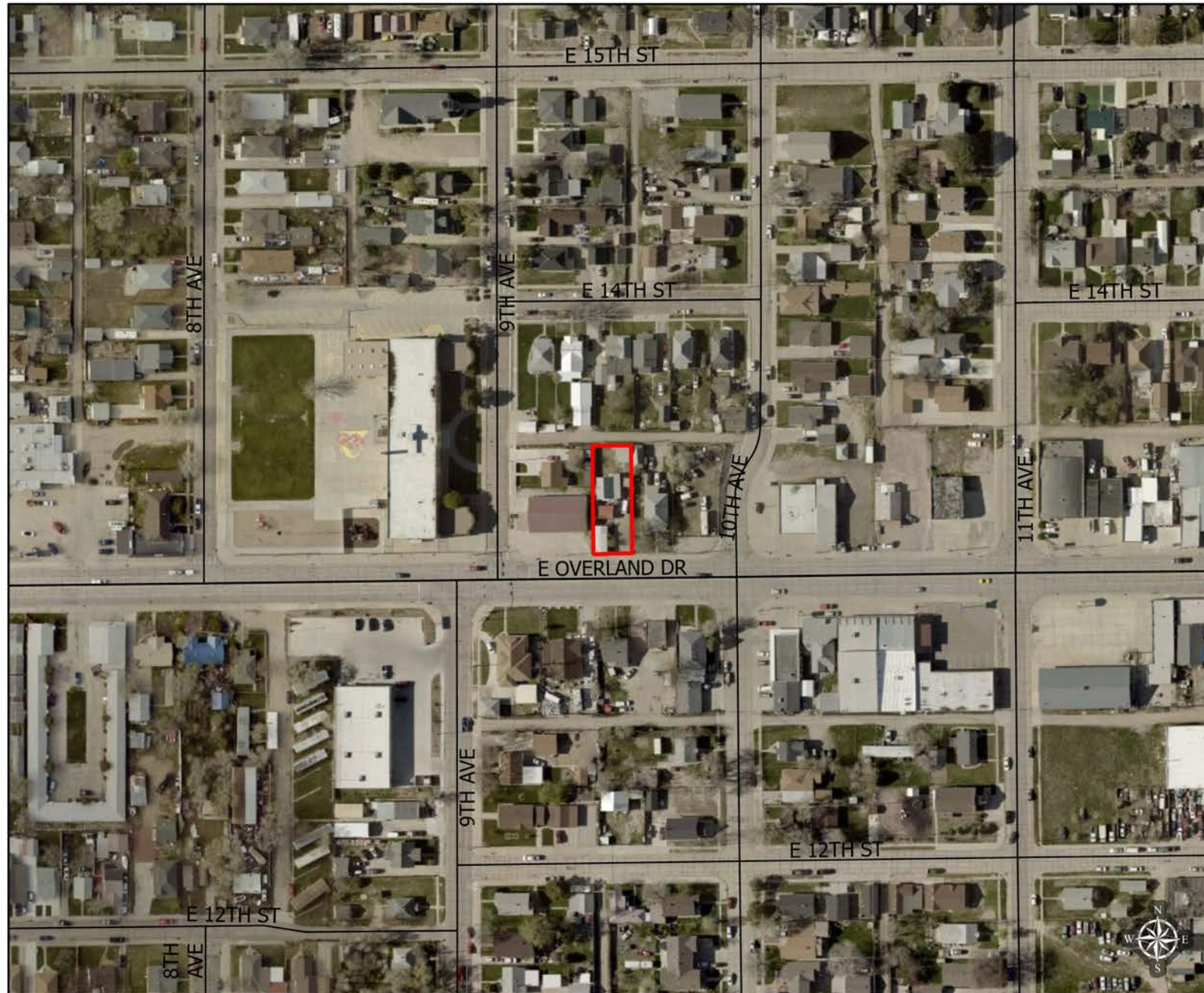
CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
Created on 4/19/2022
Coordinate System:
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

REZONE 909 E Overland Dr. Parcel: 010119523

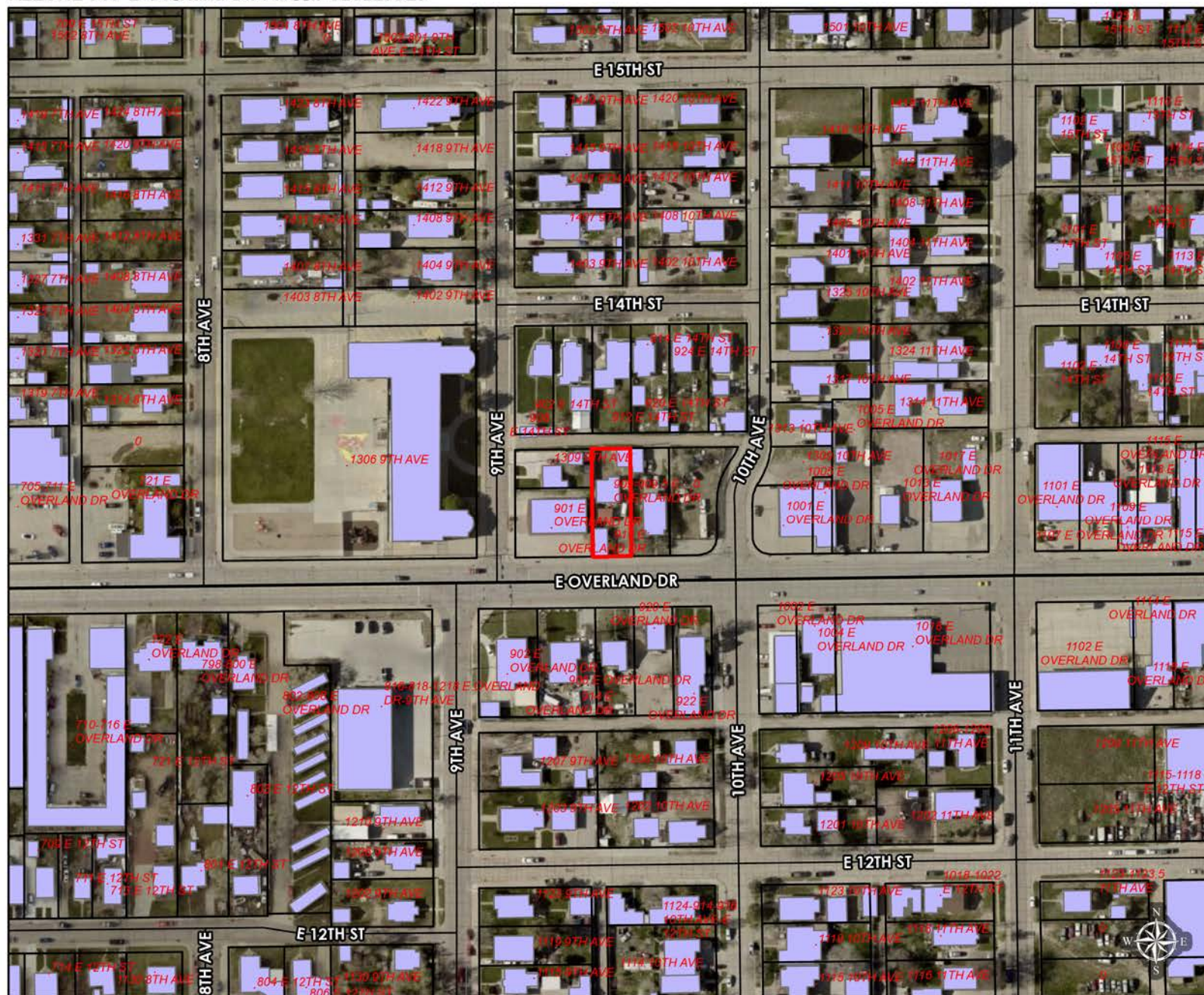


- Corporate Limits
- Extended Territory Jurisdiction
- Proposed Changes
- Street Centerline
- Highway
- Main Road
- Residential

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City of Scottsbluff GIS
Created on 4/19/2022
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REZONE 909 E Overland Dr. Parcel: 010119523



Proposed Changes

Building

Street Centerlines

CLASS

Highway

Main Road

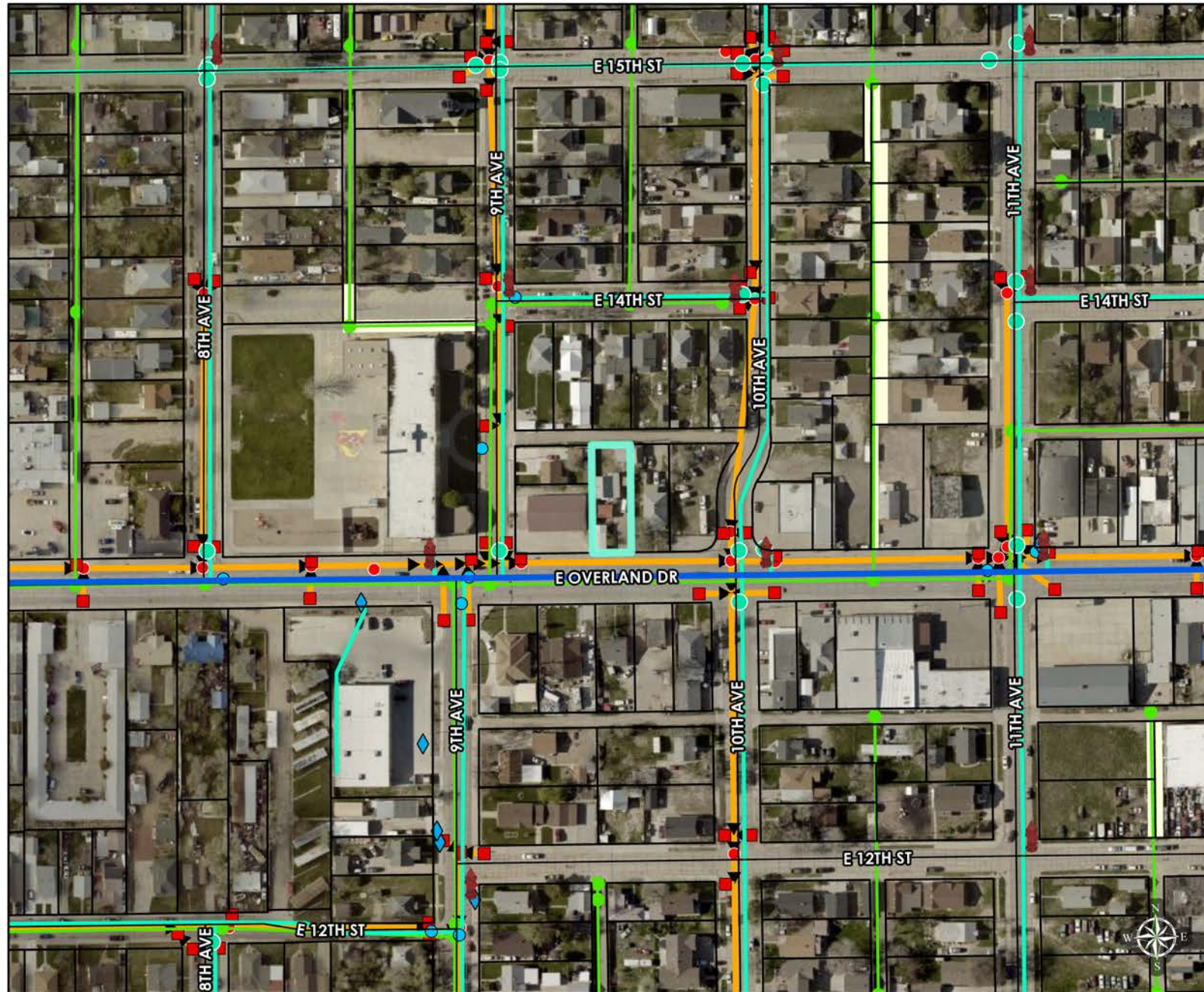
Residential/Rural

Parcel Boundaries

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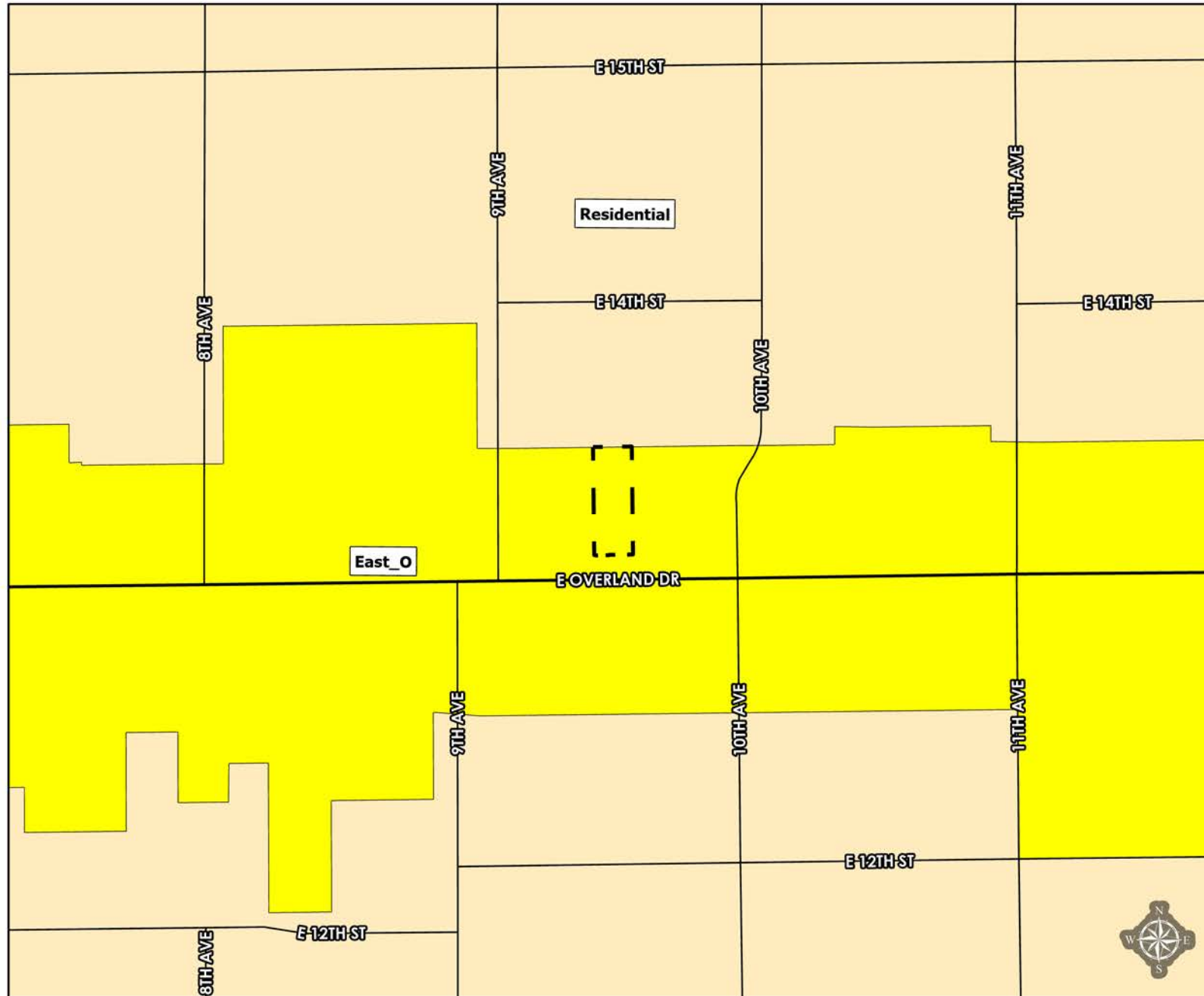


- Proposed Changes
- Street Centerlines
- CLASS
 - Highway
 - Main Road
 - Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Verified_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement
- GEODATA.GISMGR.Snow_Routes
- Scotts_Bluff_County_Parcels_02142022

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REZONE 909 E Overland Dr. Parcel: 010119523



Proposed Changes

2016 Comp. Plan Land Use

- Automobile Commercial
- Avenue B and Hospital Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural
- Rural Residential
- Southeast Industrial and Commercial
- South Broadway
- WNCC and Surrounding Area

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

2016 Comp. Plan Development

- LTD (10 - 20 yrs)
- NTD (Less than 5 yrs)
- STD (5 - 10 yrs)

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City of Scottsbluff, Nebraska

Monday, May 9, 2022

Regular Meeting

Item Staff Rep1

(informational only):

Staff Contact:

City of Scottsbluff, Nebraska

Monday, May 9, 2022

Regular Meeting

Item Olher Bus.1

(informational only):

Staff Contact:

City of Scottsbluff, Nebraska

Monday, May 9, 2022

Regular Meeting

Item Meet1

Confirm next meeting date of June 13, 2022.

Staff Contact: