



SCOTTSBLUFF CITY
PLANNING COMMISSION AGENDA
Monday, January 13, 2014, 6:00 PM
City Hall, Council Chambers, 2525 Circle Drive

**PLANNING
COMMISSIONERS**

BECKY ESTRADA
CHAIRPERSON

ANGIE AGUALLO
VICE CHAIRPERSON

DANA WEBER

HENRY HUBER

MARK WESTPHAL

CALLAN WAYMAN

DAVID GOMPERT

JIM ZITTERKOPF

ANITA CHADWICK

- 1. WELCOME TO THE PLANNING COMMISSION MEETING:** Chairman
- 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 back of the council chambers in the west corner.
- 3. ROLL CALL:**
- 4. NOTICE OF CHANGES IN THE AGENDA:** Additions may not be made to this agenda less than 24-hours prior to the beginning of the meeting unless added under item 5 of this agenda.
- 5. 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.
- 6. APPROVAL OF THE PLANNING COMMISSION MINUTES FROM:**
 - A Minutes**
Approve Minutes of 12/9/13
- 7. NEW BUSINESS:**
 - A Rezone Ag to R-1B (Miller)**
Rezone: Tract in SW 1/4 Section 8
Applicant: Ron & Kay Miller
Owner(s): Ron & Kay Miller
Location: East side of CR 24 & South of Eagle Rd
 - B One & Six Year St Plan**
2014 One & Six Year Street Plan
Applicant: Transportation Dept.
Owner(s): N/A
Location: N/A
- 8. ADJOURN**

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the Development Services Department at (308) 630-6243, 24-hours prior to the meeting.

City of Scottsbluff, Nebraska
Monday, January 13, 2014
Regular Meeting

Item Appr. Min.1

Minutes

Approve Minutes of 12/9/13

Staff Contact: Annie Urdiales

Planning Commission Minutes
Regular Scheduled Meeting
December 9, 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, December 9, 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 November 29, 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, Becky Estrada called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Dave Gompert, Angie Aguallo, Callan Wayman, Mark Westphal, Anita Chadwick, and Becky Estrada. Absent: Henry Huber and Dana Weber. City officials present: Annie Urdiales, Planning Administrator, 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 the bulletin board in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: **Item 7A. Ordinance to vacate alley was withdrawn** from the agenda at the request of the property owner.

ITEM 4: Business not on agenda: None

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

ITEM 6: The minutes of 11/12/13 were reviewed and approved. A motion was made to accept the minutes by Aguallo, and seconded by Gompert. "YEAS": Gompert, Zitterkopf, Aguallo, Wayman, Chadwick, Westphal, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Huber and Weber. Motion carried.

ITEM 7B: The Planning Commission reviewed a Resolution to amend Blight and Substandard Area Study # 7. The resolution removes the Sheldon Heights Subdivision from the original study. When the plan was first reviewed by the Planning Commission at their meeting of August 12th, the subdivision was included in the area as homes in this subdivision are forty years or older and the streets are unpaved, which is part of the criteria used to proclaim an area as blighted and substandard, which then allows Tax Increment Funding (TIF) to be used for improvements. When the plan was approved by the City Council residents from the subdivision expressed opposition to being included in the Blighted and Substandard area. Dave Schaff, with M.C. Schaff and Associates answered questions as to why the residential area was included in the original study. When the study was done the intent was to include areas which would best benefit the most people in this area of the City and use TIF for redevelopment in several areas. Sheldon Heights was included in the area as some homes are over forty years old and the streets are unpaved this also saved funds in the original study. Since the homeowners have expressed concerns over

52 having the area designated as blighted and substandard, this was not the intent of the developer, a new
53 study was done removing the Residential Subdivision and included more information on the old Maxwell
54 property which will also meet the criteria needed for a Blighted and Substandard designation. If in the
55 future the residential would like to use TIF funding they would have to do a separate study for their area.
56 The question was asked why the Mall area was included in the study, with TIF the prospective new
57 owners of the mall will benefit from the Tax Increment Financing if they chose to use this as a way to get
58 more businesses interested in located in the empty areas in the Mall.

59
60 The City Council will review the resolution and amended Blighted and Substandard Study of Area # 7,
61 which will remove Sheldon Heights Subdivision from the original study area at their next Council
62 meeting.

63
64 **Conclusion:** A motion was made by Gompert and seconded by Westphal to make positive
65 recommendation to Council to approve the Resolution and amended Survey Area # 7 Blighted and
66 Substandard Study. "YEAS": Zitterkopf, Chadwick, Gompert, Wayman, Westphal, Aguillo, and
67 Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Huber, and Weber. Motion carried.

68
69 There being no further business the Planning Commission with a motion to adjourn made by Aguillo and
70 seconded by Chadwick the meeting was adjourned at 6:15 p.m. "YEAS": Wayman, Westphal, Aguillo,
71 Chadwick, Zitterkopf, Gompert, and Estrada. NAYS: none. ABSENT: Huber, and Weber. Motion
72 carried.

73
74 _____
75 Becky Estrada, Chairperson

76
77 Attest: _____
78 Annie Urdiales

City of Scottsbluff, Nebraska

Monday, January 13, 2014

Regular Meeting

Item NewBiz1

Rezone Ag to R-1B (Miller)

Rezone: Tract in SW 1/4 Section 8

Applicant: Ron & Kay Miller

Owner(s): Ron & Kay Miller

Location: East side of CR 24 & South of Eagle Rd

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

To:	Planning Commission	Zoning:	Ag currently
From:	Development Services Department	Property Size:	3.10 acres ±
Date:	January 13, 2014	# Lots/Units:	1
Subject:	Rezone parcel from Ag to R-1B		
Location:	East Side of CR 24 & South side of Eagle Road		

Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

Public Notice: This item was noticed in the paper and a notice was posted on the property

Background

The applicant(s), Ron & Kay Miller, have requested a rezone for proposed Block 1A, Merrigan Subdivision, a replat of Block 1, Merrigan Subdivision & unplatted land situated in the Southwest Quarter of Section 8, T22N, R54W of the 6th P.M., Scotts Bluff County Nebraska. This parcel is in the City's extra territorial jurisdiction and situated on the east side of County Road 24 and south of Eagle Road. (Northeast corner of our zoning jurisdiction) The applicant is requesting a change from Ag – Agricultural to R-1B Rural Residential. Surrounding property is zoned Ag with an area to the west which is zoned R-1B – Rural Residential.

The parcel is currently part of a 40 acre parcel lying east of County Road 24 and south of Eagle Road. The plan is to remove a boundary lot line and create a 15.40 acre parcel; the 3.1 acres will be rezoned to R-1B as the 12.33 acres to the west are also R-1B. The R-1B will meet the guidelines of this residential zoning district.

The Comprehensive Plan Future Land Use Map designates this property as Single Family Residential.

Staff recommends approval of the rezone of proposed Block 1A, Merrigan Subdivision a replat of Block 1, Merrigan Subdivision, to R-1B – Rural Residential, subject to the rezone becoming effective upon filing of the Plat by Director.

Findings of fact includes residential is a logical transition from Agricultural to Single Family Residential; the zoning is compatible with the Comprehensive Plan.

Rezone Request, Page 1

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to rezone a part of proposed Block 1A, Merrigan Subdivision a replat of Block 1, Merrigan Subdivision (3.10 acres±) from A- Agricultural to R-1B Rural Residential subject to the following condition(s):

Deny

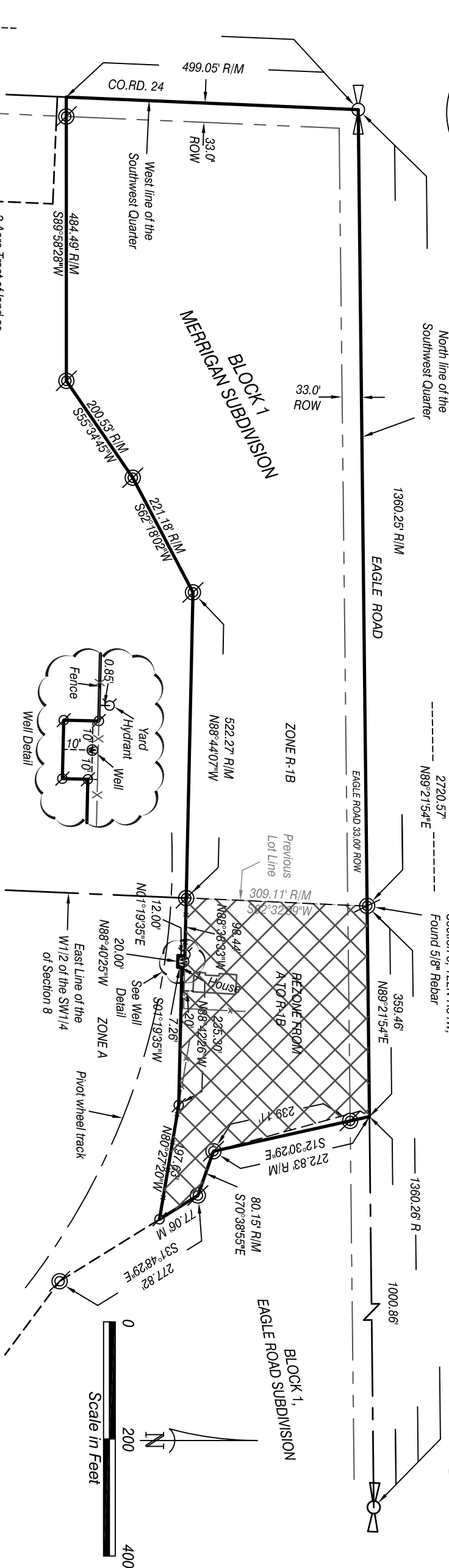
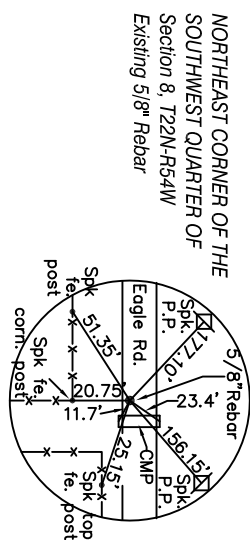
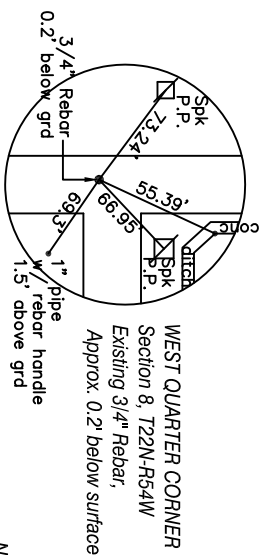
Make a NEGATIVE RECOMMENDATION to the City Council to rezone a part of proposed Block 1A, Merrigan Subdivision a replat of Block 1, Merrigan Subdivision (3.10 acres±) from A- Agricultural to R-1B Rural Residential for the following reason(s):

Table

Make the motion to TABLE the rezone request to rezone proposed Block 1A, Merrigan Subdivision (3.10 acres±) from A- Agricultural to R-1B Rural Residential for the following reason(s):

REZONE MAP

TRACT SITUATED IN PART OF THE SOUTHWEST
QUARTER OF SECTION 8,
TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH P.M.,
SCOTTS BLUFF COUNTY, NEBRASKA



LEGAL DESCRIPTION
(Rezone from A to R-1B)

A tract of land situated in the east half of the Southwest Quarter of Section 8, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the northwest corner of the east half of the Southwest Quarter of Section 8, thence easterly on the north line of the Southwest Quarter of Section 8, bearing N89°21'54"E, a distance of 359.46 feet, to the northwest corner of Block 1, Eagle Road Subdivision, as platted, thence bearing S12°30'29"E, on the west line of said Block 1, a distance of 272.83 feet, thence bearing S70°38'55"E, on the west line of said Block 1, a distance of 80.15 feet, thence bearing S31°48'29"E, on the west line of said Block 1, a distance of 77.06 feet, thence bearing N80°27'20"W, a distance of 197.63 feet, thence bearing N88°42'26"W, a distance of 235.30 feet, thence bearing S01°19'35"W, a distance of 7.26 feet, thence bearing N88°40'25"W, a distance of 20.00 feet, thence bearing N01°19'35"E, a distance of 12.00 feet, thence bearing N88°38'33"W, a distance of 98.44 feet, to the point of intersection with the west line of the east half of the Southwest Quarter of Section 8, thence bearing N02°32'09"E, on said west line of the east half of the Southwest Quarter of Section 8, a distance of 309.11 feet, to the Point of Beginning, containing an area of 3.10 acres, more or less.

City of Scottsbluff, Nebraska

Monday, January 13, 2014

Regular Meeting

Item NewBiz2

One & Six Year St Plan

2014 One & Six Year Street Plan

Applicant: Transportation Dept.

Owner(s): N/A

Location: N/A

Staff Contact: Annie Urdiales



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Development Services Department
Date: January 13, 2014
Subject: 2014 One & Six Year Street Plan
Location:

Background

The State of Nebraska Department of Transportation requires this Street plan be reviewed and approved yearly by the Planning Commission and City Council. The report after recommendation from the Planning Commission and approval from the City Council is submitted to the State.

The projects that are listed include work that is being projected for this construction season as well as other street improvement projects that go out to the next six years. The top ten are as follows:

Number one on the list this year is mill and overlay Avenue I from South Beltline north to 27th Street.

Number two is Reganis commercial development Highway 26 & 27th Street. **Number three** is 27th Street and 2nd Avenue; install left run lanes. **Number four** is 42nd Street from Highway 71 to Avenue G widen to four lanes. **Number five** is residential development is next on the list, 40th Street from Avenue D to Avenue F; pave 12' width 250' to intersection. **Number six** Avenue B from 27th Street north to Highway 26, total replacement with 6: concrete, new curb & gutter. **Numbers seven, eight, nine, & ten** are residential developments in Five Oaks street network construction, which include Mulberry from 38th to 40th Street; extend 36th Street west to Five Oaks Drive; extend 38th Street west 475' to Five Oaks Circle; and Sagebrush Drive to from Maple Drive to Five Oaks Drive.

Projects in 2013 that were completed include Broadway from 14th Street north to 27th Street (initially to 20th St.).

RECOMMENDATION

Approve

Make the motion to give Road a POSITIVE for the 2014 One and Six Year Plan to the City Council subject to the following condition(s):

Deny

Make the motion to give the 2014 One and Six Year Street Plan a NEGATIVE recommendation to the City Council for the following reason(s):

Table

Make the motion to TABLE the 2014 One and Six Year Street Plan for the following reason(s):

SUMMARY OF 2014 ONE AND SIX YEAR PLAN

PRIORITY	PROJECT #	DESCRIPTION	ESTIMATED COST	
1	M-536 (292)	Mill and overlay Avenue I from South Beltline north to 27th Street	\$ 1,300,000	ONE YEAR PLAN
2	M-536 (296)	Reganis commercial development, Hwy. 26 and 27th Street.	\$ 1,000,000	
3	M-536 (297)	27th Street and 2nd Avenue; install left turn lanes	\$ 150,000	
4	M-536 (298)	42nd Street from Highway 71 east to Avenue G. Widen to four lane.	\$ 500,000	
5	M-536 (294)	Residential Development, 40th Street from Avenue D to Avenue F; pave 12' width 250' to intersection	\$ 60,000	
6	M-536 (293)	Avenue B from 27th Street north to Highway 26, total replacement with 6" concrete, new curb and gutter	\$ 1,600,000	
7	M-536 (284)	Residential development, Five Oaks street network construction, Mulberry from 38th to 40th Street.	\$ 47,000	
8	M-536 (271-A)	Residential Development, Five Oaks, street network construction, extend 36th Street, west to Five Oaks Drive	\$ 20,600	
9	M-536 (272-A)	Residential Development, Five Oaks, street network construction, extend 38th Street, west 475' to Five Oaks Circle.	\$ 42,000	
10	M-536 (275-A)	Residential Development, Five Oaks, street network construction, Sagebrush Drive from Maple Drive to Five Oaks Drive.	\$ 18,000	
11	M-536 (276)	Residential Development, Five Oaks, street network construction, Five Oaks Drive from Sagebrush to 38th Street	\$ 30,000	SIX
12	M-536 (277)	Residential Development, Five Oaks, street network construction, Five Oaks Drive from 36th Street to Sagebrush Drive	\$ 15,000	

13	M-536 (262)	Residential development, Northridge Subdivision street network construction, Competition Ave. from Champion Ave. north to Trophy Rd. 700' (5th Avenue and 42nd Street)	\$ 88,000	YEAR
14	M-536 (253-A)	Sandstone Estates north of 42nd St. Pave Ave. I east 700' to existing Sandstone Drive.	\$ 100,000	
15	M-536 (263)	Residential development, Northridge Subdivision street network construction, Champion Ave. from 5th Ave. east to Competition Ave., 150'	\$ 19,000	
16	M-536 (264)	Residential development, Northridge Subdivision street network construction, Trophy Road from 5th Ave. east to Competition Ave. 150'	\$ 19,000	
17	M-536 (265)	Extend 35th Street north to Sitzman Townhouse Development Cul-de-sac, 500'	\$ 63,000	
18	M-536 (256-A)	Valley View Drive west of 5th Avenue additional 600' paving	\$ 75,000	PLAN
19	M-536 (242)	Pave 2000' with curb and gutter westerly from Hillcrest Drive and 5th Avenue	\$ 200,000	
20	M-536 (241-A)	Residential development, street network construction south of 20th Street & 17th Ave	\$ 180,000	
21	M-536 (268)	Residential development, street network Champion Ave. from Competition Ave. east to Inspiration Drive	\$ 25,000	
22	M-536 (269)	Residential development, street network Inspiration Drive from Competition east 500' to Champion Avenue	\$ 63,000	
23	M-536 (270)	Residential development, street network Excel Way from Champion Avenue south 500' to soccer complex	\$ 63,000	
24	M-536 (285)	Residential development, Five Oaks street network construction, Sagebrush to 40th Street west and 38th Street to 40th Street east.	\$ 88,000	
TOTAL FOR SIX YEAR PLAN			\$ 5,765,600	

