

City of Scottsbluff, Nebraska

Monday, April 4, 2022

Regular Meeting

Item Subdiv.2

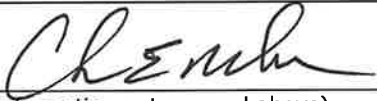

Council to discuss and consider action on Preliminary and Final Plats for Platte River Subdivision located at 514 Broadway, Scottsbluff, NE and authorize the Mayor to sign the Resolution.

Staff Contact: Zachary Glaubius, Planning Administrator



City of Scottsbluff, Nebraska


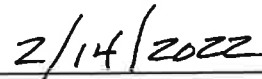
Application for a Preliminary Plat Subdivision

Date: 2-14-2022			DO NOT WRITE IN THIS BLOCK	
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	Attached: 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	
Please provide the following: 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)				



City of Scottsbluff, Nebraska

Application for a Final Plat Subdivision

Date: 2-14-2022			DO NOT WRITE IN THIS BLOCK	
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	Attached: Final Plat Legal Description (in Word) \$100.00 filing fee Letter of transmittal 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	
Please provide the following: Copy of Final Plat (Mylar and 3.5" diskette or CD-ROM in AutoCAD format) Copy of Preliminary Plat (showing future & current property lines, fence lines, irrigation canals, future street widths, dimensions, existing structures, proposed structures, easements, etc..) Legal Description on a CD/Disk (in Word) \$100.00 filing fee (if not submitted with approval of Preliminary Plat) Letter of transmittal				
The undersigned, hereby certify that he/she is familiar with all the requirements of Ordinance No. 3410 and amendments thereto, establishing minimum subdivision design standards to be installed by the subdivision and that he/she has caused said preliminary plat and plan to be prepared. He/she certifies that all requirements of Ordinance No. 3410 and amendments there to have been met and submits this application for approval subject to the requirements of said ordinance. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.				
Applicant's Signature: 			Date: 	
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 14TH 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

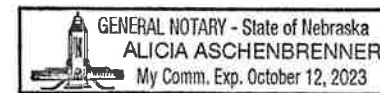
LOT 1 & 2, BLOCK 1,
PLATTE RIVER SUBDIVISION
SCOTTSBLUFF, NEBRASKA
SHEET 2 OF 2
JOB# RM220004-00

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 14TH 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 6th 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.

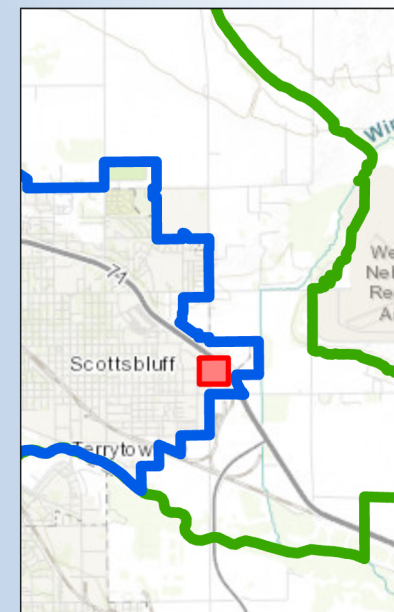
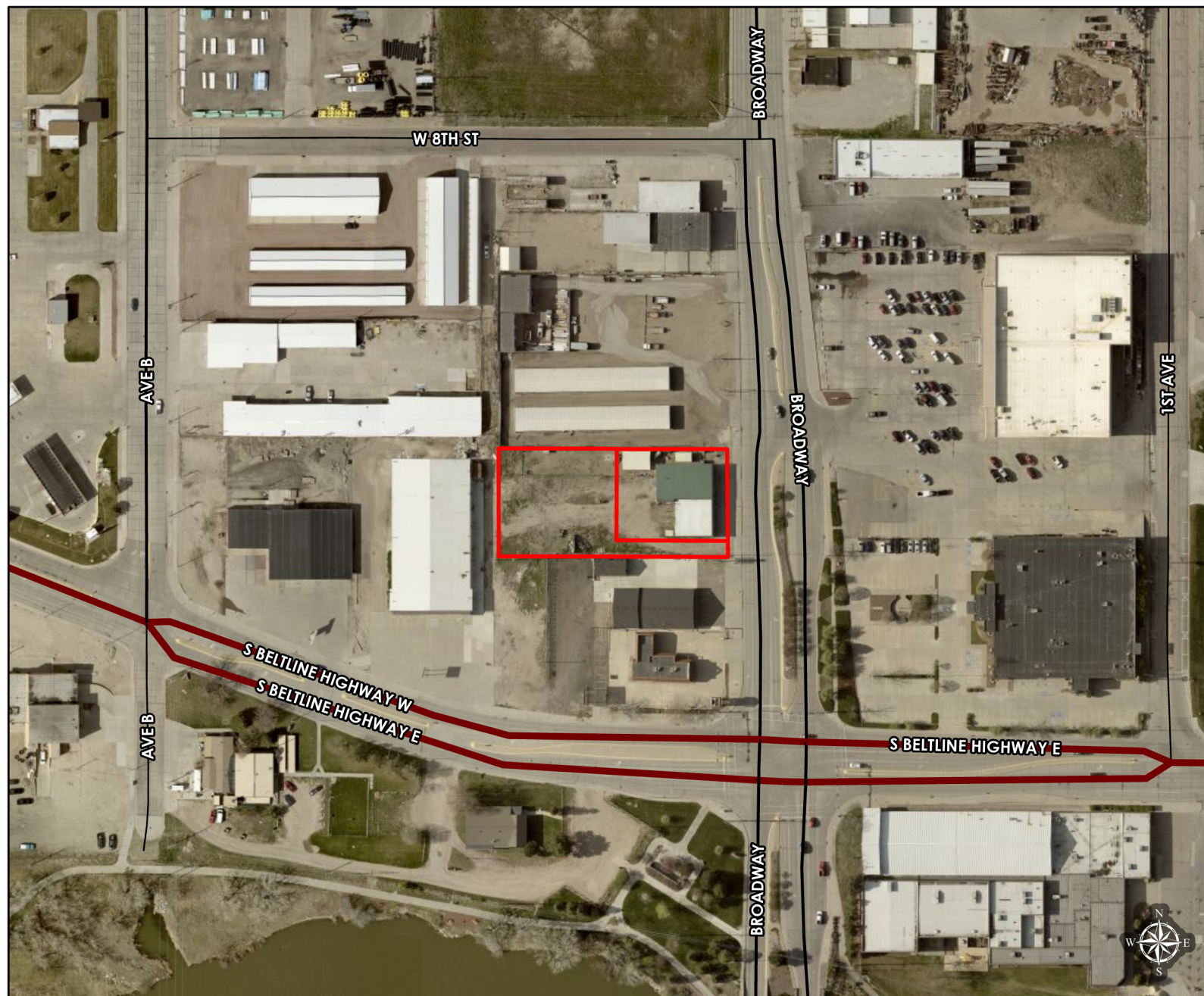
B. Findings of Fact to Not Recommend Approval May Include:

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

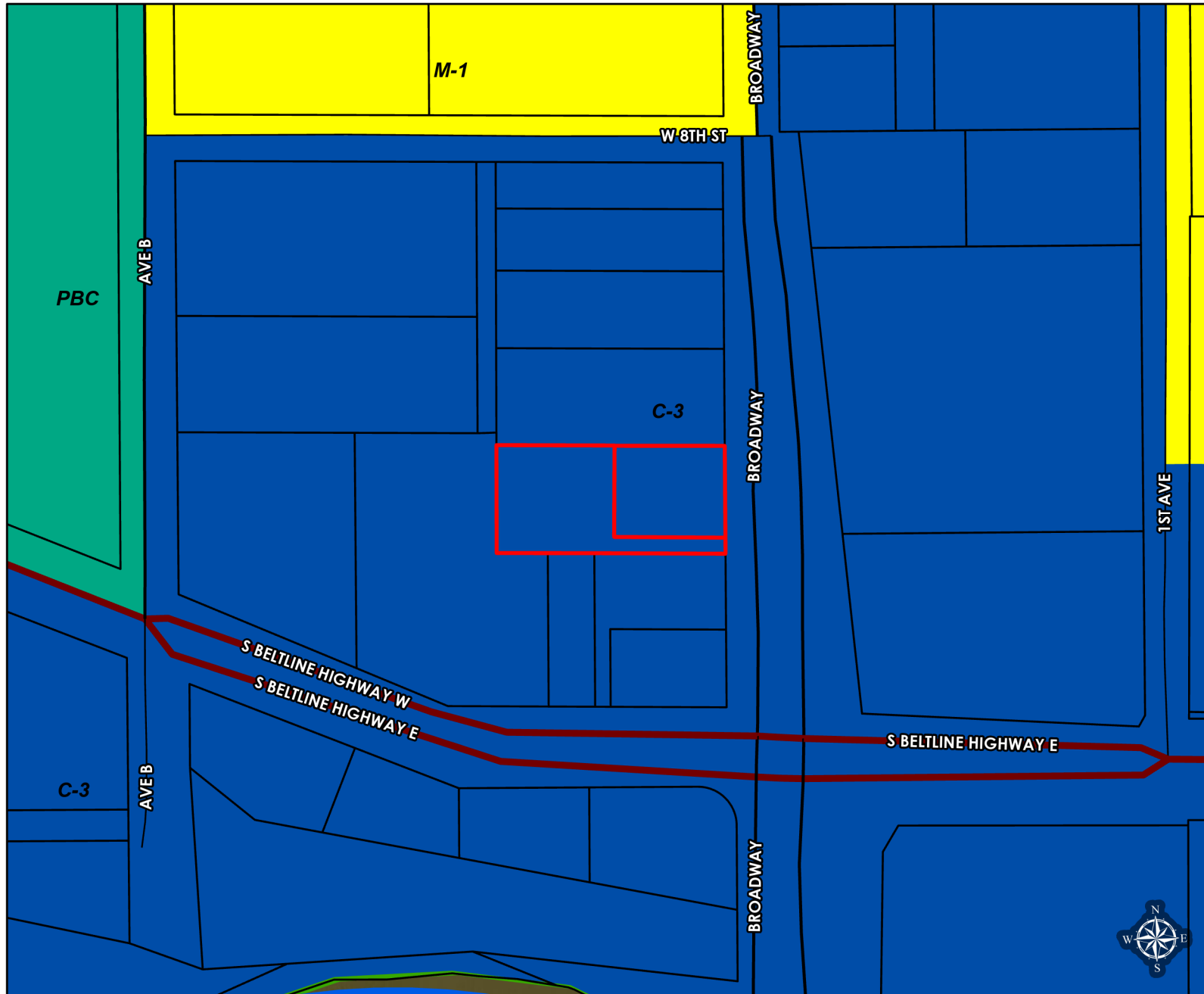
CLASS

- 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

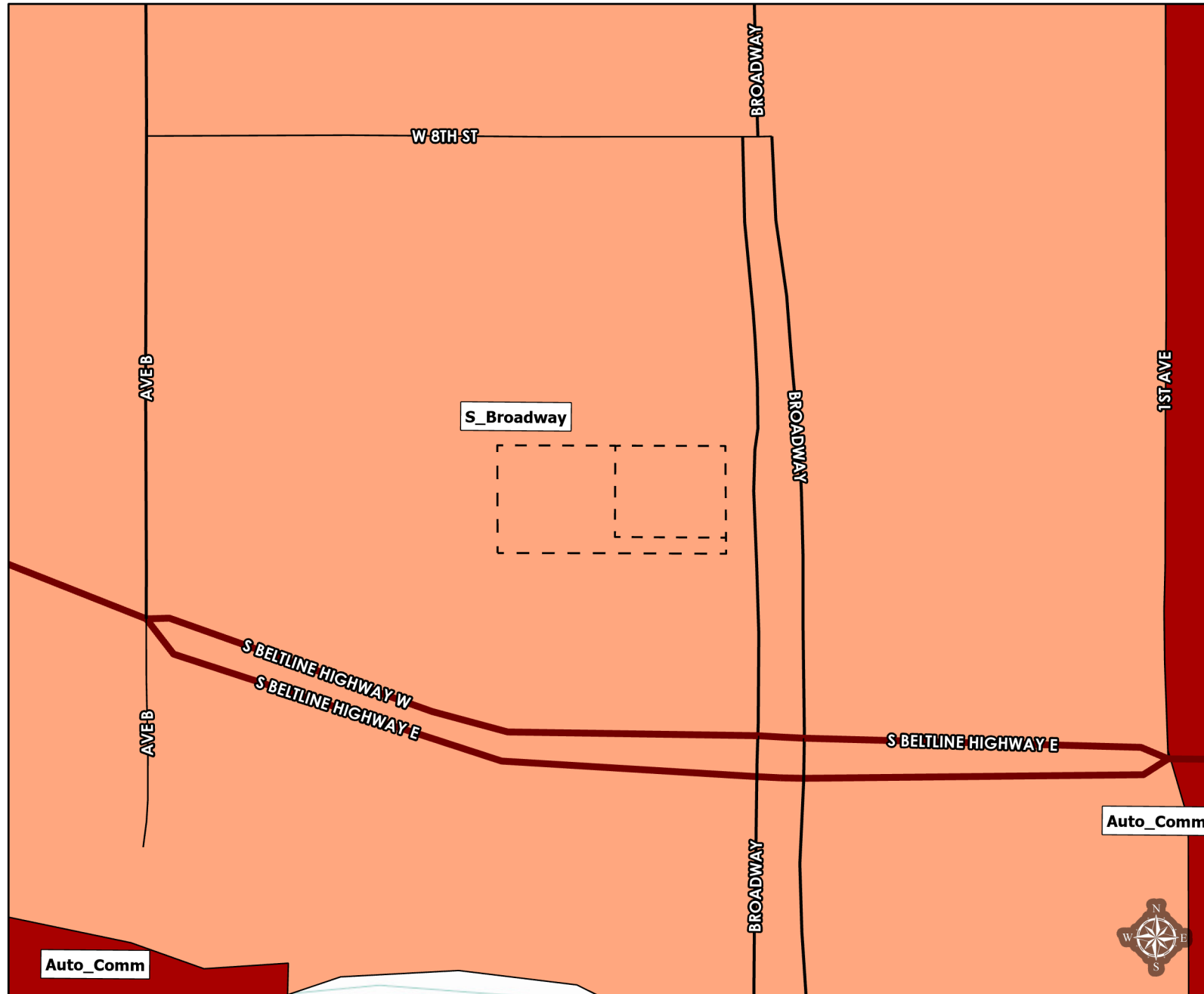
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FINAL PLAT Platte River Sub BLK 1 LT 1 & 2



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

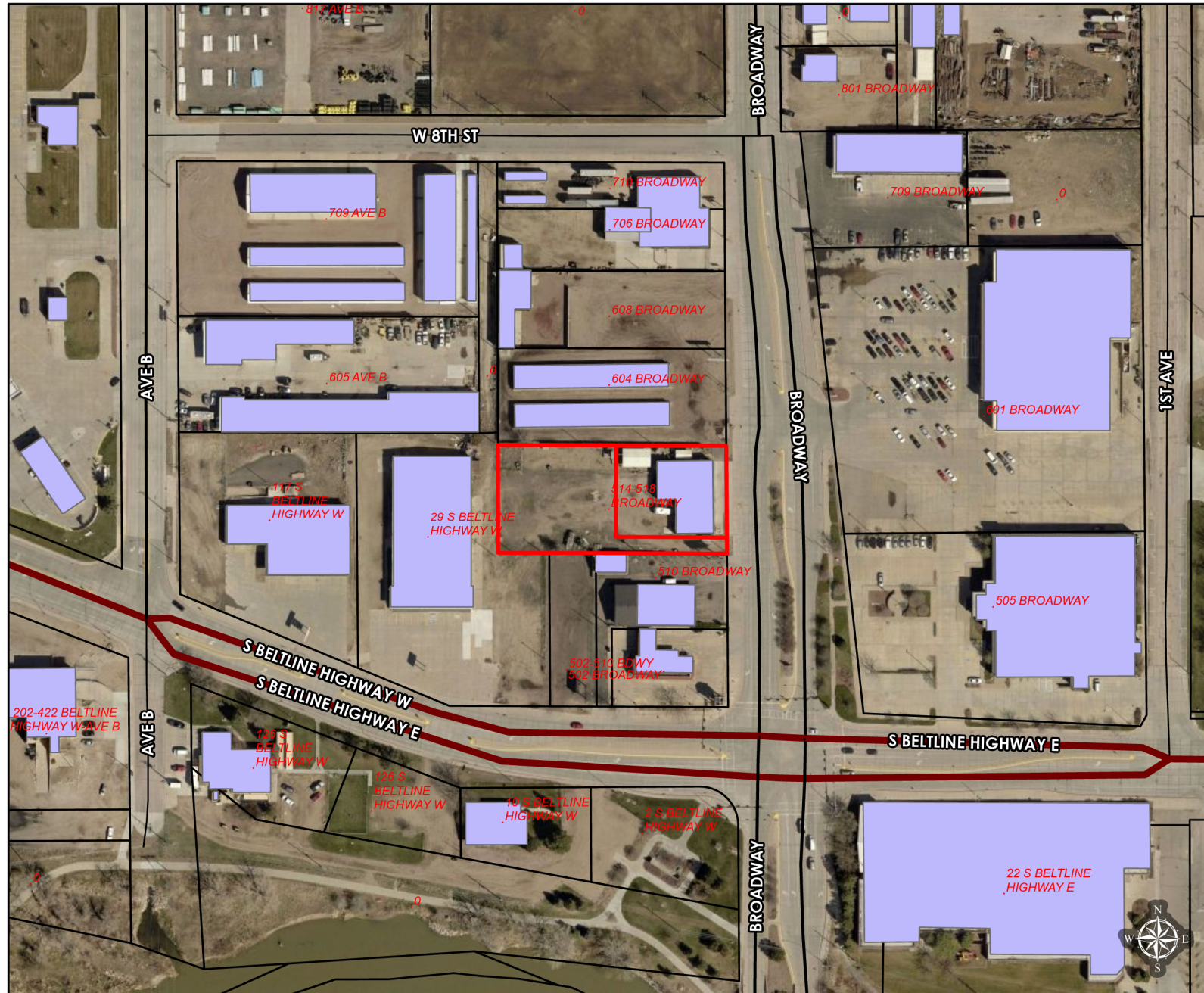
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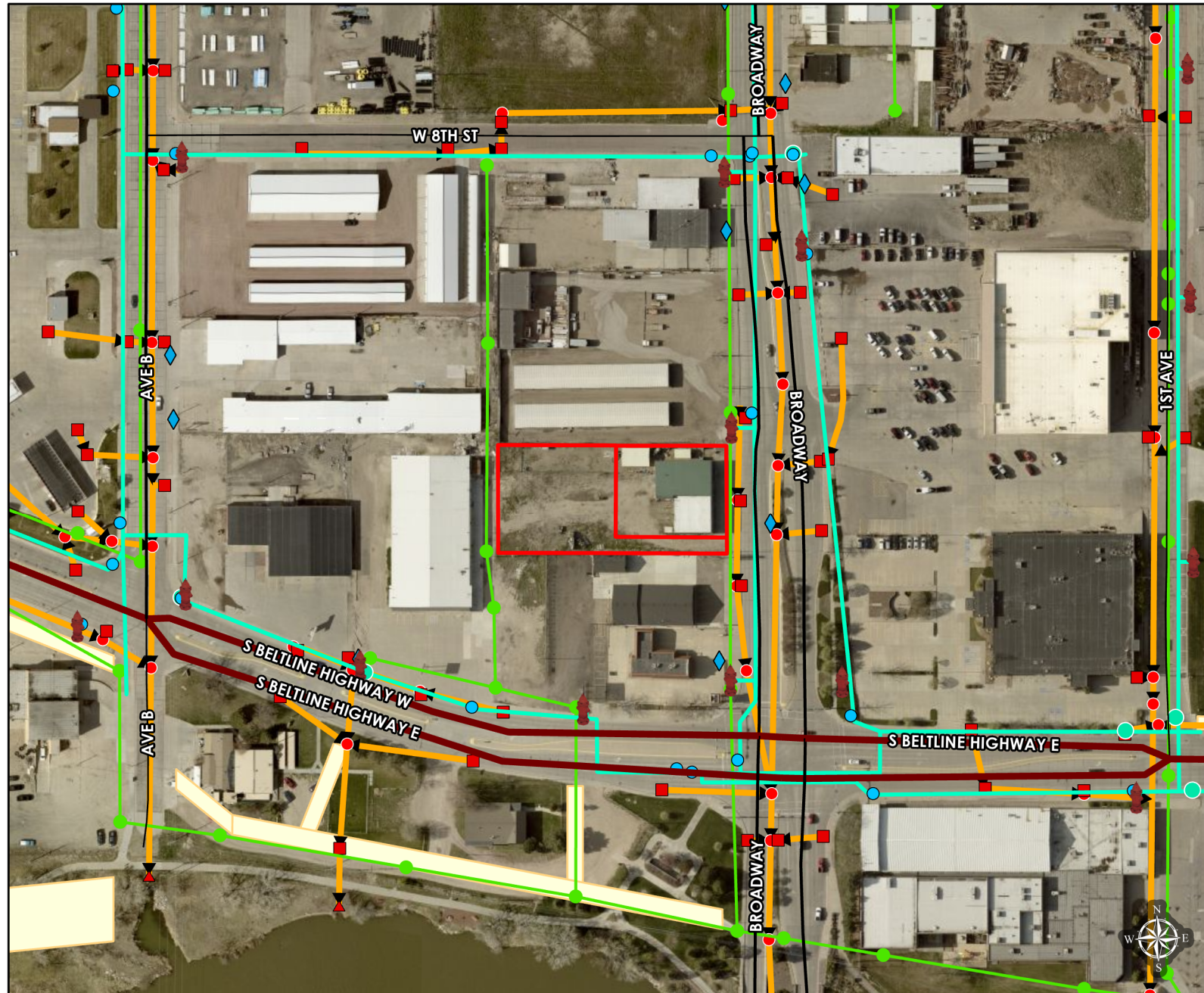
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FINAL PLAT Platte River Sub BLK 1 LT 1 & 2



 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

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RESOLUTION NO. 22-__

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

WHEREAS, BE IT RESOLVED, the final plat of Lot 1 and 2, Block 1, Platte River Subdivision, a Subdivision to the City of Scottsbluff, Nebraska, situated in a portion of the NE¼ 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, dated February 14, 2022, duly made, acknowledged and certified, is approved and the Mayor is authorized to sign the Final Plat on behalf of the City of Scottsbluff, Nebraska. Such final plat is ordered to be filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this ____ day of April 2022.

Mayor

ATTEST:

City Clerk