



**CITY OF SCOTTSBLUFF
PLANNING COMMISSION AGENDA
Monday, July 11, 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 May 9, 2022 Meeting
6. **New Business :**
 - A 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
 - B b. Planning Commission to conduct a Public Hearing regarding a Final Plat of Lots 1 & 2, Block 1, Orphan Motors Subdivision situated in 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 2
 - C c. Planning Commission to conduct a Public Hearings for a Preliminary Plat of Lots 2-9, Block 1, Frank Properties, situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska
 - D d. Planning Commission to conduct a Public Hearing for a Final Plat of Lots 2-9, Block 1, Frank Properties, situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska.
 - E e. Planning Commission to conduct a Public Hearing regarding a Rezone of Lots 2-9, Block 1, Frank Properties, situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska from Agricultural to C-2 Neighborhood
 - F f. Planning Commission to conduct a Public Hearing for proposed Ordinance Text Change to Chapter 4 Article 1 regarding the International Building Code and International Residential Code.
7. **Staff Reports:**
 - A (informational only)
8. **Other Business:**
 - A (informational only)

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



9. Schedule Meeting:

A Confirm next meeting date of August 8, 2022

10. Adjourn

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

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item Appr. Min.1

May 9, 2022 Meeting

Staff Contact:

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
MAY 9, 2022
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, May 9, 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 April 30, 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, Becky Estrada, Dave Gompert, Callen Wayman, Angie Aguallo, Jim Zitterkopf, Dana Weber, Linda Redfern (Alternate, Quorum present so excused). "Absent": Henry Huber, Mark Westphal, Anita Chadwick. City Officials present were Taylor Stephens, GIS Analyst/Acting Secretary, Zachary Glaubius, Planning Administrator
- 2 Vice Chairman Estrada 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 April 11, 2022 meeting were reviewed. Conclusion: a motion was made by Wayman and seconded by Gompert to approve the minutes from April 11, 2022 meeting. "Yeas" Aguallo, Wayman, Zitterkopf, Weber, Gompert, Estrada "Nays" "Absent": Huber, Westphal, Chadwick "Excused": Redfern (alt.) The motion carried.
- 6 Chairman Weber opened a public hearing at 6:01 PM for Item 6A regarding a public hearing to consider a rezone of East Lawn Subdivision, Block 3, Lot 9, a tract of land situated in the Southeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, NE from C-3 Heavy Commercial to R-1A Single Family Residential. Stephens stated that Ms. Margareta Piazza-Franklin approached city staff with the rezone proposal due to Ms. Piazza-Franklin refinancing her house and the bank requesting the house be properly zoned as residential. Stephens stated the property is along East Overland and is currently zoned as C-3. Stephens stated that R-1A zoning is to the northwest, north and south of the property. Stephens stated the property falls in the East Overland Corridor of the comprehensive plan which allows for commercial and residential zoning. Mr. Wayman asked about the use of the front building and Stephens stated that the front building would be used as storage. Mr. Wayman asked if they could run a business from that after the rezone. Glaubius said this would be fine with an application. Stephens stated that there has been no discouragement from the neighbors and that this has been zoned this way since the 1970's. Stephens stated that the city staff is recommending that the planning commission make a positive recommendation to the city council concerning this rezone. Chairman Weber closed the public hearing at 6:03
- 7 **Conclusion:** Motion by Gompert, seconded by Wayman to make a positive recommendation to the city council of the rezone from C-3 to R1-A at 909 E Overland Dr. "Yeas" Aguallo, Wayman,

Zitterkopf, Weber, Gompert, Estrada “Nays” “Absent”: Huber, Westphal, Chadwick “Excused”: Redfern (alt.) The motion carried.

8 Item 7: Glaubius stated that there may not be a need for a meeting in June as there has not been anything submitted yet.

9 Item 8: No Other Business

10 Weber introduced Item 9 regarding scheduling the next Planning Commission meeting on May 9, 2022.

11 Item 10: Adjournment

12 Adjournment: Motion by Estrada, seconded by Gompert to adjourn the meeting at 6:05 PM. “Yeas” Aguillo, Wayman, Zitterkopf, Weber, Gompert, Estrada “Nays” “Absent”: Huber, Westphal, Chadwick “Excused”: Redfern (alt.) The motion carried.

Chairman Dana Weber

Taylor Stephens, Acting Secretary

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

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.

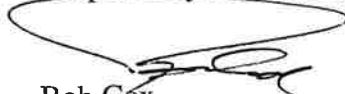
Legal Description of lot to be vacated;

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

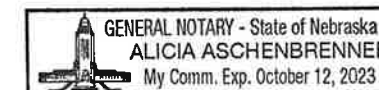
STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

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



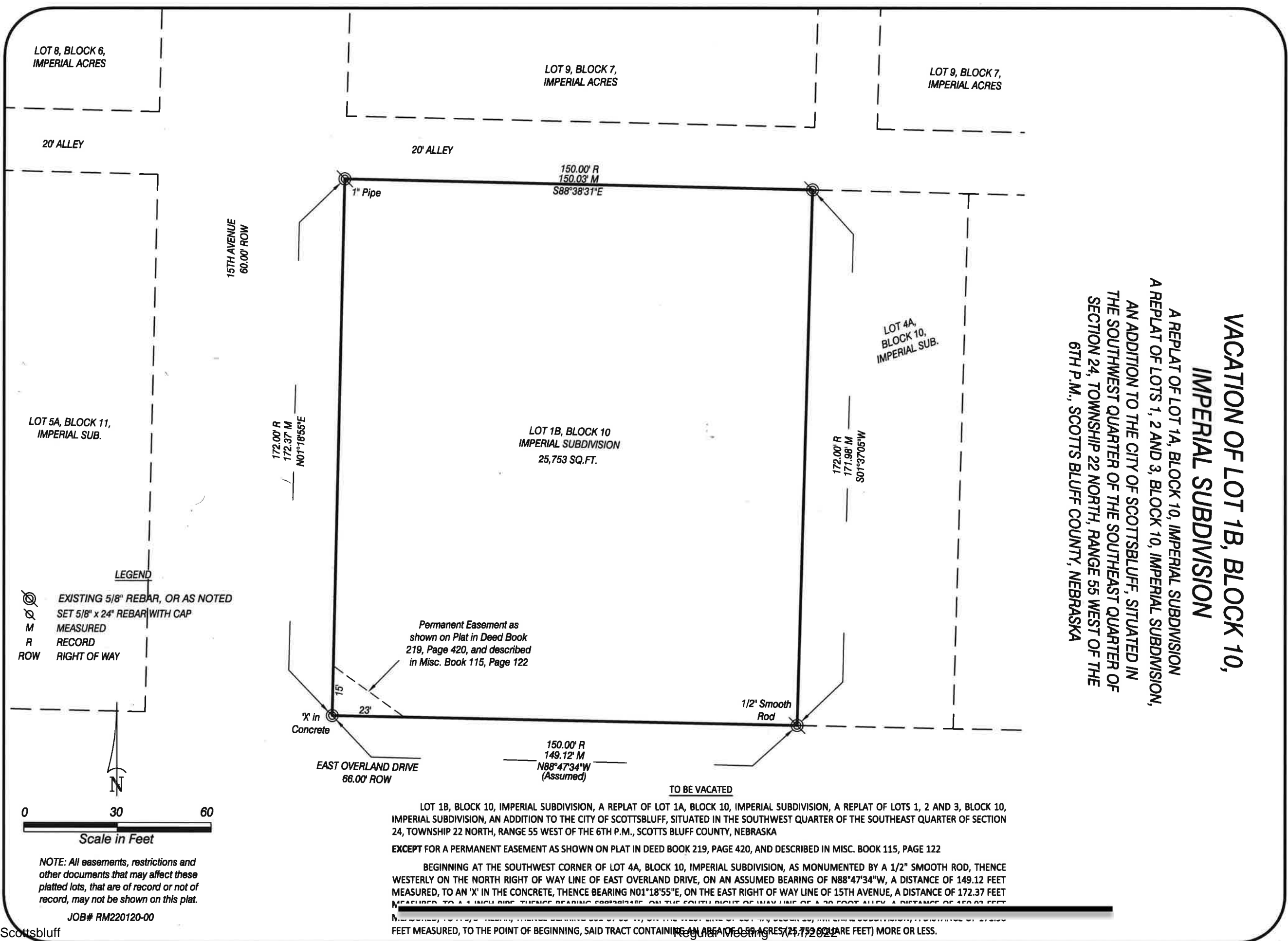
APPROVAL AND ACCEPTANCE

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



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

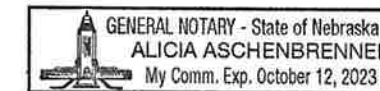
STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

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

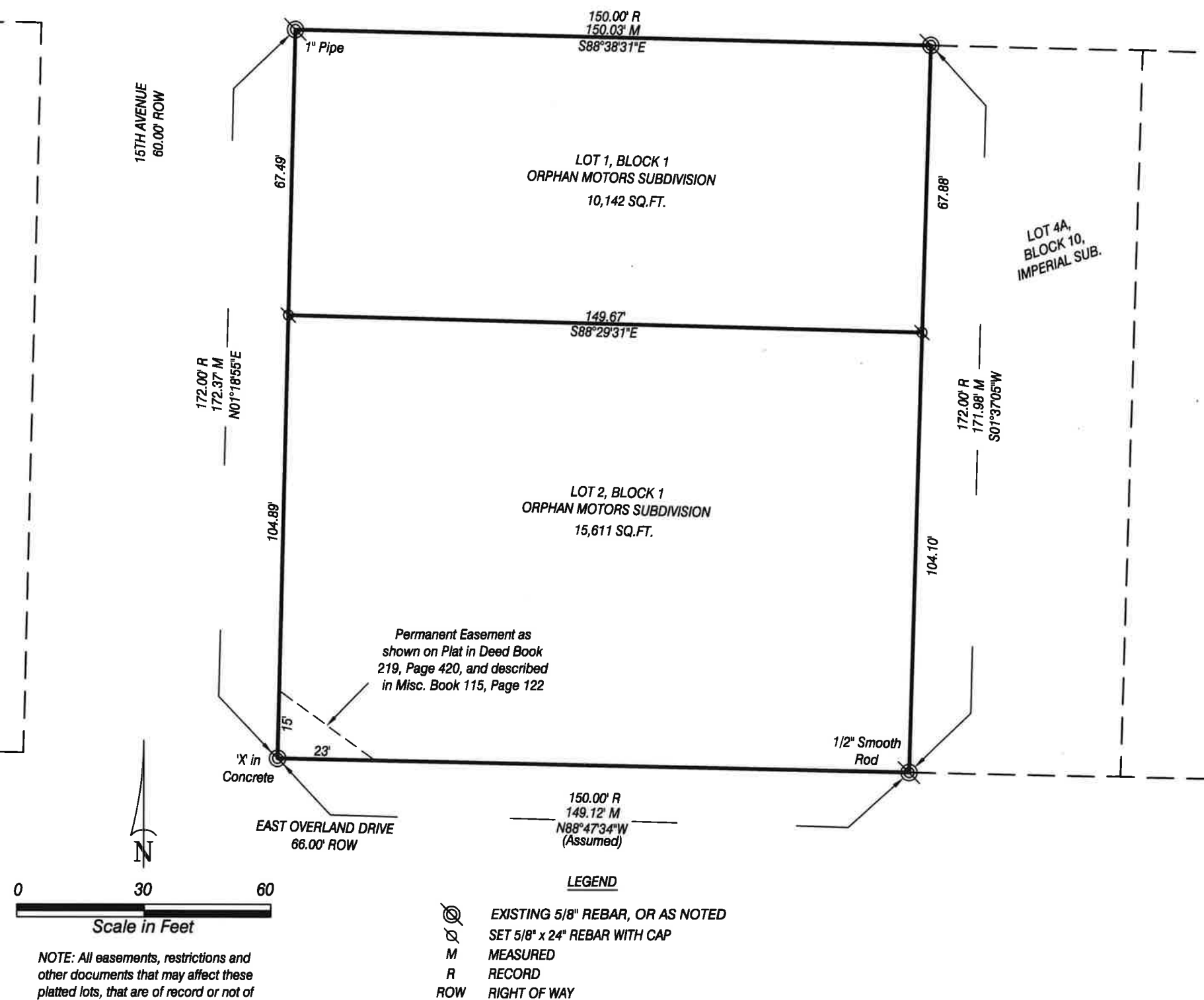
this _____ day of _____, 2022.

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



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.

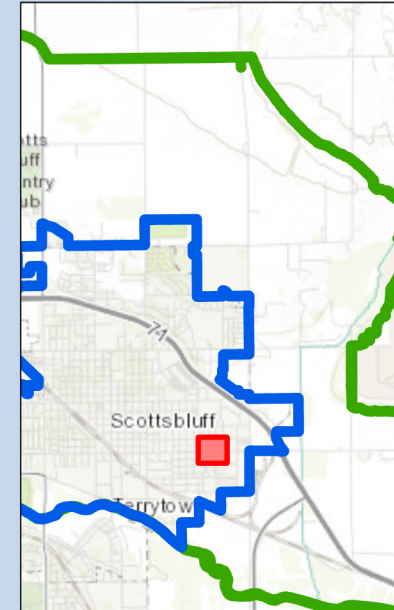
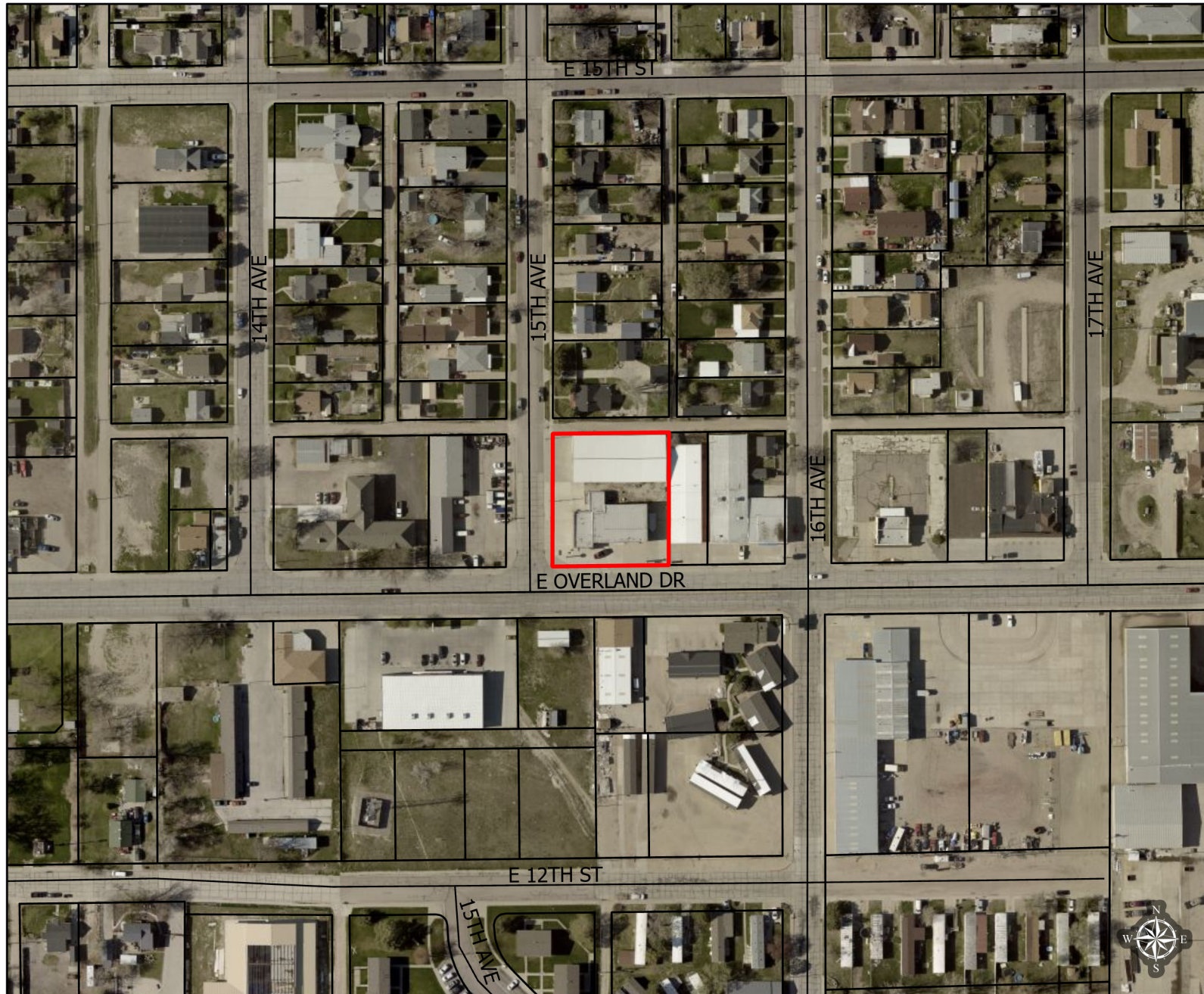
B. Findings of Fact to Not Recommend Approval May Include:








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

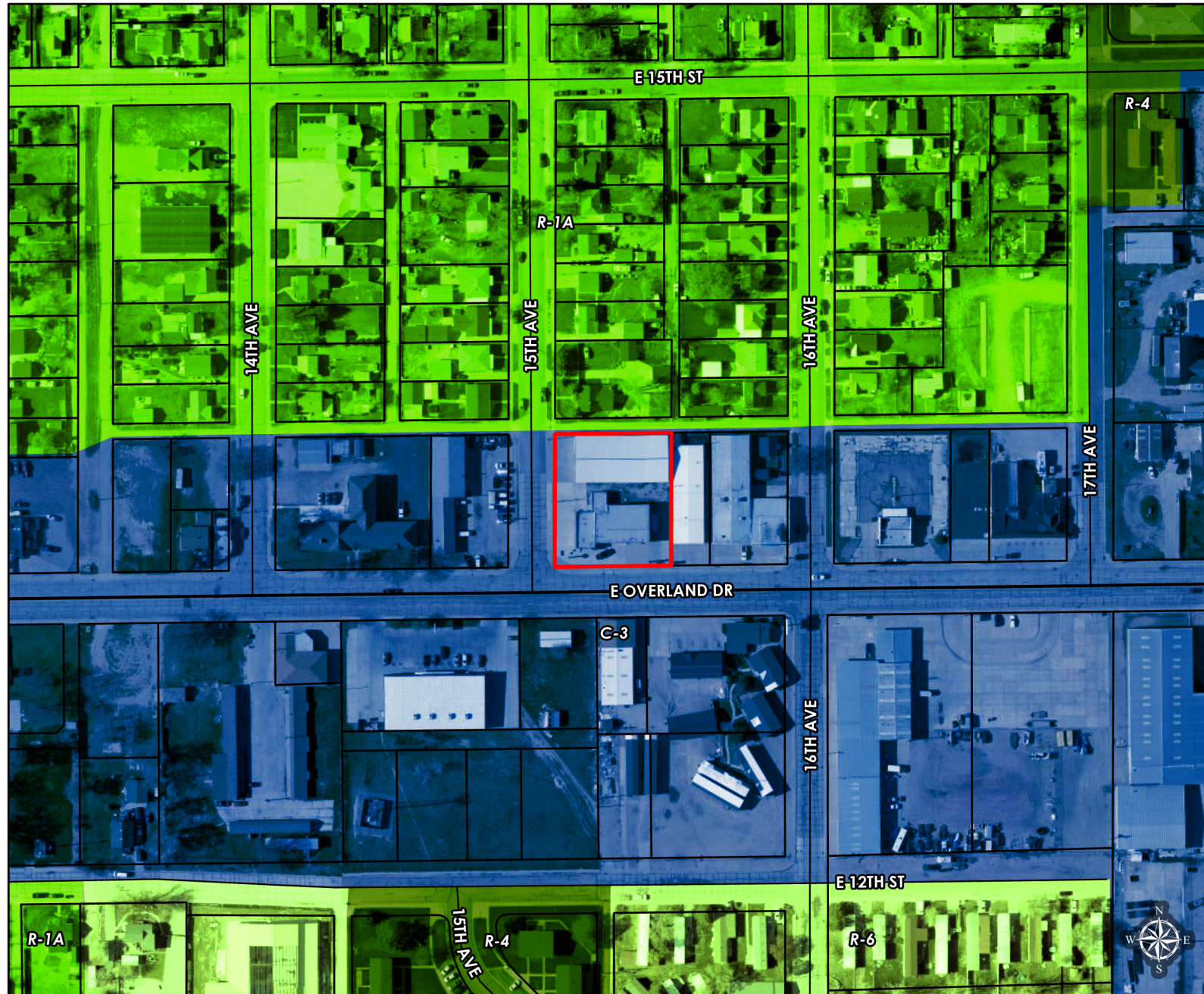


-  Corporate Limits
-  Extended Jurisdiction
-  Proposed Changes
- Street Centerline**
 -  Highway
 -  Main Road
 -  Residential
 -  Parcels

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

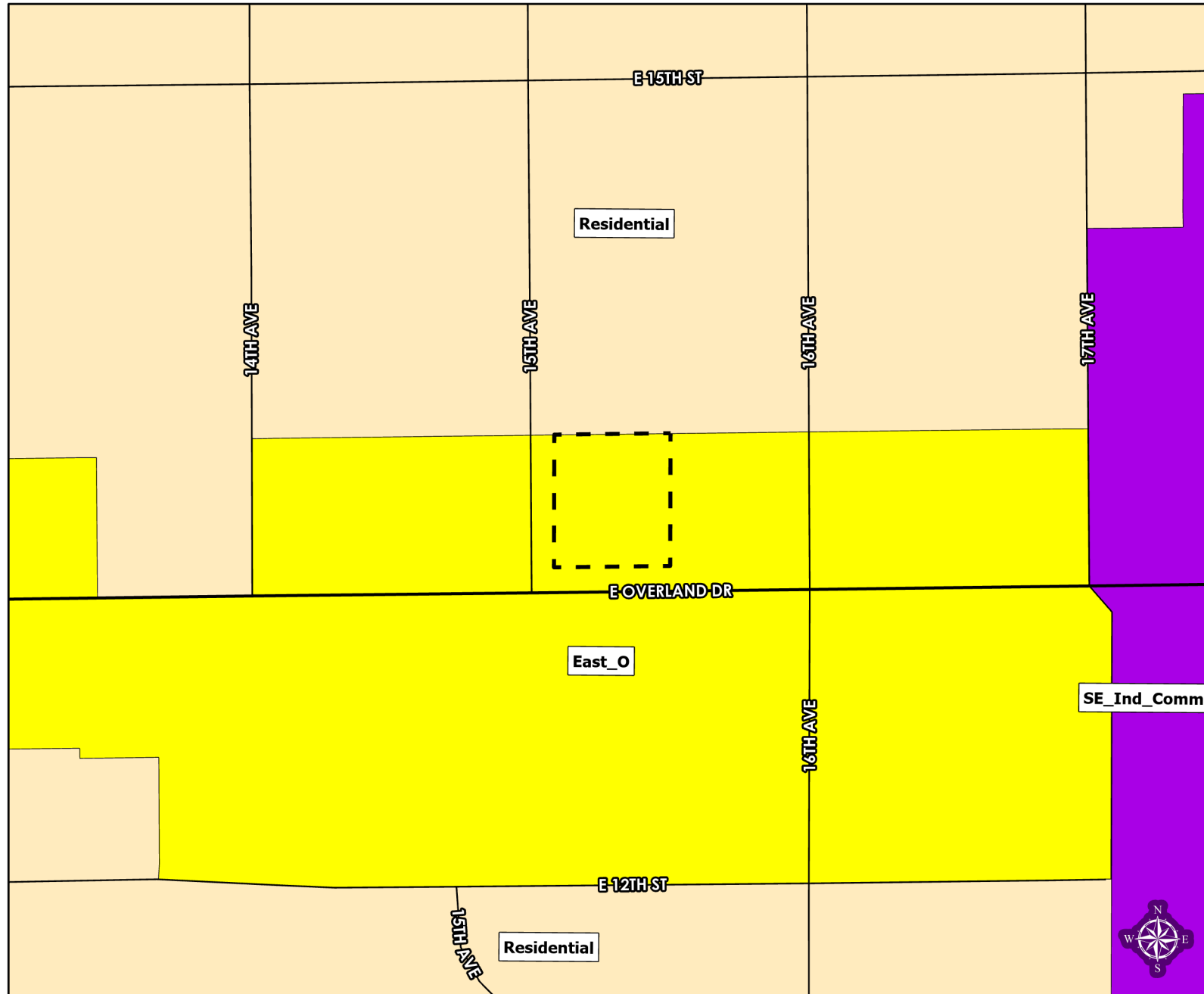
Street Centerlines

- Highway
- Main Road
- Residential/Rural

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

Taylor Stephens
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Plat 1501 E Overland Dr



Proposed Changes

Building

Parcels

Street Centerlines

Highway

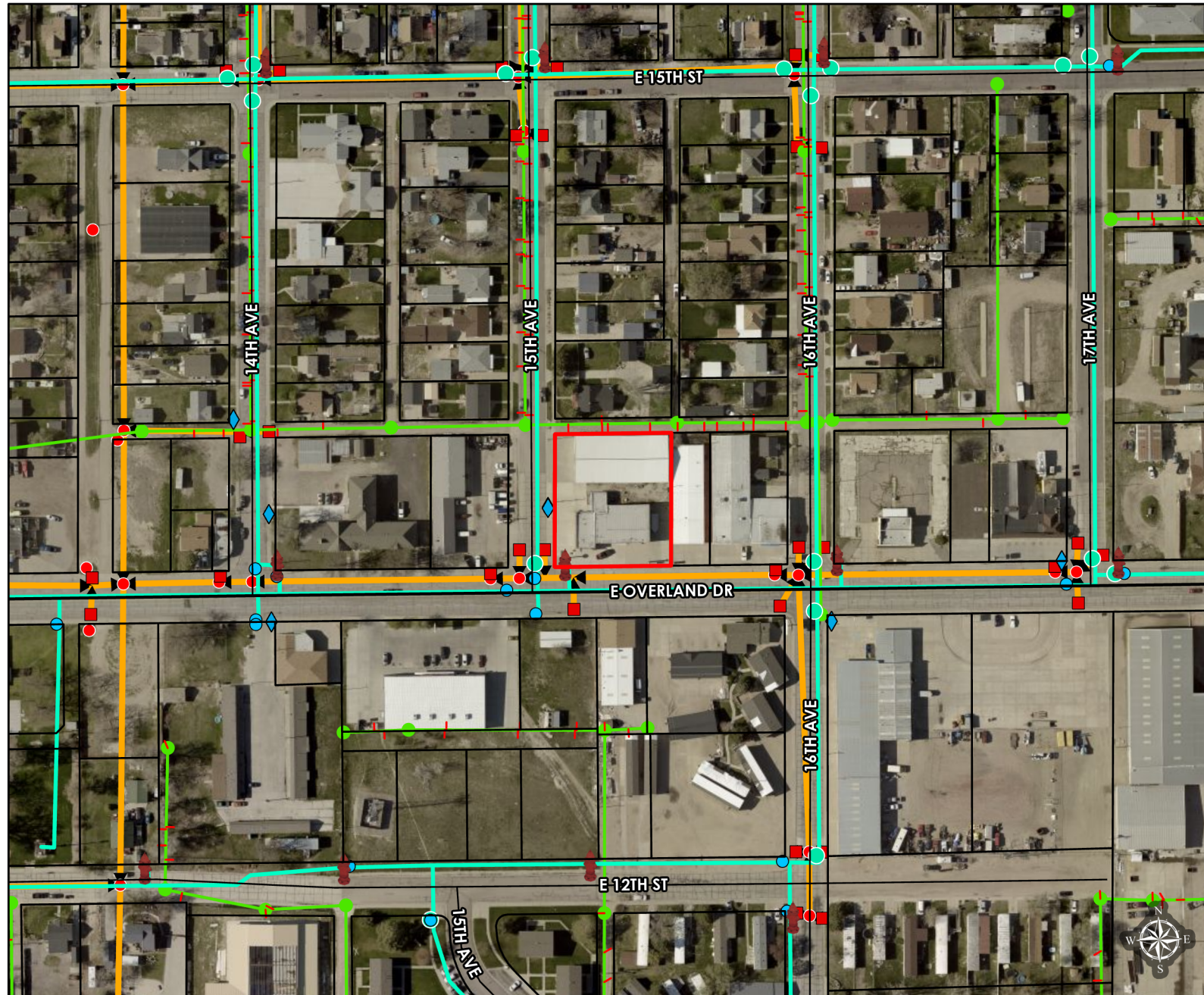
Main Road

Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
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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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City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item New Bus2

b. Planning Commission to conduct a Public Hearing regarding a Final Plat of Lots 1 & 2, Block 1, Orphan Motors Subdivision situated in 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 2

Staff Contact:

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item New Bus3

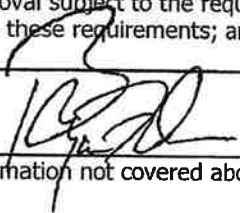

c. Planning Commission to conduct a Public Hearings for a Preliminary Plat of Lots 2-9, Block 1, Frank Properties, situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska

Staff Contact:



City of Scottsbluff, Nebraska

Application for a Preliminary Plat Subdivision

Date: 05-11-2022			DO NOT WRITE IN THIS BLOCK	
Address (Location): West 29th Street (Proposed Lots 2-9, Block 1, Frank Properties)			Permit Number:	
Applicant's Name Bryan Frank (Frank Properties 2, LLC.)			Plat Approved Denied	
Applicant's Address: PO Box 2395			Date Issued:	
City: Scottsbluff	State: Nebraska	Zip: 69363	Comp. Plan Land Use:	Zone:
Telephone: 308-631-8350	Mobile: 308-631-8350	Email: bryanfrank@bfenterprising.com	Attached: Plot Plan Legal Description (in Word) \$100.00 filing fee \$3.00 per property owner within 300-feet Receipt # _____	
Property Owner: Frank Properties 2, LLC.				
Property Owner's Address: PO Box 2395				
City: Scottsbluff	State: Nebraska	Zip: 69363		
Telephone: 308-631-8350	Mobile: 308-631-8350	Email: bryanfrank@bfenterprising.com		
Engineer or Surveyor: Gregg M. Schilz LS-785			Total Acreage: ±4.80 Acres	
Engineer or Surveyor Address: 818 South Beltline Highway East			Proposed number of lots: 8	
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: Agriculture Zone A	
Telephone: 308-635-1926	Mobile: 308-631-7099	Email: gschilz@mcschaff.com	Proposed Use of Property: Commercial Proposed Zone C2	
Location of property: West of Viaero Wireless and south of Home Depot on 29th Street			Present Zoning: Agriculture Zone A	
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:  5-12-2022	
Remarks: (Insert here any information not covered above)				

Development Services Department

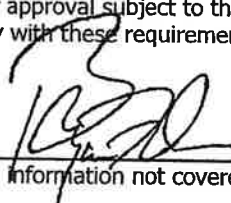

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243



City of Scottsbluff, Nebraska

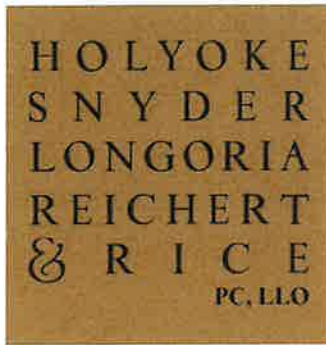
Application for a Final Plat Subdivision

Date: 05-11-2022			DO NOT WRITE IN THIS BLOCK	
Address (Location): West 29th Street (Proposed Lots 2-9, Block 1, Frank Properties)			Permit Number:	
Applicant's Name Bryan Frank (Frank Properties 2, LLC.)			Plat Approved Denied	
Applicant's Address: PO Box 2395			Date Issued:	
City: Scottsbluff	State: Nebraska	Zip: 69363	Comp. Plan Land Use:	Zone:
Telephone: 308-631-8350	Mobile: 308-631-8350	Email: bryanfrank@bfenterprising.com	Attached: Final Plat Legal Description (in Word) \$100.00 filing fee Letter of transmittal Receipt # _____	
Property Owner: Frank Properties 2, LLC.				
Property Owner's Address: PO Box 2395				
City: Scottsbluff	State: Nebraska	Zip: 69363		
Telephone: 308-631-8350	Mobile: 308-631-8350	Email: bryanfrank@bfenterprising.com		
Engineer or Surveyor: Gregg M. Schilz LS-785			Total Acreage: ±4.80 Acres	
Engineer or Surveyor Address: 818 South Beltline Highway East			Proposed number of lots: 8	
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: Agriculture Zone A	
Telephone: 308-635-1926	Mobile: 308-631-7099	Email: gschilz@hotmail.com	Proposed Use of Property: Commercial Proposed Zone C2	
Location of property: West of Viaero Wireless and south of Home Depot on 29th Street			Present Zoning: Agriculture Zone A	
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:  5-12-2022	
Remarks: (Insert here any information not covered above)				

Development Services Department

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243



Attorneys At Law
1714 Second Avenue
Post Office Box 2424
Scottsbluff, NE 69363-2424

Telephone: (308) 635-5000
Facsimile: (308) 635-8000
www.panhandlejustice.com

Thomas T. Holyoke
Andrew W. Snyder
Jonas I. Longoria
Katy A. Reichert
Brendan J. Rice*

*Licensed in Nebraska & Wyoming

May 16, 2022

Via E-Mail Only

Mr. Gregg Schilz
MC Schaff
gschilz@mcschaff.com

Re: Opinion of Ownership
Real Property located within the SE1/4SE1/4, Section 15, Township 22 North,
Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

Dear Mr. Schilz:

On behalf of Frank Properties 2, LLC, a Nebraska limited liability company, I have reviewed the records of the Register of Deeds of Scotts Bluff County, Nebraska, in connection with the ownership of real property located in the SE1/4SE1/4 of Section 15, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, further identified by its parcel number 010000972.

From a review of the records of the Register of Deeds it is clear that Frank Properties 2 LLC, a Nebraska limited liability company received title to the subject premises via Warranty Deed dated December 11, 2020, and recorded on December 11, 2020, as Instrument Number 2020-6193.

As such, it is my conclusion that Frank Properties 2 LLC is the lawful owner of record of the subject premises. Please feel free to contact me with any further comments or questions. Thank you.

Very Truly Yours,

Brendan J. Rice

BJR:sq

June 27, 2022

Mr. Zach Glabius
Planning Administrator
City of Scottsbluff, Nebraska
2525 Circle Drive
Scottsbluff, Nebraska 69361

Mr. Gladius:

On behalf of our client, Frank Properties 2, LLC., we would like to request that a Paving District be created for the paving on 28th Street, in Frank Properties Subdivision.

The district would be to pave 28th Street beginning at the intersection of 28th Street and Avenue I and continuing west on 28th Street to the future Avenue K intersection.

We are requesting M.C. Schaff & Associates be designated the Special Engineer for the project. They will provide more information if needed at this time.

Requested by Brendan Rice representing Frank Properties 2.

Brendan Rice

June 27, 2022

Mr. Zach Glabius
Planning Administrator
City of Scottsbluff, Nebraska
2525 Circle Drive
Scottsbluff, Nebraska 69361

Mr. Gladius:

On behalf of our client, Frank Properties 2, LLC., we would like to request that a Sewer District be created for the installation of sewer along 29th Street in Frank Properties Subdivision.

The district would include the installation of 8-inch sewer main beginning along the north property line within a utility easement from lot 2, Block 1 Frank Properties subdivision and extend west to service Lot 4, Block 1 Frank Properties subdivision.

We are requesting M.C. Schaff & Associates be designated the Special Engineer for the project. They will provide more information if needed at this time.

Requested by Brendan Rice representing Frank Properties 2.

Brendan Rice



Scottsbluff City Zoning Map (Rezone) Application

2525 Circle Drive, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date:	5-11-2022		Number (Office Use Only):
Property Address:	West 29th Street (Proposed Lots 2-9, Block 1, Frank Properties)		
Current Zone:	Proposed Zone:	Acreage of Property:	
A	C2	±4.80 Acres	
Comprehensive Plan Designation:	Comprehensive Plan Amendment Required?		
Highway 26 Commercial	No		

Applicant Information

Applicant:	Property Owner:		
Bryan Frank (Frank Properties 2, LLC.)	Frank Properties 2, LLC.		
Address:	Telephone:		
PO Box 2395	308-631-8350		
City:	State:	Zip:	Alt. Telephone:
Scottsbluff	Ne	69363	

City Development Process and Requirements

- Staff Review Time:** Approximately 4 to 5 weeks prior to the Public Hearing date.
- Planning Commission:** Held the second Monday of each month at 6:00 p.m.
- City Council:** Held the first and third Mondays of each month at 6:00 p.m.

All meetings are held in the City Council Chambers at 2525 Circle Drive in Scottsbluff.

REQUIREMENTS

- ☐ Pre-application meeting with City Planner
- ☐ Rezone Fees \$100.00 plus
- ☐ Cost of postage for everyone within 300 feet + \$3.00 per property owner
- ☐ Provide a list (in mailing label format) of property owners within 300 feet of the exterior boundaries of the property to be rezoned together with:
 - ☐ A map(s) that clearly show the ownership within the 300 feet

- ☐ A letter from the property owner giving permission that their property maybe rezoned.
- ☐ Legal description of the property - on disk or emailed to the City Development Service Department in Word format and a map of property to be rezoned.
- ☐ A Letter from the petitioner that the proposed use:
 - ☐ Would provide a service required by the neighborhood and/or community and be consistent with sound land use.
 - ☐ Would not be injurious to the adjacent properties or uses
 - ☐ That rezoning the property would not create special hazards or problems for the neighborhood or community
 - ☐ Would be harmonious and consistent with the plan for the area in the Comprehensive Plan
 - ☐ Why the rezone of the property should be granted.

If any of these items are not submitted with the application City Staff maintains the right to return the application as incomplete.

Rezone Process

After staff receives a completed application the staff will write a report to the Planning Commission including their recommendation. The Planning Commission will then hold a public hearing (which must be noticed in newspaper 10 days prior to the hearing) pertaining to the Zone Change and either recommend supporting the zone change or not to the City Council. After the Planning Commission the City Council will also hold a public hearing on the rezone request and either approve, approve with conditions or deny the request.

City of Scottsbluff
2525 Circle Drive
Scottsbluff, NE 69361

RE: Rezoning of Proposed Lots 2-9, Block 1, Frank Properties

To whom it may concern:

This letter is written in order to ensure that the rezoning of this property would provide a service required by the community, is consistent with sound land use, will not be injurious to the adjacent property owners, will not create a special hazard or problem for the community or neighborhood, and will be harmonious and consistent with the plan for the area.

The planned development is for commercial lots that will fall within the zoning of C-2. The property is bordered to the east and north by C-2 zoned properties. In addition, approximately 200 feet south of the property the zoning is C-2. The City's comprehensive plan indicates that the property falls within the Highway 26 Commercial designation. One of the appropriate zones for Highway 26 Commercial is C-2, of which we are requesting this property be re-zoned to.

Given this, we request that our request to rezone the property to C-2 be granted.

Thank you for your consideration,

Bryan Frank
Frank Properties 2

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: June 30, 2022 For Hearing of: March 14, 2022



I. GENERAL INFORMATION

- A. Applicant:** Bryan Frank (Frank Properties 2, LLC)
PO Box 2395
Scottsbluff, NE 69361
- B. Property Owner:** Same as Applicant
- C. Proposal:** Preliminary and Final Plats of Lots 2-9, Block 1, Frank Properties subdivision
Rezone Lots 2-9, Block 1, Frank Properties from Agricultural to C-2 Neighborhood and Retail Commercial
- D. Legal Description:** An addition to the City of Scottsbluff situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska
- E. Location:** Approximately 4.58 acres of land located southeast of the intersection of Avenue K and 29th Street
- F. Existing Zoning & Land Use:** Ag – Agricultural
- G. Future Land Use Designation:** Automobile Commercial
- H. Size of Site:** Approximately 4.58 Acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Home Depot
East	Northwest Commercial	C-2 Neighborhood and Retail Commercial R-1A Single Family Residential	Shaggy Buffalo Car Wash, Viaero Wireless & Multi-Family Residential Building

South	Highway 26 Commercial	C-2 Neighborhood and Retail Commercial	RCI, Taco Town, Domino's, Storage Units, Contryman Associates
West	Automobile Commercial	Ag – 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 Automobile Commercial.

B. Traffic & Access:

1. Lots 2-4 are accessible via 29th Street.
2. Lots 5-9 will be accessible via 28th Street.
3. Lots 4 and 5 will also be accessible via Avenue K.
4. 29th Street is constructed to Avenue K.
5. 28th Street and Avenue K shall be constructed prior to the issuance of a building permit in the subdivision as per the Contract for Public Improvements/Developer's Agreement.
6. The first 263 feet of 28th Street were dedicated in 1989, however the street has not been constructed. Per an agreement found in Miscellaneous Book 123 Page 12, the subdivider and successors of the Baltes Addition subdivision were to have constructed this segment of street by December 1989.
7. A 29 feet wide utility and access easement is located where 28th Street will be constructed. The easement and alley will be vacated and the City will retain the land as public right-of-way for 28th Street.

C. Utilities:

1. 8-inch diameter water mains are located along both 28th and 29th Streets.
2. An 8-inch diameter sanitary sewer main is located where 28th Street will be dedicated and constructed.
3. A 30-inch diameter storm sewer main is located on the northside of 29th Street.
4. A 20 feet utility easement is proposed along the southside of 29th Street for the extension of the sanitary sewer main.
5. Further storm sewer infrastructure will be installed as this part of the City becomes more developed.

IV. STAFF COMMENTS

- A.** The developer, Frank Properties 2, LLC, has proposed a Developer's Agreement also known as a Contract for Public Improvements, which would postpone the construction of 28th Street and the sanitary sewer main along 29th Street. The current agreement excludes Avenue K.
- a. No building permit would be issued until all improvements are constructed or an agreement with a contractor for such construction has been signed.
 - b. Staff has requested Avenue K between 28th and 29th Street be included in this Developer's Agreement.

- B. With this plat, the applicant is requesting to rezone the land to C-2 Commercial. The 2016 Comprehensive Land Use Map identifies this area as Automobile Commercial and recommends the C-2 district in this area.
- C. The developer is requesting the creation of a Paving District and a Sewer District to pay for the construction of 28th Street and the 29th Street sewer main. Staff has requested Avenue K be included in the Paving District.
- D. The sidewalk along the southside of 29th Street will be required to be constructed prior to the issuance of a building permit.

V. FINDINGS OF FACT

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

- 1. The Comprehensive Plan identifies the area as Automobile Commercial and the proposed rezone is to C-2 Neighborhood and Retail Commercial.
- 2. The proposed lots and use are consistent with the surrounding neighborhood.
- 3. The Developer's Agreement will result in compliance with Code 21-1-27 which requires the construction of all improvements in a subdivision.
- 4. The C-2 District does not require a minimum lot size.

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

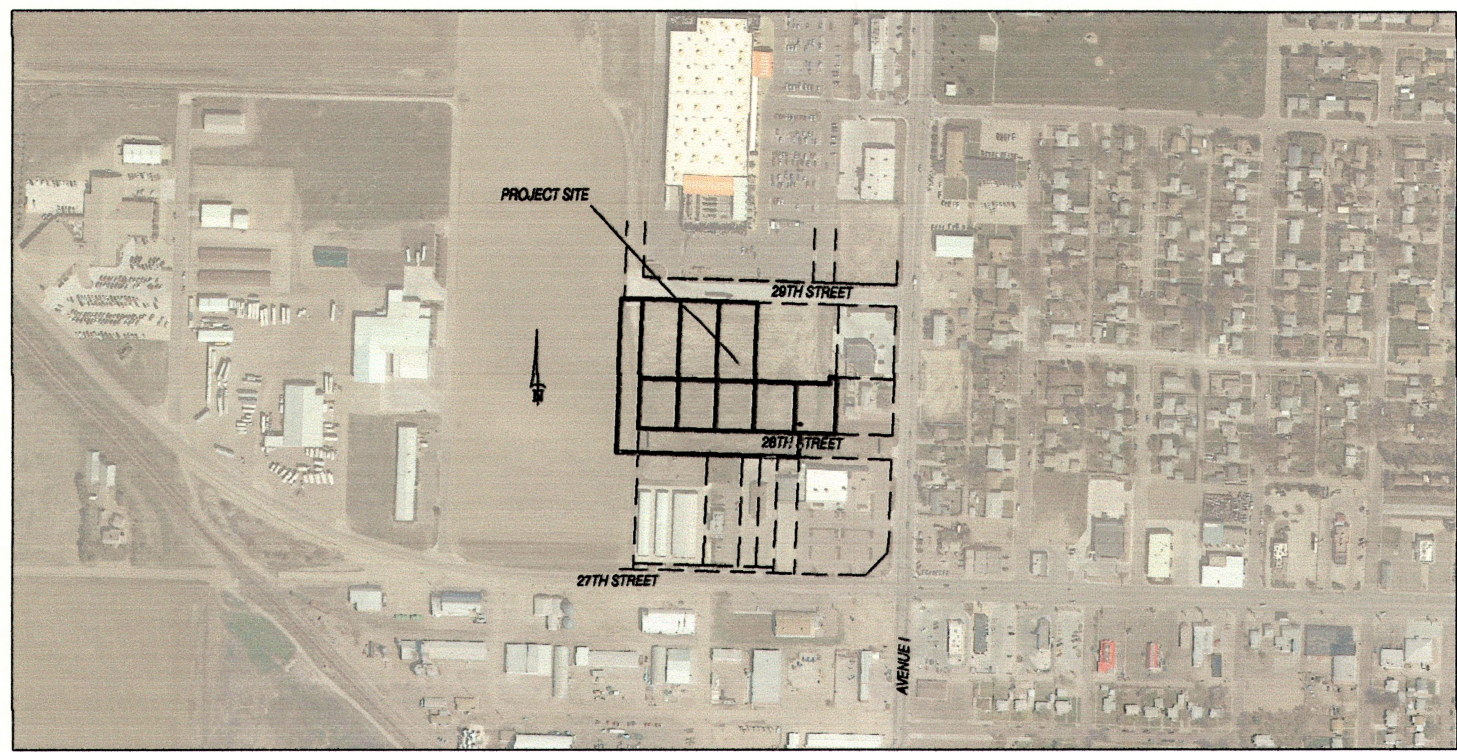
- 1. The current draft of Developer's Agreement does not include the completion of Avenue K between 28th and 29th Street.

VI. STAFF RECCOMENDATION

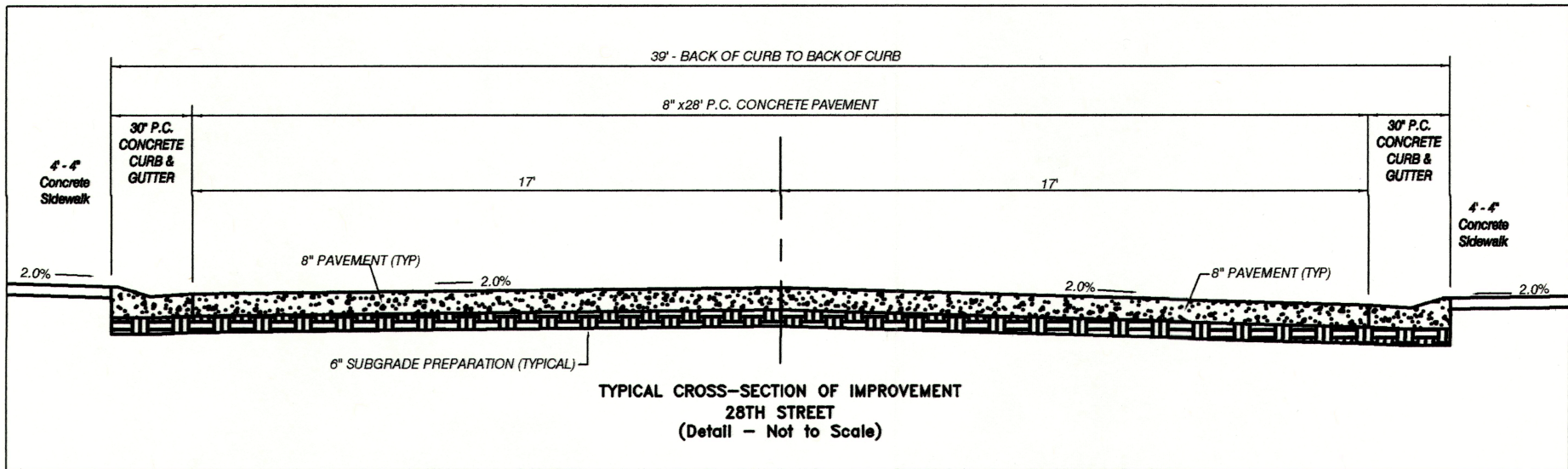
- A. Staff recommends Planning Commission recommend the approval of the Preliminary and Final Plat of and Rezone from Ag to C-2 Commercial for Lots 2-9, Block 1, Frank Properties, an addition to the City of Scottsbluff situated in the southeast quarter of the southeast quarter of Section 15, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska, on the condition the revised developer's agreement includes the installation of 28th Street from the eastern boundary of Lot 9 to Avenue K, Avenue K from 28th Street to 29th Street, and the sewer main along W. 29th Street within the subdivision.

PRELIMINARY PLAT

LOTS 2 THROUGH 9, BLOCK 1, FRANK PROPERTIES,
AN ADDITION TO THE CITY OF SCOTTSBLUFF,
SITUATED IN THE SOUTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 15,
TOWNSHIP 22 NORTH, RANGE 55 WEST
OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



VICINITY MAP



TYPICAL CROSS-SECTION OF IMPROVEMENT

LEGAL DESCRIPTION
LOTS 2 THROUGH 9, BLOCK 1, FRANK PROPERTIES, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, FRANK PROPERTIES TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN INSTRUMENT 2021-343, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, ON AN ASSUMED BEARING OF S02°05'00"W, A DISTANCE OF 220.00 FEET, THENCE BEARING S88°21'39"E, ON THE SOUTH LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, A DISTANCE OF 212.00 FEET, THENCE BEARING N02°05'00"E, ON THE EAST LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, A DISTANCE OF 17.01 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, FRANK PROPERTIES, AS RECORDED IN DEED BOOK 207, PAGE 383, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S88°21'16"E, ON THE SOUTH LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, A DISTANCE OF 15.85 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1, FRANK PROPERTIES, AS RECORDED IN DEED BOOK 189, PAGE 312, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S02°01'53"W, ON THE WEST LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, A DISTANCE OF 161.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, AS RECORDED IN DEED BOOK 189, PAGE 312, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S02°07'53"W, ON THE WESTERN TERMINATION LINE OF 28TH STREET, AS PLATTED IN DEED BOOK 189, PAGE 312, SCOTTS BLUFF COUNTY, NEBRASKA, A DISTANCE OF 66.00 FEET, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 5, BALTES SECOND ADDITION TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN DEED BOOK 102, PAGE 169, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING N88°26'05"W, ON THE NORTH LINE OF SAID BLOCK 5 BALTES SECOND ADDITION, A DISTANCE OF 260.20 FEET TO THE NORTHEAST CORNER OF BLOCK 1 ALF ADDITION TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN INSTRUMENT 2002-4942, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING N88°25'28"W, ON THE NORTH LINE OF SAID BLOCK 1, ALF ADDITION, A DISTANCE OF 197.97 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 1, ALF ADDITION, THENCE CONTINUING ON THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 1, ALF ADDITION, A DISTANCE OF 60.00 FEET, THENCE BEARING N02°04'46"E, A DISTANCE OF 430.78 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF 29TH STREET, AS PLATTED IN INSTRUMENT 2004-490, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S88°21'39"E, ON THE SOUTH RIGHT OF WAY LINE OF SAID 29TH STREET, A DISTANCE OF 387.06 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.80 ACRES, MORE OR LESS

LEGEND	
	EXISTING SECTION CORNER, AS NOTED
	EXISTING QUARTER SECTION CORNER, AS NOTED
	EXISTING 5/8" REBAR, OR AS NOTED
	SET 5/8" x 24" REBAR
	RIGHT OF WAY RECORD
	UTILITY EASEMENT
	LIGHT POLE
	MANHOLE, AS NOTED
	STORM SEWER INLET
	FIRE HYDRANT
	WATER VALVE
	GUY WIRE
	BOLLARD
	ELECTRICAL BOX
	RIGHT OF WAY BUILDING SETBACK LINE
	GAS MARKER
	TELEPHONE PESTAL
	TREE WITH TRUNK DIAMETER SHOWN
	STREET SIGN, AS NOTED
	TELEPHONE MARKER
	PROPERTY LINE
	UTILITY EASEMENT
	SANITARY SEWER LINE
	STORM SEWER LINE
	WATER LINE
	BUILDING SETBACK LINE
	FENCE LINE

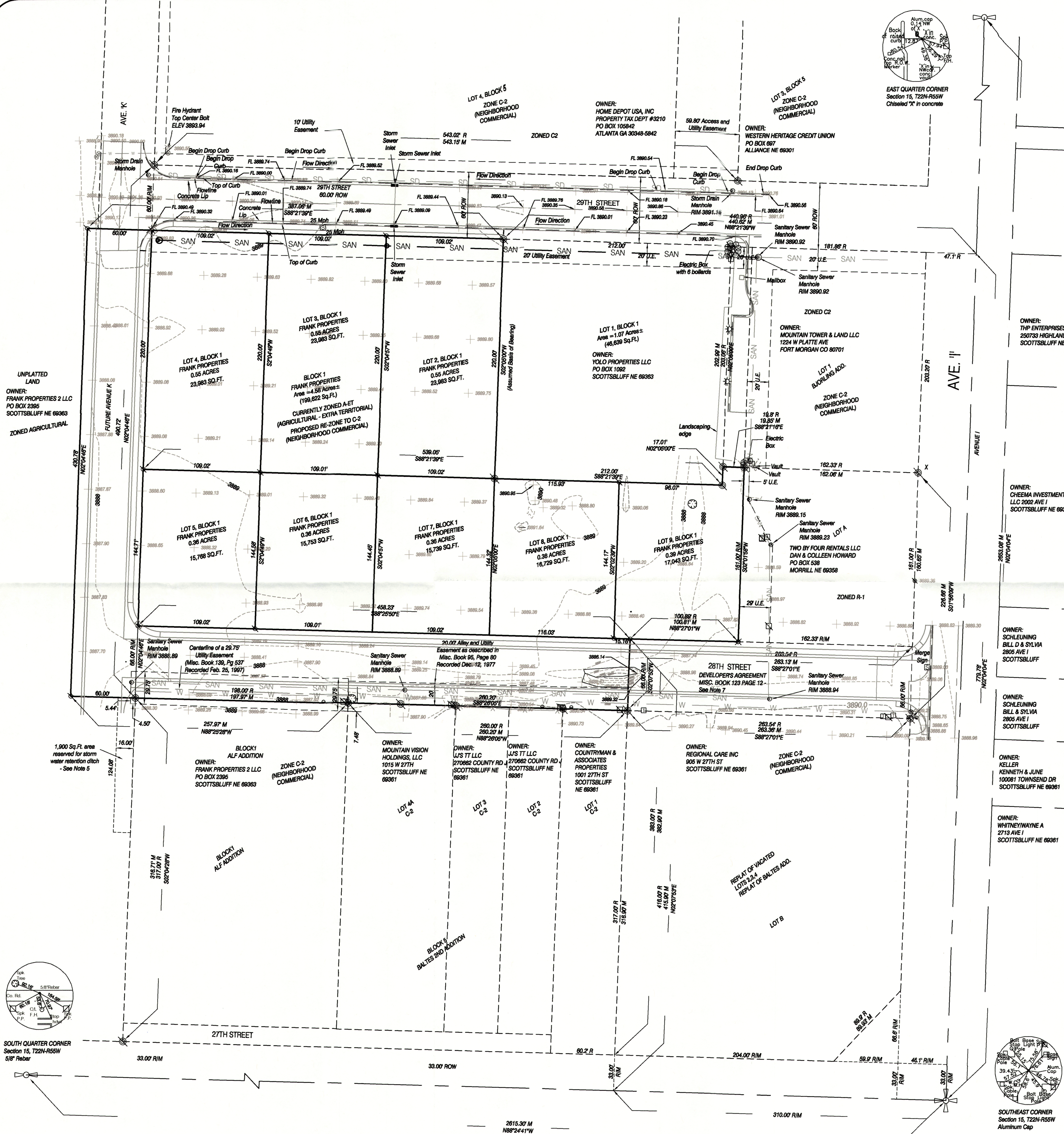
General Notes:

- 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.
- Flood Plain Information:
This property has been designated as Flood Zone B as shown on FIRM Map, Community Panel No. 310206-0005-C, effective date June 15, 1979.
Zone B refers to areas between limits of the 100-year flood and 500 year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.
- Zoning Information: The Building Setback requirements as per zoning designation is as follows:

SETBACK REQUIREMENTS FOR ZONE C2 (NEIGHBORHOOD AND RETAIL COMMERCIAL)

Front yard setback - None or 25' abutting R-Zone
Rear yard setback - None or 15' abutting R-Zone
Interior side yard setback - None or 5' abutting R-Zone
Side street setback - None
The maximum height of building allowed - 35 feet
(source: Scottsbluff Municipal Code Section 25-3-14)

- Developer's Address: Bryan Frank, PO Box 2396, Scottsbluff, Nebraska 69361
- This area will be used for storm water retention for Lots 2 through 9, Block 1, Frank Properties until city storm sewer is developed.
- In order to extend 28th Street to the west edge of Avenue K right of way, Frank Properties 2 LLC, would like to request the vacation of the 20-foot alley and utility easement as described in Miscellaneous Book 95, Page 80, Recorded on December 12, 1977, and also that part of a 29.75-foot utility easement, described in Miscellaneous Book 139, Page 537, recorded February 25th, 1997, lying North of the North property line of Block 1, Alf Addition, and retain said easement for the extension of road right of way of 28th Street.
- There is an existing Developers Agreement in place for the already dedicated section of 28th Street, recorded in Miscellaneous Book 123, Page 12-17.



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

PROJECT: PROPOSED PRELIMINARY
PLAT OF LOTS 2-9, BLOCK 1,
FRANK PROPERTIES
SCOTTSBLUFF, NE

CLIENT: FRANK ENTERPRISES, INC
BRYAN FRANK

PROJECT NUMBER:
RM220095-00
PROJECT DATE:
APRIL 25, 2022
PROJECT MGR:
D.P.S.
PROJECT TEAM:
GS-TD

SEAL

DATE	REVISION

SHEET 1 OF 1

P-1

LOT 1, BLOCK 1,
FRANK PROPERTIES
SCOTTSBLUFF, NEBRASKA
SHEET 2 OF 2
JOB# RM220095-00

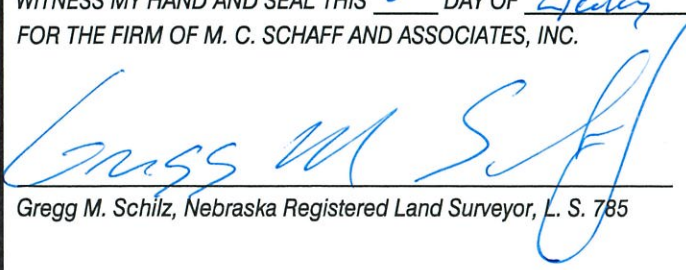
SURVEYOR'S CERTIFICATE

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 LOTS 2 THROUGH 9, BLOCK 1, FRANK PROPERTIES, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, FRANK PROPERTIES TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN INSTRUMENT 2021-343, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, ON AN ASSUMED BEARING OF S02°05'00"W, A DISTANCE OF 220.00 FEET, THENCE BEARING S88°21'39"E, ON THE SOUTH LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, A DISTANCE OF 212.00 FEET, THENCE BEARING N02°05'00"E, ON THE EAST LINE OF SAID LOT 1, BLOCK 1, FRANK PROPERTIES, A DISTANCE OF 17.01 FEET TO THE SOUTHWEST CORNER OF LOT 1, BJORLING ADDITION TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN DEED BOOK 207, PAGE 383, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S88°21'16"E, ON THE SOUTH LINE OF SAID LOT 1, BJORLING ADDITION, A DISTANCE OF 19.85 FEET TO THE NORTHWEST CORNER OF LOT A, A REPLAT OF VACATED LOTS 2,3, AND 4, REPLAT OF BALTES ADDITION TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN DEED BOOK 189, PAGE 312, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S02°01'58"W, ON THE WEST LINE OF SAID LOT A, A DISTANCE OF 161.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT A, THENCE BEARING N88°27'01"W, ON THE NORTH RIGHT OF WAY LINE OF 28TH STREET, AS PLATTED IN DEED BOOK 189, PAGE 312, SCOTTS BLUFF COUNTY, NEBRASKA, A DISTANCE OF 100.81 FEET, THENCE BEARING S02°07'53"W, ON THE WESTERN TERMINATION LINE OF 28TH STREET, AS PLATTED IN DEED BOOK 189, PAGE 312, SCOTTS BLUFF COUNTY, NEBRASKA, A DISTANCE OF 66.00 FEET, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 5, BALTES SECOND ADDITION TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN DEED BOOK 102, PAGE 169, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING N88°26'05"W, ON THE NORTH LINE OF SAID BLOCK 5 BALTES SECOND ADDITION, A DISTANCE OF 260.20 FEET TO THE NORTHEAST CORNER OF BLOCK 1 ALF ADDITION TO THE CITY OF SCOTTSBLUFF, AS RECORDED IN INSTRUMENT 2002-4942, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING N88°25'28"W, ON THE NORTH LINE OF SAID BLOCK 1, ALF ADDITION, A DISTANCE OF 197.97 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 1, ALF ADDITION, THENCE CONTINUING ON THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 1, ALF ADDITION, A DISTANCE OF 60.00 FEET, THENCE BEARING N02°04'46"E, A DISTANCE OF 430.78 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF 29TH STREET, AS PLATTED IN INSTRUMENT 2004-490, SCOTTS BLUFF COUNTY, NEBRASKA, THENCE BEARING S88°21'39"E, ON THE SOUTH RIGHT OF WAY LINE OF SAID 29TH STREET, A DISTANCE OF 387.06 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.80 ACRES, MORE OR LESS

That the accompanying plat is a true delineation of such survey drawn to a scale of 80 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 5TH DAY OF July, 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 unplatted 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, as described in the foregoing 'Surveyor's Certificate' and shown on the accompanying plat have caused such real estate to be platted as LOTS 2 THROUGH 9, BLOCK 1, FRANK PROPERTIES, an Addition to the City of Scottsbluff, situated in the Southeast Quarter of the Southeast Quarter of Section 15, 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. We hereby dedicate these streets and easements shown for the use and benefit of the public.
Dated this _____ day of _____, 2022.

Owner: Frank Properties 2, LLC

By: Bryan Frank, Member

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

Before me, a Notary Public, qualified and acting in said County, personally came Bryan Frank, Member of Frank Properties 2, LLC, to me known to be the identical person whose signature is affixed to the foregoing 'Owner's Statement' and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of Frank Properties 2, LLC.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2022.

Notary Public

My Commission Expires _____

APPROVAL AND ACCEPTANCE

The foregoing plat of LOTS 2 THROUGH 9, BLOCK 1, FRANK PROPERTIES, an Addition to the City of Scottsbluff, situated in the Southeast Quarter of the Southeast Quarter of Section 15, 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.

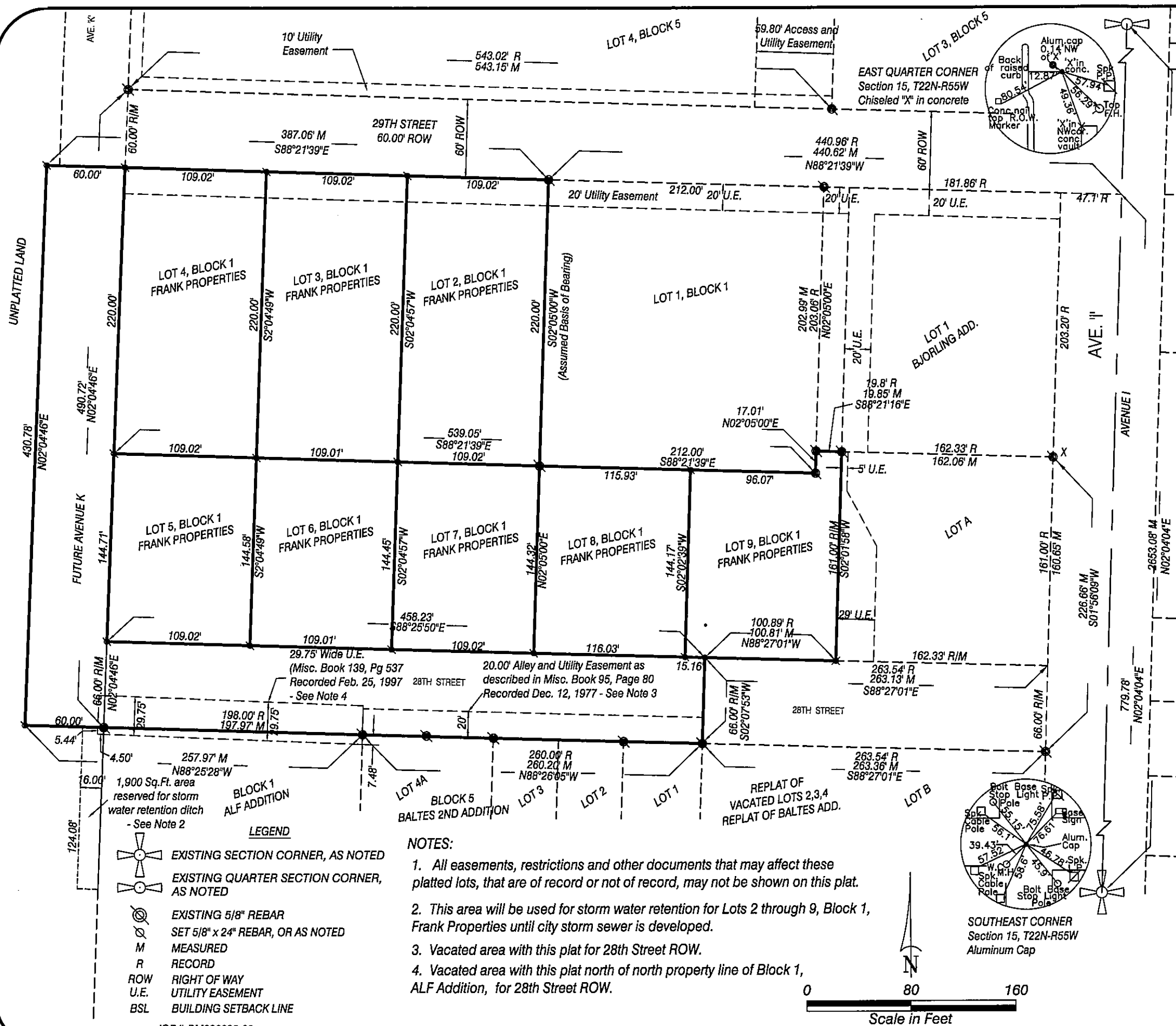
Mayor: Jeanne McKerrigan

ATTEST: _____
City Clerk

FINAL PLAT

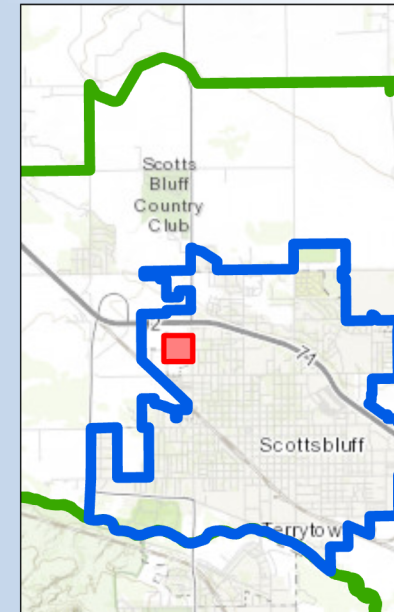
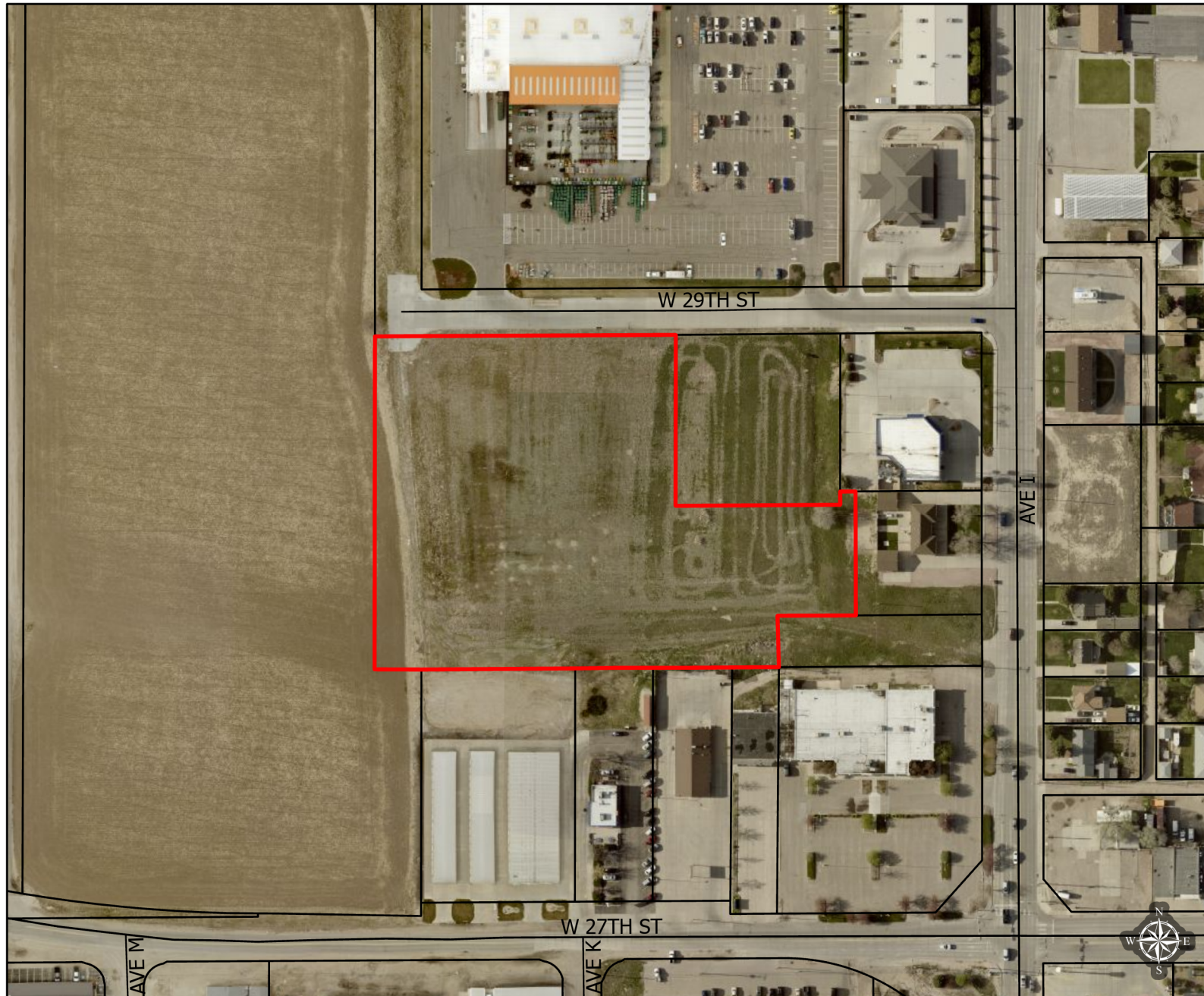
LOTS 2 THROUGH 9, BLOCK 1, FRANK PROPERTIES, AN ADDITION TO THE CITY OF SCOTTSBLUFF,

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



JOB# RM220095-00

Plat: Frank Properties Blk 1 Lots 2-9

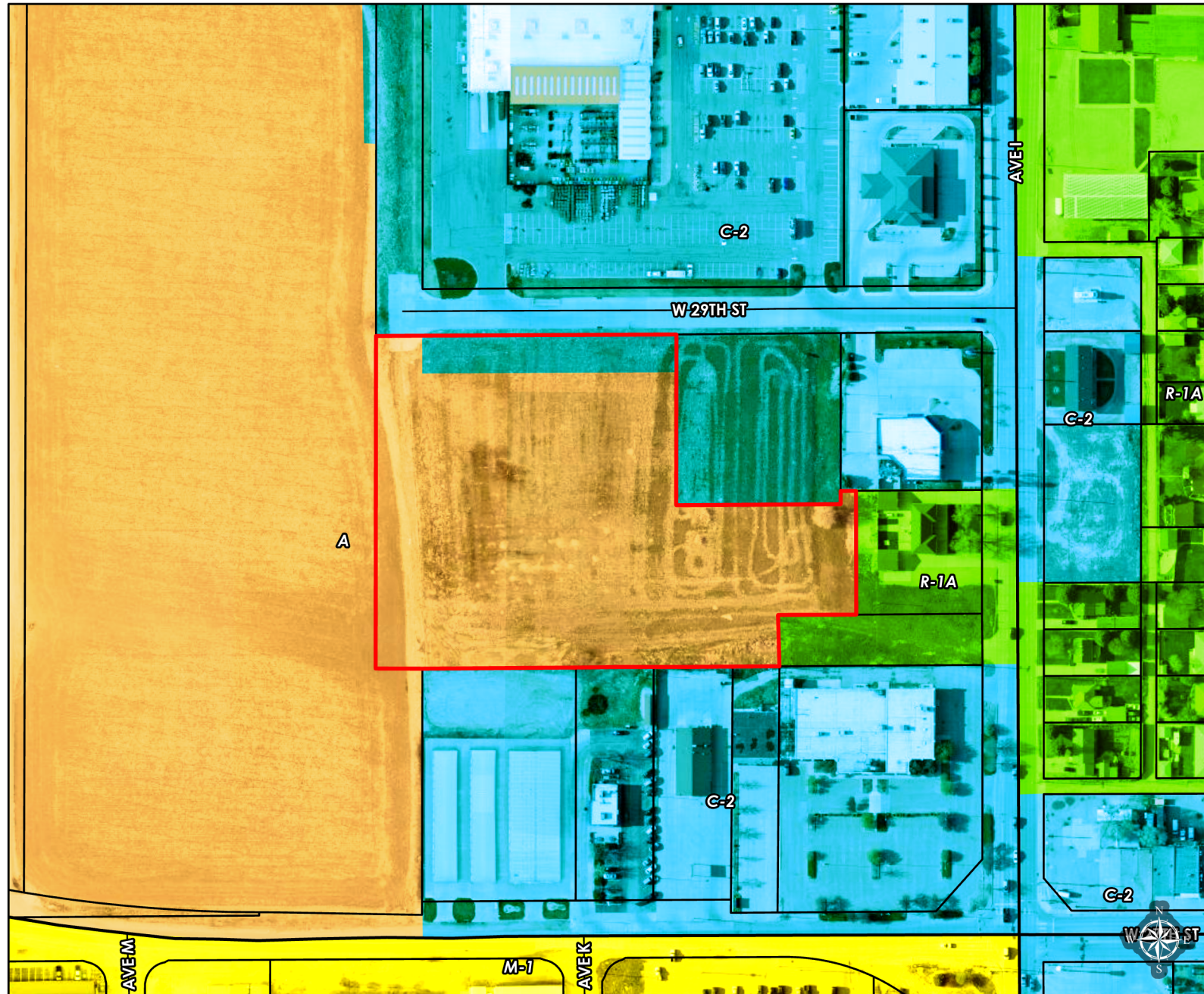


- Corporate Limits
- Extended Jurisdiction
- Proposed Changes
- Street Centerline
 - Highway
 - Main Road
 - Residential
 - Parcels

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: Frank Properties Blk 1 Lots 2-9

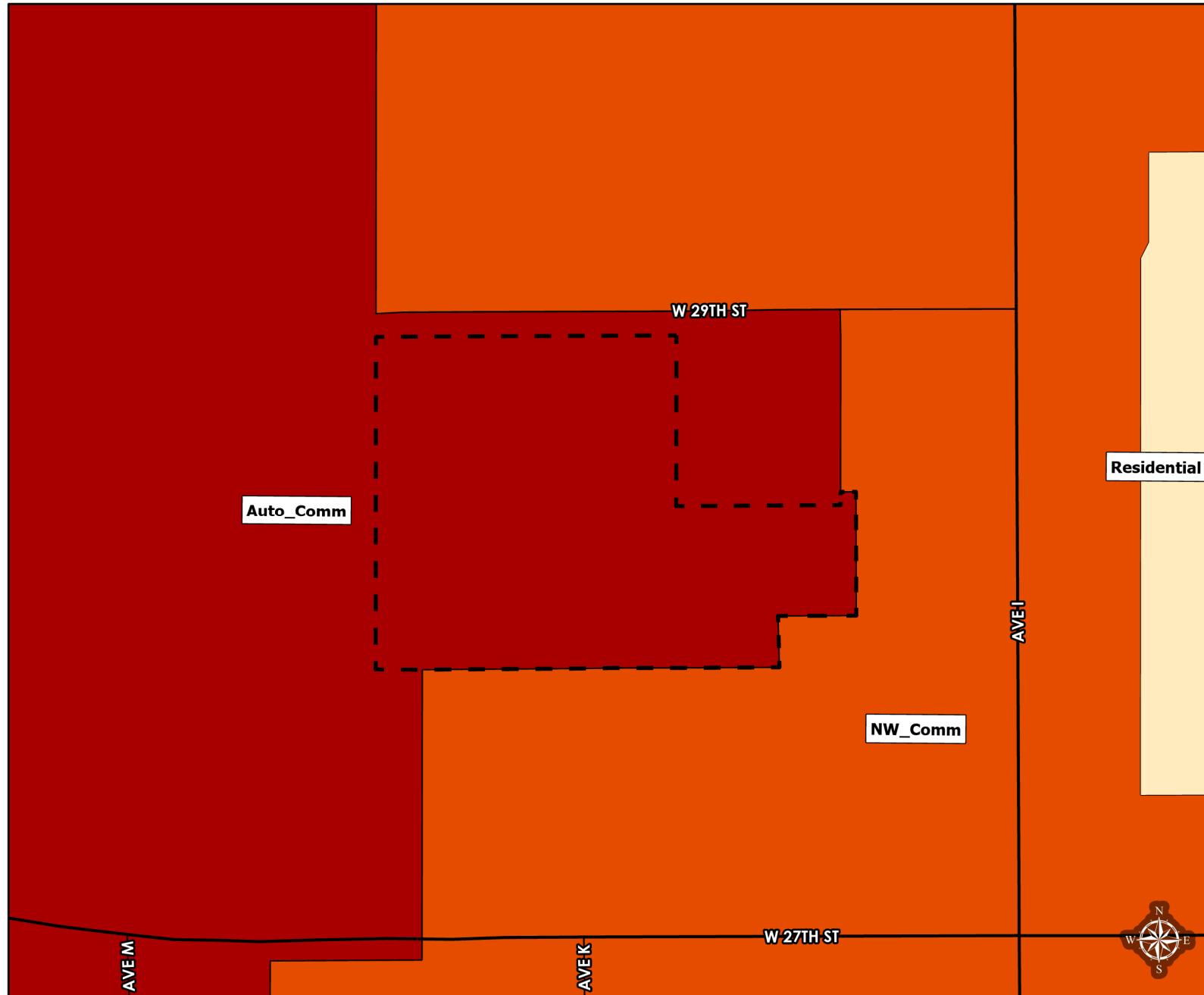


- Parcels
 - Proposed Changes
 - Corporate Limits
 - Extended Jurisdiction
- City Zoning**
- (A)Agriculture
 - (AR)Ag Residential
 - (C-1)Central Business District
 - (C-2)Neighborhood Com
 - (C-3)Heavy Com
 - (M-1)Light Man & Ind
 - (M-2)Heavy Man & Ind
 - (O-P)Office and Professional
 - (PBC) Planned Business
 - (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

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Plat: Frank Properties Blk 1 Lots 2-9

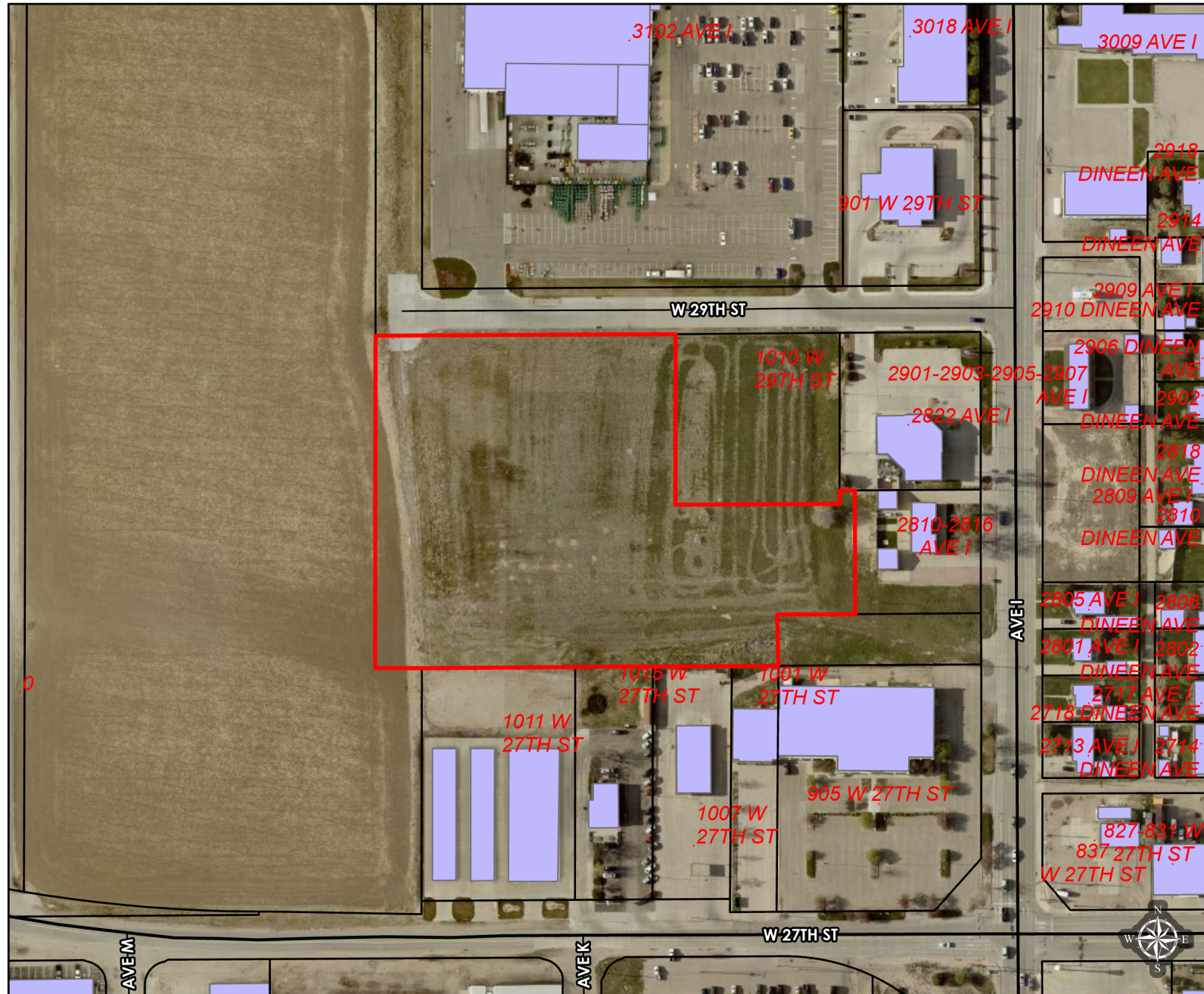


- Proposed Changes
- 2016 Comp. Plan Land Use**
- Automobile Commercial
 - Avenue B and Hospital Campus
 - Central Business District
 - East Overland
 - Highway 26 Commercial
 - Northwest Commercial
 - Residential
 - Rural
 - Rural Residential
 - SE Industrial and Commercial
 - South Broadway
 - WNCC 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: Frank Properties Blk 1 Lots 2-9



Proposed Changes

Building

Parcels

Street Centerlines

Highway

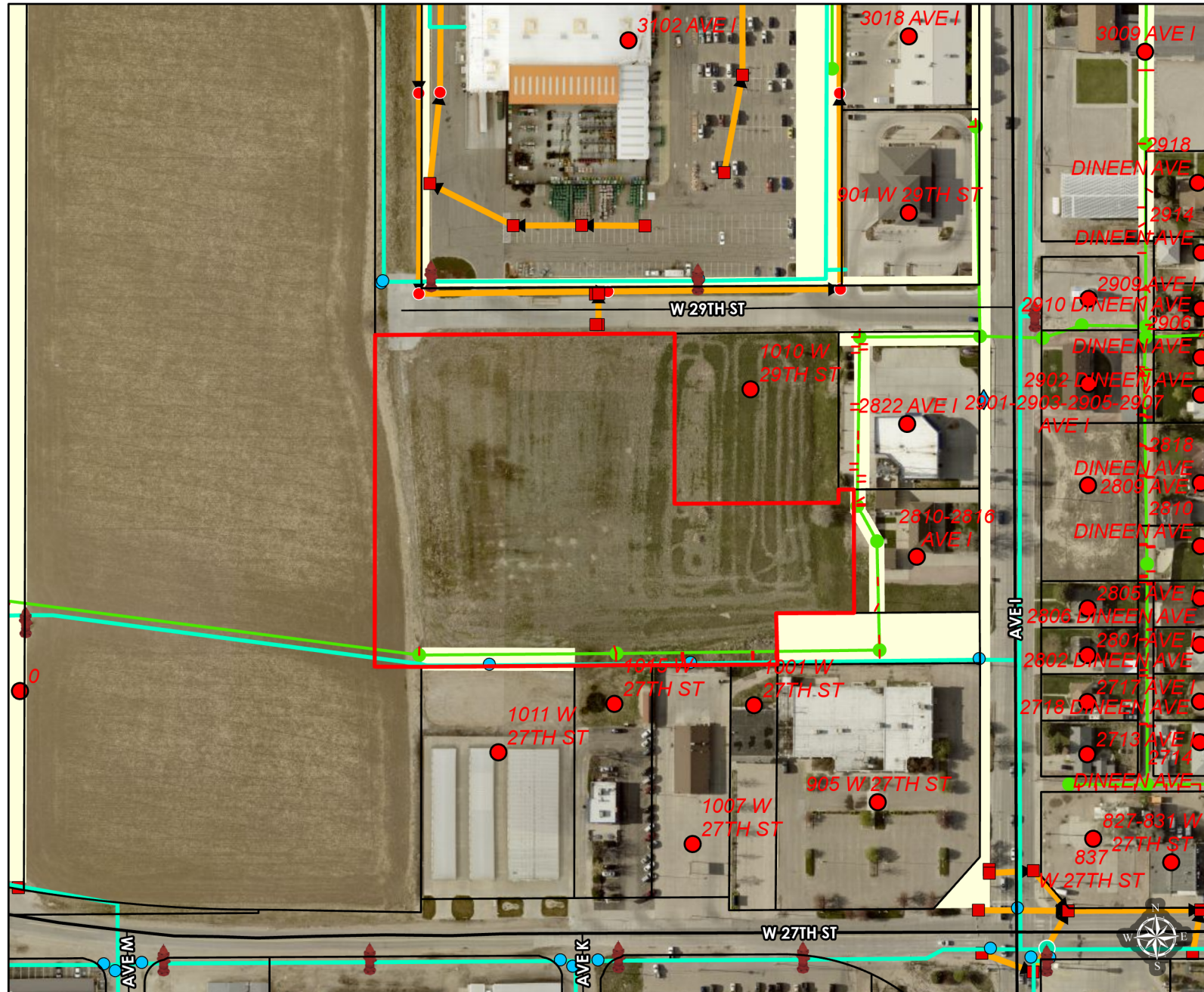
Main Road

Residential/Rural

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Plat: Frank Properties Blk 1 Lots 2-9



- Proposed Changes
- Street Centerlines
 - Highway
 - Main Road
 - Residential/Rural
- GEODATA.GISMGR.BEEHIVE_ADDRESSES
- 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

Taylor Stephens
City of Scottsbluff GIS
Created on 7/5/2022
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

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City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item New Bus4

d. Planning Commission to conduct a Public Hearing for a Final Plat of Lots 2-9, Block 1, Frank Properties, situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska.

Staff Contact:

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item New Bus5

e. Planning Commission to conduct a Public Hearing regarding a Rezone of Lots 2-9, Block 1, Frank Properties, situated in the Southeast Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska from Agricultural to C-2 Neighborhoo

Staff Contact:

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item New Bus6

f. Planning Commission to conduct a Public Hearing for proposed Ordinance Text Change to Chapter 4 Article 1 regarding the International Building Code and International Residential Code.

Staff Contact:

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. The current municipal code 4-1-10 excludes Section 101.4.5 regarding the adoption of the International Fire Code.
- B. The International Fire Code was adopted in January 2021 with Ordinance 4255 and is found under 8-1-12
- C. The current municipal code 4-1-2 (A)(1) states the City adopted the International Building Code including Appendix F. This Appendix F refers to rodent proofing and is incorrect.
- D. The Appendix F which was meant to be adopted and is being enforced is found in the International Residential Code which the City adopted (4-1-2 (A)(2). This Appendix F refers to mitigating radon gases

II. CURRENT CODE

- A. 4-1-10
 - 1. Sections 101.4.1, 101.4.2, 101.4.3, 101.4.4, **101.4.5**, 101.4.6, 101.4.7, 105.1.1, 105.1.2, 105.2, 109, 110, 112, 113, 115, 3103, and Chapters 13, 27, 28, 29 and 30 of the 2018 International Building Code are excluded and not adopted by this municipal code.
- B. 4-1-2 (A)
 - 1. (A) The following standard building codes are adopted for the purposes of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use, occupancy, location, and maintenance of buildings and structures, including permits and penalties:
 - (1) The International Building Code, 2018 Edition, **including Appendix F**, published by the International Code Council. Reference to "International Building Code" throughout this code shall mean this code;
 - (2) The International Residential Code 1 & 2 Family Dwellings, 2018 Edition, published by the International Code Council. Reference to the "International Residential Code" throughout this code shall mean this code; and
 - (3) The International Energy Conservation Code, 2018 Edition, adopted by the Nebraska legislature as the "Nebraska Energy Code".

III. REVISED CODE

- A. 4-1-10:
 - i. Sections 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.6, 101.4.7, 105.1.1, 105.1.2, 105.2, 109, 110, 112, 113, 115, 3103, and Chapters 13, 27, 28, 29 and 30 of the 2018 International Building Code are excluded and not adopted by this municipal code.
- B. 4-1-2 (A)
- C. (A) The following standard building codes are adopted for the purposes of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use, occupancy, location, and maintenance of buildings and structures, including permits and penalties:

(1) The International Building Code, 2018 Edition, published by the International Code Council. Reference to “International Building Code” throughout this code shall mean this code;

(2) The International Residential Code 1 & 2 Family Dwellings, 2018 Edition, **including Appendix F**, published by the International Code Council. Reference to the “International Residential Code” throughout this code shall mean this code; and

(3) The International Energy Conservation Code, 2018 Edition, adopted by the Nebraska legislature as the “Nebraska Energy Code”.

IV. STAFF COMMENTS

- A.** The International Building Code was adopted in January 2020 and the International Fire Code was excluded in this adoption.
- B.** The International Fire Code was adopted in January 2021 under 8-1-12. However, the exclusion under 4-1-10 was not repealed.
- C.** When adopted, Appendix F was mistakenly listed under the IBC, however it should be under the IRC. Staff has been enforcing Appendix F of the IRC since the adoption of IRC in 2020.

V. STAFF RECCOMENDATION

- A.** Staff recommends the Planning Commission make a positive recommendation to City Council to approve the proposed ordinance text amendment changes to 4-1-10 and 4-1-2.

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item Staff Rep1

(informational only)

Staff Contact:

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item Olher Bus.1

(informational only)

Staff Contact:

City of Scottsbluff, Nebraska

Monday, July 11, 2022

Regular Meeting

Item Meet1

Confirm next meeting date of August 8, 2022

Staff Contact: