



**CITY OF SCOTTSBLUFF**  
**Scottsbluff City Hall Council Chambers**  
**2525 Circle Drive, Scottsbluff, NE 69361**  
**PLANNING COMMISSION AGENDA**  
*Monday, March 14, 2022*  
*6:00 PM*

1. **Roll Call:**
2. **Nebraska open Meetings Act:** For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the south wall of the council chambers.
3. **Notice of Changes in the Agenda by the City Manager:** Additions may not be made to this agenda less than 24-hours before the beginning of the meeting unless added under item 4 of this agenda.
4. **Citizens with Items not Scheduled on the Regular Agenda:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.
5. **Approval of the Planning Commission Minutes From:**
  - A February 14, 2022 Meeting.
6. **New Business :**
  - A Planning Commission to conduct a Public Hearing to consider a Special Use Permit for Auto Sales and Service at Lots 11A, Block 10, Northwood Addition Replat of Lots 11-12 (and that portion of vacate alley), commonly identified as 821 W 33rd Street.
  - B Planning Commission to conduct a Public Hearing to consider Preliminary & Final Plats of Platte River Subdivision situated in a portion of the Northeast Quarter of Section 26, Township 22 North, Range 55 West of the 6th PM, City of Scottsbluff, Nebraska, commonly identified as 514 Broadway.
  - C Planning Commission to conduct a Public Hearing to consider a Preliminary Plat of Big Dog Meadows Subdivision, a tract of land situated in the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.
  - D Planning Commission to conduct a public hearing to consider the creation of an AEDS situated on a tract of land in the Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.
7. **Staff Reports:**
  - A (Informational Only):
8. **Other Business:**
  - A (Informational Only):
9. **Schedule Meeting:**
  - A Confirm next meeting date of April 11, 2022.

**10. Adjourn**

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



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



# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**

**Item Appr. Min.1**

**February 14, 2022 Meeting.**

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

PLANNING COMMISSION MINUTES  
REGULAR SCHEDULED MEETING  
February 14, 2022  
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, February 3, 2022 at 6:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of general circulation in the city, on February 3, 2022. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Planning Commission can modify the agenda at the meeting if it is determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chairman Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Dana Weber, Becky Estrada, Dave Gompert, Mark Westphal, Henry Huber, Jim Zitterkopf, Anita Chadwick. "Absent": Angie Aguillo, Callen Wayman, Linda Redfern (Alternate). City Officials present were Zachary Glaubius, Secretary/Planning Administrator, Taylor Stephens, GIS Analyst, Gary Batt, Code Administrator II, and Kent Hadenfedlt, City Attorney.
- 2 Chairman Weber informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the January 10, 2022 meeting were reviewed. Conclusion: a motion was made by Westphal and seconded by Zitterkopf to approve the minutes from January 10, 2022 meeting. "Yeas" Westphal, Estrada, Weber, Gompert, Zitterkopf, Chadwick "Abstain": Huber "Absent": Aguillo, Wayman, Redfern (alt.) The motion carried.
- 6 Chairman Weber opened the public hearing at 6:03 PM for Item 6A for a Rezone of Block 7, Five Oaks Subdivision situated in the northwest quarter of the Section 14, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M. Glaubius stated the property owner, C&T Holdings, are requesting a rezone from Agricultural to R-4 Heavy Density Multiple-Family. Glaubius stated the Comprehensive Plan identified this area for residential use, and therefore the request is in accordance with future land use planning. Glaubius stated that staff recommends a positive recommendation on the approval of the rezone by Planning Commission. Larry Gion, a resident who lives near W. 40<sup>th</sup> Street and Avenue G, asked the Planning Commission if the rezone would result in the extension of W. 40<sup>th</sup> Street to Highway 71. Glaubius stated there is a developer's agreement that requires W. 40<sup>th</sup> Street to be completed prior to the issuance to a building permit. Gion asked if the section of W. 40<sup>th</sup> Street between Avenue G and Avenue D which is only a half-width would be completed as well. Westphal inquired if the State of Nebraska would permit access onto Highway 71 from W. 40<sup>th</sup> Street. Property owner Bill Trumbull stated the Nebraska Department of Transportation has already approved an access at the location as well as another access directly north of the Scottsbluff Drain. Trumbull stated the developer's agreement will cause the completion of W. 40<sup>th</sup> Street upon the development of any adjacent land. Weber closed the public hearing at 6:08 PM.

- 7 **Conclusion:** Motion by Westphal, seconded by Estrada to make a positive recommendation on the approval of the rezone request for Block 7, Five Oaks Subdivision. “Yeas” Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber “Absent”: Aguillo, Wayman, Redfern (alt.). The motion carried.
- 8 Weber opened the public hearing at 6:09 PM for Item 6B regarding Tax Increment Financing redevelopment plan by Javier and Martha Parra for the El Torito Restaurant Project located at 2809 Avenue I. Hadenfeldt stated the Planning Commission is to reviewed and discuss if the redevelopment plan fits with the Comprehensive Plan. Hadenfeldt stated the project does fit as can be seen on the included memo. Westphal asked about the percentage of TIF funds. Glaubius stated there are no percentages related to TIF funds, and stated the total percentage of the City which can be blighted is 35%. Glaubius stated this property is already located in a blighted area. Applicant Javier Parra stated he is moving his restaurant from W. 27<sup>th</sup> Street to Avenue I, and TIF will help him complete the project. Weber closed the public hearing at 6:11 PM.
- 9 **Conclusion:** Motion by Estrada, seconded by Chadwick to make a positive recommendation on the approval of the redevelopment plan for the El Torito Restaurant Project. “Yeas” Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber “Absent”: Aguillo, Wayman, Redfern (alt.). The motion carried.
- 10 Weber introduced Item 6C regarding an Agricultural Estate Dwelling Site (AEDS) at 180821 Highway L79G and opened the public hearing at 6:12 PM. Glaubius stated the owners Doug and Julie Shuey are requesting the creation of an Agricultural Estate Dwelling Site with an area of 6.86 acres. Glaubius stated the current parcel of land is 14 acres, and the applicants want to decrease the size to sell the house and keep the land. Glaubius stated the land and surrounding land is all zoned Agricultural, and the comprehensive plan identifies the area as Rural. Glaubius stated access to the AEDS is via Highway L79G. Glaubius stated the AEDS has a width of 600 feet and the minimum width of an AEDS per 25-3-19 is 150 feet. Glaubius stated that the reserved land for the AEDS is approximately 77 acres and does not meet the 80-acre requirement. Glaubius stated that per 25-3-19.10d, the Planning Commission has the authority to approve an AEDS with a smaller reserve land area so long as the intent of an AEDS is maintained. Glaubius stated staff recommends the Planning Commission make a positive recommendation on the approval of the AEDS to City Council. Weber asked if there were AEDS in the city jurisdiction, and Glaubius stated there were. Glaubius stated an AEDS was approved in 2021 with a reserved land of around 40 acres. Weber inquired the history behind the 80 acre requirement, and Hadenfeldt stated it is tied to sections. Hadenfeldt stated the intent of the 80 acre reserve is to preserve the most agricultural land as possible. Westphal inquired about AEDS size and purpose. Glaubius stated AEDS provide a way for landowners to subdivide land without having to plat. Weber closed the public hearing at 6:16 PM.
- 11 **Conclusion:** Motion by Zitterkopf, seconded by Westphal to make a positive recommendation on the approval of the Agricultural Estate Dwelling Site request for 181015 Highway L79G. “Yeas” Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber “Absent”: Aguillo, Wayman, Redfern (alt.). The motion carried.
- 12 Weber introduced Item 6D regarding a special permit use application for 1004 Avenue I to for “Auto Sales and Service” in the C-2 Neighborhood and Retail Commercial District and opened the public hearing at 6:18 PM. Glaubius stated the applicant Ruben Saenz is requesting a special use permit to sell cars and motorcycles at 1004 Avenue I. Glaubius stated the property is surrounded by commercial zoning, and is part of an extension of the C-2 District into a C-3 Heavy Commercial District. Glaubius stated the Comprehensive Plan identifies the area as Automobile Commercial. Glaubius stated there are currently 7 stalls, and will need 14 stalls for the proposed use. Glaubius stated staff believes there is adequate open space on the lot to address this

deficit. Glaubius stated the applicant intends to pave the turfgrass areas which will allow for more parking. Glaubius read the guidelines the Planning Commission shall follow when considering the issuance of a special use permit under 25-13-3. Glaubius stated staff recommends the approval of a special use permit to Ruben Saenz for auto sales and service at 1004 Avenue I. Weber closed the public hearing at 6:21 PM.

- 13 **Conclusion:** Motion by Westphal, seconded by Estrada to grant a special use permit to Ruben Saenz for auto sales and service at 1004 Avenue I. “Yeas” Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber “Absent”: Aguillo, Wayman, Redfern (alt.). The motion carried. Following the issuance of the special use permit, Weber informed the Saenz that the special use permit only applies to Saenz and not the property.
- 14 Weber introduced Item 6E regarding a proposed ordinance text change to Chapter 25 Article 22 regarding landscaping and opened the public hearing at 6:23 PM. Glaubius stated that last fall the Landscaping Article and Gateway Green Overlay Zone overlap and there are interpretation difficulties due to this. Glaubius stated this subject was brought up at the December 2021 and January 22 Planning Commission meetings, and was tabled for more research and analysis. Glaubius stated staff has reviewed the landscaping article of Gering, Kearney, Omaha, Norfolk, Bellevue and Fremont. Glaubius stated the revised landscaping article includes nearly all requirements of the Gateway Green Overlay Zone. Glaubius stated he included the current landscaping code with staff comments. Glaubius stated one noticeable change is the sections of Article 22 have increased an additional section. Glaubius stated the original sections being Definitions, Purposes, Applicability, Landscaping Requirements, Material, and installation standards, bufferyard provisions, screening standards, parking lot landscaping, tree plantings, and general provisions. Glaubius stated the new sections are Intent, Definitions, Applicability, Materials, Installation, and Maintenance Standards, Tree Plantings, Street Yard Landscape Provisions, Bufferyard & Screening Provisions, Parking Lot Landscaping, Nature-Based Stormwater Best Management Practices, Performance Guarantee, and General Provisions. Glaubius stated the Definitions section was moved to be the second section rather than first, the purpose section was renamed to Intent, and the Intent section is now first section. Glaubius stated the Applicability section has been modified to exempt single-family and two- family dwellings, removal of the authority for staff to permit exceptions on landscaping areas, and removed the requirement of the landscaping article to be applied to preliminary plats, final plats and planned unit developments. Glaubius stated Landscaping Requirements has been renamed to Streetyard Landscaping Provisions to clarify what the section covers. Glaubius stated the exemption of these requirements to the C-1 District were removed. Glaubius stated that staff included an addition which permits staff to a reduction in streetyard landscaping to no less than 5’ if necessary to meet parking requirements. Glaubius stated this authority is significantly reduced from what was permitted under the original Applicability section. Glaubius stated the addition of a reference to Chapter 20 Article 7 regarding placement of street trees is now included, and the prohibition of fence obstructions is maintained.
- 15 Glaubius stated the Materials and Installation Standards is now titled Materials, Installation, and Maintenance Standards. Glaubius stated the minimum tree sizes have been reduced in the revised landscaping code to reflect that of the Gateway Green Overlay Zone and those of the City of Gering. Glaubius stated a 33% maximum of a single species per development which there was a similar requirement under the GG-O requirements. Glaubius stated he incorporated the xeriscaping themes of the GG-O into the revised landscaping article. Glaubius stated that a requirement of 50% minimum of drought tolerant or native plants. Glaubius stated there is a clarification for what pavement can be permitted in required landscaping area. Glaubius stated maintenance requirements under the original General Provisions section were moved to this

section. Glaubius stated the original Bufferyard Provisions and Screening Standards sections were consolidated into one section titled Bufferyard and Screening Provisions. Glaubius stated he found the two original sections significantly overlapped and that other city's combined the two into single section. Glaubius stated the recently approved change to bufferyard requirements was incorporated into the revised landscaping article. Glaubius stated the blanket 20 feet wide bufferyard requirement was replaced with a table showing different bufferyard widths dependent on the adjoining zoning districts. Glaubius stated the table should be less burdensome to developers while allowing the city to maintain the expected standard. Glaubius stated there is an inclusion in the section which permits the Planning Commission to grant exceptions to bufferyard widths to be reduced to a minimum of 10 feet wide. Glaubius stated this exception only applies to C-3, M-1, and M-2 Districts. Glaubius stated he added a screening requirement for rear elevations of building visible from a less intensive zoning district. Glaubius stated he removed the original wording which explicitly states bailing and stockpiling of cardboard as well as 150 stall parking lots shall be screened. Glaubius stated these were already covered under the original broad screening standards. Glaubius stated chain-link fences with an opaque barrier as a permitted screening material, and the requirement of screening be located in or close to the bufferyard.

- 16 Glaubius stated the Parking Lot Landscaping section has been expanded. Glaubius stated the revised Parking Lot Landscaping section added the requirement of a perimeter landscaping bed to parking lots between 2,000 and 6,000 square feet and the requirement of perimeter landscaping bed and interior landscaping beds to parking lots over 6,000 square feet. Glaubius stated there is an exception to reduce the width of perimeter landscaping if necessary to meet parking requirements. Glaubius stated the bufferyard requirement for parking lots adjacent to a residential district was moved from the GG-O to the revised Landscaping Article, and a screening standard for this situation was added. Glaubius stated the 5% interior landscaping requirement was retained. Glaubius stated standards for interior islands, endcap islands, corner islands, and perimeter landscaping was added. Glaubius stated a section on landscaping strips was included in the revised landscaping article to provide developers with another option for interior parking lot landscaping. Glaubius stated the Tree Plantings section was retained. Glaubius stated the large tree bonus was removed. Glaubius stated the original Landscaping Article only specified parking lot tree standards, and this was replaced with tree standards in all required landscaping. Glaubius stated the General Provisions article was kept as well. Glaubius stated the maintenance requirements were moved to the maintenance section, underground irrigation installation requirements were removed to comply with xeriscaping principles, performance guarantees were moved to an independent section, and the requirement of screening for waste collection points was added. Glaubius stated a new section title Nature Based Stormwater Best Management Practices was added. Glaubius stated this section was created under the advisement of Stormwater Specialist Leann Sato. Glaubius stated this section comes into effect when on-site stormwater collection is required under Chapter 24 of the Municipal Code. Glaubius stated the Performance Guarantee section was created to better enforce the requirement. Glaubius stated this will serve as a mechanism to require landscaping be installed, and it was modelled off of other cities. Glaubius stated the section required a performance guarantee to be submitted and approved in order if landscaping is not installed in order to receive a certificate of occupancy. Glaubius stated that staff is recommendation a positive recommendation on the adoption of the revised Chapter 25 Article 22 regarding Landscaping. Glaubius stated the intent of the revised landscape code is to simplify interpretation and enforcement as landscaping requirements are currently found in two sections. Trumbull inquired about the performance guarantee for residences. Glaubius and Hadenfeldt stated

single-family and two-family dwellings are exempt from Landscaping Article. Weber closed the public hearing at 6:36 PM.

- 17 **Conclusion:** Motion by Westphal, seconded by Chadwick to make a positive recommendation on the adoption of the revised Chapter 25 Article 22 and repeal of the existing Chapter 25 Article 22. "Yeas" Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber "Absent": Aguillo, Wayman, Redfern (alt.). The motion carried.
- 18 Weber introduced Item 6F regarding a zoning text amendment to Chapter 25 Article 3 regarding the Gateway Green Overlay Zone and opened the public hearing at 6:40 PM. Glaubius stated this public hearing is for the repeal of the GG-O as it has been incorporated into the revised Landscaping Article. Glaubius stated the majority of the GG-O has been incorporated into the revised Article 22. Glaubius stated the requirement for Planning Commission approval on development plans was removed in order to expedite review time. Glaubius stated the sign requirements of the GG-O are similar to that of the current Sign Article, and that City Manager Dustin Rief has requested a review and rework of the sign code this year. Glaubius stated the sign code review is in process presently. Glaubius stated the requirement to bury overhead lines was removed. Glaubius stated the lighting requirements of the GG-O are adequately covered under Chapter 25 Article 5 regarding off-street parking. Glaubius stated the parking lot standard in the GG-O were less strict than that of the original and revised landscaping article. Glaubius stated the bufferyard requirements for parking lots visible from major streets and buffer requirements for parking lots adjacent to residential districts were moved to the revised Landscaping Article. Glaubius stated the xeriscaping principles of the GG-O were incorporated into the Landscaping Article such as removing the requirement of underground irrigation and addition of planting native plant species. Glaubius stated the mulching standards were moved to the revised Landscaping Article. Glaubius stated the specific screening standards found under the GG-O were already covered under the broad screening standards of the landscaping article. Glaubius stated the prohibition of outdoor storage was removed, while the bufferyard maintenance standards were moved to the revised landscaping article. Glaubius stated the impractical building screening standard was removed as well as the complex 3% payment requirement for remodels. Glaubius stated the stormwater landscaping requirement of the GG-O has been expanded and included in the revised landscaping article. Glaubius stated the minimum plant size requirements for shrubs and perennials were removed, but the tree standards of the GG-O were adopted into the revised landscaping article. Glaubius stated the maintenance standards of the GG-O and definitions sections were moved to the revised landscaping article. Glaubius stated the approved species list of the GG-O will be used when creating a list of recommended and approved species list. Glaubius stated staff is recommending a positive recommendation on the repeal of 25-3-22.1 regarding the Gateway Green Overlay zone. Weber inquired about the signage standards of the GG-O. Glaubius stated the standards are very similar to those of the general Sign article. Weber closed the public hearing at 6:48 PM.
- 19 **Conclusion:** Motion by Zitterkopf, seconded by Westphal to make a positive recommendation on the repeal of 25-3-22.1 regarding the repeal of the Gateway Green Overlay zone. "Yeas" Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber "Absent": Aguillo, Wayman, Redfern (alt.). The motion carried.
- 20 Item 7: Glaubius reported that past Planning Commission minutes showed periodic review of the Comprehensive Plan and Subdivision/Zoning Codes. Weber asked if there was any set date. Glaubius stated there was not a set date. Hadenfeldt stated the Comprehensive Plan was completed in 2016, and comprehensive plans are typically reviewed every 10 years. Weber inquired how the process is initiated. Hadenfeldt stated it is initiated with the recommendation of the Planning Commission. Hadenfeldt stated there are usually grants to help with updating

comprehensive plans. Weber inquired how much an update would cost. Hadenfeldt estimated \$20,000-\$25,000 thousand, but grants typically cover \$10,000 to \$15,000. Weber stated an update should not be done frivolously. Weber stated the Planning Commission will look further into this. Weber inquired about the update on the implementation of new permitting and asset management software. Glaubius stated City Council recently awarded the bid for new permitting and asset management software to Novotx dba Elements XS. Glaubius stated the new software will allow citizens to apply for permits online and better track permits inhouse. Stephens added the implementation will take three to four months.

Item 8: No Other Business

21 Weber introduced Item 9 regarding scheduling the next Planning Commission meeting on March 14, 2022.

22 Adjournment: Motion by Estrada, seconded by Westphal to adjourn the meeting at 6:56 PM. "Yeas" Westphal, Estrada, Weber, Gompert, Chadwick, Zitterkopf, Huber "Absent": Aguillo, Wayman, Redfern (alt.). The motion carried.

23

\_\_\_\_\_  
Chairman Dana Weber

\_\_\_\_\_  
Zachary Glaubius, Secretary

# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**

## **Item New Bus1**



**Planning Commission to conduct a Public Hearing to consider a Special Use Permit for Auto Sales and Service at Lots 11A, Block 10, Northwood Addition Replat of Lots 11-12 (and that portion of vacate alley), commonly identified as 821 W 33rd Street.**

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





## City of Scottsbluff, Nebraska Special Use Permit Application

Date: 1/20/2022			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location) of requested Special Use: 821 West 33rd street			Permit Number:	
Applicant's Name Thunder Road Investments / Miller's Auto Service			Special Use Permit <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Applicant's Address: 821 West 33rd Street			Date Issued:	
City: Scottsbluff	State: NE	Zip: 69361	Comp. Plan Land Use: Comm.	Zone: C-2
Telephone: 308-632-3476	Mobile: 308-631-7384	Email: k.strey@charter.net	<b>Attached:</b> Plot Plan <input checked="" type="checkbox"/> Legal Description (in word) <input checked="" type="checkbox"/> \$100.00 filing fee <input type="checkbox"/> \$250.00 for PUD (planned unit dev) <input checked="" type="checkbox"/> \$3.00 per property owner within 300-feet <input type="checkbox"/> Receipt # <u>R00270053</u>	
Property Owner: Thunder Road Investments				
Property Owner's Address: 110066 Thunder Road				
City: Scottsbluff	State: NE	Zip: 69361		
Telephone: 308-631-7384	Mobile: 308-631-7384	Email: k.strey@charter.net		
Description of the nature of the use for which the Special Use Permit is requested (Why and What): Used car lot.				
Legal Description: LT 11A, BLK 10, Northwood Add Replat of LTS 11-12 BLK 10 (and that portion of vacated alley)				
Zoning Ordinance Section pertaining to Special Use Permit: C-2 zoning				
Please attach the following: <input checked="" type="checkbox"/> Copy of Plot Plan (showing property lines, dimensions, existing structures, proposed structures, easements, etc.. <input checked="" type="checkbox"/> Legal Description on a CD/Disk (in Word) <input type="checkbox"/> \$100.00 filing fee				
I, the undersigned, hereby certify that I agree to be bound by all requirements of the ordinances of the City of Scottsbluff and any other conditions that may be place concerning the use for which a Special Permit is requested. 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.				
Property Owner(s) of Record: 			Date: 1/20/2022	
Applicant's Signature: 			Date: 1/20/2022	
Remarks: (Insert here any information not covered above)				

Development Services Department

111 West 19<sup>th</sup>, Scottsbluff, NE 69361

(308) 630-6243

No Features Selected

↑ NORTH



## City of Scottsbluff Planning Commission

### Development Services Staff Report – Zachary Glaubius

Prepared on: February 25, 2022

For Hearing of: March 14, 2022



#### I. GENERAL INFORMATION

- A. Applicant:** Thunder Road Investments/ Miller's Auto Service  
821 W. 33<sup>rd</sup> Street  
Scottsbluff, NE 69361
- B. Property**  
**Owner:** Thunder Road Investments  
110066 Thunder Road  
Scottsbluff, NE 69361
- C. Proposal:** Special Use Permit to sell automobiles and motorcycles at 821 W. 33<sup>rd</sup> Street
- D. Legal Description:** Lot 11A, Block 10, Northwood Addition Replat
- E. Location:** 821 33<sup>rd</sup> Avenue
- F. Existing Zoning & Land Use:** C-2 Neighborhood & Retail Commercial
- G. Size of Site:** Approximately 25,301 sq. ft.

#### 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	Commercial Buildings
East	Northwest Commercial	C-3 Heavy Commercial	Commercial Buildings
South	Residential	R-1A Single-Family Residential	Northwood Park
West	Northwest Commercial	C-2 Neighborhood 7 Retail Commercial	Vacant Lot

##### B. Relevant Case History

1. This property is currently a legal non-conforming auto repair shop.

#### III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Northwest Commercial.
- B. Traffic & Access:**

1. Access to 821 W. 33<sup>rd</sup> Street is via 33<sup>rd</sup> Street
- C. Zoning**
  1. Per 25-3-14 C, Auto sales and service is a special permit use in the C-2 Neighborhood and Retail Commercial Zoning District.
- D. Off-Street Parking**
  1. Current off-street parking is fourteen stalls. Applicant needs 11 stalls to meet Off-Street Parking Requirements under 25-5-1

#### **IV. STAFF COMMENTS**

- A.** The applicant intends to pave the turfgrass areas for additional vehicle storage/showing.
- B.** The existing offices will be used for the auto sales.
- C.** While the land south of the property is zoned R-1A Residential, it is Northwood Park and no residences are in close proximity.
- D.** Per 25-13-3, the Planning Commission may issue a special permit for the use of a lot, tract of land, building, or structure in circumstances and a manner authorized by other articles of this chapter if the Commission finds the proposed use:
  - a. Provides a service required by the neighborhood or community and is consistent with sound principles of land use;
  - b. Will not be injurious to the use of neighboring lots, tracts of land, buildings, or structures;
  - c. Will not create special hazards or problems for the area in which it is located;
  - d. Is related to and harmonious with the general plan for the area in which it is located, as indicated by this chapter
  - e. Otherwise, is in accordance with the intents and purposes of this chapter. The Commission may make the use which is authorized in the special permit subject to reasonable conditions which in the discretion of the Planning Commission are necessary to carry out the intents and purposes of this chapter.
- E.** Public Notice Letters were sent out on February 28, 2022, and public notice for this ran in the March 3, 2022 edition of the Star-Herald.

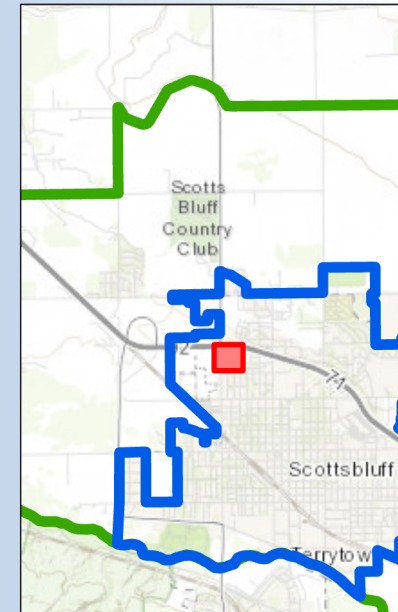
#### **V. FINDINGS OF FACT**

- A. Findings of Fact to Recommend Its Approval May Include:**
  1. The Comprehensive Plan identifies the area as northwest commercial.
  2. Auto mobile sales and service represent services that are required by the community and the use is consistent with the surrounding zonings and uses.
  3. The use will not be injurious to neighboring uses.
  4. The use will not create special hazards or problems.
  5. The Comprehensive Plan Future Land Use Map supports the use.
  6. The use is in accordance with the intents and purposes of the Code.
  7. The special use permit will bring a legal non-conforming use into conformance as a special permit use.
- B. Findings of Fact to Not Recommend Approval May Include:**
  1. None

**VI. STAFF RECCOMENDATION**

- A.** Staff recommends Planning Commission recommend the approval of the special use permit to Thunder Road Investments for automobile sales and service at 821 W. 33<sup>rd</sup> Street.





Proposed Changes

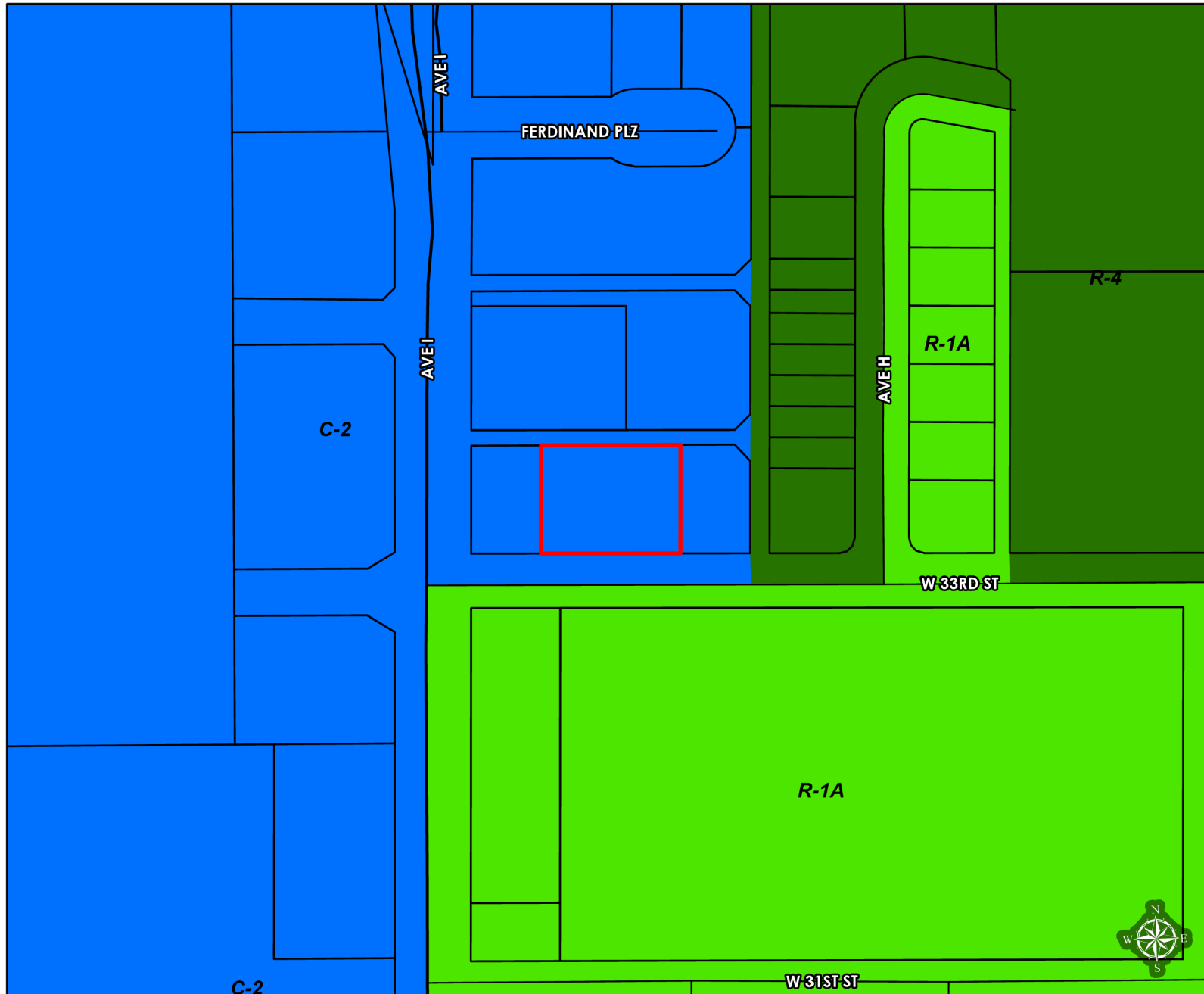
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



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

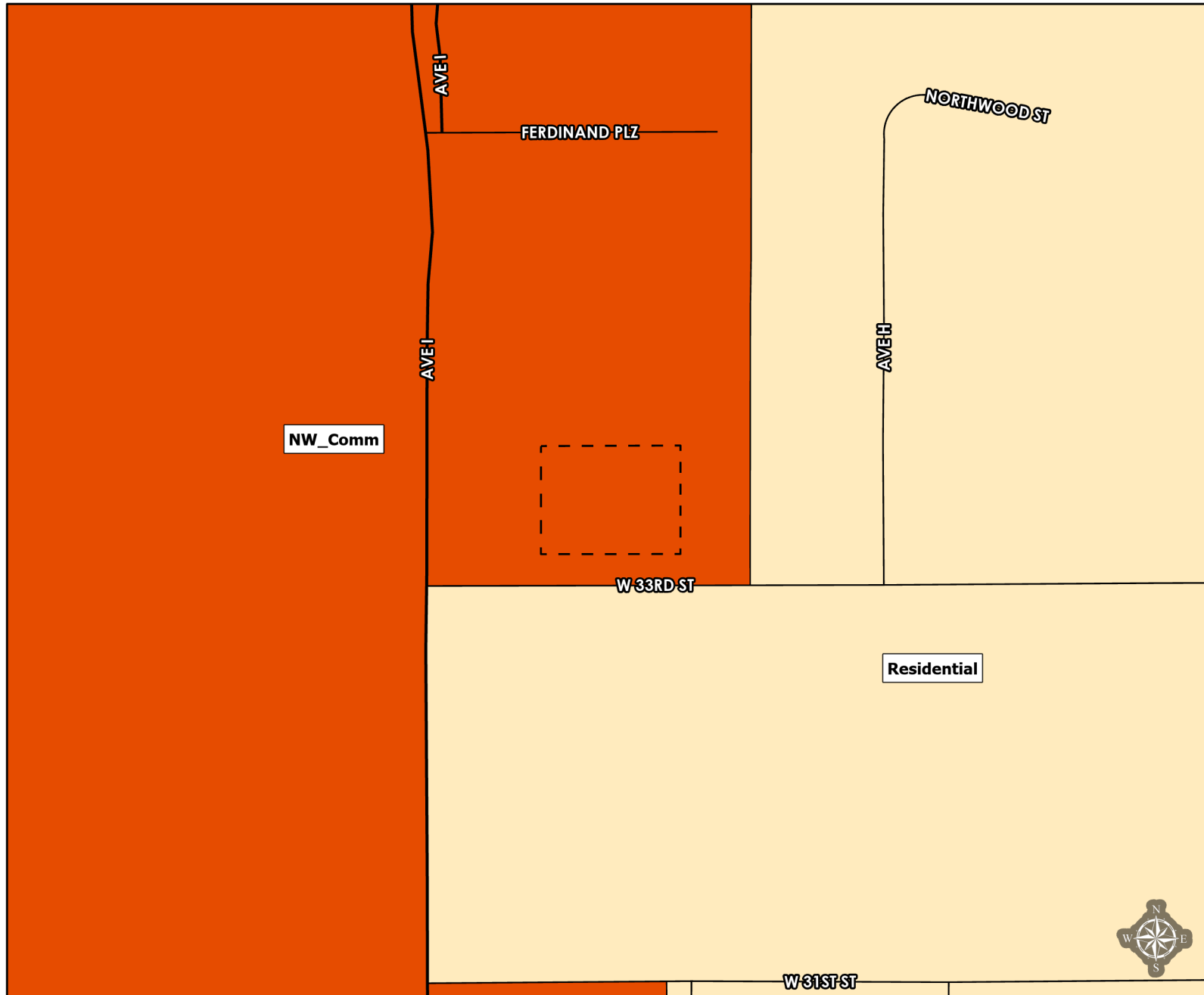
### Street Centerlines

#### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



Proposed Changes

### 2016 Comp. Plan Land Use

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

### Street Centerlines

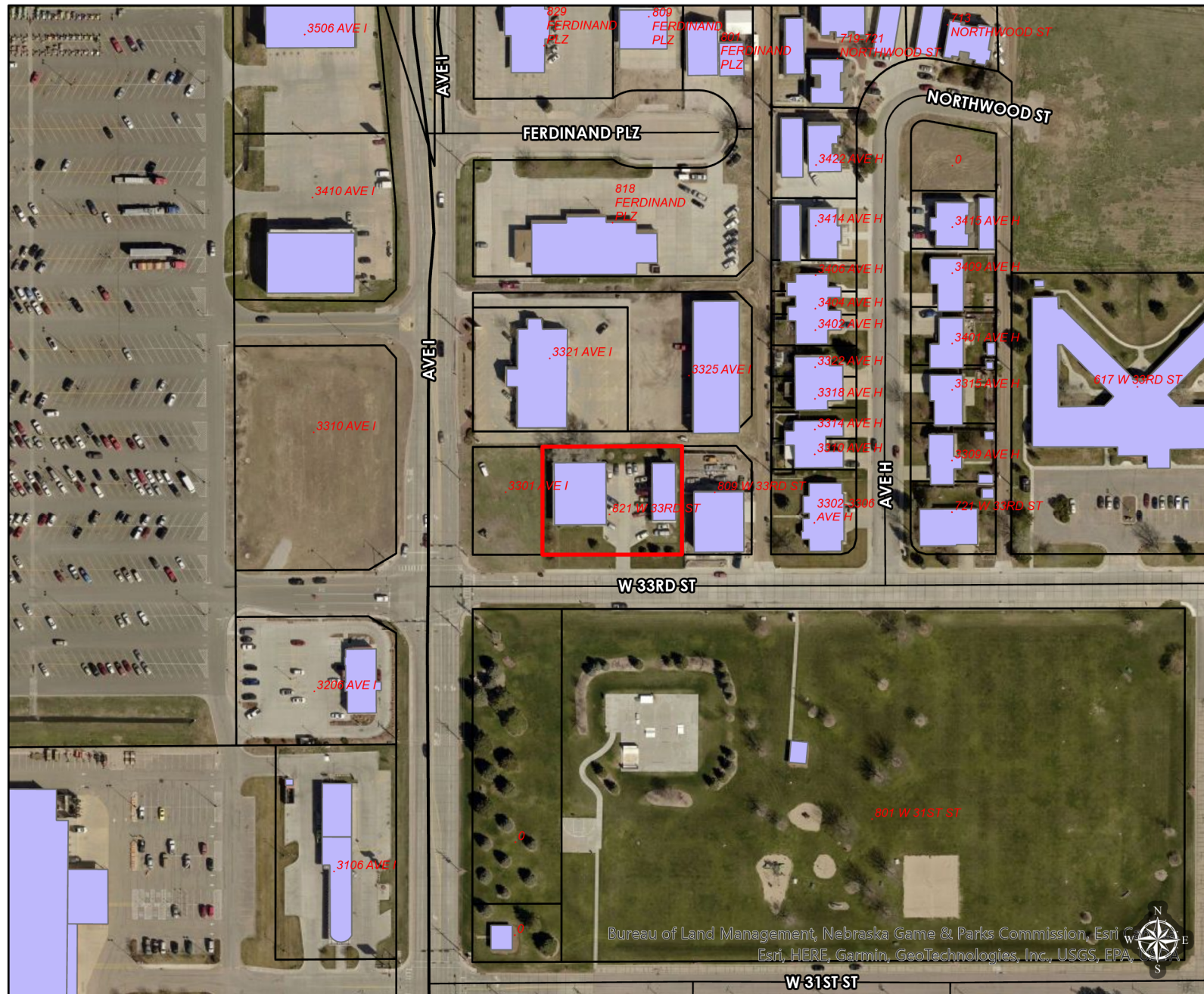
#### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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





Proposed Changes

Building

Parcel Boundaries

Street Centerlines

CLASS

Highway

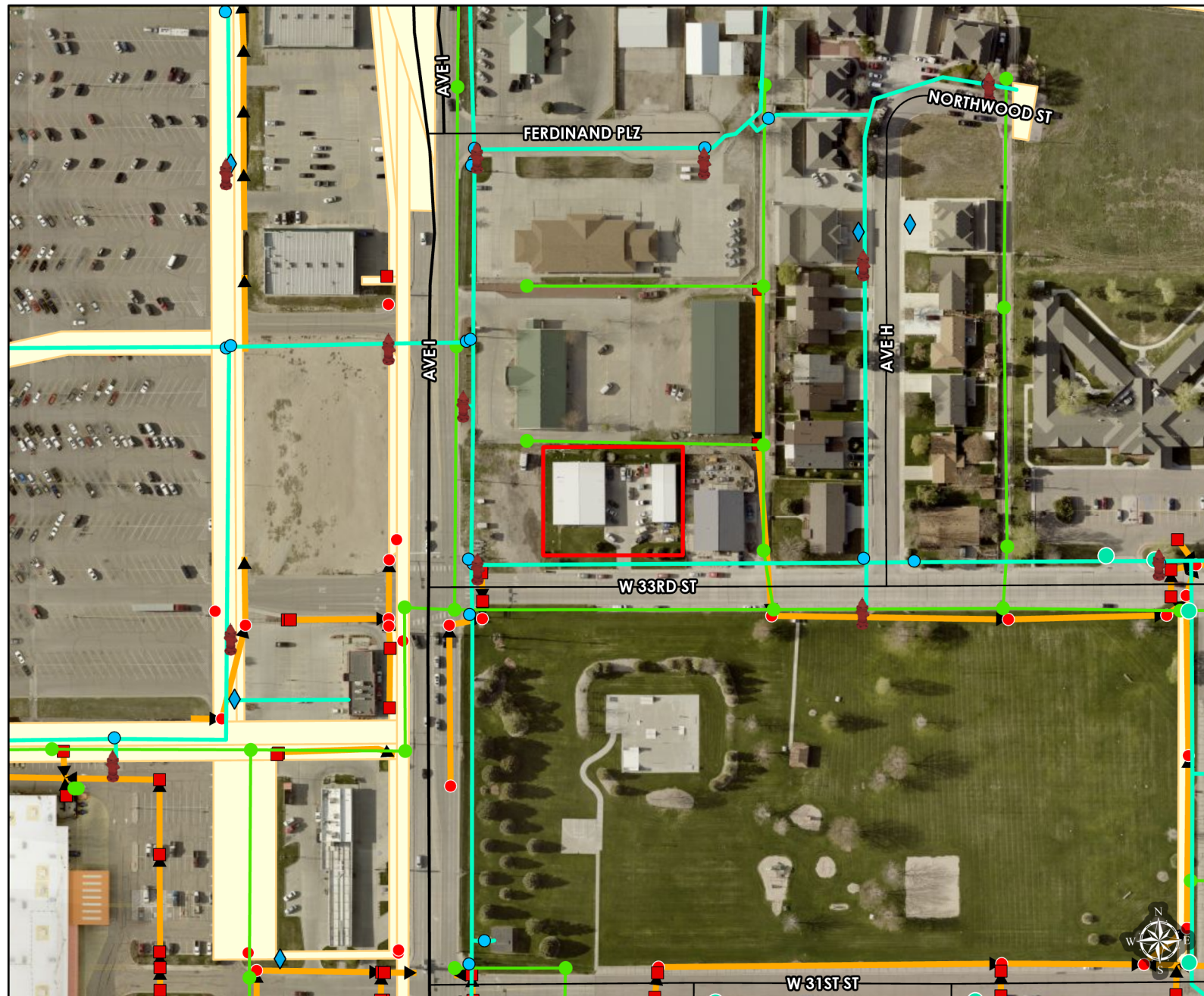
Main Road

Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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





Proposed Changes

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- Water Curbstop
- Water Valve
- Water Manhole
- Verified\_Manhole
- Wastewater Lines
- Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**

## **Item New Bus2**

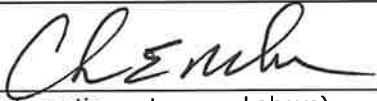

**Planning Commission to conduct a Public Hearing to consider Preliminary & Final Plats of Platte River Subdivision situated in a portion of the Northeast Quarter of Section 26, Township 22 North, Range 55 West of the 6th PM, City of Scottsbluff, Nebraska, commonly identified as 514 Broadway.**

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



## City of Scottsbluff, Nebraska

### Application for a Preliminary Plat Subdivision

Date: 2-14-2022			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location): 514 SOUTH BROADWAY (TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43)			Permit Number:	
Applicant's Name CHRIS NELSON (PRESIDENT CAP HOLDINGS, LLC.)			Plat Approved Denied	
Applicant's Address: 3011 AVE B, STE B			Date Issued:	
City: SCOTTSBLUFF	State: NEBRASKA	Zip: 69361	Comp. Plan Land Use: Comm.	Zone: C-3
Telephone: 308-632-7587	Mobile:	Email: cnelson@valleyfinancialplan.com	<b>Attached:</b> Plot Plan Legal Description (in Word) \$100.00 filing fee \$3.00 per property owner within 300-feet Receipt # <u>R00272066</u>	
Property Owner: CAP HOLDINGS, LLC.				
Property Owner's Address: 3011 AVE B, STE B				
City: SCOTTSBLUFF	State: NEBRASKA	Zip: 69361		
Telephone: 308-632-7587	Mobile:	Email: cnelson@valleyfinancialplan.com		
Engineer or Surveyor: Gregg M. Schilz LS 785			Total Acreage: 0.94 Acres more or less	
Engineer or Surveyor Address: 818 South Beltline Hwy E			Proposed number of lots: 2	
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: Commercial	
Telephone: 308-635-1926	Mobile: 308-631-7099	Email: gschilz@mcschaff.com	Proposed Use of Property: Commercial	
Location of property: 514 SOUTH BROADWAY (TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43)			Present Zoning: C-3	
<b>Please provide the following:</b> Copy of Preliminary Plan (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 Proof of Ownership of Property (See 21-1-50, Title Insurance, Attorney's opinion, Certificate of registered abstracter)				
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: 	
Remarks: (Insert here any information not covered above)				

Development Services Department

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243





## City of Scottsbluff, Nebraska

### Application for a Final Plat Subdivision

Date: 2-14-2022			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location): 514 SOUTH BROADWAY (TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43)			Permit Number:	
Applicant's Name CHRIS NELSON (PRESIDENT CAP HOLDINGS, LLC.)			Plat Approved Denied	
Applicant's Address: 3011 AVE B, STE B			Date Issued:	
City: SCOTTSBLUFF	State: NEBRASKA	Zip: 69361	Comp. Plan Land Use: <i>Comm.</i>	Zone: <i>C-3</i>
Telephone: 308-632-7587	Mobile:	Email: cnelson@valleyfinancialplan.com	<b>Attached:</b> Final Plat Legal Description (in Word) \$100.00 filing fee Letter of transmittal Receipt # <i>R00272066</i>	
Property Owner: CAP HOLDINGS, LLC.				
Property Owner's Address: 3011 AVE B, STE B				
City: SCOTTSBLUFF	State: NEBRASKA	Zip: 69361		
Telephone: 308-632-7587	Mobile:	Email: cnelson@valleyfinancialplan.com		
Engineer or Surveyor: Gregg M. Schilz LS 785			Total Acreage: 0.94 Acres more or less	
Engineer or Surveyor Address: 818 South Beltline Hwy E			Proposed number of lots: 2	
City: SCOTTSBLUFF	State: NEBRASKA	Zip: 69361	Present Use of Property: Commercial	
Telephone: 308-635-1926	Mobile: 308-631-7099	Email: gschilz@mcschaff.com	Proposed Use of Property: Commercial	
Location of property: 514 SOUTH BROADWAY (TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43)			Present Zoning: C-3	
<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: <i>X</i>			Date: <i>X</i> <i>2/14/2022</i>	
Remarks: (Insert here any information not covered above)				



City of Scottsbluff

Reasoning behind subdividing this lot:

CAP Holdings has a lease with the State of NE across the road in the State office Building next to Safeway. The State is taking over the entirety of the building mid 2022 and will be adding an additional 80+ employees into that location.

CAP Holdings purchased this lot across Broadway once the State notified us of the bid selection to use the entirety of the State office Building. CAP Holdings wanted to make sure we had a place for overflow parking for state employees. CAP Holdings has an agreement to share parking lot with Safeway, but if this were to ever change in the future, CAP wanted to make sure enough parking was available for the state employees.

The lease with the state will be for 20 years and highly likely, much longer than this.

CAP Holdings has no desire to own/insure/lease the buildings on the new lot purchase, they just want the empty space provided by the lot for overflow parking and will remain this way for a long time, as indicated above.

CAP holdings wishes to subdivide the building off from the vacant portion of the lot so the buildings can be sold. CAP holdings has a buyer interested in buildings and running their business out of this location.

Scottsbluff wins as buildings will be used instead of sitting empty, and the remaining vacant portion of the lot will remain this way for the foreseeable future.

Chris E. Nelson  
President  
CAP Holdings, LLC  
308-632-7587

## SURVEYOR'S CERTIFICATE

I, Gregg M. Schilz, a Nebraska Registered Land Surveyor, hereby certify that I, or under my direct supervision, have surveyed and prepared a plat of **LOT 1 & 2, BLOCK 1, PLATTE RIVER SUBDIVISION**, A SUBDIVISION TO THE CITY OF SCOTTSBLUFF, NEBRASKA, SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., REFERRED TO AS TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1, SECOND MIDWEST SUBDIVISION, AS PLATTED, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF SOUTH BROADWAY, THENCE WESTERLY, ON THE NORTH LINE OF BLOCK 1, SECOND MIDWEST SUBDIVISION, ON AN ASSUMED BEARING OF N87°38'26"W, A DISTANCE OF 170.72 FEET MEASURED (170.00 FEET RECORDED), TO THE NORTHWEST CORNER OF BLOCK 1, SECOND MIDWEST SUBDIVISION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 1, MIDWEST SUBDIVISION, AS PLATTED, THENCE WESTERLY ON THE EASTERLY LINE OF SAID BLOCK 1, MIDWEST SUBDIVISION, BEARING N88°21'50"W, A DISTANCE OF 122.94 FEET MEASURED (120.00 FEET RECORDED). THENCE NORTHERLY ON THE EASTERLY LINE OF SAID BLOCK 1, MIDWEST SUBDIVISION, BEARING N02°18'14"E, A DISTANCE OF 139.20 FEET, TO THE SOUTHWEST CORNER OF LOT 2, BLOCK 1, SCOTTSBLUFF BROADWAY SUBDIVISION, AS PLATTED, THENCE EASTERLY ON THE SOUTH LINE OF SAID LOT 2, BLOCK 1, SCOTTSBLUFF BROADWAY SUBDIVISION, BEARING S87°58'26"E, A DISTANCE OF 293.47 FEET MEASURED (294.01 FEET RECORDED), TO THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK 1, SCOTTSBLUFF BROADWAY SUBDIVISION, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF SOUTH BROADWAY, THENCE SOUTHERLY, ON THE WEST RIGHT OF WAY LINE OF SOUTH BROADWAY, BEARING S02°13'37"W, A DISTANCE OF 139.36 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.94 ACRES MORE OR LESS.

That the accompanying plat is a true delineation of such survey drawn to a scale of 30 feet to the inch. That all dimensions are in feet and decimals. That each lot and block has its own number and that the boundary of the plat is shown with a heavy solid line with dashed lines being for orientation purposes only. That all corners found or set are marked as shown.

WITNESS MY HAND AND SEAL THIS 14<sup>TH</sup> DAY OF FEBRUARY, 2022.  
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

  
Gregg M. Schilz, Nebraska Registered Land Surveyor, L. S. 785



## OWNER'S STATEMENT

We, the undersigned, being the owners of a portion of the Northeast Quarter of Section 26, Township 22 North, Range 55 West of the 6th P.M., referred to as Tax Lots 43A-1, 43A, and part of Tax Lot 43, City of Scottsbluff, Scotts Bluff County, Nebraska as described in the foregoing 'Surveyor's Certificate' and shown on the accompanying plat have caused such real estate to be platted as **LOT 1 & 2, BLOCK 1, PLATTE RIVER SUBDIVISION**, A SUBDIVISION TO THE CITY OF SCOTTSBLUFF, NEBRASKA, SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., REFERRED TO AS TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA,

That the foregoing plat is made with the free consent and in accordance with the desires of the undersigned owners. We hereby dedicate these easements shown for the use and benefit of the public.  
Dated this 14 day of February, 2022.

Owners:  
CAP HOLDINGS, LLC  
a Nebraska Limited Liability Company

  
By: Chris E. Nelson, President

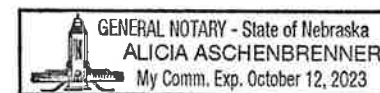
LOT 1 & 2, BLOCK 1,  
PLATTE RIVER SUBDIVISION  
SCOTTSBLUFF, NEBRASKA  
SHEET 2 OF 2  
JOB# RM220004-00

## ACKNOWLEDGEMENT

STATE OF NEBRASKA )  
COUNTY OF SCOTTS BLUFF )

Before me, a Notary Public, qualified and acting in said County, personally came Chris E. Nelson, President of CAP Holdings LLC, a Nebraska Limited Liability Company, 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 his voluntary act and deed, and the voluntary act and deed of CAP Holdings, LLC, a Nebraska Limited Liability Company.

WITNESS MY HAND AND SEAL THIS 14<sup>TH</sup> DAY OF February, 2022.



  
Notary Public

My Commission Expires Oct 12, 2023

## APPROVAL AND ACCEPTANCE

The foregoing plat of **LOT 1 & 2, BLOCK 1, PLATTE RIVER SUBDIVISION**, A SUBDIVISION TO THE CITY OF SCOTTSBLUFF, NEBRASKA, SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., REFERRED TO AS TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43, CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, is hereby approved by the Mayor and City Council of the City of Scottsbluff, Scotts Bluff County, Nebraska, by resolution duly passed

this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Mayor: Jeanne McKerrigan

ATTEST: \_\_\_\_\_  
City Clerk

**LOT 1 AND 2, BLOCK 1,  
PLATTE RIVER SUBDIVISION**

A SUBDIVISION TO THE CITY OF SCOTTSBLUFF, NEBRASKA,  
SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF  
SECTION 26, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M.,  
REFERRED TO AS TAX LOTS 43A-1, 43A, AND PART OF TAX LOT 43,  
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA





## City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: February 28, 2022

For Hearing of: March 14, 2022



### I. GENERAL INFORMATION

- A. Applicant:** Chris Nelson (President of CAP Holdings, LLC.)  
3011 Avenue B, Suite B  
Scottsbluff, NE 69361
- B. Property**  
**Owner:** CAP Holdings, LLC.  
3011 Avenue B, Suite B  
Scottsbluff, NE 69361
- C. Proposal:** Request to plat (Preliminary and Final Plats) a Tract of land situated in a portion of the Northwest Quarter of Section 26, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M. into two lots
- D. Legal Description:** LT 3, LT 43A, LT 43A-1 25', E 300' LT 43, 26-22-55 UNPLATTED LANDS (.95) (to be replatted as Platte River Subdivision, Block 1, Lots 1 & 2)
- E. Location:** 514 Broadway
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial – former daycare
- G. Size of Site:** Approximately 40,753 sq. ft.

### 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	South Broadway	C3 Heavy Commercial	Storage Units
East	South Broadway	C3 Heavy Commercial	Safeway & State Building
South	South Broadway	C3 Heavy Commercial	Dance Academy
West	South Broadway	C3 Heavy Commercial	Commercial Building

#### B. Relevant Case History

1. This site is in the City of Scottsbluff Blighted and Substandard Area.

### III. ANALYSIS

#### A. Comprehensive Plan:

1. The Future Land Use Map of the Comprehensive Plan currently shows the site as South Broadway (Commercial).

**B. Traffic & Access:**

1. Current access the property is via Broadway. Both proposed lots will be accessed via Broadway.
2. A 20' access easement will be dedicated along the "flagpole" of Lot 2 and provide access to rear of Lot 1.

**C. Utilities:**

1. The current lot has access to water, stormwater, and sewer.
2. The proposed lots will need to have separate accesses to water and sewer.

**IV. STAFF COMMENTS**

- A. The applicant desires to sell the building while retaining the rear parking area.
- B. Lot 1 will be used for a daycare, which is a principal permitted use in the C-3 District.
- C. Lot 1 requires 11 parking stalls per 25-5-1 and provides 13 stalls.
- D. Lot 2 will serve as overflow parking for the State Building located at 505 S. Broadway.
- E. Lot 2 does not have required parking, but has space for 50 parking stalls at 45-degree angles.
- F. The State Building has approximately 96 stalls on-site and requires 86 parking per 25-5-1.
- G. The proposed plat results in a "flag lot," the current subdivision code does not define or address how to enforce these. Staff recommends researching this further to ensure optimal development of the City.
- H. Fire Department access to Lot 2 will be limited if a structure is to be built on the lot, and thus place limitations on development on Lot 2.

**V. FINDINGS OF FACT**

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

1. The Comprehensive Plan identifies the area as commercial and the lots will remain C-3.
2. There are no applicable setbacks or lot coverage requirements in the C-3 zoning district.
3. The 20' access easement will provide access to the off-street parking of Lot 1 and Lot 2.
4. The current usage of Lot 1 & 2 meets the off-street parking requirements and is a permitted use in the C-3 district.

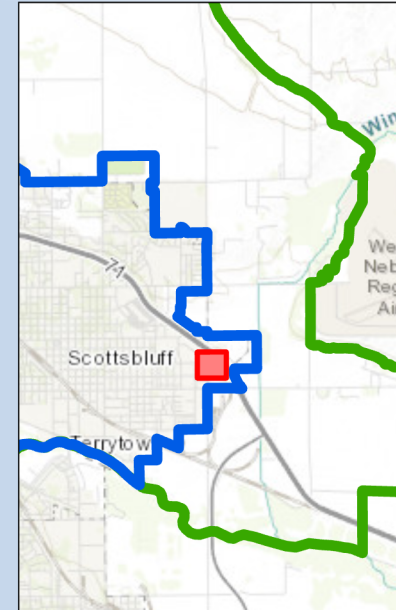
**B. Findings of Fact to Not Recommend Approval May Include:**

1. The proposed layout of Lot 2 will result in limitations on development due to accessibility requirements of the Fire Department.

**VI. STAFF RECOMMENDATION**

- A. Staff recommends the Planning Commission make a positive recommendation on approval of Preliminary and Final Plats of Platte River Subdivision with the 20' access easement dedication by City Council.

FINAL PLAT Platte River Sub BLK 1 LT 1 & 2



Proposed Changes

Street Centerlines

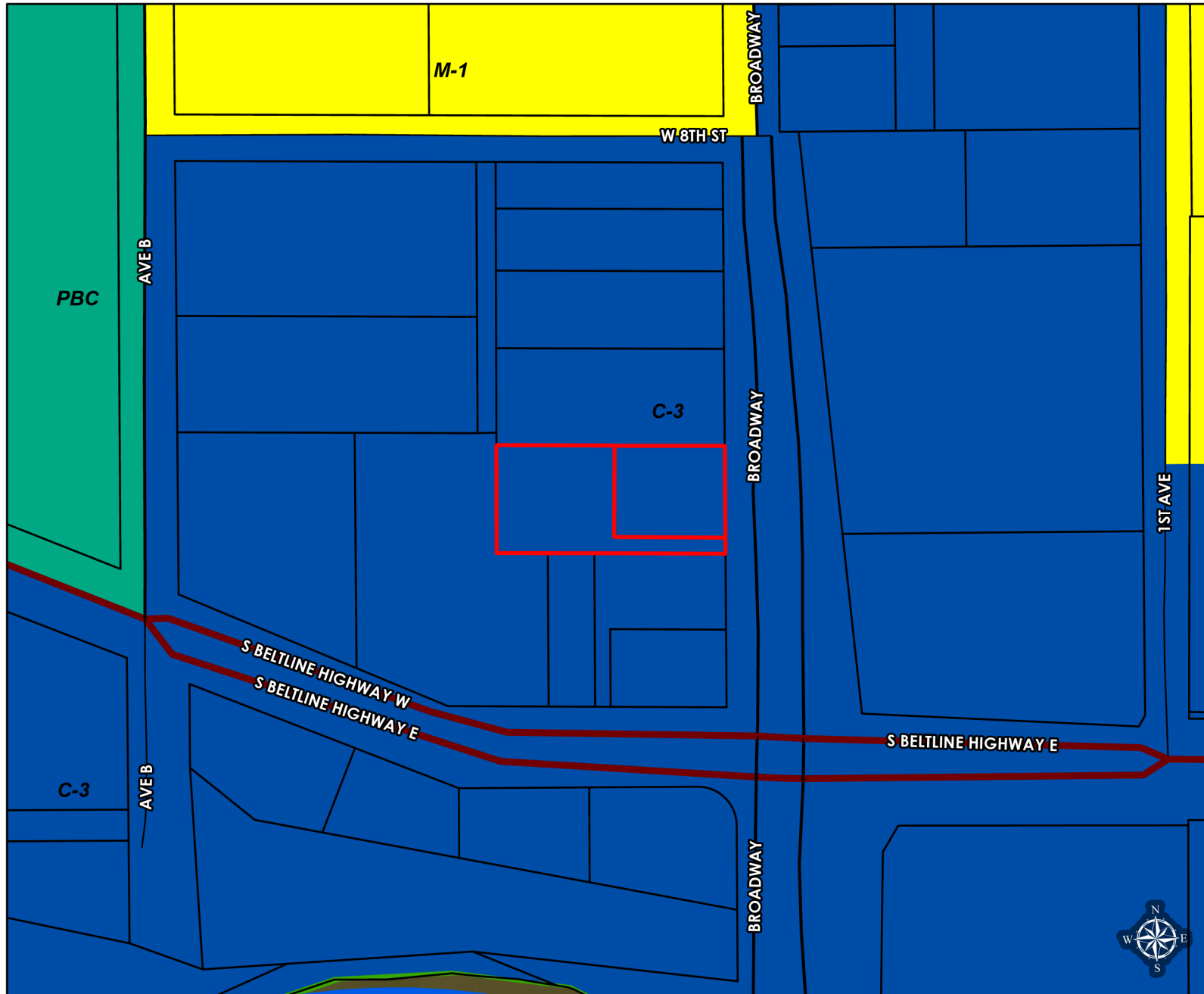
CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

FINAL PLAT Platte River Sub BLK 1 LT 1 & 2



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

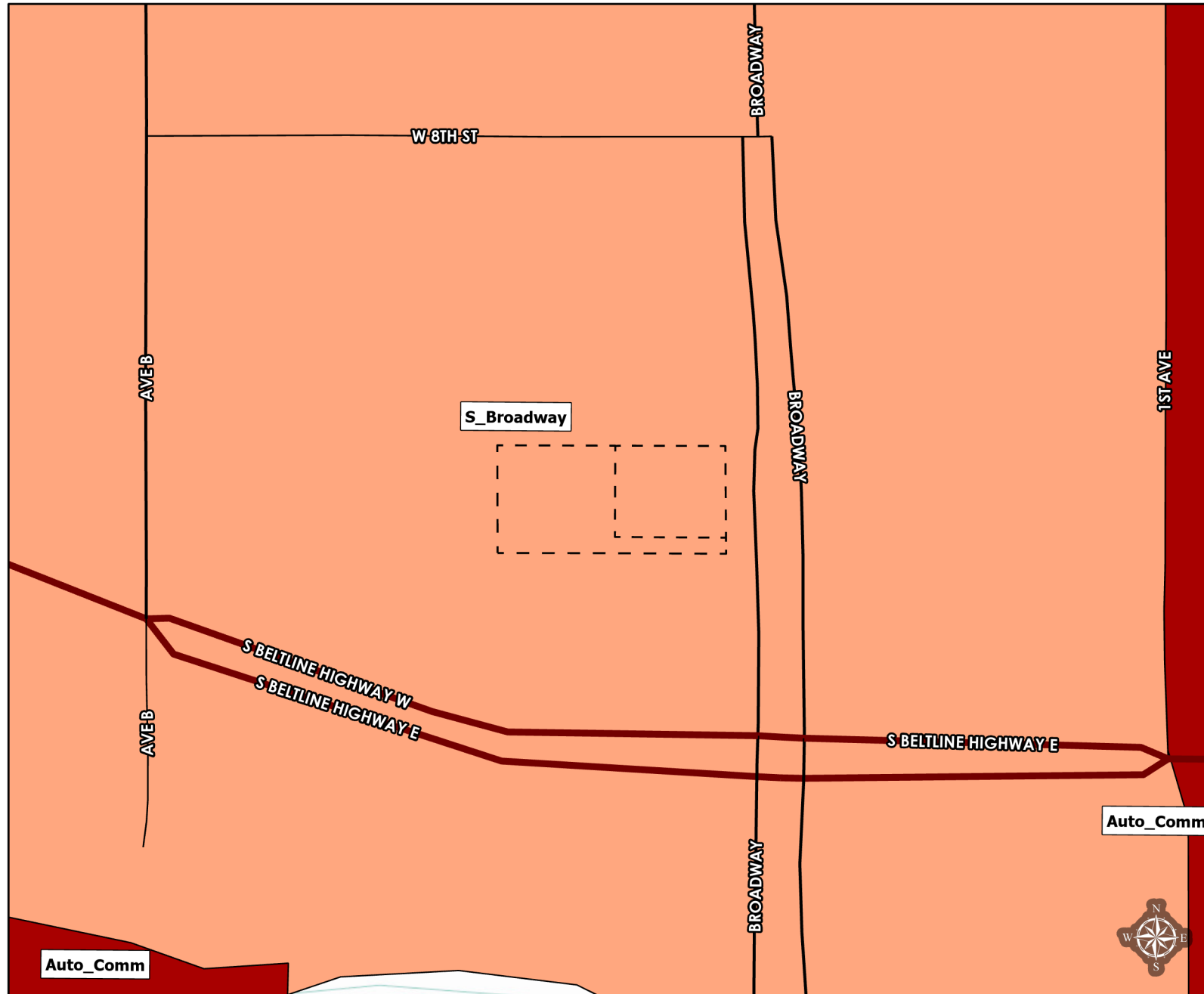
- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



FINAL PLAT Platte River Sub BLK 1 LT 1 & 2



Proposed Changes

## 2016 Comp. Plan Land Use

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

## Street Centerlines

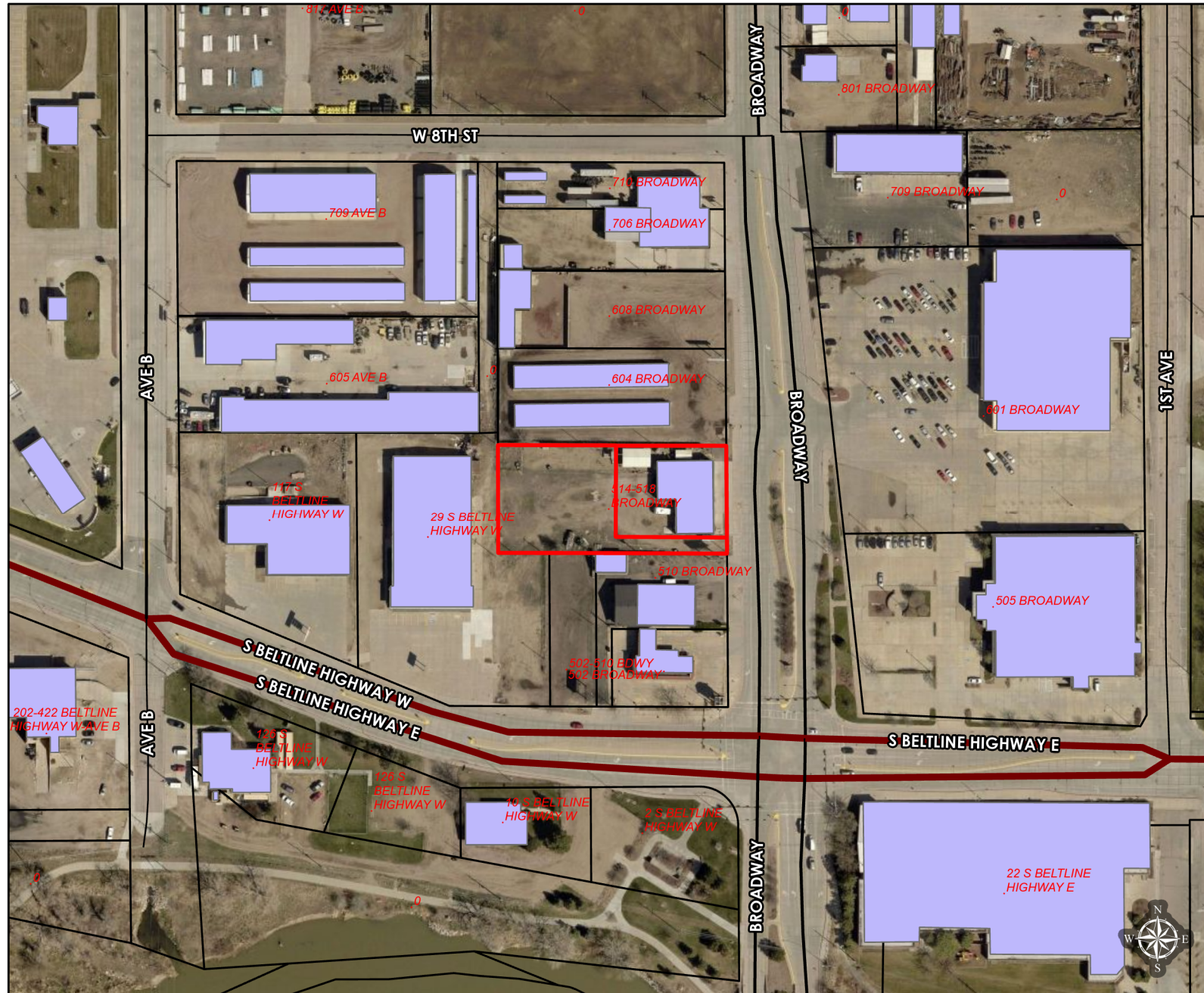
### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

FINAL PLAT Platte River Sub BLK 1 LT 1 & 2

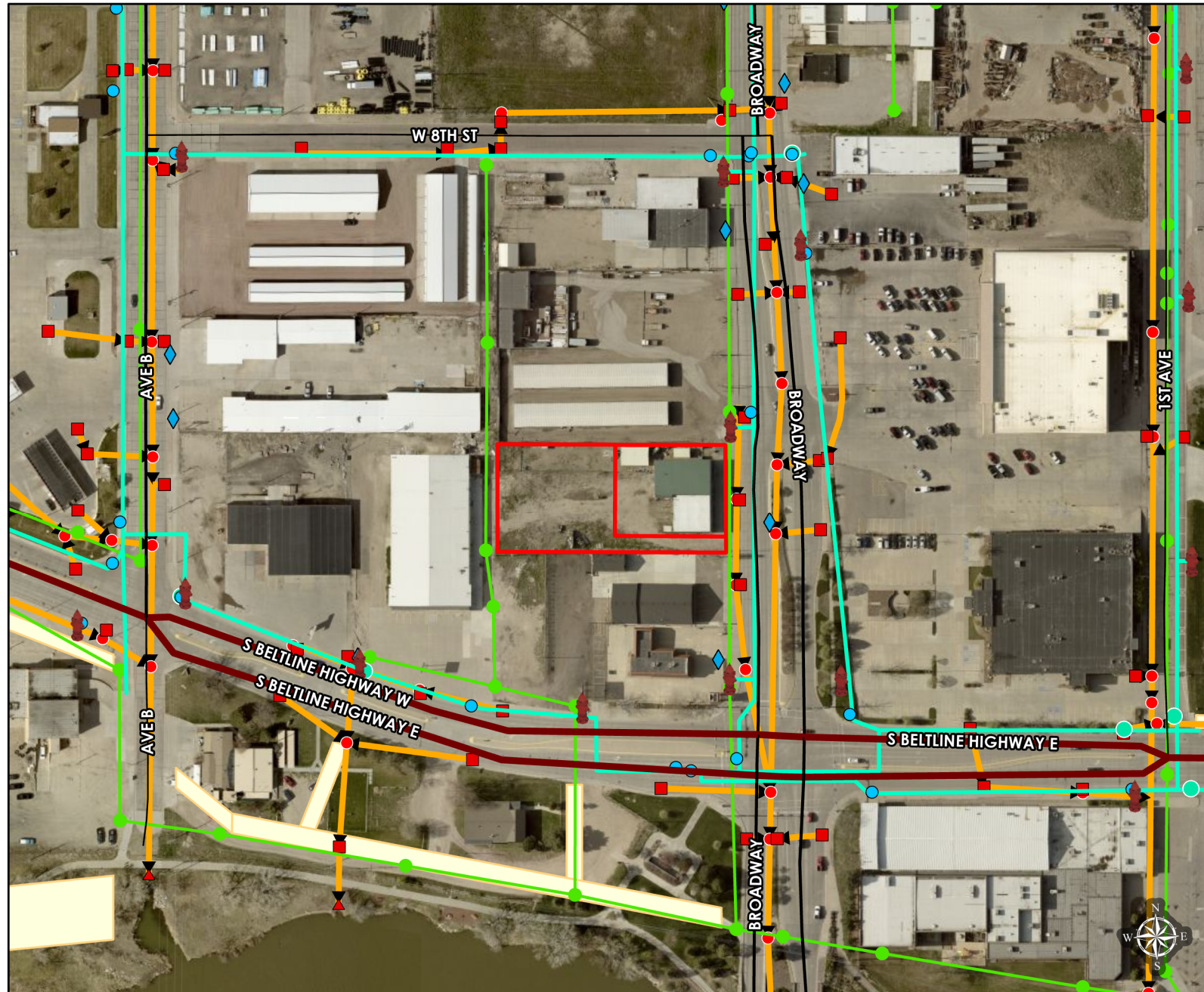


Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



FINAL PLAT Platte River Sub BLK 1 LT 1 & 2



- Proposed Changes
- Street Centerlines**
- CLASS**
- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Verified\_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- ▶ Stormwater Arc
- Easement

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**

## **Item New Bus3**

**Planning Commission to conduct a Public Hearing to consider a Preliminary Plat of Big Dog Meadows Subdivision, a tract of land situated in the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.**

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





## City of Scottsbluff, Nebraska

### Application for a Preliminary Plat Subdivision

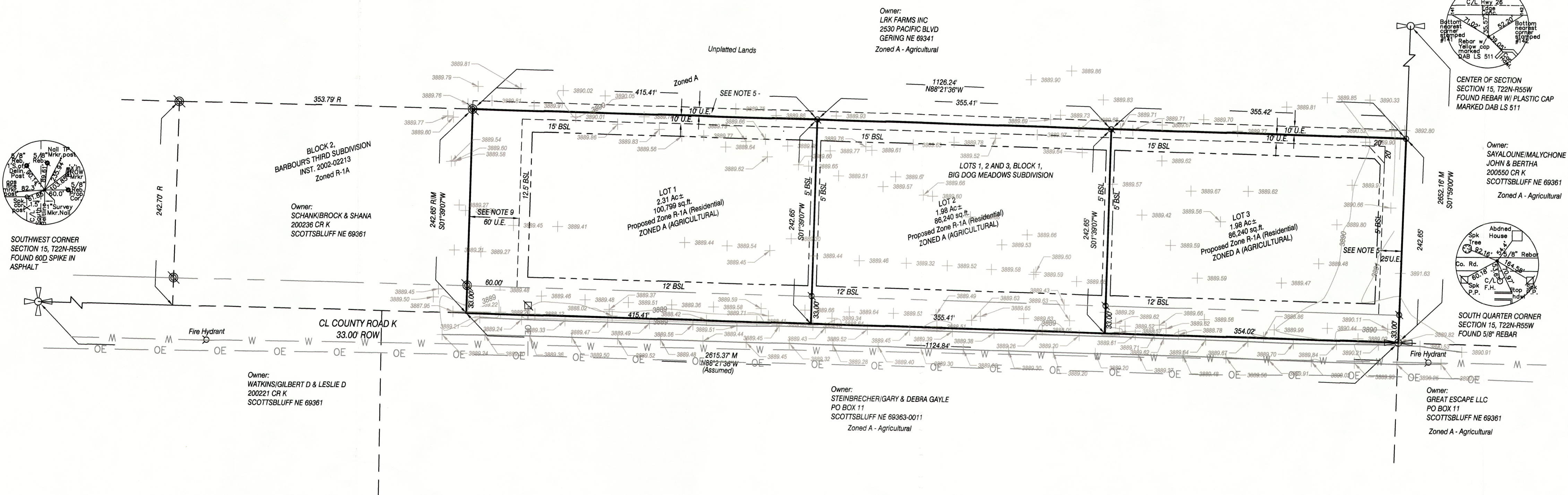
Date: February 18, 2022			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location): 200238-200548 CR K			Permit Number:	
Applicant's Name: LRK Farms, Inc.			Plat: Approved Denied	
Applicant's Address: 90880 CR 20			Date Issued:	
City: Scottsbluff	State: NE	Zip: 69361	Comp. Plan Land Use: Rural	Zone: Ag
Telephone: 308-631-5229	Mobile:	Email: bigdogfarms@gmail.com	Attached: Plot Plan	
Property Owner: LRK Farms, Inc.			Legal Description (in Word)	
Property Owner's Address: 90880 CR 20			\$100.00 filing fee	
City: Scottsbluff	State: NE	Zip: 69361	\$3.00 per property owner within 300-feet	
Telephone:	Mobile:	Email:	Receipt # _____	
Engineer or Surveyor: MC Schaff & Associates			Total Acreage: 6.26+- Acres	
Engineer or Surveyor Address: 818 S. Beltline Highway East			Proposed number of lots: 3	
City: Scottsbluff	State: NE	Zip: 69361	Present Use of Property: Ag	
Telephone: 308-635-1926	Mobile:	Email: dsullivan@mcschaff.com	Proposed Use of Property: R1-A	
Location of property: CR K just east of Block 2, Barbours Third Subd.			Present Zoning: A	
<b>Please provide the following:</b> Copy of Preliminary Plan (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 Proof of Ownership of Property (See 21-1-50, Title Insurance, Attorney's opinion, Certificate of registered abstracter)				
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: <i>Jay K. Schaff</i> Pres. LRK Farms, Inc.			Date: 2/17/22	
Remarks: (Insert here any information not covered above)				

Development Services Department

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243





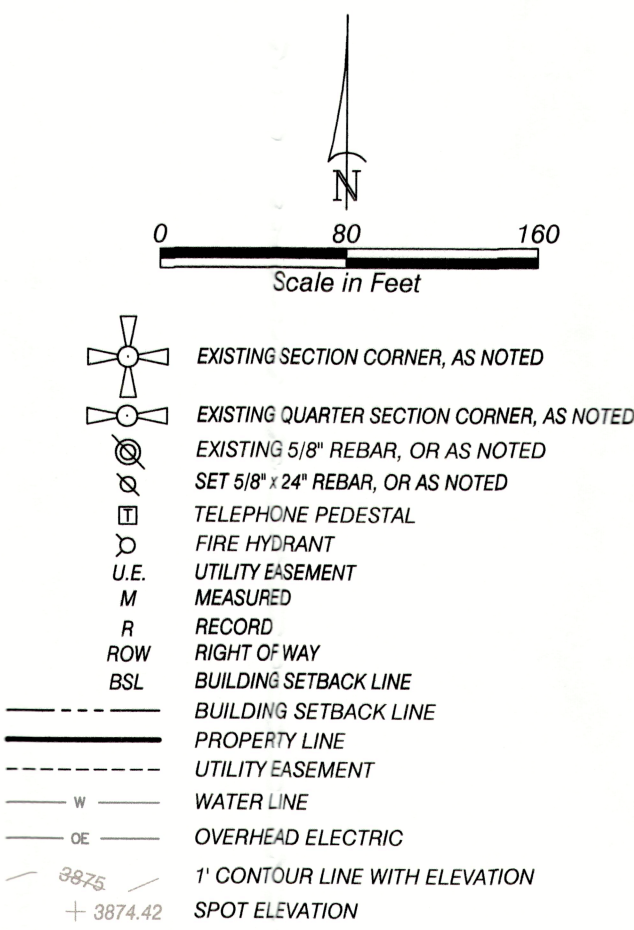
LEGAL DESCRIPTION

A Tract of land situated in the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the South Quarter Corner of Section 15, thence westerly on the south line of the Southwest Quarter of Section 15, on an assumed bearing of N88°21'36\"W, a distance of 1121.84 feet, to the point of intersection with the southeast corner of Block 2, Barbour's Third Subdivision as described in Instrument 2002-02213, thence northerly on said east line, bearing N01°39'07\"E, a distance of 242.65 feet, to the point of intersection with the northeast corner of said Block 2, Barbour's Third Subdivision, thence easterly, on a line parallel with the south line of the Southwest Quarter of Section 15, bearing S88°21'36\"E, a distance of 1126.24 feet, to the point of intersection with the east line of the southwest Quarter of Section 15, thence southerly on said east line, bearing S01°59'00\"W, a distance of 242.65 feet, to the Point of Beginning, said tract containing an area of 6.27 Acres, more or less.

GENERAL NOTES

- Underground utilities shown are based on locates from the Nebraska One Call System and information from city maps, and may or may not represent the true location of shown utility, or the presence of all buried existing utilities.
- Flood Plain Information: This property is located in Flood Plain Zone C, as shown on FIRM Map, Community Panel No. 310206-0005-C, effective date June 15, 1979.  
- Zone C refers to areas of minimal flooding.
- Zoning Information: This property is zoned R-1A (Single Family) in the City of Scottsbluff, Nebraska. The Building Setback requirements as per zoning designation is as follows:  
  
Front yard setback - Garage (20), House (12), Porch (7)  
Rear yard setback - House (15), Deck (10)  
Interior Side yard setback - (5)  
Side Street Setback - 12.5  
The maximum height of building allowed - 35 feet  
  
(source: Scottsbluff Municipal Code Section 25-3-3)
- Sanitary sewer septic system will be installed in Lots 1 - 3, Block 1 in accordance with City and State regulations, until city sewer becomes available.
- This utility easement will be dedicated as an alley if and when future platting and subdivision occurs on the north side.
- There is a City waterline along the south of County Road K.
- Surface Water Drainage - Currently the lots drain from north to south towards County Road K. Improvements may be needed as lots are developed.
- All easements, restrictions and other documents that may affect these platted lots, that are of record or not of record, may not be shown on this plat.
- This 60 foot wide utility easement will be dedicated as a City street if and when future development occurs to the north and abutting Block 2.

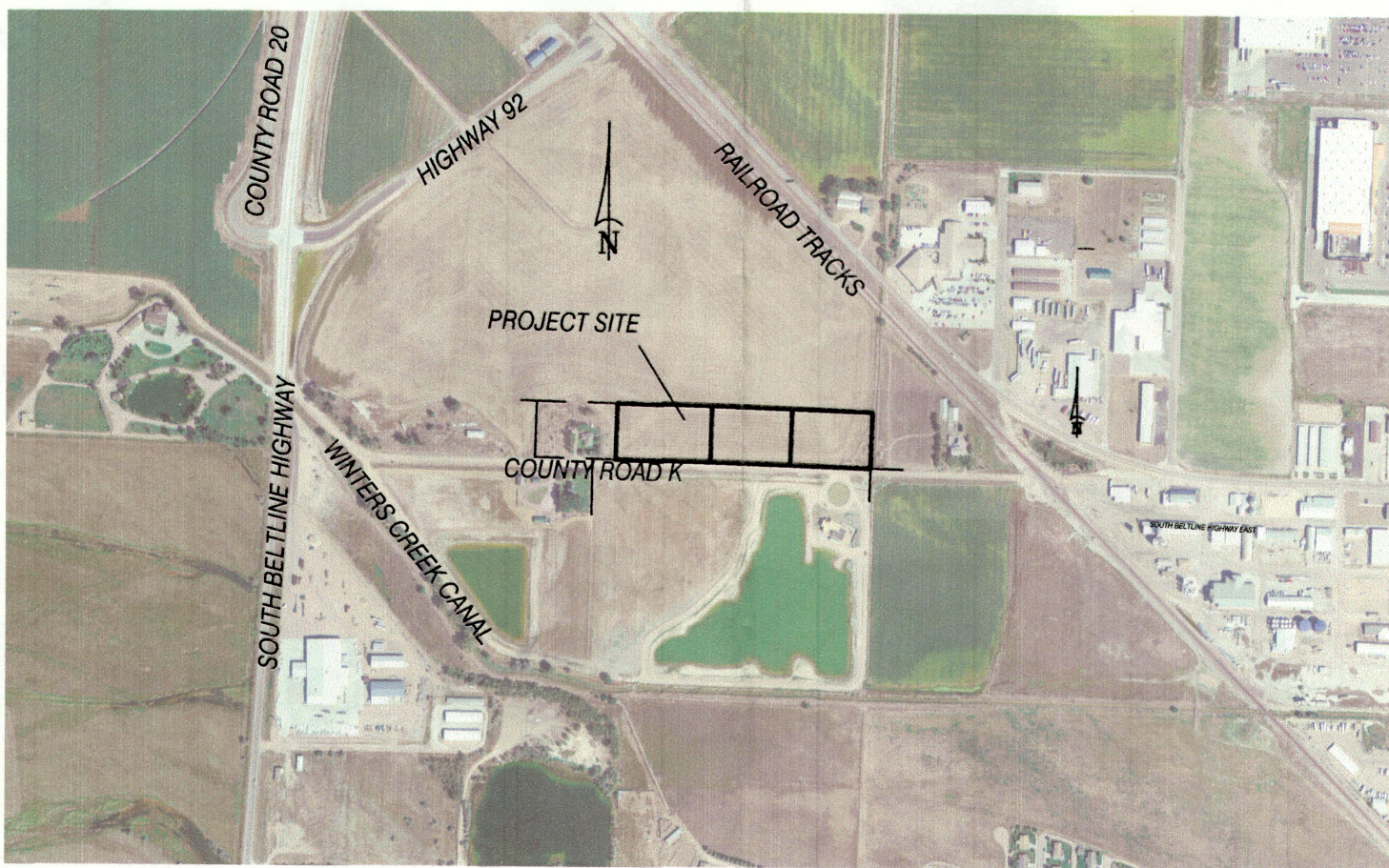


PROPOSED REZONE

LOTS 1, 2 AND 3, BLOCK 1, BIG DOG MEADOWS SUBDIVISION

SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

VICINITY MAP



PROJECT: PROPOSED SUBDIVISION  
LOTS 1-3, BLOCK 1,  
BIG DOG MEADOWS SUB.  
SCOTTSBLUFF, NEBRASKA

CLIENT: LRK FARMS, INC  
JEFF KILTHAU

PROJECT NUMBER:  
RM220022-00  
PROJECT DATE:  
JANUARY 27, 2022  
PROJECT MGR:  
DPS  
PROJECT TEAM:  
DS-TD

SEAL

DATE REVISION

SHEET 1 OF 1

P.1

M. C. SCHAFF & ASSOCIATES, INC.  
818 SOUTH BELTLINE HIGHWAY EAST  
SCOTTSBLUFF, NEBRASKA 69361  
ENGINEERS ♦ PLANNERS ♦ DESIGNERS ♦ LAND SURVEYORS  
PH: 308-635-1926 FAX: 308-635-7807 INTERNET: WWW.MCSCHAFF.COM



## City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 1, 2022 For Hearing of: March 14, 2022



### I. GENERAL INFORMATION

**A. Applicant:** LRK Farms, Inc.  
90880 CR 20  
Scottsbluff, NE 69361

**B. Property**  
**Owner:** Same as Applicant

**C. Proposal:** Preliminary Plat of Big Dog Meadows Subdivision

**D. Legal Description:** A Tract of Land situated in the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 55 west of the 6<sup>th</sup> P.M.

**E. Location:** Approximately 6.26 acres along the north side of HCR K west of the BNSF Tracks

**F. Existing Zoning & Land Use:** Ag – Agricultural

**G. Size of Site:** Approximately 6.26 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	A-Agricultural	Farm Ground
East	Residential	A-Agricultural	Single-Family Dwelling
South	Highway 26 Commercial	A-Agricultural	Single-Family Dwelling
West	Residential	R-1A Single Family Residential	Single-Family Dwelling

#### B. Relevant Case History

1. N.A.

### III. ANALYSIS

**A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Rural and Long-Term Development

#### B. Traffic & Access:

1. Access to the subdivision will be via CR K.

2. A street dedication is required as the subdivision would result in a block exceeding 1,320 feet.
  - i. A 60' utility easement along the western boundary of the subdivision will be dedicated as a street following development to the north.
  - ii. A contract for public improvements is being drafted which will permit the postponing of street construction until necessary.

**C. Utilities:**

1. A 24" water transmission line is located next to CR K. A loop would be necessary for the lots to be served by city water.
2. 25' utility easements are located on the west and east edges of the subdivision.
3. A 20' utility easement is located at the rear of all three lots.

**IV. STAFF COMMENTS**

- A. Per Nebraska R.S.S. 16-902, the Scotts Bluff County Planning Commission shall be given four weeks to officially comment on the location of the proposed street.
- B. The County Planning Commission received the preliminary plat on March 4, 2022.
- C. The applicant has submitted a final plat application and rezone request to change the zoning from Agricultural to R-1A Residential, which will be reviewed by P.C. at the April meeting.
- D. The minimum lot size of R-1A is 5,500 square feet.

**V. FINDINGS OF FACT**

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

1. The Comprehensive Plan identifies the area as rural and the proposed lots are around 2 acres each.
2. The proposed street satisfies 21-1-2 regarding block length.
3. Utility easements are placed in accordance with 21-1-25.
4. The proposed lots and use are consistent with the surrounding neighborhood.

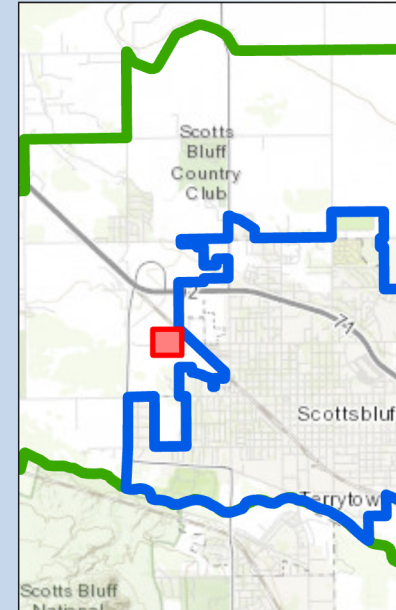
**B. Findings of Fact to Not Recommend Approval May Include:**

1. None

**VI. STAFF RECOMMENDATION**

- A. Staff recommends Planning Commission recommend the approval of the Preliminary Plat for Big Dog Meadows by the City Council on the condition that the Scotts Bluff County Planning Commission approves the location of public improvements as granted by R.S.S. 16-902.

Preliminary Plat Big Dog Meadows Sub, Blk 1, LT 1, 2, & 3



Proposed Changes

### Street Centerlines

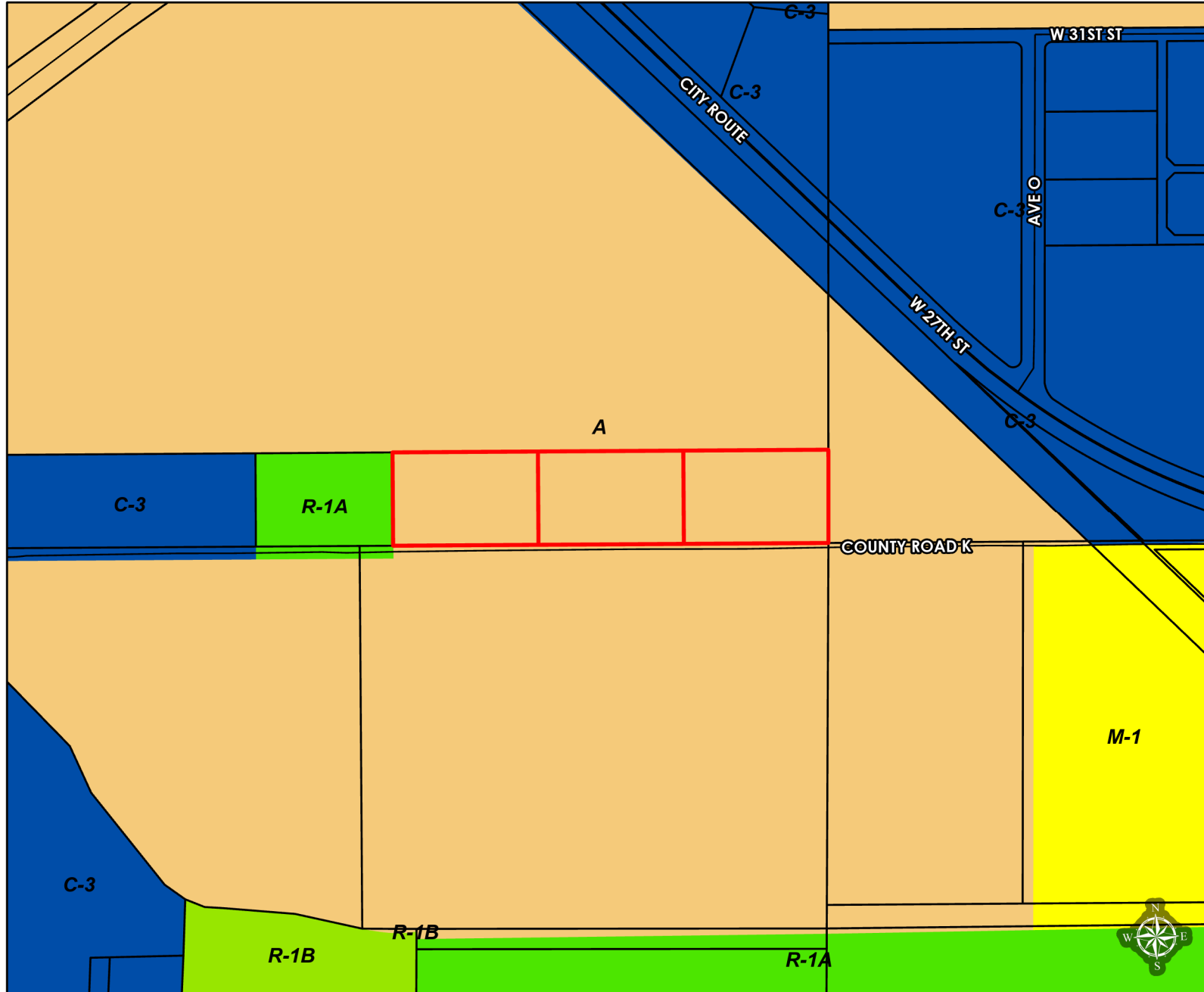
#### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

Preliminary Plat Big Dog Meadows Sub, Blk 1, LT 1, 2, & 3



- 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

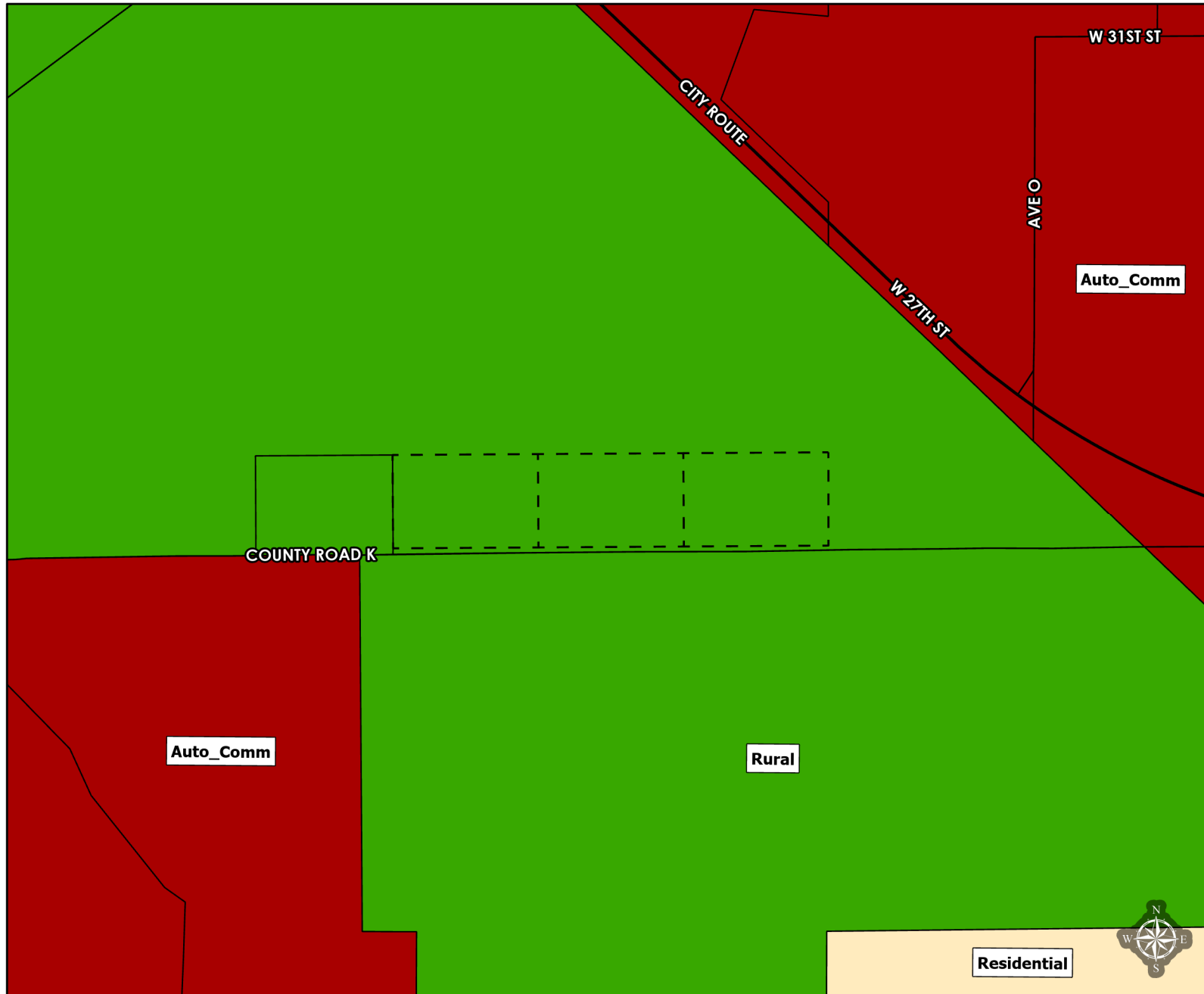
### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

Preliminary Plat Big Dog Meadows Sub, Blk 1, LT 1, 2, & 3



Proposed Changes

## 2016 Comp. Plan Land Use

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

## Street Centerlines

### CLASS

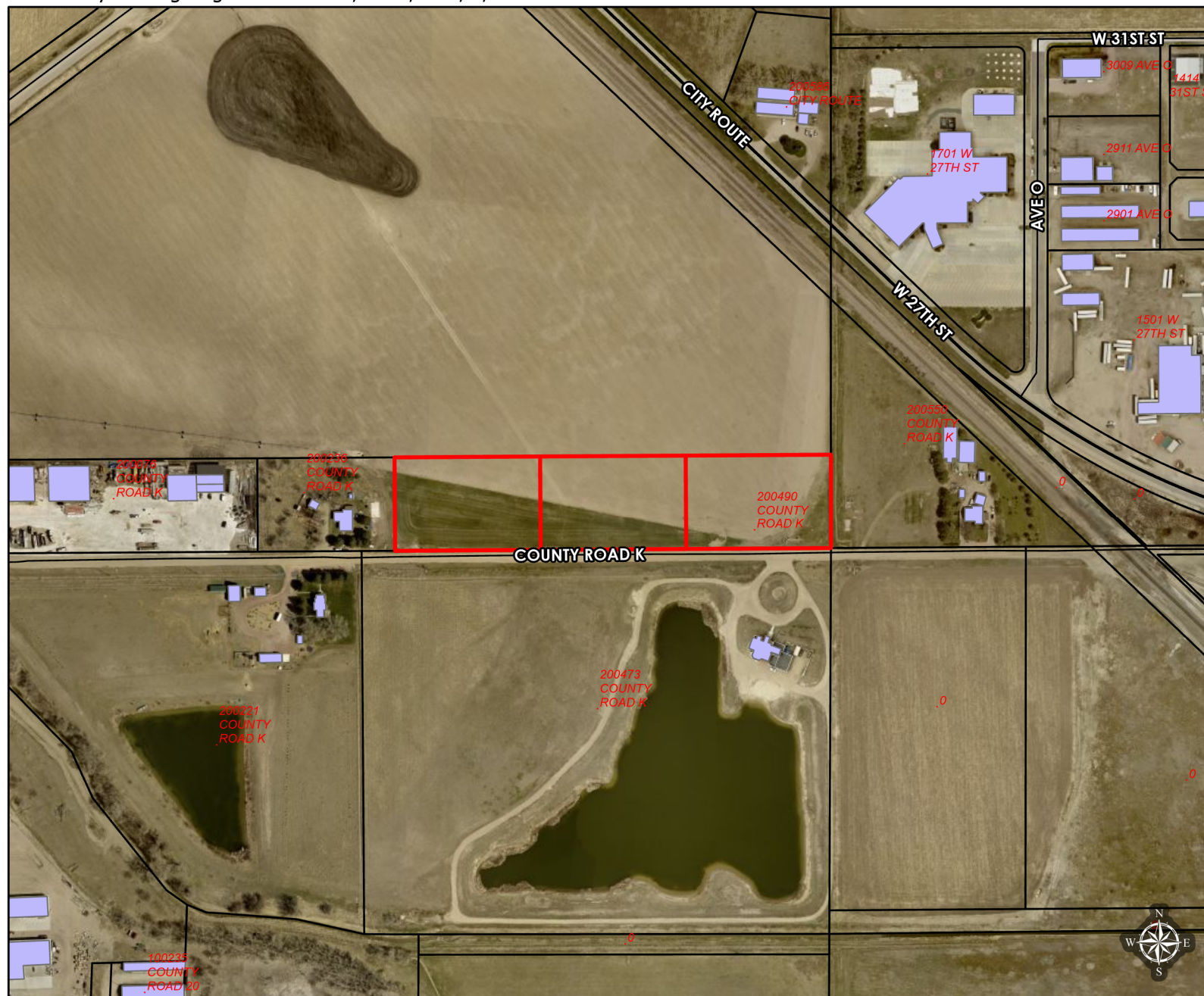
- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



Preliminary Plat Big Dog Meadows Sub, Blk 1, LT 1, 2, & 3



Proposed Changes

Building

Parcel Boundaries

Street Centerlines

CLASS

Highway

Main Road

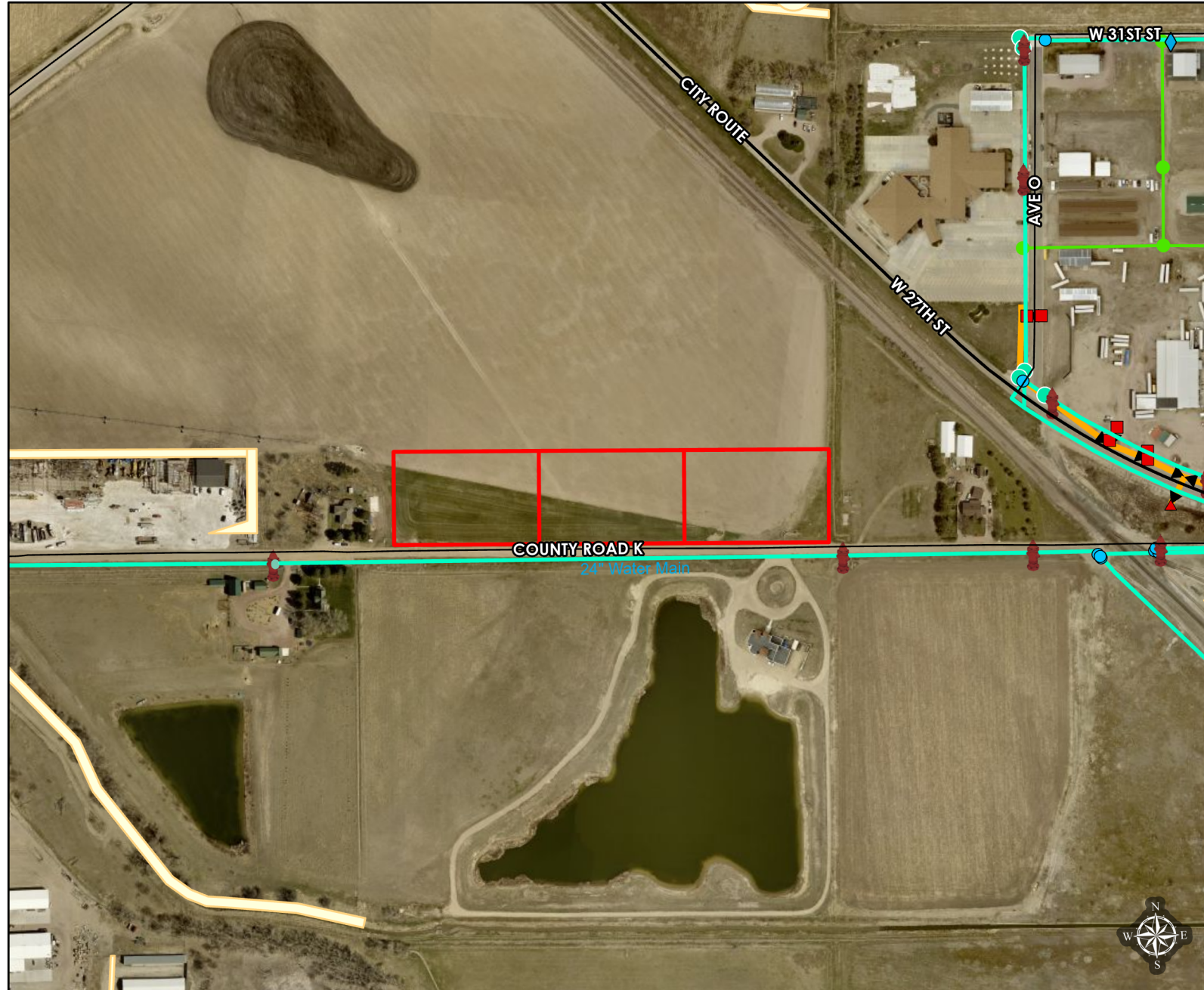
Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



Preliminary Plat Big Dog Meadows Sub, Blk 1, LT 1, 2, & 3



- Proposed Changes
- Street Centerlines**
- CLASS**
- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Verified\_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**

## **Item New Bus4**

**Planning Commission to conduct a public hearing to consider the creation of an AEDS situated on a tract of land in the Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.**

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

**CITY OF SCOTTSBLUFF**  
**Agricultural Estate Dwelling Site Application**  
**Agricultural – ET Zoning District**

On the \_\_18\_\_ day of \_February.\_, 2022, \_\_ LRK Farms, Inc \_\_\_\_\_ (being the record title owner of the real estate described in paragraphs 1 and 3 below), has caused to be made an application to the City of Scottsbluff, Scotts Bluff County for an exception to Agriculture (A-ET) District zoning, for an Agricultural Estate Dwelling Site subject to all provisions of Part 13 Ag. District, specifically 25-3-19. 1-13, of the Zoning Regulations, as follows:

1. **LEGAL DESCRIPTION OF TRACT TO BE SEPARATED:** (An accurate survey, properly identifying the tract to be set out, must accompany this application):

SEE ATTACHED

2. **SIZE (ACREAGE) IN ABOVE DESCRIBED TRACT TO BE SEPARATED:**

16+- Acres

3. **LEGAL DESCRIPTION OF BALANCE OF LAND WHICH IS TO BE RESERVED:**

See Attached

4. **SIZE (ACREAGE) IN ABOVE DESCRIBED TRACT TO BE RESERVED:**

104.21+- Acres

5. **INTENT** (Must have one or more of the following; each should be specifically described):
  - a. An existing farmstead site (describe previous use) \_\_Existing Farm Building with the intent to build a house on this parcel\_\_\_\_\_

- b. A conveyance to a farm-ranch owner's relative (set out the names of the relatives and relationship to the owner):

---

---

---

- c. A conveyance to a farm-ranch owner, to be used for dwelling purposes for that farm-ranch owner:     X

---

---

- d. Marginal usage land (describe completely as to the reason such land is "marginal use"):

---

---

---

6. **ACCESS TO PUBLIC ROAD** (Describe access: Must have a minimum width of 150 feet on an existing dedicated public road; or if an interior section type, there must be an access road of at least 25 feet in width. Also, access roads on the dedicated public road must be: 509.30' ON THE EAST LINE)

7. **PRELIMINARY PLAN REQUIREMENTS** (Following procedures in Scottsbluff Municipal Code Book of the City of Scottsbluff Subdivision Regulations, as required by the City of Scottsbluff Development Services Department):

---

---

---

8. **REQUIREMENT**: Before any action can be taken, applicant shall submit a receipt from the Scotts Bluff County Treasurer's Office showing that the current property taxes have been paid.
9. **NOTE**: Assuming that the City of Scottsbluff Planning Commission and City Council approve the referenced application for the creation of an Agricultural Estate Dwelling Site, then the applicant herein is required to have recorded for public record, at the direction of the City of Scottsbluff City Council, a "CERTIFICATE", which sets out the action taken by the Commission and Council (at the cost of the applicant). Furthermore, there shall be a clear understanding that as to the referenced legal description (paragraph 3, above), a request for an Agricultural Estate Dwelling Site shall be granted ONE TIME ONLY, so as to carry out the intent as expressed in Section 25-3-19.1 of the Scottsbluff Municipal Code



Zoning Regulations. Furthermore, in the event that the Agricultural Estate Dwelling Site is no longer actually used for the purpose in existence upon giving of such approval, then it is understood that the approval granted by the City Council shall be automatically revoked.

Owner Name: LRK FARMS INC.

Address: 90880 CR 20

City/State: SCOTTSBLUFF, NE 69361

Phone #'s: 308-631-5229

Email: bigdogfarms@gmail.com

Signature: LRK Farms Inc. By Jeff Kitchman Pres.

Ag-Estate Address: 90880 CR 20

City/State: SCOTTSBLUFF, NE 69361

City of Scottsbluff, Development Services

Zachary Glasius

RECEIVED: Date 3-2-2022 Receipt # 00273573

**CITY OF SCOTTSBLUFF - CITY COUNCIL**

The City of Scottsbluff Council, having received and reviewed the application of:

\_\_\_\_\_  
FOR AN EXCEPTION TO Agriculture (A) District Zoning for an Agricultural Estate Dwelling Site (Part 25-3-19.1-13 of the Scottsbluff Municipal Code Zoning Regulations) and having taken said application and request into consideration on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ and then having heard comments and testimony thereon do hereby:

Approve: \_\_\_\_\_

Disapprove: \_\_\_\_\_

the request as stated.

COMMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

CITY OF SCOTTSBLUFF  
CITY COUNCIL

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**CITY OF SCOTTSBLUFF - PLANNING COMMISSION**

### Legal Description

A Tract of land situated in the Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Commencing at the Southeast Corner of Section 16, thence westerly on the south line of Section 16, on an assumed bearing of N88°02'06"W, a distance of 60.00 feet, to the point of intersection with the west right of way line of Highway 92, thence northerly on said right of way line, bearing N01°55'07"E, a distance of 306.04 feet, thence bearing N44°17'47"W, a distance of 27.88 feet, to the Point of Beginning, thence northerly on the west right of way line of Highway 92 as described in Instrument 2009-3180, bearing N00°53'30"E, a distance of 509.14 feet, thence westerly on said right of way line, bearing N75°21'14"W, a distance of 100.04 feet, thence bearing N89°09'21"W, a distance of 2074.09 feet, to the point of intersection with the centerline of Winters Creek Canal, as surveyed, and the point of intersection with a non-tangent curve to the right, said curve having a central angle of 12°56'19", a radius of 983.60, a chord bearing of S51°53'18"E, and a chord length of 221.64 feet, thence southeasterly on the arc of said curve and surveyed centerline, a distance of 222.11 feet, thence bearing S41°38'21"E, on said centerline, a distance of 150.48 feet, thence bearing S38°09'09"E, on said centerline, a distance of 204.05 feet, to the point of intersection with a tangent curve to the left, said curve having a central angle of 71°09'39", a radius of 124.03 feet, a chord bearing of S73°43'58"E and a chord length of 144.33 feet, thence easterly on the arc of said curve and said centerline, a distance of 154.04 feet, thence bearing N70°41'12"E, on said centerline, a distance of 113.81 feet, thence bearing N76°00'01"E, on said centerline, a distance of 201.65 feet, to the point of intersection with a tangent curve to the right, said curve having a central angle of 22°41'26", a radius of 767.89 feet, a chord bearing of N87°20'44"E, and a chord length of 302.12 feet, thence southeasterly on the arc of said curve and surveyed centerline, a distance of 304.10 feet, thence bearing S81°18'33"E, on said centerline, a distance of 150.15 feet, thence bearing N87°07'39"E, on said centerline, a distance of 54.86 feet, thence bearing N78°45'43"E, on said centerline, a distance of 187.93 feet, thence bearing N67°44'35"E, on said centerline, a distance of 35.82 feet, thence bearing N45°07'36"E, on said centerline, a distance of 63.67 feet, thence bearing N49°23'38"E, on said centerline, a distance of 61.70 feet, to the point of intersection with a tangent curve to the right, said curve having a central angle of 93°02'24", a radius of 72.07 feet, a chord bearing of S84°05'10"E, and a chord length of 104.59 feet, thence southeasterly on the arc of said curve and surveyed centerline, a distance of 117.03 feet, thence bearing S37°33'59"E, on said centerline, a distance of 69.39 feet, thence bearing S28°06'19"E, on said centerline, a distance of 61.22 feet, thence bearing S43°52'46"E, on said centerline, a distance of 45.01 feet, thence bearing S69°40'57"E, on said centerline, a distance of 96.83 feet, thence bearing S56°41'40"E, on said centerline, a distance of 194.82 feet, thence bearing S50°47'22"E, on said centerline, a distance of 59.67 feet, Point of Beginning, containing 16.00 Acres, more or less.

### LEGAL DESCRIPTION

A Tract of land situated in the Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Commencing at the Southeast Corner of Section 16, thence westerly on the south line of Section 16, on an assumed bearing of N88°02'06"W, a distance of 60.00 feet, to the point of intersection with the west right of way line of Highway 71 as described in Instrument 2009-3180, thence northerly on said right of way line, bearing N01°55'07"E, a distance of 306.04 feet, thence bearing N44°17'47"W, on said right of way line, a distance of 27.88 feet, thence northerly on said right of way line, bearing N00°53'30"E, a distance of 509.14 feet, thence westerly on said right of way line, bearing N75°21'14"W, a distance of 100.04 feet, to the Point of Beginning, thence northerly on a non-tangent curve to the right, said curve having a radius of 170.00 feet, a central angle of 98°22'52", a chord bearing of N21°55'25"W, and a chord length of 257.34, thence northerly on the arc of said curve and said west highway right of way line, a distance of 291.90 feet, thence northerly on said right of way line, bearing N33°42'34"E, a distance of 172.81 feet, thence northerly on said right of way line, bearing N13°15'19"E, a distance of 276.58 feet, thence northerly on said right of way line, bearing N08°18'05"E, a distance of 313.76 feet, thence northerly on said right of way line, bearing N07°41'47"E, a distance of 502.32 feet, to the point of intersection with the west 60 foot highway right of way line, thence northerly on said west line, bearing N01°55'07"E, a distance of 327.29 feet, to the point of intersection with the north line of the southeast Quarter of Section 16, thence westerly on said north line, bearing N88°04'35"W, a distance of 2598.90 feet, to the center of Section 16, thence southerly on the west line of the southeast quarter of section 16, bearing S02°05'14"W, a distance of 1694.89 feet, to the point of intersection with the centerline of Winters Creek Canal, as surveyed, thence southeasterly on said centerline, bearing S79°53'43"E, a distance of 114.40 feet, thence southeasterly on said centerline, bearing S75°42'37"E, a distance of 102.19 feet, thence southeasterly on said centerline, bearing S63°46'40"E, a distance of 110.19 feet, thence southeasterly on said centerline, bearing S57°32'12"E, a distance of 104.31 feet, thence bearing S89°09'21"E, a distance of 2074.09 feet, to the Point of Beginning, said Tract containing an area of 104.21 Acres, more or less.



SURVEYOR'S CERTIFICATE

I, Dennis P. Sullivan, a Nebraska Registered Land Surveyor, hereby certify I, or under my direct supervision, have surveyed a Tract of land situated in the Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

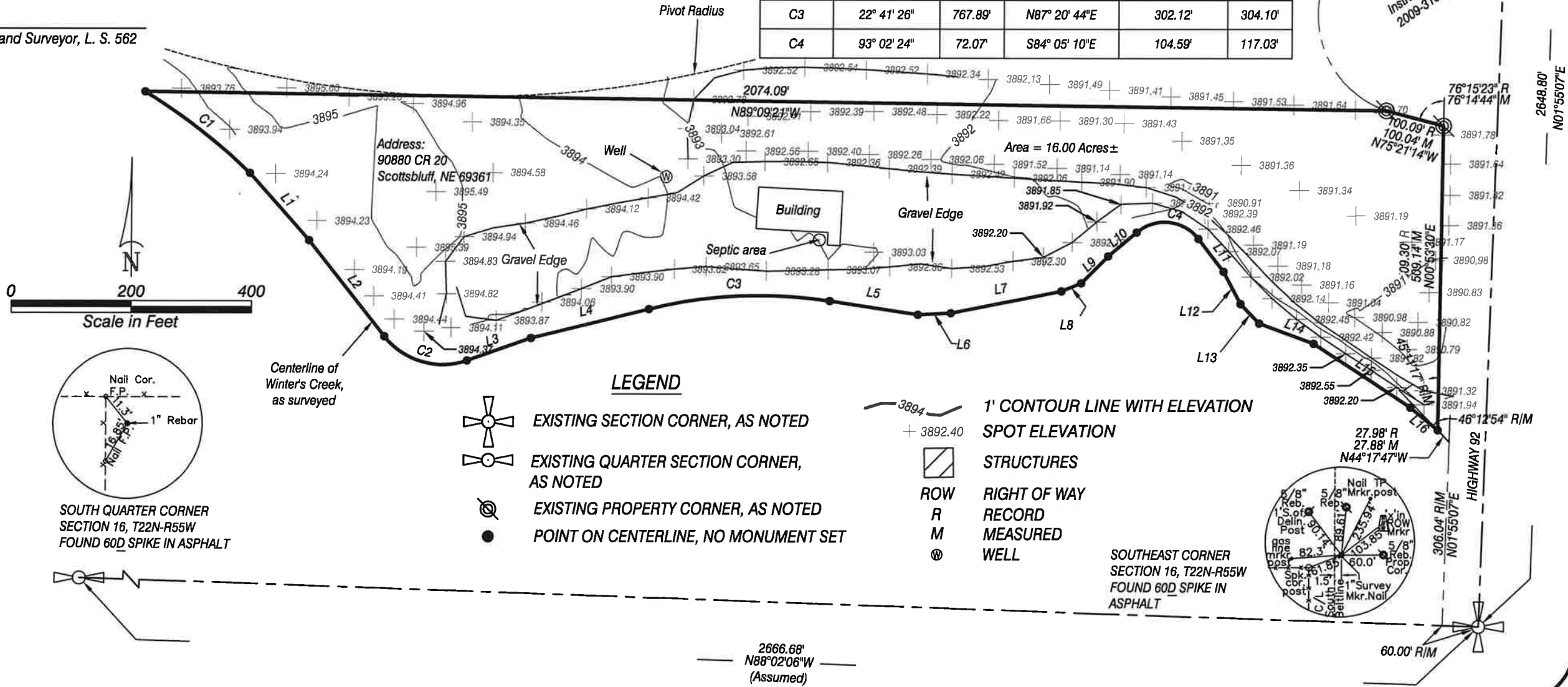
Commencing at the Southeast Corner of Section 16, thence westerly on the south line of Section 16, on an assumed bearing of N88°02'06"W, a distance of 60.00 feet, to the point of intersection with the west right of way line of Highway 92, thence northerly on said right of way line, bearing N01°55'07"E, a distance of 306.04 feet, thence bearing N44°17'47"W, a distance of 27.88 feet, to the Point of Beginning, thence northerly on the west right of way line of Highway 92 as described in Instrument 2009-3180, bearing N00°53'30"E, a distance of 509.14 feet, thence westerly on said right of way line, bearing N75°21'14"W, a distance of 100.04 feet, thence bearing N89°09'21"W, a distance of 2074.09 feet, to the point of intersection with the centerline of Winters Creek, as surveyed, and the point of intersection with a non-tangent curve to the right, said curve having a central angle of 12°56'19", a radius of 983.60, a chord bearing of S51°53'18"E, and a chord length of 221.64 feet, thence southeasterly on the arc of said curve and surveyed centerline, a distance of 222.11 feet, thence bearing S41°38'21"E, on said centerline, a distance of 150.48 feet, thence bearing S38°09'09"E, on said centerline, a distance of 204.05 feet, to the point of intersection with a tangent curve to the left, said curve having a central angle of 71°09'39", a radius of 124.03 feet, a chord bearing of S73°43'58"E and a chord length of 144.33 feet, thence easterly on the arc of said curve and said centerline, a distance of 154.04 feet, thence bearing N70°41'12"E, on said centerline, a distance of 113.81 feet, thence bearing N76°00'01"E, on said centerline, a distance of 201.65 feet, to the point of intersection with a tangent curve to the right, said curve having a central angle of 22°41'26", a radius of 767.89 feet, a chord bearing of N87°20'44"E, and a chord length of 302.12 feet, thence southeasterly on the arc of said curve and surveyed centerline, a distance of 304.10 feet, thence bearing S81°18'33"E, on said centerline, a distance of 150.15 feet, thence bearing N87°07'39"E, on said centerline, a distance of 54.86 feet, thence bearing N78°45'43"E, on said centerline, a distance of 187.93 feet, thence bearing N67°44'35"E, on said centerline, a distance of 35.82 feet, thence bearing N45°07'36"E, on said centerline, a distance of 63.67 feet, thence bearing N49°23'38"E, on said centerline, a distance of 61.70 feet, to the point of intersection with a tangent curve to the right, said curve having a central angle of 93°02'24", a radius of 72.07 feet, a chord bearing of S84°05'10"E, and a chord length of 104.59 feet, thence southeasterly on the arc of said curve and surveyed centerline, a distance of 117.03 feet, thence bearing S37°33'59"E, on said centerline, a distance of 69.39 feet, thence bearing S28°06'19"E, on said centerline, a distance of 61.22 feet, thence bearing S43°52'46"E, on said centerline, a distance of 45.01 feet, thence bearing S69°40'57"E, on said centerline, a distance of 96.83 feet, thence bearing S56°41'40"E, on said centerline, a distance of 194.82 feet, thence bearing S50°47'22"E, on said centerline, a distance of 59.67 feet, Point of Beginning, containing 16.00 Acres, more or less.

That the accompanying plat is a true delineation of said survey drawn to a scale of 200 feet to the inch.  
That all dimensions are in feet and decimals. That all corners found or set are marked as shown.

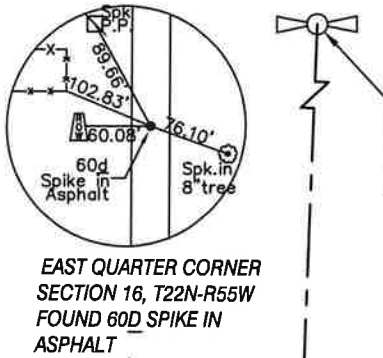
WITNESS MY HAND AND SEAL this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

Dennis P. Sullivan, Nebraska Registered Land Surveyor, L. S. 562

Line Table		
Line #	Bearing	Length
L1	S41° 38' 21"E	150.48'
L2	S38° 09' 09"E	204.05'
L3	N70° 41' 12"E	113.81'
L4	N76° 00' 01"E	201.65'
L5	S81° 18' 33"E	150.15'
L6	N87° 07' 39"E	54.86'
L7	N78° 45' 43"E	187.93'
L8	N67° 44' 35"E	35.82'
L9	N45° 07' 36"E	63.67'
L10	N49° 23' 38"E	61.70'
L11	S37° 33' 59"E	69.39'
L12	S28° 06' 19"E	61.22'
L13	S43° 52' 46"E	45.01'
L14	S69° 40' 57"E	96.83'
L15	S56° 41' 40"E	194.82'
L16	S50° 47' 22"E	59.67'



TRACT IN SE1/4 OF  
SECTION 16, T22N-R55W  
SCOTTS BLUFF COUNTY, NEBRASKA  
JOB# RM220022-00



## City of Scottsbluff Planning Commission

### Development Services Staff Report – Zachary Glaubius

Prepared on: February 28, 2022 For Hearing of: March 14, 2022



#### I. GENERAL INFORMATION

- A. Applicant:** LRK Farms  
90880 CR 20  
Scottsbluff, NE 69361
- B. Property**  
**Owner:** Same as Applicant
- C. Proposal:** Request for Creation of an Agricultural Estate Dwelling Site at 90880 CR 20
- D. Legal Description:** A tract of land situated in Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6<sup>th</sup> PM, Scotts Bluff County
- E. Location:** 90880 CR 20
- F. Existing Zoning & Land Use:** A-Agricultural
- G. Size of Site:** AEDS: Approximately 16 Acres  
Agricultural/Vacant Land to be Reserved: Approximately 104.21 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	Rural	A -Agricultural	Farm Ground
East	Rural	A -Agricultural	Farm Ground
South	Rural	A -Agricultural	Acreage
West	Rural	A -Agricultural	Farm Ground

**B. Relevant Case History**

1. N/A

#### III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Rural and Long-Term Development.
- B. Traffic & Access:**
1. Current access to site is from frontage to CR 20 also known as Highway 92.

2. The proposed AEDS will have a width of 509 feet along County Road 20. The minimum required under 25-3-19 is 150 feet.

**C. Utilities:**

1. The AEDS is located in the extra-territorial jurisdiction and is not served by city utilities.

**IV. STAFF COMMENTS**

- A. The applicant's intent is to build a dwelling on this AEDS.

**V. FINDINGS OF FACT**

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

1. The agricultural use and AEDS designation are consistent with the Comprehensive Plan Future Land Use Map.
2. The AEDS designation will not create any nonconforming yards or structures.
3. The reserved area meets the required 80 acre minimum.

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

1. None

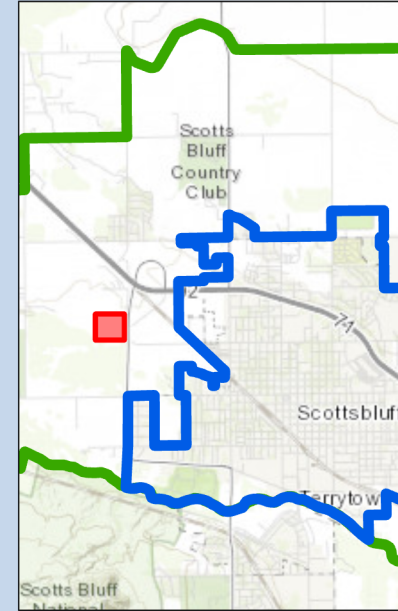
**VI. STAFF RECCOMENDATION**

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve the Agricultural Estate Dwelling designation of a tract situated in the Southeast Quarter of Section 16, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M.

**VII. PUBLIC NOTIFICATION**

- A. Notification letters were mailed to property owners within 300 feet of the proposed AEDS. Ten (3) letters were mailed in total. One sign was posted on the property more than 10 days before the date of the meeting indicated the date, time, and place of the public hearing.

AEDS Request at 90880 CR 20



Proposed Changes

### Street Centerlines

#### CLASS

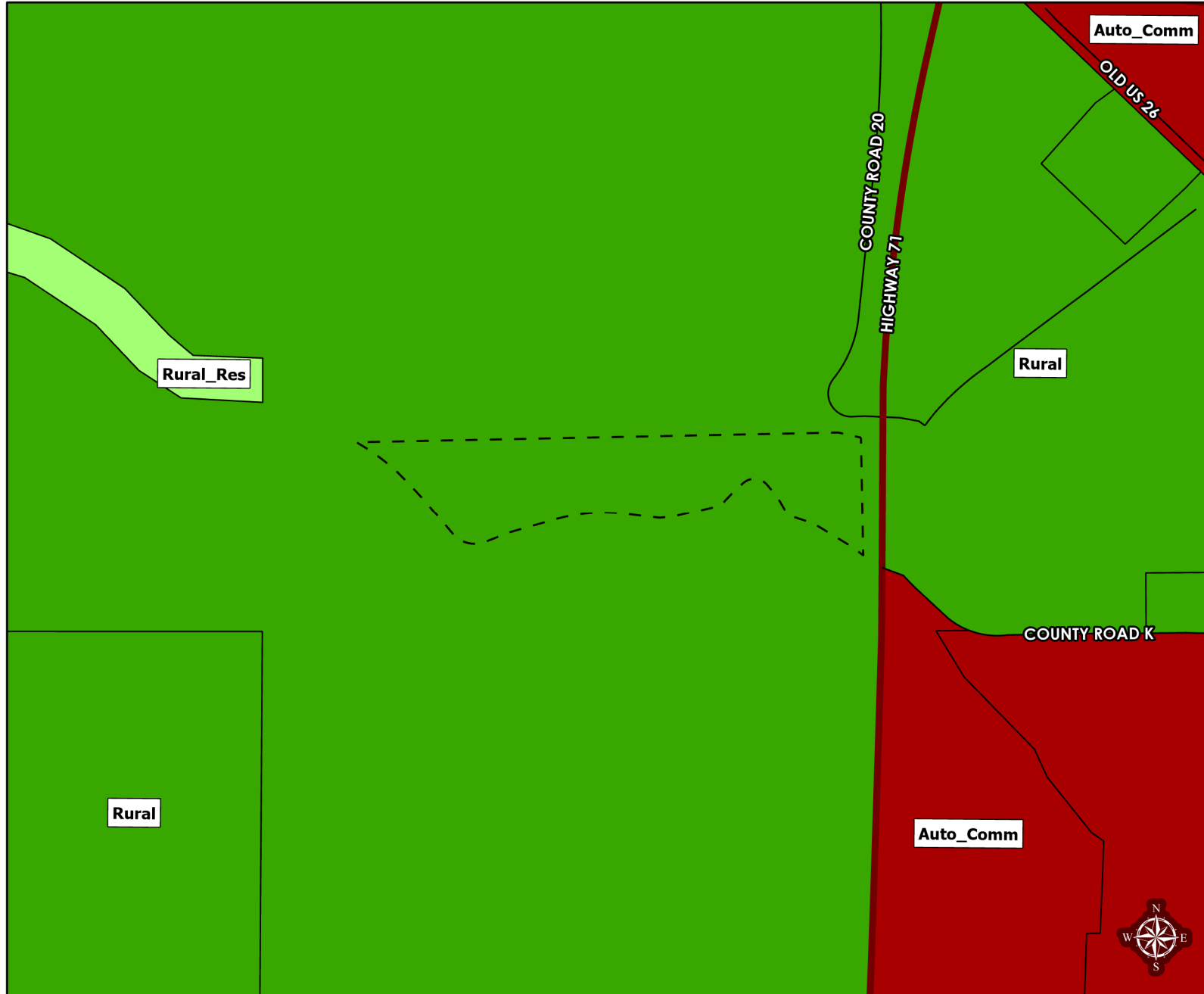
- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



AEDS Request at 90880 CR 20



Proposed Changes

## 2016 Comp. Plan Land Use

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

## Street Centerlines

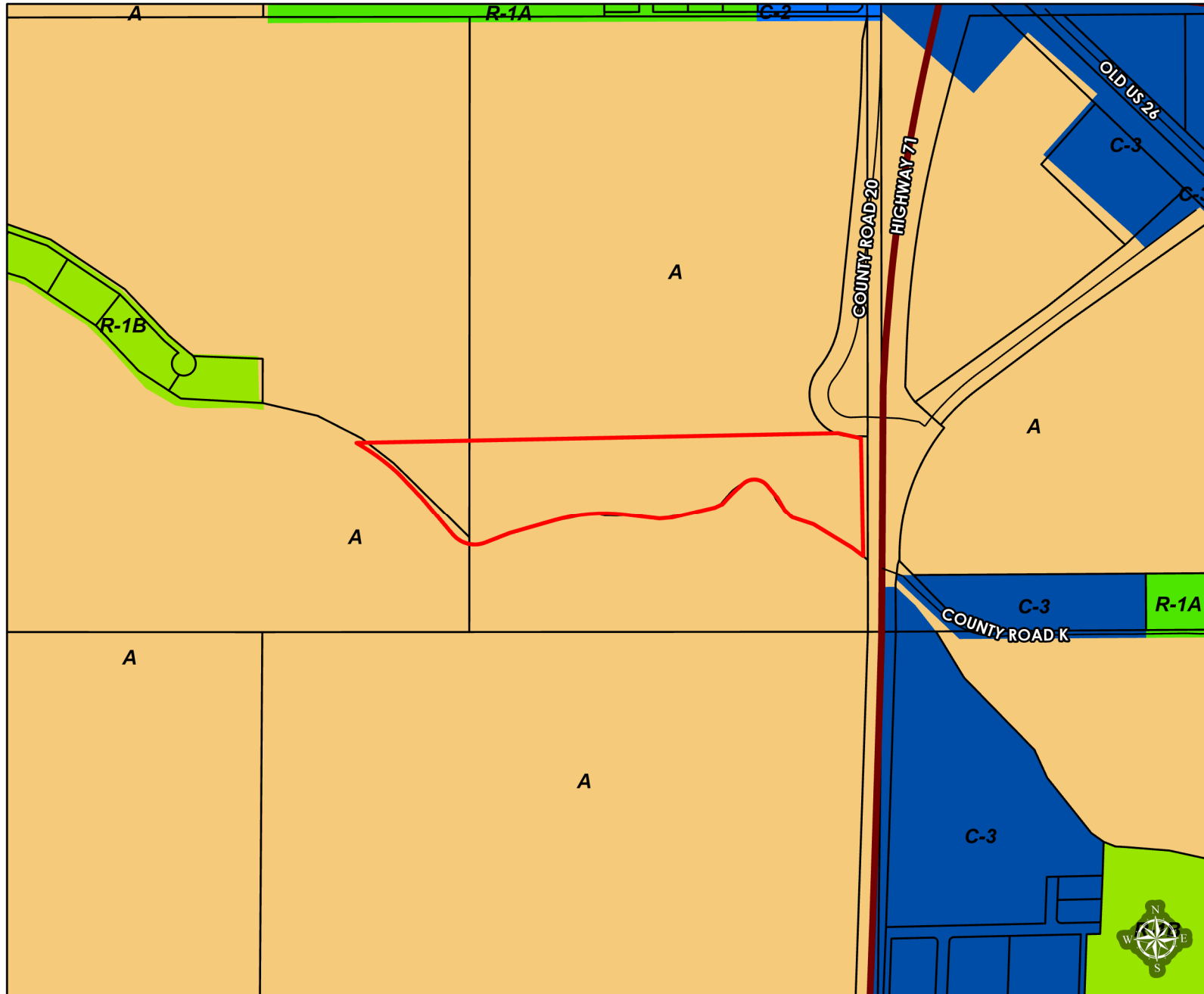
### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

AEDS Request at 90880 CR 20



- 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

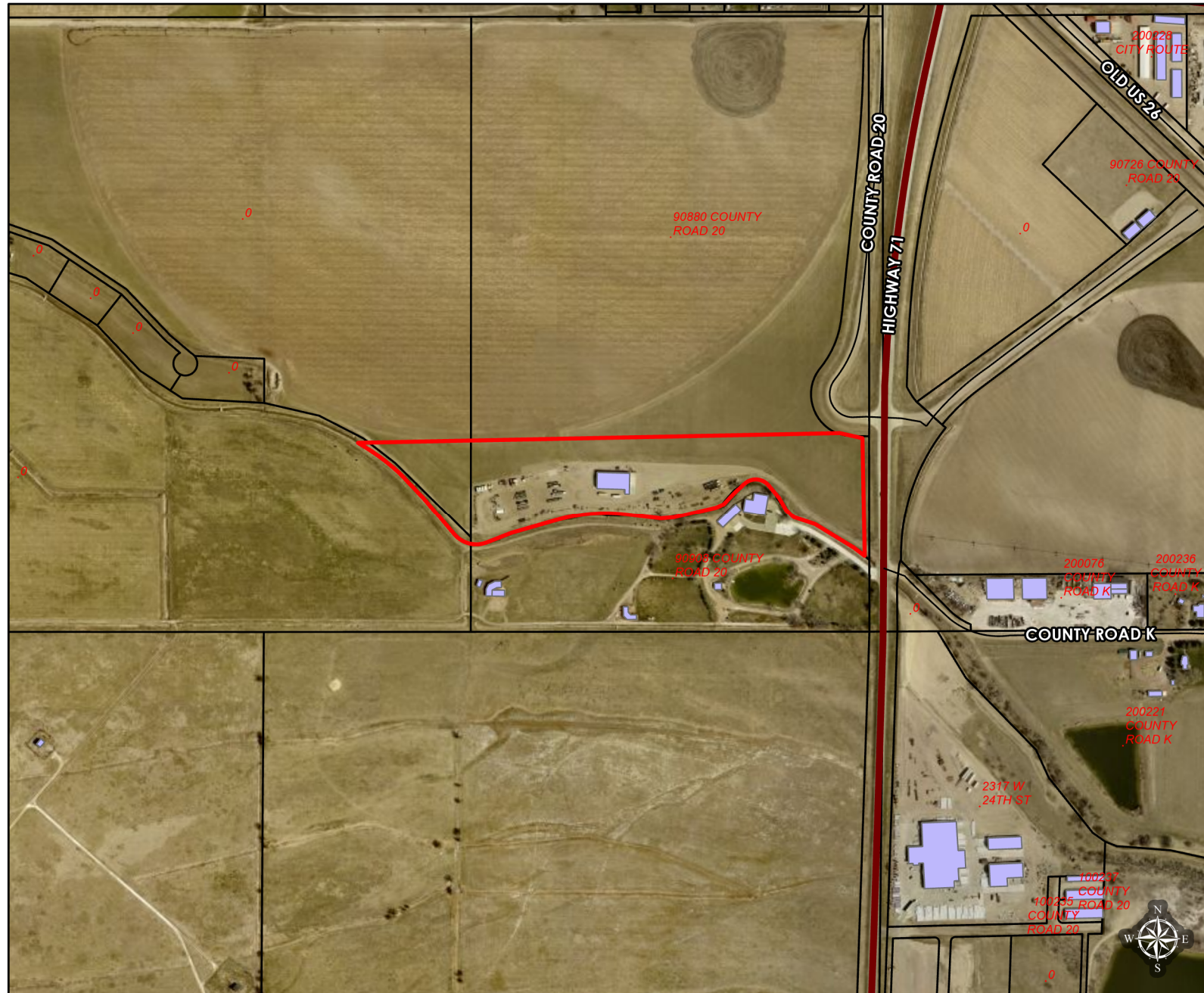
### CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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

AEDS Request at 90880 CR 20



Proposed Changes

Building

Parcel Boundaries

### Street Centerlines

#### CLASS

Highway

Main Road

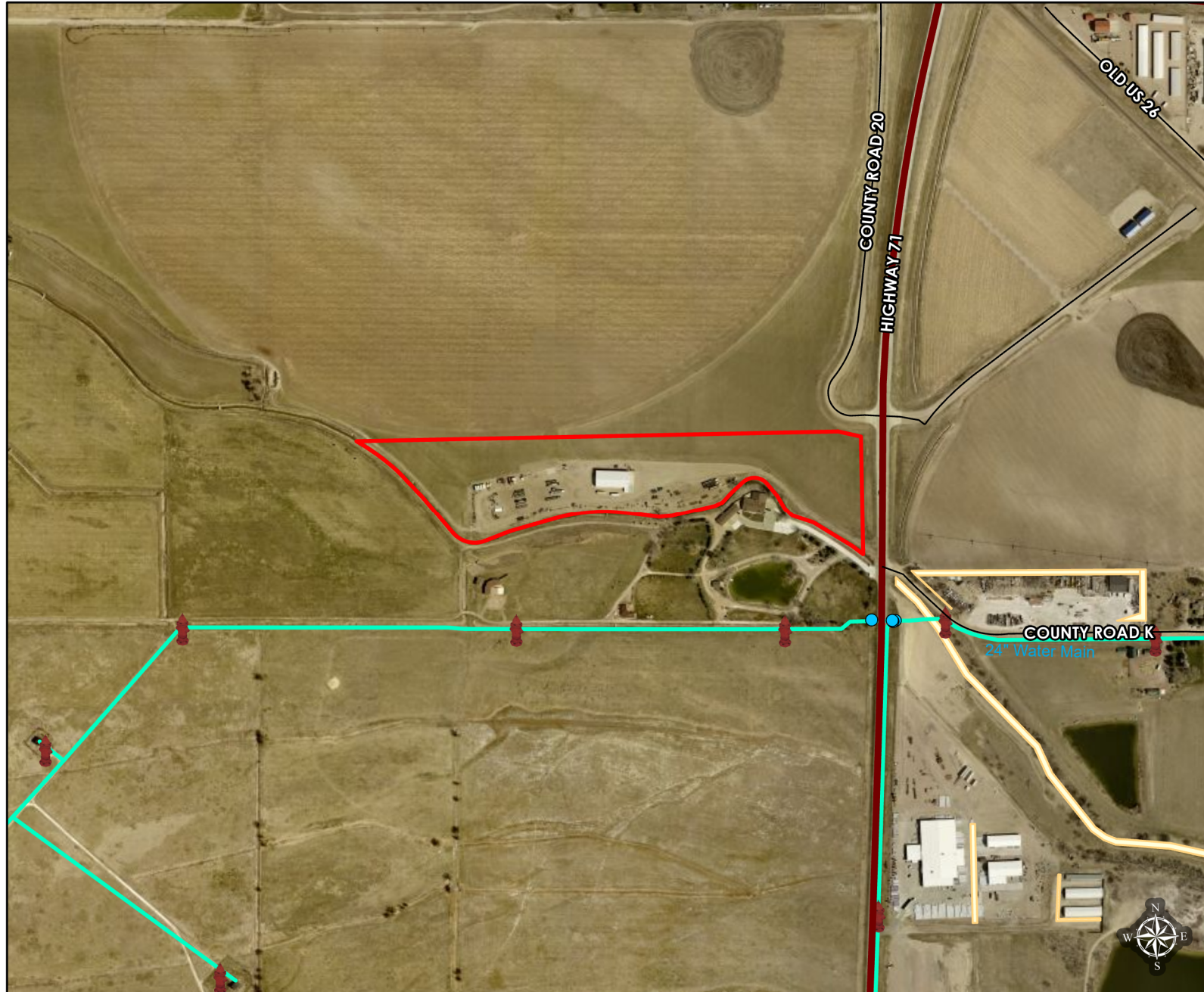
Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



AEDS Request at 90880 CR 20



- Proposed Changes
- Street Centerlines**
- CLASS**
- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Verified\_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- ▶ Stormwater Arc
- Easement

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/28/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

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



# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**

**Item Staff Rep1**

**(Informational Only):**

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

**City of Scottsbluff, Nebraska**  
**Monday, March 14, 2022**  
**Regular Meeting**

**Item Olher Bus.1**

**(Informational Only):**

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

**City of Scottsbluff, Nebraska**  
**Monday, March 14, 2022**  
**Regular Meeting**

**Item Meet1**

**Confirm next meeting date of April 11, 2022.**

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