

# **City of Scottsbluff, Nebraska**

**Monday, February 7, 2022**

**Regular Meeting**

## **Item Subdiv.1**


**Council to discuss and consider action on the Final Plat for the Five Oaks Subdivision and authorize the Mayor to sign the Resolution.**

**Staff Contact: Zachary Glaubius, Planning Administrator**



## City of Scottsbluff, Nebraska

### Application for a Final Plat Subdivision

Date: December 15, 2021			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location): Northwest 1/4 of Section 14, T22N, R55W of the 6th P.M., Scotts Bluff County, NE			Permit Number:	
Applicant's Name C&T Holdings, LLC. / Baker & Associates, Inc.			Plat Approved Denied	
Applicant's Address: 120 East 16th Street, Suite A			Date Issued:	
City: Scottsbluff	State: Nebraska	Zip: 69361	Comp. Plan Land Use: <i>Residential</i>	Zone: <i>Ag</i>
Telephone: 308-632-3123	Mobile:	Email: jack@baker-eng.com	<b>Attached:</b> Final Plat Legal Description (in Word) \$100.00 filing fee Letter of transmittal Receipt # <i>R 00267035</i>	
Property Owner: C&T Holdings, LLC				
Property Owner's Address: 1310 Circle Drive				
City: Scottsbluff	State: Nebraska	Zip: 69361		
Telephone: 308-632-2123	Mobile:	Email: billt@carrtrumbull.com		
Engineer or Surveyor: Baker & Associates, Inc. / Scott Bosse', L.S.			Total Acreage: 10.820	
Engineer or Surveyor Address: 120 East 16th Street, Suite 'A'			Proposed number of lots: 2	
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: Agricultural	
Telephone: (308) 632-3123	Mobile:	Email:	Proposed Use of Property: Residential Housing	
Location of property: Along the east side of Avenue 'I' in Scottsbluff between Highway 26 and 40th Street.			Present Zoning: Zoned 'AG' (to be changed to R-4)	
<b>Please provide the following:</b> Copy of Final Plat (Mylar and 3.5" diskette or CD-ROM in AutoCAD format) Copy of Preliminary Plat (showing future & current property lines, fence lines, irrigation canals, future street widths, dimensions, existing structures, proposed structures, easements, etc..) Legal Description on a CD/Disk (in Word) \$100.00 filing fee (if not submitted with approval of Preliminary Plat) Letter of transmittal				
The undersigned, hereby certify that he/she is familiar with all the requirements of Ordinance No. 3410 and amendments thereto, establishing minimum subdivision design standards to be installed by the subdivision and that he/she has caused said preliminary plat and plan to be prepared. He/she certifies that all requirements of Ordinance No. 3410 and amendments there to have been met and submits this application for approval subject to the requirements of said ordinance. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.				
Applicant's Signature: 			Date: <i>12-15-21</i>	
Remarks: (Insert here any information not covered above)				

Development Services Department

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: January 3, 2022

For Hearing of: January 10, 2022



## I. GENERAL INFORMATION

- A. Applicant:** C & T Holdings LLC/ Baker and Associates  
120 E 16<sup>th</sup> Street Suite A  
Scottsbluff, NE 69361
- B. Property**  
**Owner:** C & T Holdings LLC  
1310 Circle Drive  
Scottsbluff, NE 69361
- C. Proposal:** Final Plat of Block 7 of the Five Oaks Subdivision
- D. Legal Description:** A Tract of Land located in the northwest corner of Section 14, Township 22North, Range 55 West of the 6<sup>th</sup> P.M. in Scotts Bluff County, Nebraska.
- E. Location:** Approximately 10.820 acres along the east side of Highway 71 between the Scottsbluff Drain and the future W. 40<sup>th</sup> Street.
- F. Existing Zoning & Land Use:** Ag – Agricultural
- G. Size of Site:** Approximately 21.89 Acres

## II. BACKGROUND INFORMATION

### A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Northwest Commercial	C-2 Neighborhood & Retail Commercial	Vacant Lot, ELITE Health
East	Residential	A-Agricultural	Farmland
South	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Vacant Lots, Chili's Restaurant
West	Residential	R-1A Single Family Residential	Single-Family Dwellings

### B. Relevant Case History

1. Preliminary Plat for this Parcel was approved on December 13, 2021 by the Planning Commission
2. Preliminary Plat for this subdivision was approved at the January 3, 2022 City Council Meeting.

### **III. ANALYSIS**

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

**B. Traffic & Access:**

1. Access to Block 7 will be via the extended W. 40<sup>th</sup> Street and permitted access along Nebraska State Highway 71 near the Scottsbluff Drain.
2. A 10' crosswalk will be dedicated to public use along the southern property line.

**C. Utilities:**

1. The existing City of Scottsbluff Sewer Easement will become a Utility Easement along southern property line.
2. A 20' utility easement is proposed along the east border of Block 7.
3. A 30' utility easement loop is proposed in Block 7.

### **IV. STAFF COMMENTS**

- A.** This final plat is only for Block 7. The preliminary plat approved at the December 13, 2021 included other blocks of the Five Oaks Subdivision.
- B.** The distance along Highway 71 between W. 36<sup>th</sup> Street and W. 40<sup>th</sup> Street exceeds the maximum block length of 1,320 feet per 21-1-22. However, City Council can approve exceptions with the dedication of a 10' crosswalk that extends across the block, and a 20' utility easement that extends across the Block.
- C.** Staff finds justification for an exception of the maximum block length given Highway 71 is a limited access roadway. Staff and applicant have agreed to the dedication of a 10' crosswalk along the south property line and the conversion of the existing sewer easement to a utility easement to meet the requirements of 21-1-22.
- D.** The City Council approved the location of the crosswalk and utility easement at the January 3, 2022 meeting.

### **V. FINDINGS OF FACT**

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

1. The Comprehensive Plan identifies the area as residential
2. The proposed crosswalk dedication and utility easement will satisfy the requirements of 21-1-22 regarding block length.
3. City Council approved the location of the crosswalk and utility easement.

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

1. None

### **VI. STAFF RECOMMENDATION**

- A.** Staff recommends Planning Commission recommend the approval of the Final Plat of Block 7, Five Oaks subdivision for approval by the City Council.

**RESOLUTION NO. 22-01-01**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:**

**WHEREAS, BE IT RESOLVED**, the preliminary plat of Five Oaks Subdivision- 2021, Blocks 7, 13 and 14, an addition situated in the NW¼ of Section 14, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, submitted in November 2021 is approved with the exception that a dedication of a 10 foot cross walk easement along the south property line and a 20 foot utility easement extends across the Block to meet the requirements of Scottsbluff Municipal Code 22-1-22. Such preliminary plat is valid for a two year period following the approval date set forth herein and must be presented in final form for approval by that time.

Passed and approved this 3<sup>rd</sup> day of January, 2022.



*Leanne McKernan*  
Mayor

ATTEST:

*Kimberley Wright*  
City Clerk

**FINAL PLAT OF LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION  
A PORTION OF UNPLATTED LANDS FOR FIVE OAKS SUBDIVISION  
TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**

**SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH  
PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA**

Sheet Revisions		
Date	Description	Initials
11-4-2021	DRAFTED SURVEY	BEG

**Baker & Associates Inc.**  
120 EAST 16TH STREET  
SCOTTSBLUFF, NE 69361  
308-632-3123  
www.baker-eng.com  
Engineers • Architects • Surveyors  
COPYRIGHT 2021

Final Plat of Lots 1 and 2, Block 7, FIVE OAKS SUBDIVISION			
Title Sheet			
Baker Project Number: 023-018-21			
Project Location: Scottsbluff, Scotts Bluff County Nebraska			
Owners: C&T HOLDINGS, LLC.			
Project Code	Last Mod. Date	Subset	Sheet No.
023	12-15-2021	1 of 2	1

**LEGAL DESCRIPTION:**

A PARCEL OF LAND KNOWN AS A PORTION OF THE UNPLATTED LANDS FOR FIVE OAKS SUBDIVISION, CONTAINING 471,337.30 SQ. FT. (10.820 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 14, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, SOUTH 02°03'39" EAST, A DISTANCE OF 822.84 FEET; THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY OF HIGHWAY 71 AND TO THE **POINT OF BEGINNING** OF THIS DESCRIPTION;

THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF 40TH STREET SOUTH 87°56'20" EAST, A DISTANCE OF 87.57 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF 19°49'11", A DISTANCE OF 60.19 FEET, (A CHORD BEARING SOUTH 78°01'45" EAST, A DISTANCE OF 59.89 FEET);

THENCE SOUTH 68°07'09" EAST, A DISTANCE OF 191.20 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 83°01'38", A DISTANCE OF 182.59 FEET, (A CHORD BEARING NORTH 71°52'33" EAST, A DISTANCE OF 167.02 FEET);

THENCE NORTH 30°55'20" EAST, A DISTANCE OF 30.65 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 62°23'51", A DISTANCE OF 80.59 FEET, (A CHORD BEARING NORTH 61°04'06" EAST, A DISTANCE OF 76.67 FEET);

THENCE NORTH 89°54'43" EAST, A DISTANCE OF 19.42 FEET;

THENCE SOUTH 01°52'51" WEST, A DISTANCE OF 121.52 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 472 FEET, A CENTRAL ANGLE OF 41°38'01", A DISTANCE OF 342.98 FEET, (A CHORD BEARING SOUTH 43°09'58" WEST, A DISTANCE OF 335.48 FEET);

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 495 FEET, A CENTRAL ANGLE OF 58°21'24", A DISTANCE OF 504.17 FEET, (A CHORD BEARING SOUTH 6°49'45" EAST, A DISTANCE OF 482.68 FEET);

THENCE SOUTH 18°00'01" WEST, A DISTANCE OF 278.21 FEET;

THENCE NORTH 59°43'24" WEST, A DISTANCE OF 585.66 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 71 (AVENUE I);

THENCE CONTINUING NORTH ALONG SAID EXISTING EAST RIGHT OF WAY LINE OF HIGHWAY 71 NORTH 02°03'38" EAST, A DISTANCE OF 976.19 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 471,337.30 SQ. FT. (10.820 ACRES), MORE OR LESS.

**OWNER'S AND DEDICATION STATEMENT**

WE THE UNDERSIGNED, BEING THE OWNERS OF LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION, A PORTION OF UNPLATTED LANDS FOR FIVE OAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, STATE THAT THE FOREGOING FINAL PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNERS.

WE HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, AND RIGHT OF WAYS TO THE BENEFIT AND USE OF THE PUBLIC.

PERSONAL REPRESENTATIVE  
C&T HOLDINGS, LLC.

DATE

1-3-2022

**ACKNOWLEDGMENT**

STATE OF NEBRASKA }  
COUNTY OF SCOTTS BLUFF }

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME A PERSONAL REPRESENTATIVE OF C&T HOLDINGS, LLC., TO ME KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTORIAL SEAL THIS 3<sup>rd</sup> DAY OF

JAN. 2022

*Sandra L. Brown*  
NOTARY PUBLIC

GENERAL NOTARY - State of Nebraska  
SANDRA L. BROWN  
My Comm. Exp. November 7, 2023

MY COMMISSION EXPIRES: 11/7/2023

**APPROVAL AND ACCEPTANCE**

THE FOREGOING PLAT OF LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION, A PORTION OF UNPLATTED LANDS FOR FIVE OAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR OF THE CITY OF SCOTTSBLUFF, NEBRASKA.

WE HEREBY ACCEPT ALL STREETS, ALLEYS, EASEMENTS AND RIGHT OF WAYS TO THE BENEFIT AND USE OF THE PUBLIC.

BY:

MAYOR \_\_\_\_\_

ATTESTED: CITY CLERK \_\_\_\_\_

**PROJECT VICINTY MAP**



**INDEX OF SHEETS**

PAGE 1 TITLE SHEET  
PAGE 2 PLAN SHEET

**SURVEY NOTES**

1. BAKER AND ASSOCIATES, INC., PERFORMED ALL NECESSARY RESEARCH TO ESTABLISH CURRENT OWNERSHIP OF THE SUBJECT PROPERTY SHOWN HEREON, UTILIZING CURRENT VESTING DOCUMENTS FROM PUBLIC RECORDS.
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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY.
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.



**FINAL PLAT OF LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION  
A PORTION OF UNPLATTED LANDS FOR FIVE OAKS SUBDIVISION  
TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**

SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH  
PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

**Sheet Revisions**

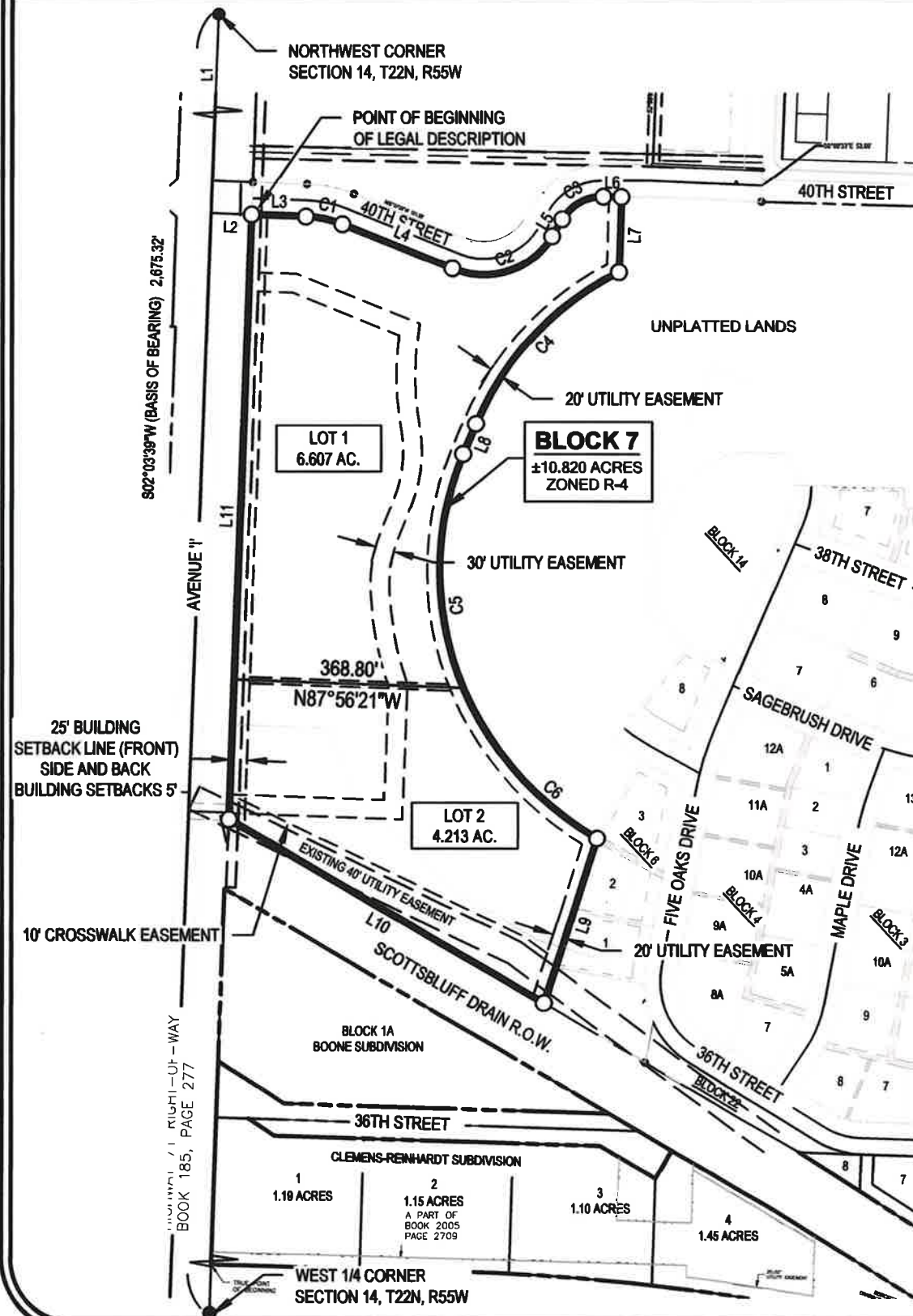
Date	Description	Initials
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**Final Plat of Lots 1 and 2, Block 7,  
FIVE OAKS SUBDIVISION**

**Plan Sheet**

Baker Project Number: 023-018-21  
Project Location: Scottsbluff, Scotts Bluff County Nebraska  
Owners: C&T HOLDINGS, LLC.  
Project Code: 023 Last Mod. Date: 12-15-2021 Subset: 2 of 2 Sheet No.: 2



**Parcel Line Table**

Line #	Length	Direction
L1	822.84'	S2° 03' 39"W
L2	65.00'	N87° 56' 21"W
L3	87.57'	S87° 56' 20"E
L4	191.20'	S68° 07' 09"E
L5	30.65'	N30° 55' 20"E
L6	29.42'	N89° 54' 43"E
L7	121.52'	S1° 52' 51"W
L8	52.66'	S22° 20' 58"W
L9	278.21'	S18° 00' 01"W
L10	585.66'	N59° 43' 24"W
L11	976.19'	N2° 03' 38"E

**Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.19'	174.00'	19°49'11"	S78° 01' 45"E	59.89'
C2	182.59'	126.00'	83°01'38"	N71° 52' 33"E	167.02'
C3	80.59'	74.00'	62°23'51"	N61° 04' 06"E	76.67'
C4	342.98'	472.00'	41°38'01"	S43° 09' 58"W	335.48'
C5	504.17'	495.00'	58°21'24"	S6° 49' 45"E	482.66'
C6	213.40'	496.37'	24°37'58"	S48° 21' 27"E	211.76'

● = CORNER FOUND AS NOTED

○ = CORNER SET  
5/8"x24" REBAR WITH PINK PVC CAP  
STAMPED "ACCUSTAR BOSSE" LS 603

(M) = MEASURED DISTANCE

(R) = RECORDED DISTANCE

**SURVEYOR'S CERTIFICATE:**

I, SCOTT M. BOSSE, NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION, A PORTION OF UNPLATTED LANDS FOR FIVE OAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 40 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED AND THE BOUNDARY IS DEPICTED BY A THICKENED SOLID LINE.

WITNESS MY HAND AND SEAL this 31<sup>st</sup> day of DECEMBER, 2021.

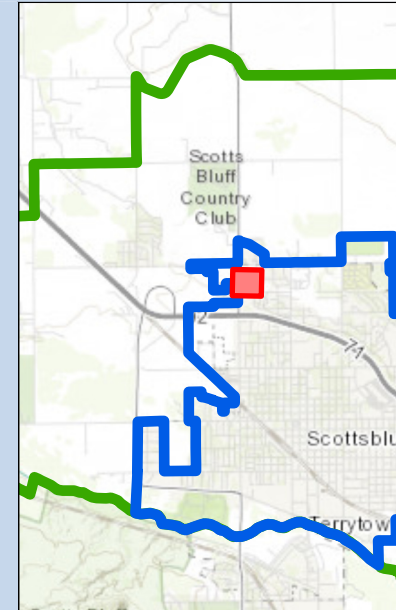
Scott M. Bosse  
NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603



SCALE: 1" = 250'







Proposed Changes

### Street Centerlines

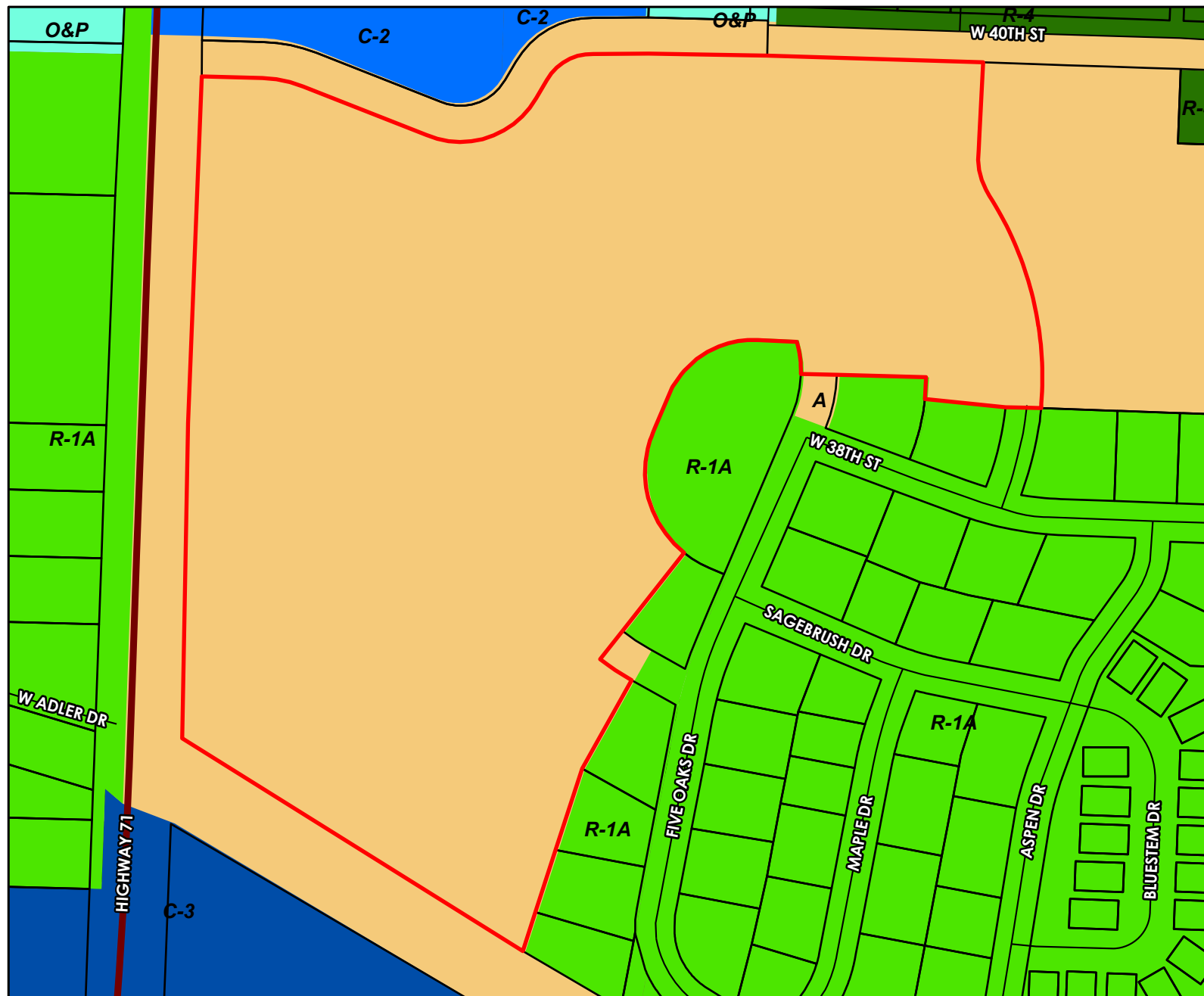
#### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on December 9th, 2021  
Coordinate System:  
NAD 1983 State Plane 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.





Proposed Changes

Parcel Boundaries

### 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

GEODATA.GISMGR.Corporate\_Limits

GEODATA.GISMGR.Extended\_Jurisdiction

### Street Centerlines

#### CLASS

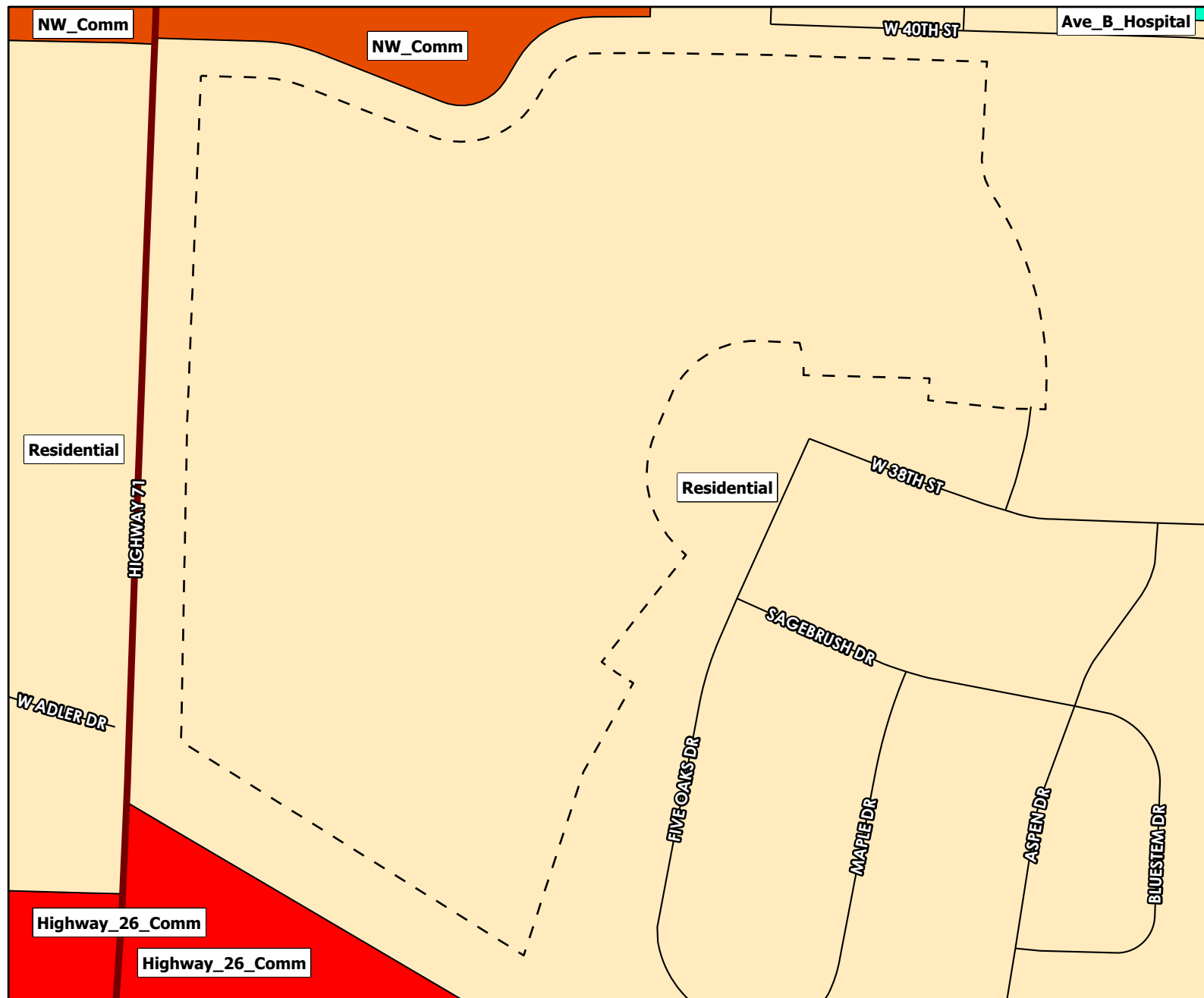
Highway

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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

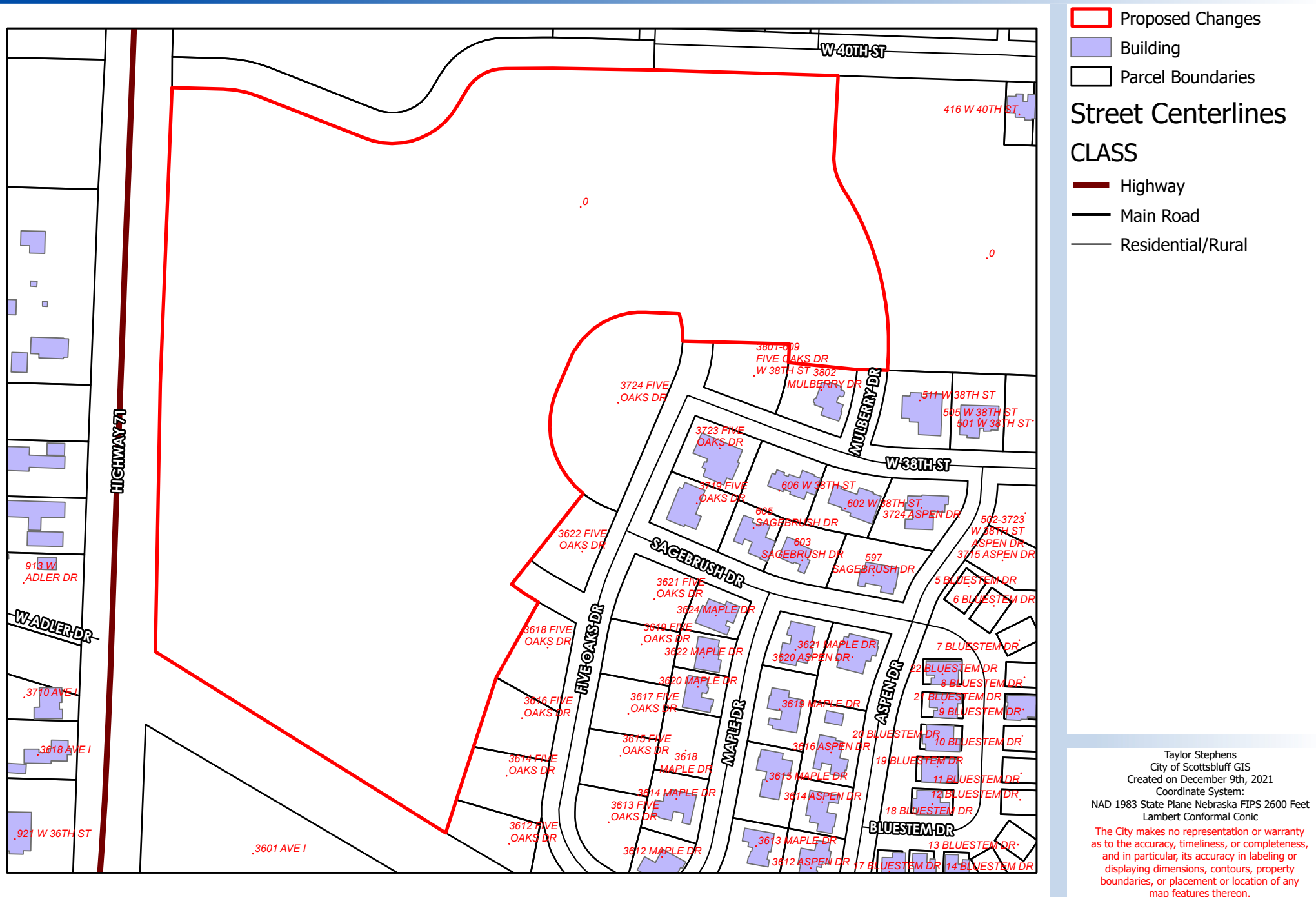
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- Proposed Changes
- Easement
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Fire Hydrants
- Water Lines
- Verified\_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc

### Street Centerlines

#### CLASS

- Highway
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**RESOLUTION NO. 22-\_\_**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:**

**WHEREAS, BE IT RESOLVED**, the Final Plat of Lots 1 and 2, Block 7, Five Oaks Subdivision, a portion of unplatted lands for Five Oaks Subdivision to the City of Scottsbluff, Scotts Bluff County, Nebraska, situated in the NW¼ of Section 14, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, dated January 3, 2022 duly made, acknowledged and certified, is approved along with the exception that dedicates a 10 foot cross walk easement along the south property line and the dedication of the 20 foot utility easement to meet the requirements of Scottsbluff Municipal Code 21-1-22, and the Mayor is authorized to sign the Final Plat on behalf of the City of Scottsbluff, Nebraska. Such Final Plat is ordered to be filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk