

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item New Bus1

a. Planning Commission to conduct a Public Hearing regarding the vacation of Lot 1B, Block 10, Imperial Subdivision situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, NE

Staff Contact:

Application for Approval of Subdivision of Real Estate By the Director of Development Services

Development Services Department
2525 Circle Drive, Scottsbluff, NE 69361
(308) 630-6254

June 1, 2022

Zachary Glaubius
City of Scottsbluff, NE

RE: Vacation of Lot 1B
Block 10,
Imperial Subdivision

Dear Mr Glaubius;

I, Bob Cox, as President of Kiowa Creek Land and Cattle Company, Inc, and owner of Lot 1B, Block 10, Imperial Subdivision, an Addition to the City of Scottsbluff, NE am requesting that Lot 1B, Block 10, Imperial Subdivision, an Addition to the City of Scottsbluff, Nebraska to be vacated.

Legal Description of lot to be vacated;

LOT 1B, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOT 1A, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOTS 1, 2 AND 3, BLOCK 10, IMPERIAL SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

EXCEPT FOR A PERMANENT EASEMENT AS SHOWN ON PLAT IN DEED BOOK 219, PAGE 420, AND DESCRIBED IN MISC. BOOK 115, PAGE 122

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4A, BLOCK 10, IMPERIAL SUBDIVISION, AS MONUMENTED BY A 1/2" SMOOTH ROD, THENCE WESTERLY ON THE NORTH RIGHT OF WAY LINE OF EAST OVERLAND DRIVE, ON AN ASSUMED BEARING OF N88°47'34"W, A DISTANCE OF 149.12 FEET MEASURED, TO AN 'X' IN THE CONCRETE, THENCE BEARING N01°18'55"E, ON THE EAST RIGHT OF WAY LINE OF 15TH AVENUE, A DISTANCE OF 172.37 FEET MEASURED, TO A 1 INCH PIPE, THENCE BEARING N88°38'31"E, ON THE SOUTH RIGHT OF WAY LINE OF A 20 FOOT ALLEY, A DISTANCE OF 150.03 FEET MEASURED, TO A 5/8" REBAR, THENCE BEARING S01°37'05"W, ON THE WEST LINE OF LOT 4A, BLOCK 10, IMPERIAL SUBDIVISION, A DISTANCE OF 171.98 FEET MEASURED, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 0.59 ACRES (25,753 SQUARE FEET) MORE OR LESS.

Respectfully submitted,



Bob Cox
President,
Kiowa Creek Land and Cattle Company, Inc.

SURVEYOR'S CERTIFICATE

I, Dustin L. Beaudette, a Nebraska Registered Land Surveyor, hereby certify that I, or under my direct supervision, have surveyed and prepared a vacation plat of LOT 1B, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOT 1A, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOTS 1, 2 AND 3, BLOCK 10, IMPERIAL SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

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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. The boundary of the plat is shown with a heavy solid line with dashed lines being for orientation purposes only.

WITNESS MY HAND AND SEAL THIS 29th DAY OF JUNE, 2022.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.



Dustin L. Beaudette, Nebraska Registered Land Surveyor, L. S. 799



OWNER'S STATEMENT

We, the undersigned, being the owners of Lot 1B, Block 10, Imperial Subdivision a replat of Lot 1A, Block 10, Imperial Subdivision a replat of Lots 1, 2 and 3, Block 10, Imperial Subdivision, an Addition to the City of Scottsbluff, situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., 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 vacated, except for a permanent easement as shown on plat in Deed Book 219, Page 420, and described in Misc. Book 115, Page 122.

That the foregoing plat is made with the free consent and in accordance with the desires of the undersigned owners.
Dated this 30th day of June, 2022.

Owner:
KIOWA CREEK LAND AND CATTLE CO. INC.

By: Robert E. Cox, President

VACATION LOT 1B, BLOCK 10,
IMPERIAL SUBDIVISION,
SCOTTSBLUFF, NEBRASKA
SHEET 2 OF 2
JOB# RM220120-00

ACKNOWLEDGEMENT

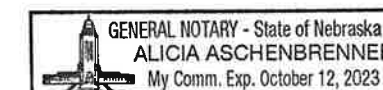
STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

Before me, a Notary Public, qualified and acting in said County, personally came Robert E. Cox, President of Kiowa Creek Land and Cattle Co. Inc., 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 Kiowa Creek Land and Cattle Co. Inc.

WITNESS MY HAND AND SEAL THIS 30th DAY OF June, 2022.


Notary Public

My Commission Expires Oct 12, 2023



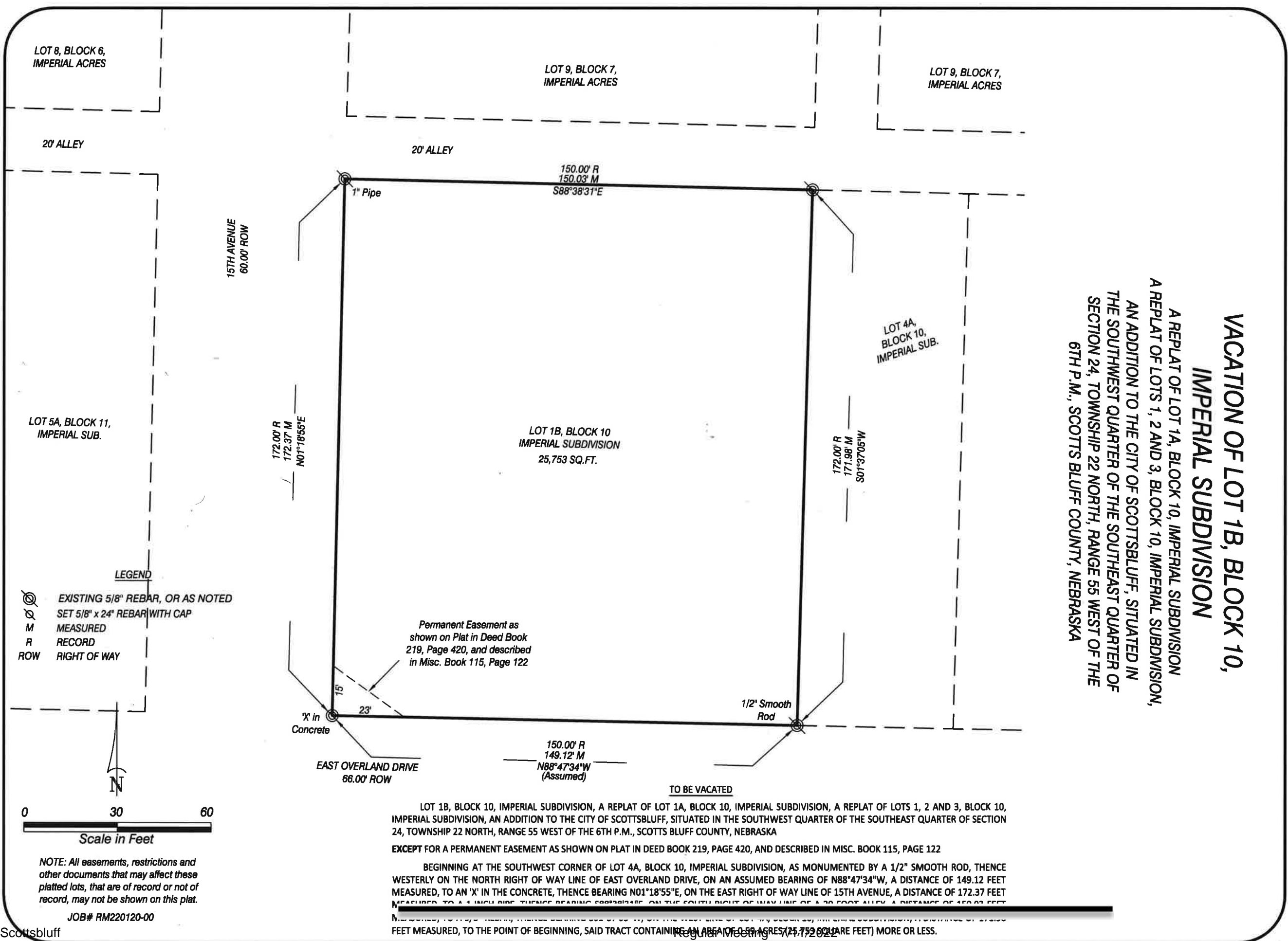
APPROVAL AND ACCEPTANCE

The foregoing vacation of LOT 1B, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOT 1A, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOTS 1, 2 AND 3, BLOCK 10, IMPERIAL SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA EXCEPT FOR A PERMANENT EASEMENT AS SHOWN ON PLAT IN DEED BOOK 219, PAGE 420, AND DESCRIBED IN MISC. BOOK 115, PAGE 122 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



VACATION OF LOT 1B, BLOCK 10,
IMPERIAL SUBDIVISION

A REPLAT OF LOT 1A, BLOCK 10, IMPERIAL SUBDIVISION
A REPLAT OF LOTS 1, 2 AND 3, BLOCK 10, IMPERIAL SUBDIVISION,
AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN
THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE
6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

LOT 1B, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOT 1A, BLOCK 10, IMPERIAL SUBDIVISION, A REPLAT OF LOTS 1, 2 AND 3, BLOCK 10, IMPERIAL SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

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SURVEYOR'S CERTIFICATE

I, Dustin L. Beaudette, a Nebraska Registered Land Surveyor, hereby certify that I, or under my direct supervision, have surveyed and prepared a plat of **LOTS 1 AND 2, BLOCK 1, ORPHAN MOTORS SUBDIVISION**, an Addition to the City of Scottsbluff, situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

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 29th DAY OF JUNE, 2022.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.



Dustin L. Beaudette, Nebraska Registered Land Surveyor, L. S. 799



OWNER'S STATEMENT

We, the undersigned, being the owners of Lot 1B, Block 10, Imperial Subdivision a replat of Lot 1A, Block 10, Imperial Subdivision a replat of Lots 1, 2 and 3, Block 10, Imperial Subdivision, an Addition to the City of Scottsbluff, situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., 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 **LOTS 1 AND 2, BLOCK 1, ORPHAN MOTORS SUBDIVISION**, an Addition to the City of Scottsbluff, situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

That the foregoing plat is made with the free consent and in accordance with the desires of the undersigned owners.

Dated this 30th day of June, 2022.

Owner:
KIOWA CREEK LAND AND CATTLE CO. INC.



By: Robert E. Cox, President

LOTS 1 AND 2, BLOCK 1,
ORPHAN MOTORS SUBDIVISION,
SCOTTSBLUFF, NEBRASKA
SHEET 2 OF 2
JOB# RM220120-00

ACKNOWLEDGEMENT

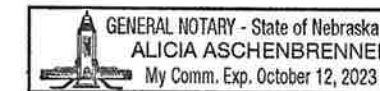
STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

Before me, a Notary Public, qualified and acting in said County, personally came Robert E. Cox, President of Kiowa Creek Land and Cattle Co. Inc., 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 Kiowa Creek Land and Cattle Co. Inc.

WITNESS MY HAND AND SEAL THIS 30th DAY OF June, 2022.


Notary Public

My Commission Expires Oct 12, 2023



APPROVAL AND ACCEPTANCE

The foregoing plat of **LOTS 1 AND 2, BLOCK 1, ORPHAN MOTORS SUBDIVISION**, an Addition to the City of Scottsbluff, situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., 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

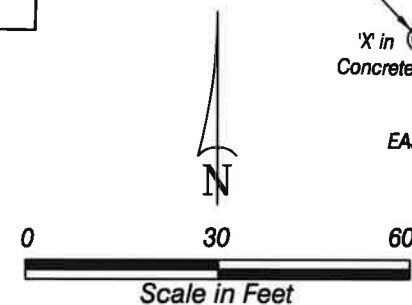
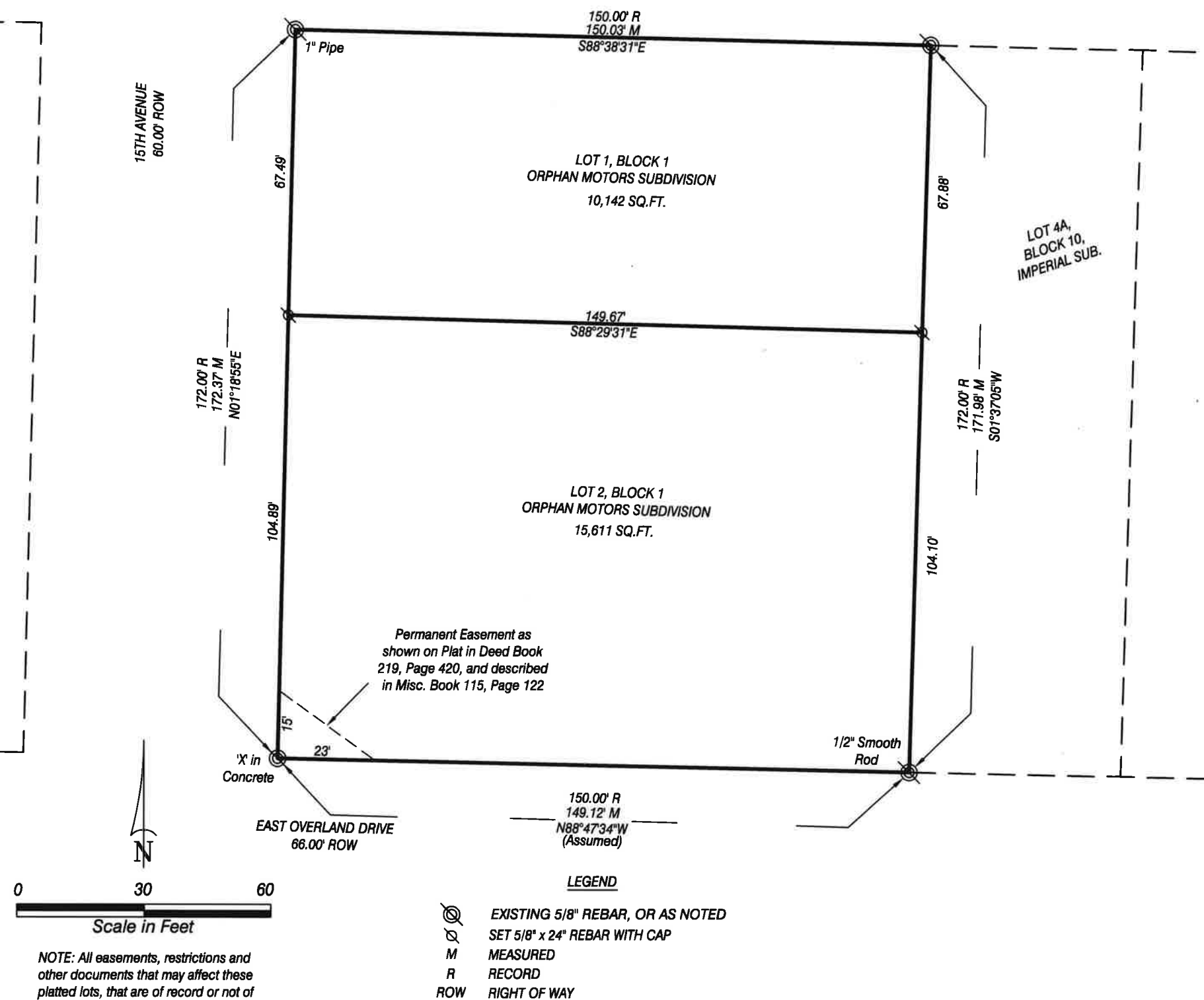
this _____ day of _____, 2022.

Mayor: Jeanne McKerrigan

ATTEST:
City Clerk

FINAL PLAT **LOTS 1 AND 2, BLOCK 1,** **ORPHAN MOTORS SUBDIVISION**

AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



NOTE: 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.

JOB# RM220120-00

- LEGEND**
- -
 -
 -
 -

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: June 27, 2022 For Hearing of: July 11, 2022



I. GENERAL INFORMATION

- A. Applicant:** Bob Cox
2541 Falling Star Loop
Cheyenne, WY 82009
- B. Property**
Owner: Kiowa Creek Land & Cattle Company Inc.
Same as applicant
- C. Proposal:** Vacate Lot 1B, Lot 10, Imperial Subdivision and plat Lots 1 & 2, Block 1, Orphan Motors Subdivision
- D. Legal Description:** An addition to the City of Scottsbluff situated in the Southwest Quarter of the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska
- E. Location:** 501 E. Overland
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial
- G. Size of Site:** Approximately 25,753 square feet

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	Residential	R-1A Single Family	Single-Family Dwellings
East	East Overland	C-3 Heavy Commercial	Businesses
South	East Overland	C-3 Heavy Commercial	Businesses
West	East Overland	C-3 Heavy Commercial	Businesses

B. Relevant Case History

1. This would be the third replat of the land currently occupied by Lot 1B, Lot 10, Imperial Subdivision. Per 21-1-68, a subdivision may only be replatted twice. Therefore a vacation of the current subdivision is required to subdivide the property.

III. **ANALYSIS**

A. Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan currently shows the site as East Overland Corridor and according to Comprehensive Plan, the East Overland Corridor suggests the appropriate zones C-1, C-2, and R-1a. C-3 and R-1a are the most common zoning districts in the East Overland Corridor.

B. Traffic & Access:

1. Lot 1 is accessible via 15th Avenue.
2. Lot 2 is accessible via 15th Avenue and E. Overland Drive
3. An alley is located along the north property line.

C. Utilities:

1. Lot 1 has access to water, sewer, and stormwater.
2. Lot 2 has access to water and stormwater currently.
3. Lot 2 will have sewer access following the construction of an extension by the City.

IV. **STAFF COMMENTS**

- A. The sewer extension is necessary as the current lot is served by sewer located in the alley to the north and 21-1-38.
- B. The sewer extension project has been approved and is scheduled to be completed this year.
- C. The existing easement located on the southwest corner of the property will remain.

V. **FINDINGS OF FACT**

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

1. The comprehensive plan identifies the area as a mix of commercial and residential. These lots will remain zoned C-3.
2. There are no applicable setbacks or lot coverage requirements in the C-3 zoning district.
3. Both lots will have access to all city utilities and abut a public street.

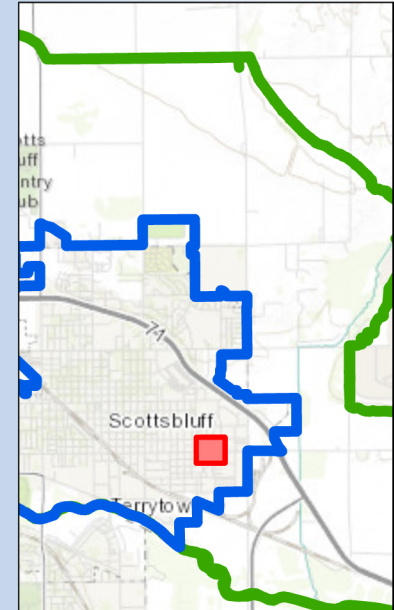
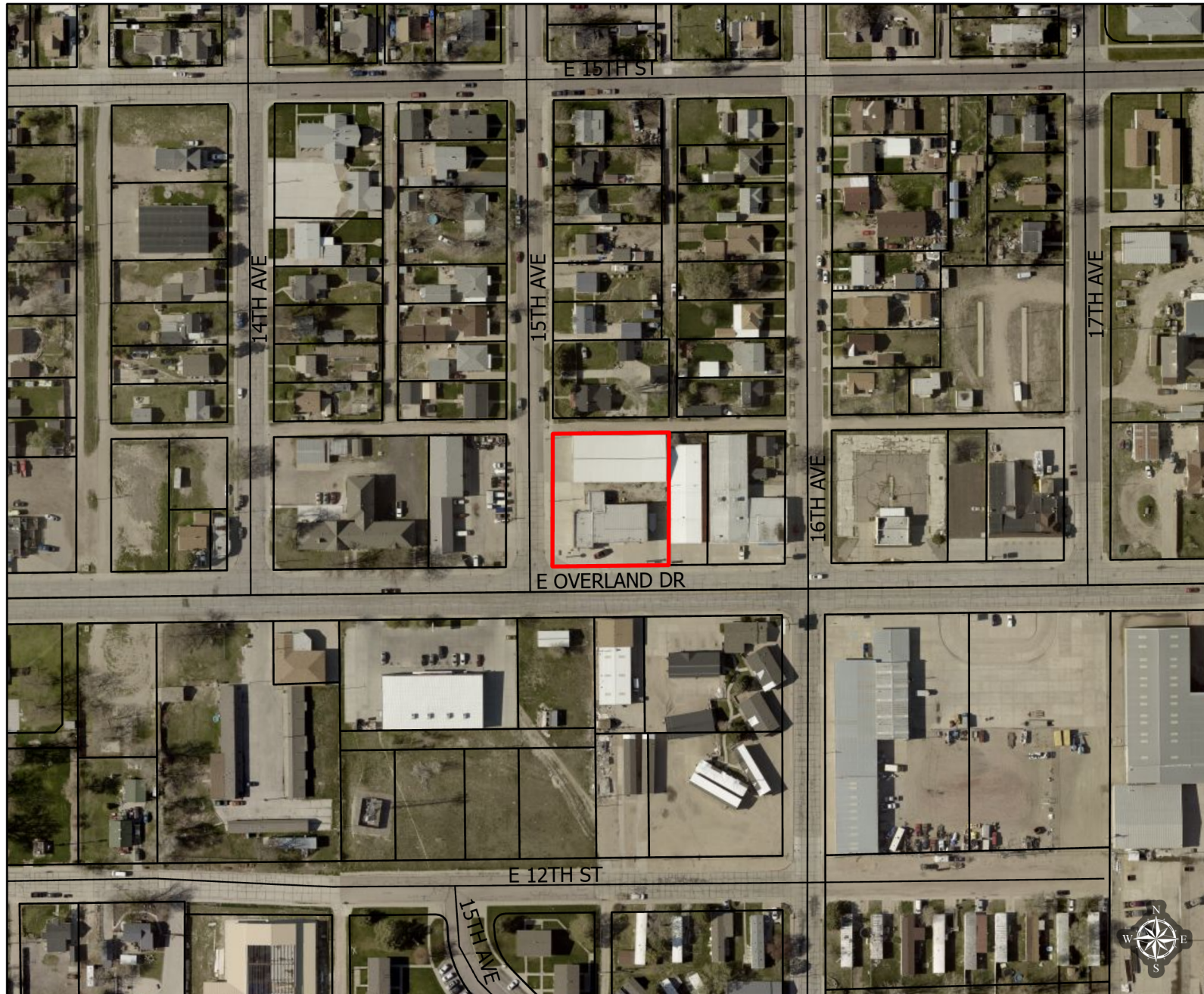
B. Findings of Fact to Not Recommend Approval May Include:

1. None

VI. **STAFF RECCOMENDATION**

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve vacation of Lot 1B, Lot 10, Imperial Subdivision and approve the final plat for Lots 1 and 2, Block 1, Orphan Motors Subdivision.

Plat 1501 E Overland Dr

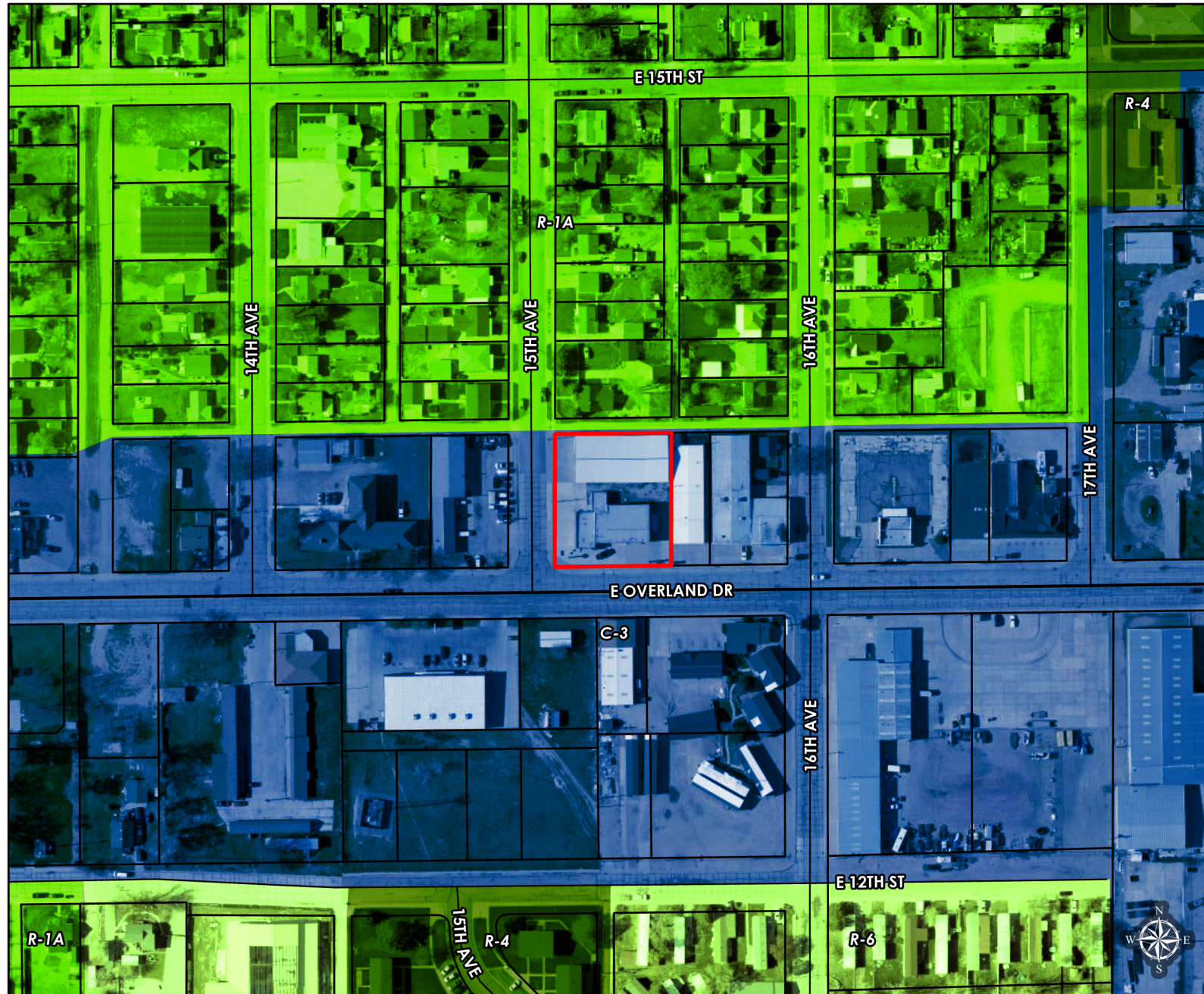


- Corporate Limits
- Extended Jurisdiction
- Proposed Changes
- Street Centerline**
- Highway
- Main Road
- Residential
- Parcels

Taylor Stephens
City of Scottsbluff GIS
Created on 7/5/2022
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.

Plat 1501 E Overland Dr



- Parcels
- Proposed Changes
- Corporate Limits
- Extended Jurisdiction

City Zoning

- (A)Agriculture
- (AR)Ag Residential
- (C-1)Central Business District
- (C-2)Neighborhood Com
- (C-3)Heavy Com
- (M-1)Light Man & Ind
- (M-2)Heavy Man & Ind
- (O-P)Office and Professional
- (PBC) Planned Bussiness
- (R-1)Single Family
- (R-1A)Single Family Med Dens
- (R-1B)Rural Residential
- (R-4)Heavy Dens Multiple
- (R-6)Mobile Home

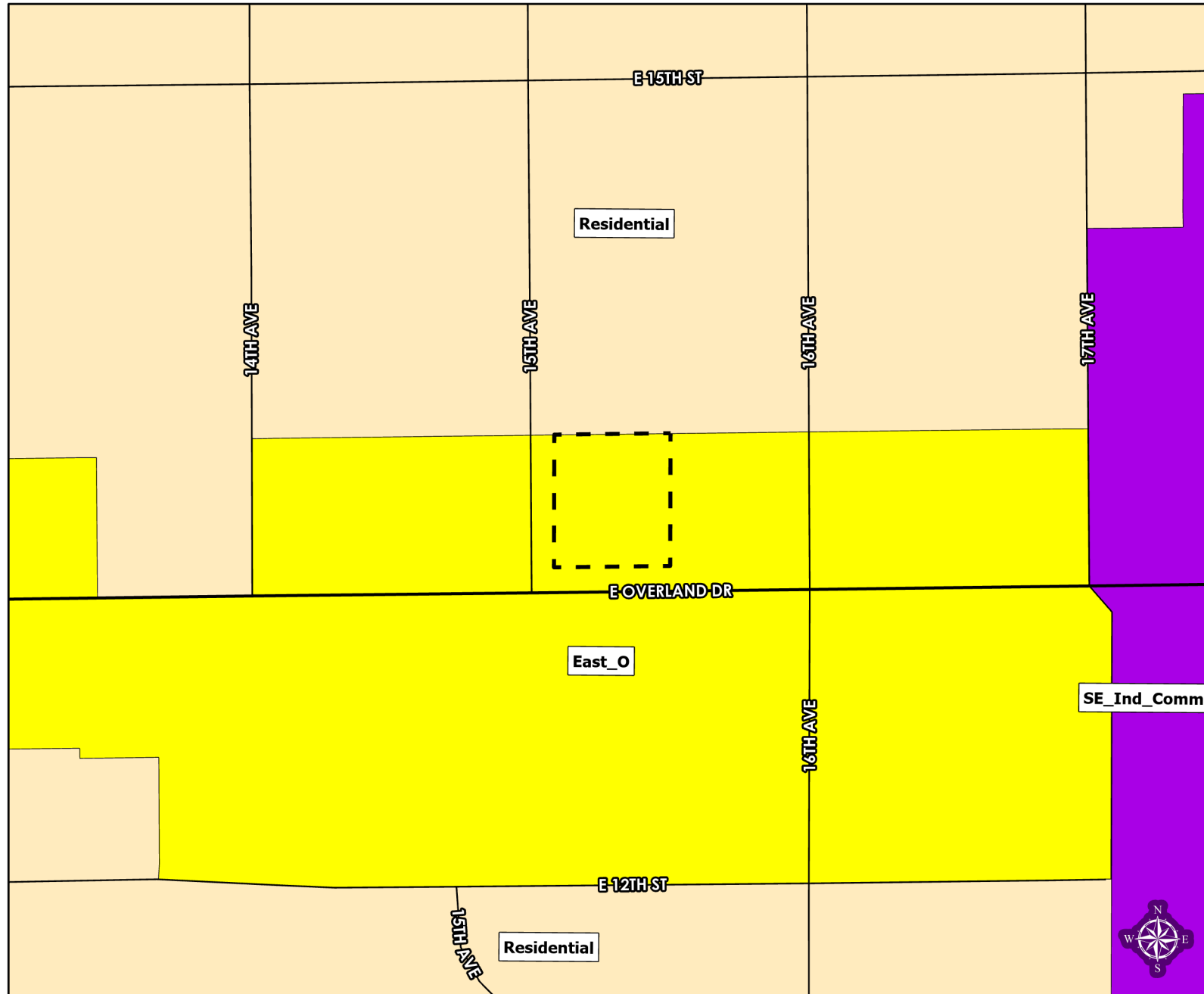
Street Centerlines

- Highway
- Main Road
- Residential/Rural

Taylor Stephens
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Plat 1501 E Overland Dr



- 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
 - SE Industrial and Commercial
 - South Broadway
 - WNCC and Surrounding Area
- Street Centerlines**
- Highway
 - Main Road
 - Residential/Rural
- 2016 Comp. Plan Development**
- LTD (10 - 20 yrs)
 - NTD (Less than 5 yrs)
 - STD (5 - 10 yrs)

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Plat 1501 E Overland Dr



Proposed Changes

Building

Parcels

Street Centerlines

Highway

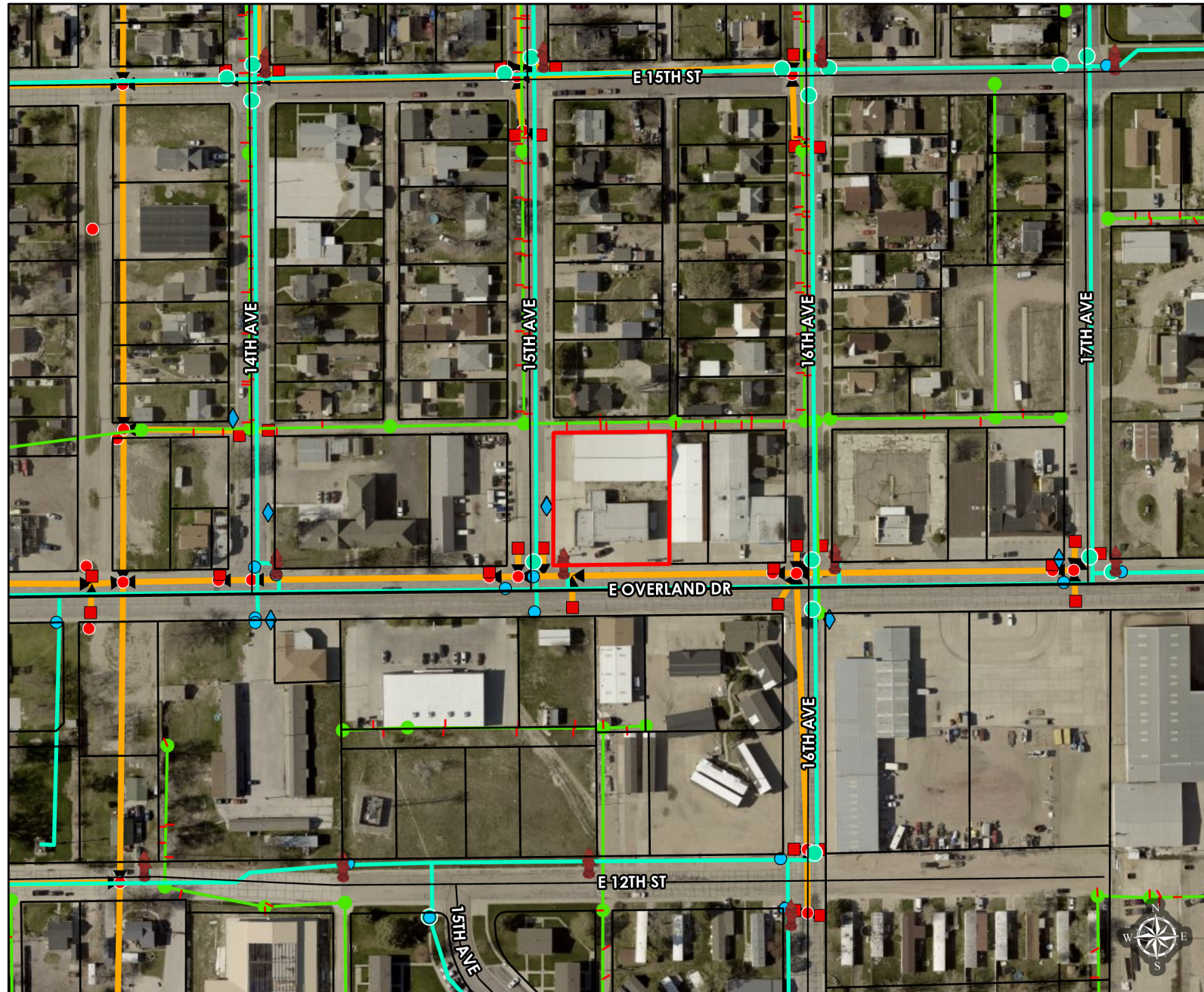
Main Road

Residential/Rural

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Plat 1501 E Overland Dr



- Proposed Changes
- Street Centerlines**
- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- GEODATA.GISMGR.Ww_Laterals
- Verified_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement
- Parcels

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