

City of Scottsbluff, Nebraska
Monday, February 13, 2017
Regular Meeting

Item Appr. Min.1

Approve minutes of 1/9/17 meeting

Staff Contact:

**Planning Commission Minutes
Regular Scheduled Meeting
January 9, 2017
Scottsbluff, Nebraska**

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The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, January 9, 2017, 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 December 30, 2016. 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, Angie Aguillo, David Gompert, Jim Zitterkopf, Dana Weber, Henry Huber, and Becky Estrada. Absent: Callan Wayman, Mark Westphal. City officials present: Annie Folck, Planning Coordinator, Gary Batt, Code Administrator II, Nathan Johnson, City Manager, and Anthony Murphy, Fire Prevention Officer.

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: None

ITEM 4: Business not on agenda: None

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

ITEM 6A: The minutes of the December 12th meeting were reviewed. **Conclusion:** A motion was made by Weber and seconded by Aguillo to approve the minutes for the December 12th meeting. **“YEAS”:** Estrada, Aguillo, Weber, Gompert, Zitterkopf, and Chadwick. **“NAYS”:** None **Abstain:** Huber **Absent:** Westphal, Wayman

ITEM 6B: The minutes of the November 14th meeting were reviewed. **Conclusion:** A motion was made by Aguillo and seconded by Chadwick to approve the minutes for the November 14th meeting. **YEAS:** Estrada, Aguillo, Huber, Gompert, Zitterkopf, and Chadwick. **NAYS:** None **Abstain:** Weber **Absent:** Westphal, Wayman

ITEM 7A: Nathan Johnson addressed the planning commission regarding the City of Scottsbluff sharing costs with Gering to develop an industrial park. He stated that the City had contracted Thomas P. Miller and Associates to develop a regional plan for economic development, and that as part of the process, they identified ten potential sites for an industrial park. They worked with Olsson Associates to review these sites and ensure that they are all sites that are easily access by utilities and other infrastructure. While Gering has currently acquired 83 acres, the goal would be to eventually grow the industrial park to hundreds of acres. He stated that the City’s Comprehensive plan states that the City should work collaboratively across political borders to take advantage of economic development opportunities for regional benefit (pg. 17). The LB840 committee also reviewed this cost sharing partnership and made a unanimous positive recommendation to Council. He asked the Planning Commission to give a positive

57 recommendation to City Council stating that the this property to be used as an industrial park is in line
58 with the goals laid out in the City's Comprehensive Plan.

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60 Commissioner Zitterkopf asked if they are looking at properties adjacent to the identified site to get to the
61 hundreds of acres proposed for an industrial park. Johnson stated yes, this property would be part of a
62 larger region that could eventually be developed. Commissioner Weber asked about the floodplain in that
63 area and if that would impact manufacturers. Johnson stated that about 1/3 of the property is located in
64 the floodplain, and that they already have a business that is interested in locating in the floodplain portion
65 of the property because for their business, the floodplain would not affect them. Weber asked if having a
66 portion of the property in the floodplain would be a negative for site selectors. Johnson stated that the
67 City had just sold 43 acres in the floodplain for development, so he did not think it would be an issue.
68 Commissioner Huber asked if there is a difference in floodplain requirements for commercial properties
69 versus residential. Folck stated that residential properties have to be elevated above the base flood
70 elevation, and commercial properties either have to be elevated above the base flood elevation or
71 floodproofed above the base flood elevation. Johnson stated that they would plan on elevating the
72 improvements that would go into the floodplain area. Weber asked if funds from LB840 could be used to
73 bring in fill for the floodplain. Johnson stated that that is just one option, and there are many other funds
74 that could be used as well. Weber asked if they had an idea of how much it would cost to elevate the
75 property in the floodplain. Johnson stated that they did not have a cost yet, but were in the process of
76 getting estimates. Weber asked if LB 840 funds could be used on projects outside of city limits. Johnson
77 stated yes, and that LB 840 funds had previously been used for projects in Lyman, Gordon, and
78 elsewhere. This was done so that the City of Scottsbluff could continue to be a regional leader in
79 economic development.

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81 Commissioner Estrada asked for more of an explanation of LB 840 and what the funding could be used
82 for. Johnson stated that the City's LB 840 plan is available on the City's website and that it outlines the
83 different ways funds can be used. They are mainly used for job creation and retention, but can also be
84 used to purchase land and pay for improvements for qualifying businesses. The plan is to focus on
85 businesses that provide higher wages and benefits for their workers. Jim Trumbull, a member of the LB
86 840 committee, stated that the LB 840 funds come from a ½ cent sales tax. Estrada asked if they
87 provided loans or grants to qualifying businesses. Johnson stated that either could be provided through
88 the LB 840 fund, as well as other types of assistance, such as site improvements. Trumbull stated that a
89 good example of another type of assistance is the stormwater improvements that are being made up at
90 the airport. This will alleviate runoff issues that were adversely affecting the Fed Ex facility and the
91 Fusion Ranch jerky plant, which will enable these companies to expand when they are ready. The
92 incentive for this is because those employed by those businesses will spend money in Scottsbluff,
93 increasing the City's sales tax. So even though these businesses are outside of City limits, their growth
94 still benefits the City. He also stated that the LB 840 committee reviewed the property purchase in great
95 detail, asking questions about when the costs to develop the property will be incurred and how much of
96 those costs the City would be responsible for. They will be working on an operating agreement that will
97 govern all of these issues, but he believed that the concept itself was strongly supported by the
98 Comprehensive Plan. He also stated that there is a need to work with private developers to encourage
99 growth in Scottsbluff. Estrada stated that she agreed, and that she believed that more developers from
100 the private sector would be willing to work with the City if they had more information about available
101 incentives. Trumbull stated that the property identified for purchase has the potential for growth and has
102 been identified in economic development plans. The City now has the chance to control the property and
103 ensure it is available for development, which cannot be guaranteed if the ownership remains private. He
104 stated that the communities need these locations in order to compete for companies.

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106 Weber asked again about floodplain and if this and other issues would cause the City to have to keep
107 coming back to ask for more money to develop the property. He was concerned that these expenses
108 could keep growing. He stated that it may make more sense to wait to incur the costs of development
109 until there is a business that is ready to go into the space. Johnson agreed, stating that they would need
110 to make sure everything made sense before they got started with improvements. Trumbull also added
111 that the property could either be sold as bare ground, letting the purchaser develop it, or it could be
112 developed by the Cities before being sold, and either way, when the property is sold, the LB 840 fund will

113 be paid back. Weber asked if the property was to be annexed by Gering or if it would remain in the
114 County. Johnson stated that it would be annexed, and that this process would be simplified by the fact
115 that the Cities are the property owners.

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117 Weber stated that he believed that the LB 840 committee did a good job of going over many of the issues
118 with the property purchase, and that this could be a good test to see how well the cities of Scottsbluff and
119 Gering could work together. He also asked if it might be better for Scottsbluff to also invest in its own site,
120 looking at one of the other 9 that were identified. Johnson stated that this could be a possibility. He also
121 said that the only way to move forward is to eliminate competition with Gering as much as possible by
122 working cooperatively. Trumbull stated that TPMA encouraged a regional approach, as Gering and other
123 communities do not have the funding available for economic development that Scottsbluff has. If Gering
124 were to pursue this project on its own, it would severely limit what else they could accomplish with their
125 LB 840 funds.

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127 Commissioner Gompert asked if there had been any soil sampling or other site investigations to
128 determine if there would be any environmental issues on the site that could be cost prohibitive to
129 remediate. Johnson stated that so far, they had not investigated the site to that degree, but that they
130 would be doing some soil samples soon. Huber asked if it had ever been used for a manufacturing use
131 before, such as for the sugar factory. Trumbull stated that it had not. Zitterkopf asked how many acres
132 would eventually be needed for an industrial park. Johnson stated that eventually they would like to have
133 200-500 acres available, but that they started with this parcel because it was already for sale. Zitterkopf
134 asked what would happen if they were unable to purchase other property in that area. Johnson stated
135 that they would cross that bridge when they came to it, but either way, he believed that this 80 acre parcel
136 would be developable. Huber asked who appraised the property, and if it was appraised as a commercial
137 property. Johnson stated that it was appraised by Gary Brandt, and the appraised price was based off of
138 its intended use as an industrial park. Huber asked about purchase price for the property the City just
139 sold in the Immigrant Trails subdivision, and how that compared to the purchase price for this property.
140 Johnson stated that the property at Immigrant Trails was just sold for about \$5500 per acre, but that
141 earlier, two acres of it had been sold for \$9,250 per acre, and that the proposed purchase price for the
142 future industrial park was \$8,746 per acre.

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144 **Conclusion:** A motion was made by Weber and seconded by Zitterkopf to give a positive
145 recommendation to Council that this project is in accordance with the goals of the Comprehensive plan,
146 as well as to encourage Council to give consideration to some of the other sites identified in the economic
147 development plan.

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149 **“YEAS”:** Aguallo, Zitterkopf, Weber, Huber, Chadwick, and Estrada. **“NAYS”:** Gompert. **ABSTAIN:**
150 None. **ABSENT:** Wayman, Westphal. Motion carried.

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

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155 There being no further business, a motion to adjourn was made by Weber and seconded by Gompert.
156 The meeting was adjourned at 7:00 p.m. **“YEAS”:** Aguallo, Zitterkopf, Gompert, Weber, Huber,
157 Chadwick, and Estrada. **“NAYS”:** None. **ABSTAIN:** None. **ABSENT:** Wayman, Westphal. Motion
158 carried.

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165 Becky Estrada, Chairperson
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167 Attest: _____
168 Annie Folck