



SCOTTSBLUFF CITY
PLANNING COMMISSION AGENDA
Monday, April 10, 2017, 6:00 PM
City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, NE
69361

**PLANNING
COMMISSIONERS**

BECKY ESTRADA
CHAIRPERSON

ANGIE AGUALLO
VICE CHAIRPERSON

DANA WEBER

HENRY HUBER

MARK WESTPHAL

CALLAN WAYMAN

DAVID GOMPERT

JIM ZITTERKOPF

ANITA CHADWICK

LINDA REDFERN
ALTERNATE

- 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 Approve minutes of 3/13/17 meeting**
 - B Special Permit for a Hair Salon located in R-1a zone at 1933 7th Ave**
 - C Preliminary Plat Lots 1-6 Melroy Addition, A Replat of Lots 12 and 13 of Wildy and Lana Commercial Tracts**
 - D Special Use Permit for a Scrap Metal Processing Facility located in an M-2 zone at 417 9th Ave**
 - E Annexation of approximately 62.41 acres of property situated in the N 1/2 of the SE 1/4 of Section 15, T22, R55 W 6th P.M., Scotts Bluff County**
- 7. 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, April 10, 2017

Regular Meeting

Item Appr. Min.1

Approve minutes of 3/13/17 meeting

Staff Contact:

**Planning Commission Minutes
Regular Scheduled Meeting
March 13, 2017
Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, March 13, 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 March 3, 2017. 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, David Gompert, Jim Zitterkopf, Callan Wayman, Mark Westphal, Henry Huber, and Becky Estrada. Absent: Dana Weber, Angie Aquallo. City officials present: Annie Folck, Planning Coordinator, Gary Batt, Code Administrator II, 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 6: The minutes of the February 13th meeting were reviewed. **Conclusion:** A motion was made by Westphal and seconded by Gompert to approve the minutes for the February 13th meeting. **"YEAS":** Estrada, Westphal, Wayman, Huber, Gompert, Zitterkopf, and Chadwick. **"NAYS":** None **Abstain:** **Absent:** Weber, Aquallo

ITEM 7A: The Planning Commission opened a public hearing for a Special Use Permit for a Scrap Metal Processing Facility located at 417 9th Avenue. The applicant is Langer Industries, represented by Pete Langer. Folck stated that the property is located in an M-2 Heavy Manufacturing and Industrial zoning district. The applicant has submitted all the necessary paper work for the special use permit. The surrounding properties to the east and south are also zoned M-2. The property to the southwest is zoned M-1, Light Manufacturing and Industrial, and the property to the west and north is zoned C-3, Heavy Commercial. There are some residential properties within 300 feet; however, they are all on the other side of the Burlington Northern Railroad Tracks, so there is some separation between the residential areas and the proposed facility location. With the location along the Beltline Highway, it is very unlikely that any truck traffic from the facility would ever enter into the residential areas to the north. However, other potential effects such as noise and rodents should be considered as these could possibly affect the residents to the north.

Pete Langer, representing Langer Industries, stated that they plan to collect, process, and ship out scrap metal. There would be no smelting; the most intensive processing involved would be shearing. Addressing the concern about noise, he stated that he took a decibel meter to the site and measured the noise from a passing train at over 80 dB, and the processes at their facility all measure at less than 75

57 dB. He said that the typically noise generated by the facility would be comparable to the noise generated
58 by traffic on the Beltline Highway, which measured at 60-65 dB. Commissioner Gompert asked what kind
59 of metals would be processed. Langer answered that they would take all kinds of metals, but they must
60 all be free of oils, fluids, Freon, or anything else that could be an environmental concern. They will not
61 typically have more than 300 tons of scrap metal on site at any point in time, as their goal is to process it
62 and ship it out as soon as possible. Gompert asked if there was a rail spur to the property. Langer said
63 that there is, and that they expect to ship things by both train and truck. Commissioner Zitterkopf asked if
64 this operation would be similar to the one in Gering. Langer said yes, but that the turnover would be
65 faster, because they try to get cash in hand as soon as possible, rather than stockpiling it and waiting for
66 a good price. Commissioner Huber asked if the property would be fenced. Langer said yes, it would be
67 fenced, and this serves the dual purpose of screening some of the facility from view and keeping people
68 from trespassing on the property, which could be a liability concern. Commissioner Westphal asked if the
69 metal shearing would be done inside or outside. Langer answered that it would be done outside.
70 Gompert asked if they would have their operations on dirt or concrete. Langer said that both would be
71 used, but there is quite a bit of concrete on the site, and they would try to keep as much of their
72 operations on concrete as possible. Zitterkopf asked about concerns from battery acids or other fluids,
73 and if those activities were regulated by the EPA. Langer answered that there are many regulations, and
74 they would follow all requirements. One of their biggest concerns is actually stormwater, so any
75 processes that have the potential to contribute to stormwater pollution are done inside to protect runoff
76 quality. They also monitor stormwater as it runs off and in the past 20 years that they have operated this
77 type of facilities, they have never found anything of concern. Gompert asked if the materials they accept
78 would potentially have oils. Langer stated that they do have a demanufacturing process by which they
79 drain cars and make sure that all fluids are contained and stored to keep them out of the ground. There
80 have been many new regulations that address these issues in recent years, and facilities today are much
81 cleaner than older facilities. Commissioner Wayman asked if they would have a car body crusher.
82 Langer answered that yes, once the demanufacturing process is completed, car bodies would be crushed
83 before being shipped out. Gompert asked about access for trucks coming in and out of the facility.
84 Langer answered that the main entrance to the facility is off of Beltline Highway. They would maintain
85 this as the main entrance, and access to the facility would be controlled to ensure that all trucks enter
86 through this access point so that they can be weighed every time they enter and exit the facility.
87 Westphal asked if the property is currently in use. Langer stated that the property is currently vacant.
88 Gompert stated that one of his biggest concerns was the impact this facility could have to stormwater
89 quality. Langer stated that they would inspect runoff in rain events to ensure that this is not an issue, but
90 that the main way they would prevent stormwater pollution would be to refuse to accept any materials that
91 could be of concern.

92
93 Rex Morse, representing Aulick Leasing, a property owner to the south, stated that while he was not
94 concerned about truck noise, he did have other questions about the proposed facility. He asked if they
95 currently operate other similar properties, and if so, what are the height of the piles of scrap metal on site,
96 and what is the height of the equipment used. Langer stated that the proposed facility would be very
97 similar to the one they currently operate in Colby, Kansas, where their piles are typically 12-15' high. The
98 tallest equipment they would use initially would be an excavator, and eventually they could have some
99 taller booms.

100
101 Robert Franco, whose mother owns a residence just north of the proposed facility at 9th Avenue and 7th
102 Street, stated that Scottsbluff Recycling and MPK in Gering both have very large piles of material on site.
103 He has concerns about the view, the kind of materials that might come in, runoff from the facility that runs
104 into the river, and water gathering in the borrow pit that could infiltrate into the groundwater. When the
105 City considered the Blight Study for East Overland, he brought up his concerns about not wanting certain
106 types of businesses near the residential neighborhood, and this is the type of facility that he had concerns
107 about. This facility is very close to residential, and the residents in the area do not want it in their
108 backyard. There are already three similar recycling facilities in the area, so there is no need for more. He
109 would like to see the East Overland area improved, and is concerned that a project like this will drive
110 down property values, will be noisy, and could have other risks such as fire.

112 Morse asked what tonnage would be shipped out by train and how often. Langer said that they can get
113 100 tons on a train car, and the frequency with which they would ship it out would depend on how much
114 volume comes in. Typically they would receive around 1000 tons per month, and have no more than 200-
115 300 tons there at any one time. They would also ship some out on trucks. Morse stated that truck traffic
116 could be a concern as there is no left turn land on that section of the Beltline Highway.

117
118 Gompert asked if rodents were a concern. Langer said that they have never had an issue with it, and
119 even at their Colby facility, where there are many rattlesnakes throughout the area, they have never had
120 an issue with snakes at their site because material is always being turned over, and nothing sits there for
121 very long before being disturbed. Gompert asked if they would have someone there for 24 hours, and if
122 dumping of materials at the gate might be a problem. Langer said that they would typically be an 8-5 or
123 8-6 operation, and they would keep the area fenced and locked and have cameras around the facility so
124 that if anyone dumped materials around the facility after hours, they could prosecute them for that. He
125 said that this has not been an issue at any of their other facilities. Westphal asked if his other facilities
126 had fences or trees to help screen them. Langer said that none were required in Colby, but they have a
127 fence there for their own benefit in order to control access.

128
129 Huber asked if it would be possible to set a length of time for the Special Use Permit after which the
130 Planning Commission could review how the facility is operated and if it is adversely affecting the
131 residential neighborhood to the north. Langer stated that with the amount of money that they plan to
132 invest in the facility, he does not think a temporary Special Use Permit would be acceptable. He is fine
133 with having some accountability to ensure that they do everything that they say they will, but they need
134 predictability for their business. They are planning on hiring 10 people and making a sizeable investment
135 in the facility, and it would not be fair to them to have the permit revoked in a few years due to a judgment
136 call by the Planning Commission. They are proud of the way they operate their facilities and plan on
137 being good neighbors, and have a great relationship with both the City and County in Colby, Kansas.

138
139 Wayman asked if a 6' fence would be sufficient that close to a residential area. Langer said that at some
140 facilities, 6' is the standard, but others have an 8' fence that can also help to keep people from
141 trespassing. Gompert asked if they would consider planting some trees on the north side to help screen
142 the facility from view. Langer said they could consider that. He also stated that they would be cleaning
143 up vacant property that is currently an eyesore. Westphal asked if he would be opposed to grading the
144 property to limit the places where stormwater runs off. Langer stated that all work would be done to the
145 west and south of the main office to limit the area where their processes are exposed to stormwater.
146 Wayman said that with this location being one of the first things that people see as they come into town, a
147 6' fence may not be sufficient. Langer said that they have looked at ways to obscure the facility from
148 view, but that they would not be able to obscure it 100%.

149
150 Morse asked if he was aware of any current environmental issues with the property from previous uses.
151 Mike Sarchet, representing Panhandle Area Development District, stated that he has known the property
152 owners for eight years. The property owners, who also own RTS Shearing, have bid a lot of large jobs,
153 and have demolished Hergert Milling, the Swift packing plant, and most recently the McKinley school.
154 They purchased the property because of the rail spur as an investment. They also purchased and took
155 down Hergert Mill in Gering and have made a lot of investments in the community. They are currently
156 working with TCD and the City of Gering on a Brownfield Assessment Grant, and they completed a Phase
157 I environmental assessment of the property. They are also working on a Phase II environmental
158 assessment and have taken samples on 21 sites, looking at soil and water quality in order to have a
159 complete evaluation. They are still waiting for the results of these tests to come back. Before they
160 started the Phase II assessment, Nebraska Department of Environmental Quality reviewed their
161 assessment plan and had them evaluate a few additional locations on the property, including under the
162 building. This process will establish liability; if pollution is found in the future, it will be easy to tell if the
163 current property user is the one responsible. Westphal asked what the depth to groundwater is in that
164 area. Sarchet answered that it is about 13', and on the southeast part of the property 12' 2", although this
165 could come up in the spring as the river rises. He also stated that personally, he knows that with the
166 current farm economy, there are a lot of farmers in the area who are getting rid of old equipment, and this
167 type of business is good for the community. He also believed that the access is very good for trucks.

168

169 Franco said that there had been a lot of talk about business investments, but that the Commissioners
170 should consider the investments of residential property owners in the area. Many properties were
171 purchased for \$40,000 or more, and they have been many improvements to those properties.
172 Homeowners have invested a lot into their properties and do not want this to be an eyesore. He asked if
173 anyone would want to live next to a facility like this, and said that if this business wants to be in this
174 community, they could find another location that is not so close to a residential area. Homeowners in the
175 area have put a lot of time and work into their properties, and he does not think they should have to have
176 this facility come in so close to their homes, which in addition to being a nuisance to the property owners,
177 could also devalue their properties.

178

179 Morse asked if it could be a possibility to do a little more research into this facility and the similar one they
180 operate in Kansas before making a decision. Folck stated that this is a possibility, and that the Planning
181 Commission had the option of taking a vote now or tabling it until the next meeting so that more research
182 could be done before taking a vote. Langer said that he is ok with the City taking time to get more
183 information, and that he has had no complaints in the two years they have operated in Colby, so he would
184 be happy for the City to talk to the City and County where that facility is located.

185

186 Anthony Murphy added that some of the concerns that were brought up with regard to environmental
187 issues are already addressed by some regulations that the City has in place, which limit the quantity of
188 oil, gas, and other flammable substances that can be stored on site. They also have requirements for
189 storage tanks and other requirements to help with the stormwater concerns.

190

191 Westphal said that he felt it would be beneficial to have some time to research the effects of the other
192 facility and to determine if there are any appropriate conditions that they could require in granting the
193 permit to mitigate the impact on neighbors, such as tree planting or a taller fence.

194

195 **Conclusion:** A motion was made by Westphal and seconded by Wayman to table the Special Use
196 Permit for a Scrap Metal Processing Facility at 417 9th Ave until the next meeting.

197

198 **“YEAS”:** Westphal, Wayman, Gompert, Huber, Chadwick, Zitterkopf, and Estrada. **“NAYS”:** None.

199 **ABSTAIN:** None **ABSENT:** Aguillo, Weber. Motion carried.

200

201 **ITEM 7B:** The Planning Commission opened a public hearing to consider code changes allowing for 24-
202 hour daycare. Folck stated that currently, the City's zoning code classifies two types of day cares. A
203 “Family Child Care Home” is a daycare that provides care for 12 or fewer children. A “Child Care Center
204 or Preschool” or “Daycare” provides care for more than 12 children. This matches licensing requirements
205 from the Nebraska Dept of Health and Human Services. Currently both types of daycares are only
206 allowed to operate for 12 or fewer hours per day. The City has been approached by a daycare owner
207 who wants to start operating around the clock to provide child care services to parents who work nights.

208

209 Folck recommended a code change that would allow 24-hour daycares in the same zones where other
210 daycares are allowed, but only with a Special Use Permit. This would allow more oversight and give
211 neighbors an opportunity to voice any concerns they have about traffic or hours of operation which could
212 affect them. The other change that is included in this ordinance is to add the title “nursery school” to the
213 definition for “Day Care”. Previously “nursery school” was listed as a permitted use in the zoning code,
214 but there was no definition for it. While there is some concern about cars coming and going at night, child
215 care during night hours is a need in our community, and the City should try to find a way to allow it.

216

217 Westphal stated that he was ok with the changes, but did not think that a special use permit would be
218 necessary in commercial zones, as there are already many 24 hour uses allowed there.

219

220 **Conclusion:** A motion was made by Westphal and seconded by Chadwick to recommend approval of the
221 ordinance with the condition that it be modified to allow 24 hour daycares as a use by right in commercial
222 zones.

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

ITEM 8: Unfinished Business: None.

There being no further business, a motion to adjourn was made by Gompert and seconded by Westphal.
The meeting was adjourned at 7:30 p.m. **“YEAS”:** Zitterkopf, Gompert, Westphal, Wayman, Huber,
Chadwick, and Estrada. **“NAYS”:** None. **ABSTAIN:** None. **ABSENT:** Aguillo, Weber. Motion carried.

Becky Estrada, Chairperson

Attest: _____
Annie Folck

City of Scottsbluff, Nebraska

Monday, April 10, 2017

Regular Meeting

Item Appr. Min.2

Special Permit for a Hair Salon located in R-1a zone at 1933 7th Ave

Staff Contact:



SCOTTSBLUFF
PLANNING COMMISSION
Staff Report

To:	Planning Commission	Zoning:	R-1a
From:	Development Services Department	Property Size:	6,576 sq ft
Date:	April 10, 2017	# Lots/Units:	1
Subject:	Special Use Permit Request – Crystal Westphalen Cosmetology Salon		
Location:	417 9 th Ave		

Background: The applicant(s), Crystal Westphalen, is requesting a special use permit to allow for a hair salon in an R-1a Single Family Zone. The property is on the southwest corner of 20th Street and 7th Avenue.

Hair Salons are listed under special permits uses in the R-1a Single Family zoning district with approval from the Planning Commission.

Analysis: The property is located in an R-1a Single Family zoning district. The applicant has submitted all the necessary paper work for the special use permit. The surrounding properties are all zoned R-1a with the exception of an R-4 Multi-Family zone to the northeast (see attached map). The property is adjacent to 20th Street, and parking is proposed to be provided on-site at the back of the property. Increased traffic in the neighborhood should be minimal as most traffic will come from the adjacent 20th Street and will not have to drive down 7th Ave to reach the salon. Other potential effects on nearby residences include parking and increased activity during evening hours.

RECOMMENDATION

Approve

Make a motion to approve the special use permit to allow for a Hair Salon at 1933 7th Ave in a R-1a Single Family zoning district to Crystal Westphalen subject to the following condition(s):

Deny

Make a motion to disapprove the special use permit to allow for a Hair Salon at 1933 7th Ave in a R-1a Single Family zoning district to Crystal Westphalen for the following reason(s):

Table

Make a motion to TABLE the special use permit request for a special use permit to allow for a Hair Salon at 1933 7th Ave in a R-1a Single Family zoning district to Crystal Westphalen for the following reason(s):

1933 7th Ave Special Use



2005 5TH AVE

2001 7TH AVE

2100 CIRCLE DR

R-4

E 20th St

1933 7TH AVE

1934 8TH AVE

1933 8TH AVE

1930 7TH AVE

1931 7TH AVE

1930 8TH AVE

1929 8TH AVE

1929 6TH AVE

1926 7TH AVE

1929 7TH AVE

1928 8TH AVE

1925 8TH AVE

1923 6TH AVE

1924 7TH AVE

R-1A

1927 7TH AVE

1924 8TH AVE

1921 8TH AVE

1920 7TH AVE

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1920 8TH AVE

1917 8TH AVE

1915 6TH AVE

1916 7TH AVE

1915 7TH AVE

1914 8TH AVE

1913 8TH AVE

1910 7TH AVE

1909 7TH AVE

1910 8TH AVE

1909 8TH AVE

1906 7TH AVE

1907 7TH AVE

1906 8TH AVE

1905 8TH AVE

1902 7TH AVE

1901 7TH AVE

717 E 19TH ST

1901 8TH AVE

E 19th St

1824 7TH AVE

1823 7TH AVE

1822 8TH AVE

1823 8TH AVE

1822 7TH AVE

1821 7TH AVE

1818 8TH AVE

City of Scottsbluff, Nebraska

Monday, April 10, 2017

Regular Meeting

Item Appr. Min.3

Preliminary Plat Lots 1-6 Melroy Addition, A Replat of Lots 12 and 13 of Wildy and Lana Commercial Tracts

Staff Contact:

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

To: Planning Commission
From: Development Services Department
Date: April 10, 2017
Subject: Preliminary Plat Melroy Addition
Location: 15th Street between 19th Ave and 21st Ave

Zoning: C-3
Property Size: 4.188 Acres

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), Steve Melroy, represented by Baker and Associates, has requested approval of a Preliminary Plat of the Melroy Addition. The property is situated south of 15th Street, between 19th and 21st Ave. The preliminary plat includes 6 commercial lots, which are all part of the same block. The property is zoned C-3, Heavy Commercial, and the properties to the north, west, and south are also C-3, with M-1 zoning to the east.

City staff and Consultants have reviewed the preliminary plat. Infrastructure is already available to each lot, and no streets, water, or sewer improvements are proposed. The developer will be required to install sidewalks and landscaping to meet City code as the lots are developed. Staff recommends approval of the preliminary plat.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve preliminary plat of Melroy Addition subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove preliminary plat of Melroy Addition for the following reason(s):

Table

Make the motion to TABLE the revised preliminary plat of Melroy Addition for the following reason(s):

PRELIMINARY PLAT OF
LOTS 1-6, MELROY ADDITION, TO THE CITY OF SCOTTSBLUFF, A REPLAT OF LOTS 12 &
13 OF WILDY & LANA COMMERCIAL TRACTS,
SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22
NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions		
Date	Description	Initials
02-17-17	DRAFTED SURVEY	BJM
02-22-17	REV. LOTS PER CITY COMMENTS	BJM
02-24-17	REV. LOTS PER CITY COMMENTS	BJM

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Engineers • Architects • Surveyors

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120 East 16th St.

Scottsbluff, NE 69361

308 632 3123

www.baker-eng.com

Preliminary Plat

Title Sheet

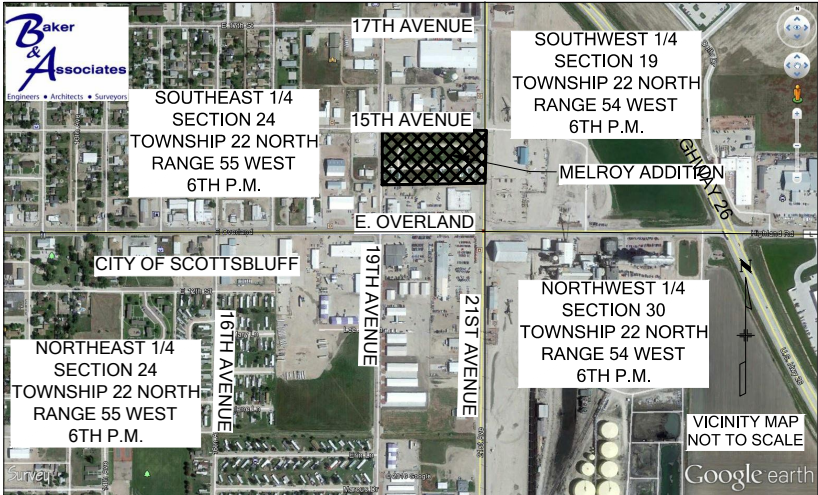
Baker Project Number: 6273-002-16

Project Location: Scottsbluff, Scotts Bluff County Nebraska

Owners: MELROY INVESTMENTS, L.L.C.

Project Code	Last Mod. Date	Subset	Sheet No.
6273	02-24-2017	1 of 5	1

PROJECT VICINTY MAP



INDEX OF SHEETS

PAGE 1	TITLE SHEET
PAGE 2	EXISTING SITE SURVEY
PAGE 3	PROPOSED LOT LAYOUT
PAGE 4	PROPOSED GRADING, DRAINAGE AND UTILITY PLAN
PAGE 5	PROPOSED UTILITY PLAN

ABBREVIATIONS

FH	FIRE HYDRANT	PCC	PORTLAND CEMENT CONCRETE
RSWV	RESILIENT SEAT WEDGE VALVE	CL	CENTERLINE
MH	MANHOLE	EL.	ELEVATION
STA	STATION	PROP	PROPOSED
ELEV	ELEVATION ABOVE SEA LEVEL	EX.	EXISTING
INV	INVERT	BCR	BEGIN CURB RETURN
BOC	BACK OF CURB	ECR	END CURB RETURN
TOC	TOP OF CURB	PC	POINT OF CURVATURE
EOR	EDGE OF ROAD	PT	POINT OF TANGENT
FL	FLOW LINE	PRC	POINT OF REVERSE CURVE
FG	FINISH GRADE	POB	POINT OF BEGINNING
GL	GUTTER LINE	POE	POINT OF END
L.F.	LINEAL FEET	PI	POINT OF INTERSECTION
PVC	POLYVINYL CHLORIDE PIPE	PVI	POINT OF VERTICAL
VCP	VITRIFIED CLAY PIPE	INTERSECTION	
RCP	REINFORCED CONCRETE PIPE	GB	GRADE BREAK
CMP	CORRUGATED METAL PIPE	HP	HIGH POINT
HDPE	HIGH DENSITY POLYETHYLENE	LP	LOW POINT
DIP	DUCTILE IRON PIPE	(R)	RECORDED DISTANCE
T-BLK	CONCRETE THRUST BLOCK	(M)	MEASURED DISTANCE

EXTERIOR BOUNDARY FOR MELROY ADDITION

A PARCEL OF LAND KNOWN AS TRACT 12 AND TRACT 13 OF WILDY & LANA COMMERCIAL TRACTS CONTAINING 182,431 SQ. FT. (4.188 ACRES), MORE OR LESS, IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN CITY OF SCOTTSBLUFF IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, WHENCE EAST QUARTER OF SAID SECTION 24 BEARS NORTH 02°11'37" EAST, A DISTANCE OF 2648.68 FEET, THENCE ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, NORTH 02°11'37" EAST, A DISTANCE OF 332.50 FEET, THENCE NORTH 87°48'23" WEST, A DISTANCE OF 33.00 FEET TO THE SOUTHEAST CORNER OF TRACT 14 OF WILDY & LANA COMMERCIAL TRACTS, THENCE ALONG THE SOUTH LINE OF SAID TRACT 14, NORTH 88°40'53" WEST, A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 13, ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF SAID TRACT 13, NORTH 88°40'53" WEST, A DISTANCE OF 284.88 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 13;
THENCE ALONG THE SOUTH LINE OF SAID TRACT 12, NORTH 88°40'53" WEST, A DISTANCE OF 300.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 12;
THENCE ALONG THE WEST LINE OF SAID TRACT 12, NORTH 02°10'14" EAST, A DISTANCE OF 302.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 12;
THENCE ALONG THE NORTH LINE OF SAID TRACT 12, SOUTH 88°40'52" EAST, A DISTANCE OF 300.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT 12;
THENCE ALONG THE NORTH LINE OF SAID TRACT 13, SOUTH 88°40'52" EAST, A DISTANCE OF 305.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT 13;
THENCE ALONG THE EAST LINE OF SAID TRACT 13, SOUTH 02°11'37" WEST, A DISTANCE OF 290.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 14;
THENCE ALONG THE NORTH LINE OF SAID TRACT 14, NORTH 88°40'53" WEST, A DISTANCE OF 20.00 FEET;
THENCE ALONG THE WEST LINE OF SAID TRACT 14, SOUTH 02°11'37" WEST, A DISTANCE OF 12.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 182,431 SQ. FT. (4.188 ACRES), MORE OR LESS.

SURVEY NOTES

1. BAKER AND ASSOCIATES PERFORMED ALL NESSESARY RESEARCH FOR OWNERSHIP AND PRIOR SURVEY INFORMATION, HOWEVER NO TITLE SEARCH WAS PERFORMED TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. ALL TAX INFORMATION, LIENS, LEASES, ASSIGNMENTS, AGREEMENTS, MOTIONS, DECLARATIONS, PROVISIONS, CONDITIONS, RESERVATIONS, RESTRICTIONS, ZONING, COVENANTS, WATER AND MINERAL RIGHTS AND OBLIGATIONS FOR THE PROPERTY SHOWN HEREON ARE REFLECTED BY THE SAID RESEARCH.

2. THE MONUMENTATION RECOVERED WAS LOCATED BY A COMBINATION OF GLOBAL POSITIONING SYSTEM (GPS) FAST STATIC, RTK AND RTK DATA LOGGING TECHNIQUES. CONVENTIONAL SURVEY METHODS WERE APPLIED WHEN REQUIRED.

3. BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN AND THE EAST QUARTER OF SAID SECTION 24, BEING A GRID BEARING OF NORTH 02°11'37" EAST A DISTANCE OF 2,648.68 FEET AS OBTAINED FROM A GLOBAL POSITIONING SYSTEM (GPS) SURVEY BASED ON THE NEBRASKA HIGH ACCURACY REFERENCE NETWORK (NHARN). SAID GRID BEARING IS NAD 83 (2011) NEBRASKA STATE PLANE ZONE 2600.

4. ALL DIMENSIONS SHOWN HEREON ARE U.S. SURVEY FEET.

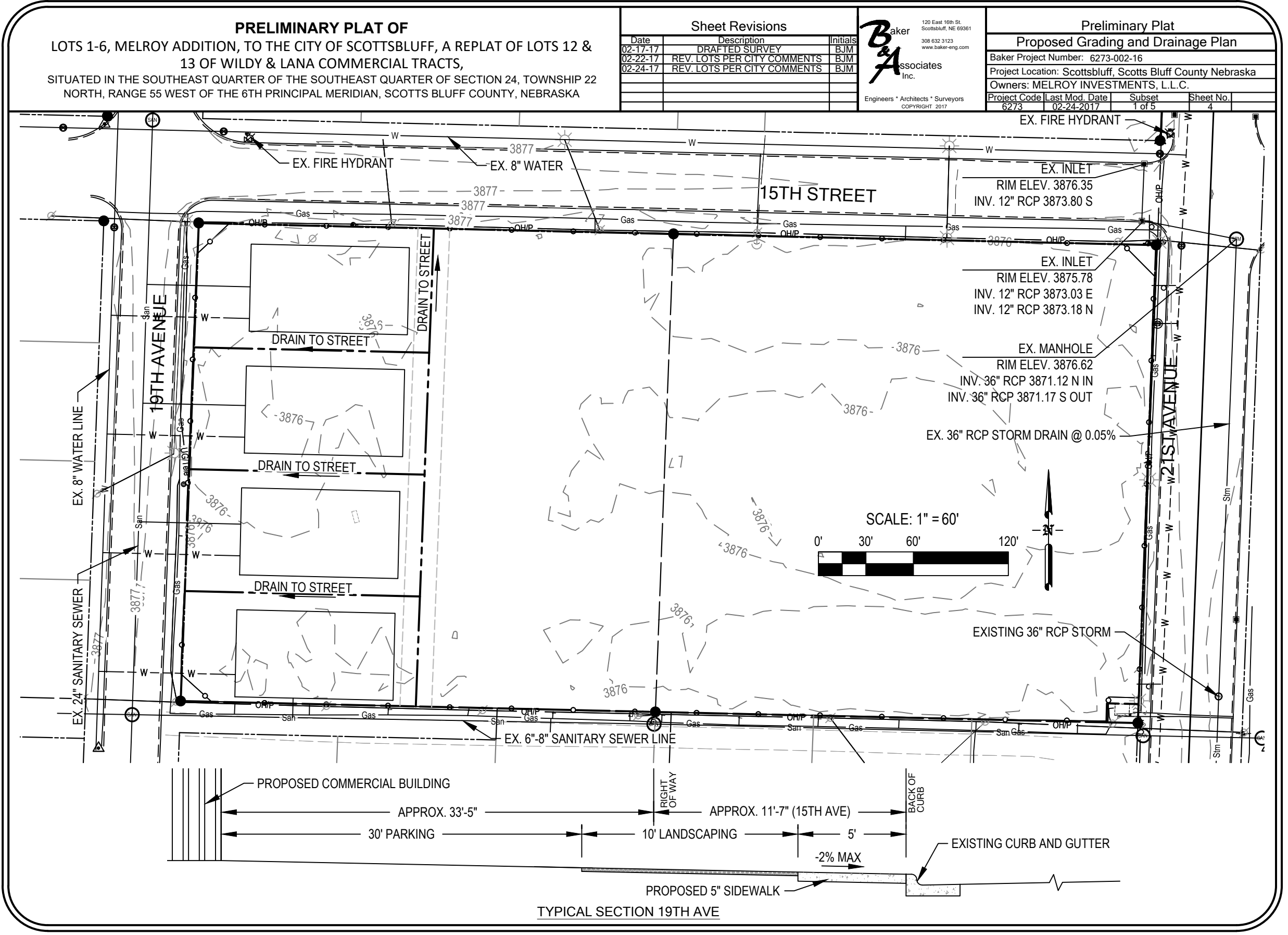
5. NOTICE: YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION, BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

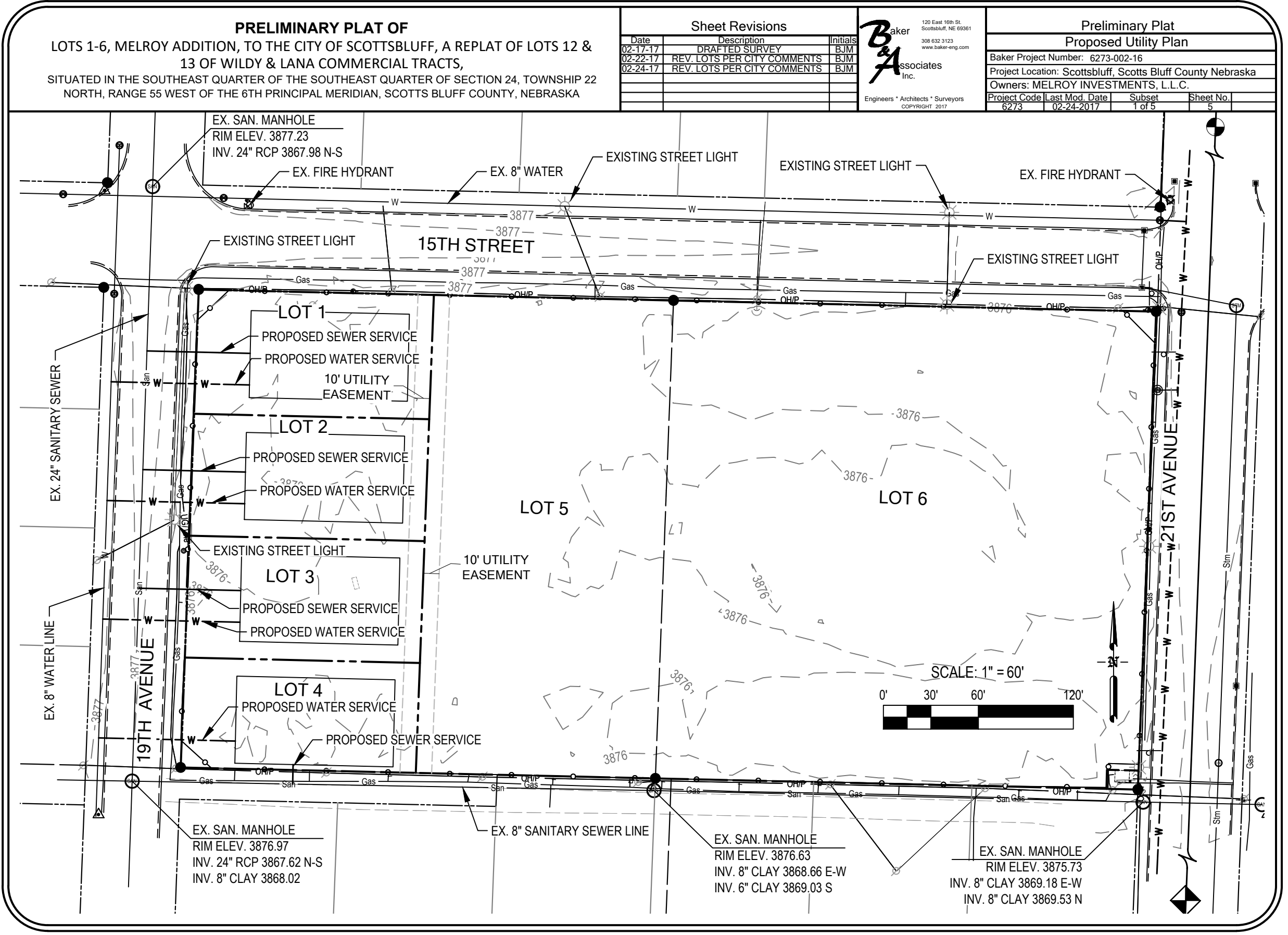
SYMBOL LEGEND

- INDICATES FOUND SECTION CORNER
- INDICATES FOUND QUARTER CORNER
- INDICATES FOUND BOUNDARY EVIDENCE AS DESCRIBED
- INDICATES SET BAKER & ASSOCIATES PROPERTY CORNER BEING A 1-5/6" DIAMETER ORANGE PLASCIT CAP ON A #5 REBAR, STAMPED "BAKER LS 731"
- (M) INDICATES MEASURED DISTANCE BY BAKER AND ASSOCIATES
- (R) INDICATES RECORD DISTANCE FROM ORIGNAL RECORDS
- INDICATES FOUND NDOR CONCRETE RIGHT OF WAY MARKER
- ROW
- INDICATES FLARED END SECTION
- INDICATES STORM SEWER INLET
- INDICATES SEWER MANHOLE
- INDICATES STORM SEWER MANHOLE
- INDICATES GAS METER
- INDICATES ELECTRICAL METER
- INDICATES POWER POLE
- INDICATES SURVEY CONTROL MONUMENT
- INDICATES WATER FIRE HYDRANT
- INDICATES WATER VALVE

LINETYPE LEGEND

- UNDERGROUND ELECTRIC LINE
- OVERHEAD ELECTRIC LINE
- UNDERGROUND WATER LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND GAS LINE
- UNDERGROUND TELEPHONE LINE
- EDGE OF PAVEMENT
- STORM PIPE (SEE SIZE AS DETAIL)
- 5' SETBACK





City of Scottsbluff, Nebraska

Monday, April 10, 2017

Regular Meeting

Item Appr. Min.4

Special Use Permit for a Scrap Metal Processing Facility located in an M-2 zone at 417 9th Ave

Staff Contact:



SCOTTSBLUFF
PLANNING COMMISSION
Staff Report

To:	Planning Commission	Zoning:	M-2
From:	Development Services Department	Property Size:	8.96 Acres
Date:	April 10, 2017	# Lots/Units:	2
Subject:	Special Use Permit Request – Langer Industrial Service, LLC Scrap Metal Processing Facility		
Location:	417 9 th Ave		

Background: The applicant(s), Langer Industrial Service, LLC is requesting a special use permit to allow for a recycling center and scrap metal processing facility in an M-2 Heavy Manufacturing and Industrial Zone. The property is on the northeast corner of S. Beltline and 9th Avenue. Scrap metal processing facilities are listed under special permits uses in the M-2 Heavy Manufacturing and Industrial zoning district with approval from the Planning Commission. This is the City's most intensive zoning district.

Analysis: The property is located in an M-2 Heavy Manufacturing and Industrial zoning district. The applicant has submitted all the necessary paper work for the special use permit. The surrounding properties to the east and south are also zoned M-2. The property to the southwest is zoned M-1, Light Manufacturing and Industrial, and the property to the west and north is zoned C-3, Heavy Commercial. There are some residential properties within 300 feet; however, they are all on the other side of the Burlington Northern Railroad Tracks, so there is some separation between the residential areas and the proposed facility location.

This item was tabled at the March 13th meeting after residents expressed concern about the appearance, noise, and environmental impacts of the facility. The applicant referred to a similar facility in Colby, Kansas where many of these concerns were brought up prior to the facility being located there which, in the applicant's opinion, have since been determined to be unfounded. Gary Batt, City Code Enforcement Officer, called the City of Colby, Kansas, and they said that the operation seemed to be very clean, with no evidence of environmental issues (see attached letter). Langer Industries has also proposed to put up a fence to screen the activity from the residential area, along with planting some trees which over time would provide additional screening and help absorb noise.

RECOMMENDATION

Approve

Make a motion to approve the special use permit to allow for a Scrap Metal Processing Facility at 417 9th Ave in a M-2 Heavy Manufacturing and Industrial zoning district to Langer Industrial Service, LLC subject to the following condition(s):

Deny

Make a motion to disapprove the special use permit for a Scrap Metal Processing Facility at 417 9th Ave in a M-2 Heavy Manufacturing and Industrial zoning district to Langer Industrial Service, LLC for the following reason(s):

Table

Make a motion to TABLE the special use permit request for a Scrap Metal Processing Facility at 417 9th Ave in a M-2 Heavy Manufacturing and Industrial zoning district to Langer Industrial Service, LLC for the following reason(s):



From: Gary Batt
Sent: Friday, March 24, 2017 11:28 AM
To: Andrea Folck
Subject: Langer Industries

Annie,

I contacted Terry Overton, Code Enforcement officer for the City of Colby Kansas in reference to the Langer Ind. LLC. Terry said the processing plant is located in their 3 mile jurisdiction outside of town at 2175 County Road Q, Colby, Kansas.

I asked Terry if there were any complaints from the surrounding neighbors of Langer's. Terry said in the beginning during the Planning Commission meetings people voiced concerns of pollution from oils and acid from the batteries, the stock piles of processed materials, debris on the roadway.

Terry said Langer runs a pretty clean operation, Langer will usually process the metal coming in rather quickly so they can sell it off. The oils and batteries are removed before the processing and is done in a clean manner. If there are any debris piles they do not last long before being shipped out. If Langer finds any metal on the roadway coming to his site, he gets after those that drop the debris, and can reduce the amount of money the selling party receives as a penalty for littering the roadway. As far as any oils or liquids leaving the site, he said the lot is pretty much gravel or soil and he has no evidence of the liquids leaving the site.

Of any non-compliance issues, Terry did say that Langer is to install a fence and is behind on that project, as far as he was aware of it was not in yet.

We concluded our conversation.

Terry Overton, Code Enforcement, Colby, Kansas.

G Batt

City of Scottsbluff, Nebraska

Monday, April 10, 2017

Regular Meeting

Item Appr. Min.5

Annexation of approximately 62.41 acres of property situated in the N 1/2 of the SE 1/4 of Section 15, T22, R55 W 6th P.M., Scotts Bluff County

Staff Contact:

SCOTTSBLUFF CITY
PLANNING COMMISSION STAFF REPORT

To:	Planning Commission	Zoning:	
From:	Development Services Department	Property Size:	62.41± acres
Date:	April 10, 2017	# Lots/Units:	
Subject:	Annexation		
Location:	N ½ of SE ¼ of Section 15, T22, R55 W 6 th P.M., located west of Ave I, north of 27 th St, and south of Hwy 26		

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), Connie Frank, has requested annexation of approximately 62.41± acres into the City's corporate boundaries. The properties are situated south of Highway 26, north of 27th St, and east of Ave I (see attached map). The properties are zoned C-2 - Neighborhood & Retail Commercial, and A - agricultural.

The southeast portion of the property has utilities available and access from 27th Street and Ave I. The northwest portion of the property is not currently served by City utilities, but the property owners have waived their right to City services (see attached letter). The property is contiguous to existing corporate boundaries, and staff finds that there are no negative effects to surrounding properties from the annexation.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to annex property described as PT N1/2 SE, PT SE SE 15-22-55 (61.05 acres) and BLK 1, ALF SUB (1.36 AC) into the City's corporate limit boundary subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to annex property described as PT N1/2 SE, PT SE SE 15-22-55 (61.05 acres) and BLK 1, ALF SUB (1.36 AC) into the City's corporate limit boundary for the following reason(s):

Table

Make the motion to TABLE the request to annex property described as as PT N1/2 SE, PT SE SE 15-22-55 (61.05 acres) and BLK 1, ALF SUB (1.36 AC) into the City's corporate limit boundary for the following reason(s):

FRANK ENTERPRISES, INC.

1721 Broadway
P.O. Box 2396
Scottsbluff, NE 36363-2396
Cell: (308) 631-8347

March 24, 2017

City of Scottsbluff
Cindy Dickinson, City Clerk
2525 Circle Drive
Scottsbluff, NE 69361

Re: Annexation Request

Dear Ms. Dickinson:

Please consider this letter as a request by Petition that the City of Scottsbluff include property owned by us within the corporate limits of the City. This request is made pursuant to §16-117 of the Nebraska Statutes.

The two properties for which annexation is requested are described in the attached Warranty Deeds.

In making this request, we irrevocably waive the requirements of §16-120 of the Nebraska Statutes, which would otherwise require the City of Scottsbluff to provide to the property for which we are requesting annexation substantially the same services as provided to other inhabitants of the City.

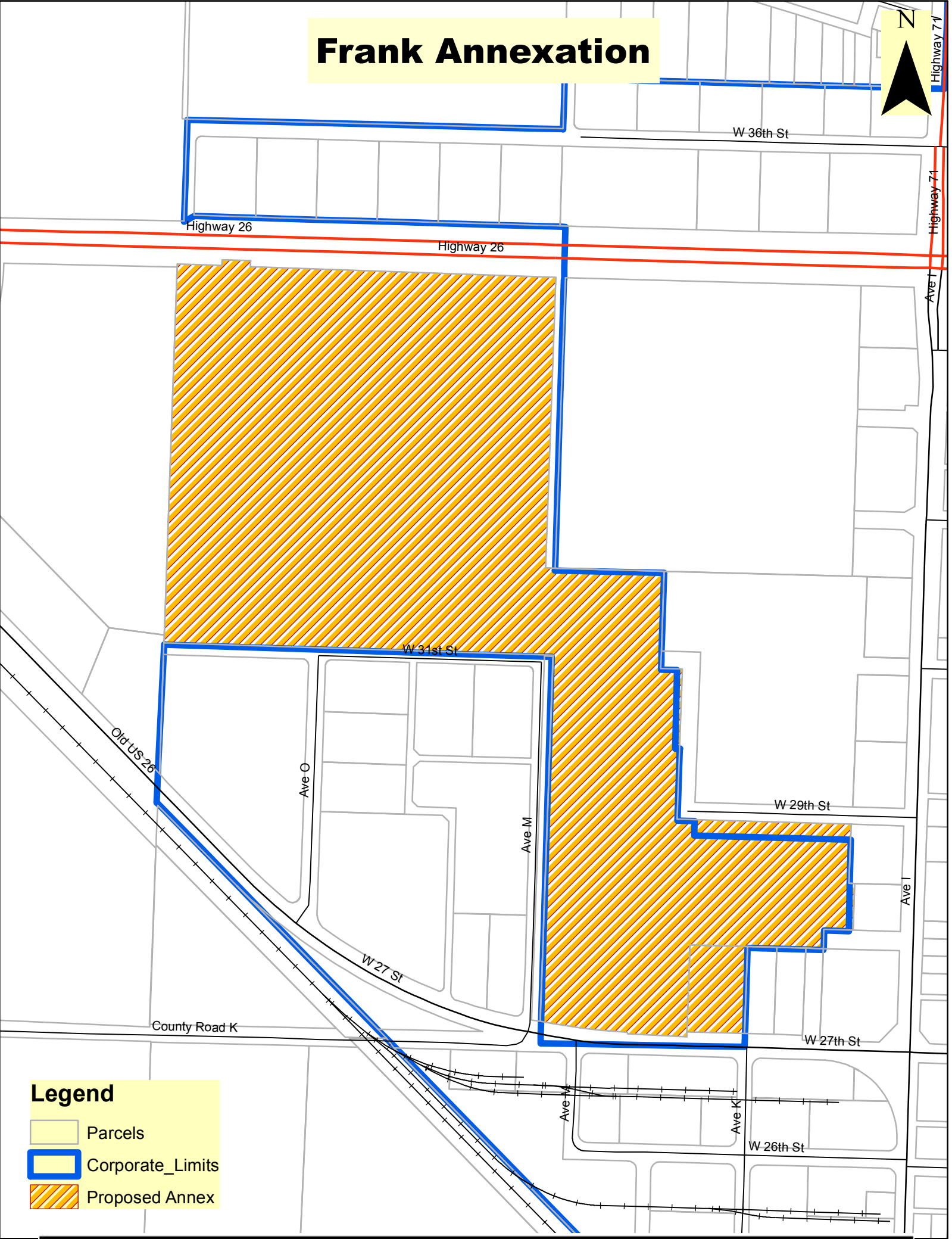
The individual signing this request represents that he or she either is owner of the above-described property or has the authority to act on behalf of the owner of the property, and to bind the owner in all matters concerning the requested annexation.

Sincerely,






Connie Frank
President

Frank Annexation



Legend

-  Parcels
-  Corporate_Limits
-  Proposed Annex