

City of Scottsbluff, Nebraska

Monday, July 10, 2023

Regular Meeting


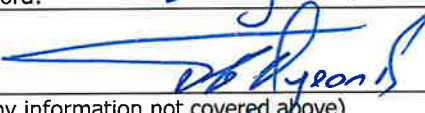
Item Pub Hear1

Planning Commission to consider and take action on a Special Use Permit Application by Tim Reganis

Staff Contact:



City of Scottsbluff, Nebraska Special Use Permit Application

Date: 5/22/2023			DO NOT WRITE IN THIS BLOCK	
Address (Location) of requested Special Use: 1125 E 27th Street, Scottsbluff, Nebraska, 69361			Permit Number:	
Applicant's Name Tim Reganis			Special Use Permit <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Applicant's Address: 2006 E Overland, PO Box 1245			Date Issued:	
City: Scottsbluff	State: Nebraska	Zip: 69361	Comp. Plan Land Use:	Zone:
Telephone: 308-632-8200	Mobile:	Email: tim@reganis.com	Attached: Plot Plan <input checked="" type="checkbox"/> Legal Description (in word) <input checked="" type="checkbox"/> \$100.00 filing fee <input type="checkbox"/> \$250.00 for PUD (planned unit dev) <input checked="" type="checkbox"/> \$3.00 per property owner within 300-feet <input checked="" type="checkbox"/> Receipt # _____	
Property Owner: Timothy Reganis				
Property Owner's Address: 2006 E Overland, PO Box 1245				
City: Scottsbluff	State: Nebraska	Zip: 69361		
Telephone: 308-632-8200	Mobile:	Email: tim@reganis.com		
Description of the nature of the use for which the Special Use Permit is requested (Why and What): The property is proposed to be used for auto sales and services to compliment the neighboring Reganis Honda Dealership.				
Legal Description: See the attached legal description.				
Zoning Ordinance Section pertaining to Special Use Permit: The property is a C-2 zoning and ordinance 25-3-14. C-2 requires Auto Sales and Services as a Special Permit Use.				
Please attach the following: <input type="checkbox"/> Copy of Plot Plan (showing property lines, dimensions, existing structures, proposed structures, easements, etc..) <input type="checkbox"/> Legal Description on a CD/Disk (in Word) <input type="checkbox"/> \$100.00 filing fee				
I, the undersigned, hereby certify that I agree to be bound by all requirements of the ordinances of the City of Scottsbluff and any other conditions that may be place concerning the use for which a Special Permit is requested. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.				
Property Owner(s) of Record: 			Date: 6/7/2023	
Applicant's Signature: 			Date: 6/7/2023	
Remarks: (Insert here any information not covered above) Plans will be resubmitted as required for replatting and TIF.				

Development Services Department

111 West 19th , Scottsbluff, NE 69361

(308) 630-6243

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 13, THENCE WESTERLY ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 13, ON AN ASSUMED BEARING OF N88°20'42"W, A DISTANCE OF 205.91 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUING WESTERLY ON SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 13, BEARING N88°20'42"W, A DISTANCE OF 263.15 FEET, THENCE BEARING N00°25'03"W, A DISTANCE OF 50.03 FEET, THENCE CONTINUING ON THE LAST DESCRIBED COURSE, BEARING N00°25'03"W, A DISTANCE OF 391.35 FEET, THENCE BEARING N88°20'01"W, A DISTANCE OF 209.05 FEET, THENCE BEARING N01°39'59"E, A DISTANCE OF 175.39 FEET, THENCE BEARING N61°51'31"E, A DISTANCE OF 222.32 FEET, THENCE BEARING S28°08'29"E, A DISTANCE OF 76.82 FEET, THENCE BEARING S00°25'03"E, A DISTANCE OF 189.37 FEET, THENCE BEARING S88°19'46"E, A DISTANCE OF 192.92 FEET, TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 3°10'12", A RADIUS OF 2033.00 FEET, A CHORD BEARING OF S09°42'41"E, AND A CHORD LENGTH OF 112.46 FEET, THENCE SOUTHERLY ON THE ARC OF SAID CURVE, A DISTANCE OF 112.48 FEET, TO A POINT OF REVERSE CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 13°39'03", A RADIUS OF 1386.92 FEET, A CHORD BEARING OF S04°27'20"E, AND A CHORD LENGTH OF 329.66 FEET, THENCE SOUTHERLY ON THE ARC OF SAID REVERSE CURVE, A DISTANCE OF 330.44 FEET, THENCE BEARING S01°39'18"W, A DISTANCE OF 33.00 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 3.98 ACRES, MORE OR LESS.

**BLOCK 2,
REGANIS SUBDIVISION
IN THE CITY OF SCOTTSBLUFF,
SCOTTS BLUFF COUNTY, NEBRASKA**

SITUATED IN THE SOUTHEAST QUARTER OF
THE SOUTHWEST QUARTER OF SECTION 13,
TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M.,
SCOTTS BLUFF COUNTY, NEBRASKA

SURVEYOR'S CERTIFICATE

I, Kelly A. Beatty, a Nebraska Registered Land Surveyor, hereby certify that I have surveyed and prepared a plat of BLOCK 2, REGANIS SUBDIVISION, in the City of Scottsbluff, Scotts Bluff County, Nebraska, situated in the Southeast Quarter of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

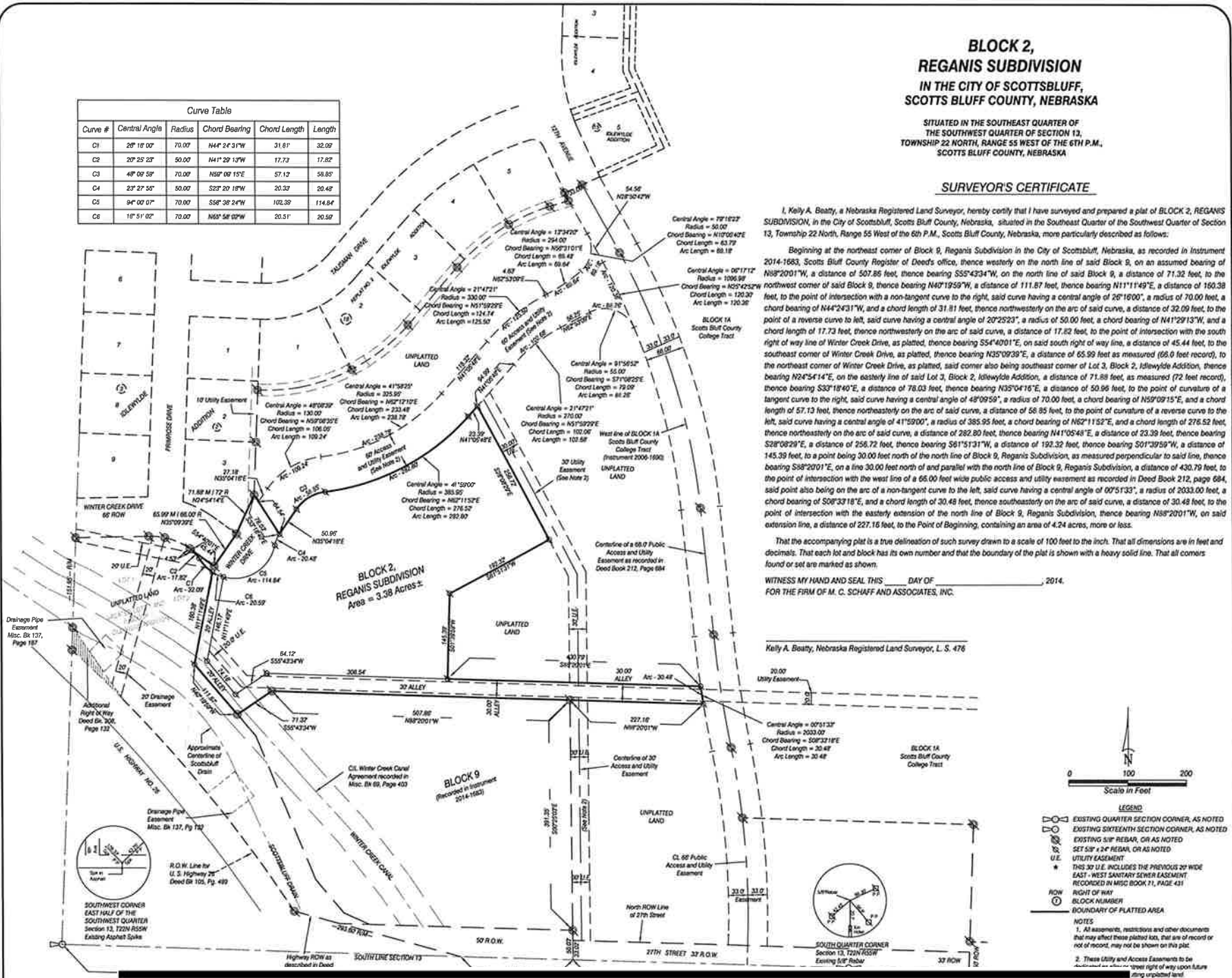
Beginning at the northeast corner of Block 9, Reganis Subdivision in the City of Scottsbluff, Nebraska, as recorded in Instrument 2014-1683, Scotts Bluff County Register of Deeds office, thence westerly on the north line of said Block 9, on an assumed bearing of N88°20'01"W, a distance of 507.85 feet, thence bearing S55°43'34"W, on the north line of said Block 9, a distance of 71.32 feet, to the northwest corner of said Block 9, thence bearing N40°19'59"W, a distance of 111.87 feet, thence bearing N11°11'49"E, a distance of 160.38 feet, to the point of intersection with a non-tangent curve to the right, said curve having a central angle of 26°16'00", a radius of 70.00 feet, a chord bearing of N44°24'31"W, and a chord length of 31.81 feet, thence northwesterly on the arc of said curve, a distance of 32.09 feet, to the point of a reverse curve to the left, said curve having a central angle of 20°25'23", a radius of 50.00 feet, a chord bearing of N41°29'13"W, and a chord length of 17.73 feet, thence northwesterly on the arc of said curve, a distance of 17.82 feet, to the point of intersection with the south right of way line of Winter Creek Drive, as platted, thence bearing S54°40'01"E, on said south right of way line, a distance of 45.44 feet, to the southeast corner of Winter Creek Drive, as platted, thence bearing N35°09'39"E, a distance of 65.99 feet as measured (68.00 feet record), to the northeast corner of Winter Creek Drive, as platted, said corner also being southeast corner of Lot 3, Block 2, Idleywilde Addition, thence bearing N24°54'14"E, on the easterly line of said Lot 3, Block 2, Idleywilde Addition, a distance of 71.88 feet, as measured (72 feet record), thence bearing S33°18'40"E, a distance of 78.03 feet, thence bearing N33°04'16"E, a distance of 50.96 feet, to the point of curvature of a tangent curve to the right, said curve having a central angle of 48°09'59", a radius of 70.00 feet, a chord bearing of N59°09'15"E, and a chord length of 57.13 feet, thence northwesterly on the arc of said curve, a distance of 58.85 feet, to the point of curvature of a reverse curve to the left, said curve having a central angle of 41°59'00", a radius of 385.95 feet, a chord bearing of N62°11'52"E, and a chord length of 278.52 feet, thence northwesterly on the arc of said curve, a distance of 282.80 feet, thence bearing N41°05'48"E, a distance of 23.39 feet, thence bearing S28°08'29"E, a distance of 256.72 feet, thence bearing S61°51'31"W, a distance of 192.32 feet, thence bearing S01°39'59"W, a distance of 145.39 feet, to a point being 30.00 feet north of the north line of Block 9, Reganis Subdivision, as measured perpendicular to said line, thence bearing S38°20'01"E, on a line 30.00 feet north of and parallel with the north line of Block 9, Reganis Subdivision, a distance of 430.79 feet, to the point of intersection with the west line of a 66.00 feet wide public access and utility easement as recorded in Deed Book 212, page 684, said point also being on the arc of a non-tangent curve to the left, said curve having a central angle of 09°51'33", a radius of 2033.00 feet, a chord bearing of S08°33'18"E, and a chord length of 30.48 feet, thence southeasterly on the arc of said curve, a distance of 30.48 feet, to the point of intersection with the easterly extension of the north line of Block 9, Reganis Subdivision, thence bearing N88°20'01"W, on said extension line, a distance of 227.16 feet, to the Point of Beginning, containing an area of 4.24 acres, more or less.

That the accompanying plat is a true delineation of such survey drawn to a scale of 100 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. That all corners found or set are marked as shown.

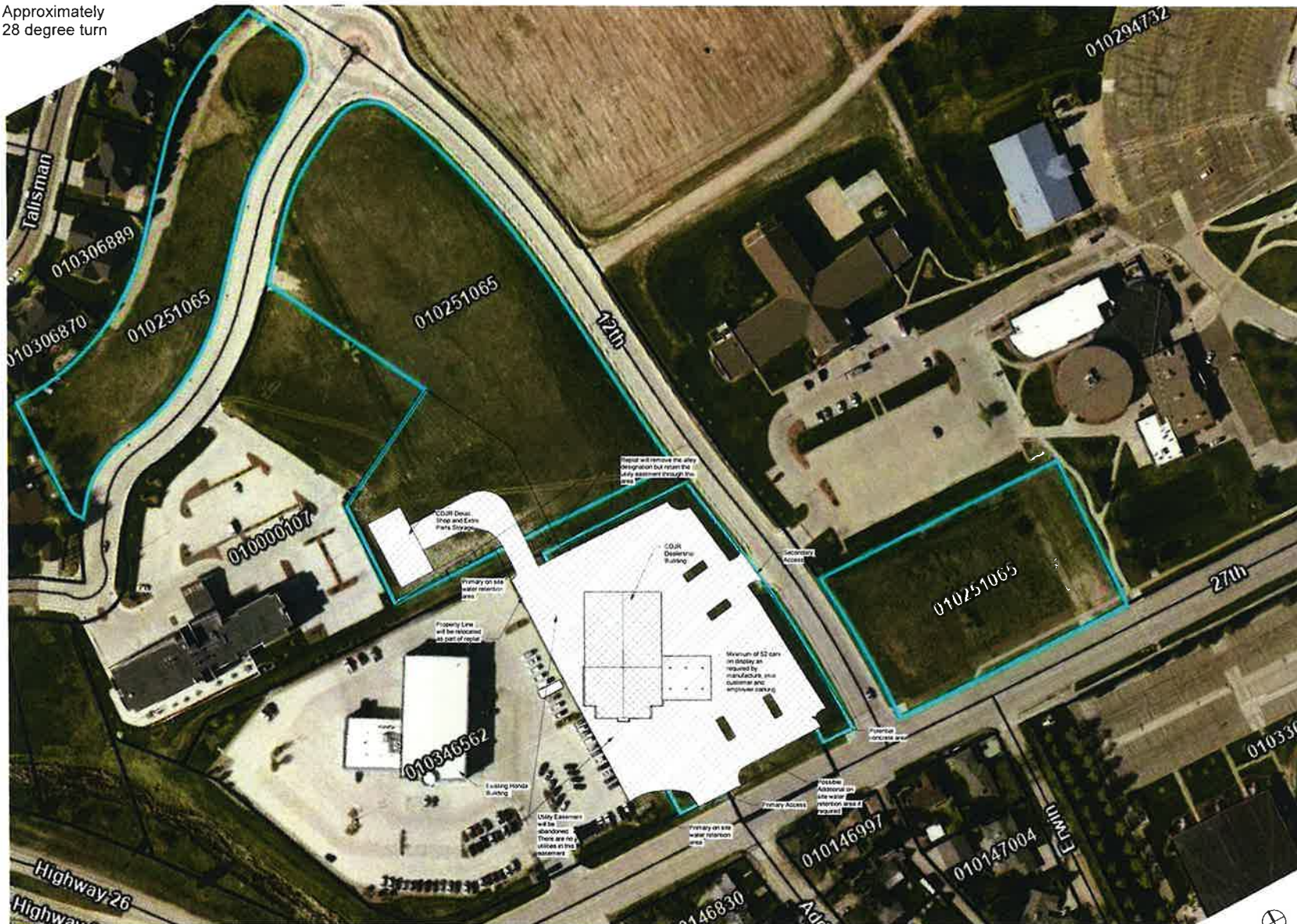
WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2014.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

Kelly A. Beatty, Nebraska Registered Land Surveyor, L. S. 476

Curve Table				
Curve #	Central Angle	Radius	Chord Bearing	Chord Length
C1	26° 16' 00"	70.00	N44° 24' 31"W	31.81
C2	20° 25' 23"	50.00	N41° 29' 13"W	17.73
C3	48° 09' 59"	70.00	N59° 09' 15"E	57.13
C4	23° 27' 55"	50.00	S23° 20' 18"W	20.33
C5	94° 00' 01"	70.00	S56° 36' 24"W	102.30
C6	16° 51' 02"	70.00	N65° 58' 02"W	20.51



Approximately
28 degree turn



① Site
1/8" = 1'-0"

Actual Site design to come at a later stage

TRAILS WEST ARCHITECTURE
 Physical: 818 S. Bellline Hwy E, Suite C
 Scottsbluff, Nebraska 69361
 Mailing: 100794 County Road D
 Morrill, Nebraska 69358
 Phone: 402-707-9451

Preliminary Conceptual
Review

Consultants
CIVIL ENGINEER
 W.C. Schaff and Associates
 815 S. Bellline Hwy E
 Scottsbluff, Nebraska 69361
 Phone: (402) 637-0735
 Fax: (402) 635-7607
 Mussen@weschaff.com

STRUCTURAL ENGINEER
 Not Used

ELECTRICAL ENGINEER
 Farns Engineering
 844 11th Avenue
 Stryker, Nebraska 69162
 Phone: (308) 203-2222
 Eren@farns.com

MECHANICAL ENGINEER
 Farns Engineering
 844 11th Avenue
 Stryker, Nebraska 69162
 Phone: (308) 203-2222
 BScom@farns.com

No.	Description	Date

Reganis
CDJR
Preliminary Site Plan

Project number: 23-CM-NC-REG-1
 Date: 5/25/2023
 Drawn by: MJH
 Checked by: Checker

A010
 Scale: 1/8" = 1'-0"

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: July 3, 2023

For Hearing of: July 10, 2023



I. GENERAL INFORMATION

- A. **Applicant:** Tim Reganis
2006 E. Overland Drive
Scottsbluff, Nebraska 69361
- B. **Property**
 - Owner: Same as Applicant
- C. **Proposal:** Special Use Permit to sell automobiles and motorcycles at 1125 E. 27th Street
- D. **Legal Description:** Tract of Unplatted land in the Southeast Corner of the Southwest Quarter of Section 13, Township 22 North, Range 55 West of the 6th PM
- E. **Location:** 1125 E. 27th Street
- F. **Existing Zoning & Land Use:** C-2 Neighborhood & Retail Commercial
- G. **Size of Site:** Approximately 3.98 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	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Vacant Land
East	Highway 26 Commercial/ WNCC & Surrounding Area	C-2 Neighborhood & Retail Commercial / R-1 Single Family Residential	WNCC and Vacant land
South	Residential	R-1A Single Family Residential	Single Family Dwellings
West	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Reganis Honda Dealership

B. Relevant Case History

1. In 2014, a special use permit for auto sales and service was approved for the adjacent Honda Dealership at 1117 E. 27th Street.

III. ANALYSIS

- A. **Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Highway 26 Commercial.

B. Traffic & Access:

1. Primary access to the property would be via the existing curb cut on 27th Street.
2. Secondary access to the property would be via the existing curb cut on 12th Avenue.

C. Utilities

1. Water, Sewer, and Stormwater are located in the 27th Street Right-of-Way.
2. Water is also located in the 12th Avenue Right-of-Way
3. Sewer is also located in the platted alley bisecting the property.

D. Zoning

1. Per 25-3-14 C, Auto sales and service is a special permit use in the C-2 Neighborhood and Retail Commercial Zoning District.

IV. STAFF COMMENTS

- A.** Pending the decision on the SUP, the applicant will request an alley vacation when platting the land.
- B.** A special permit is assigned to the business owner and not the land itself.
- C.** Per 25-13-3, the Planning Commission may issue a special permit for the use of a lot, tract of land, building, or structure in circumstances and a manner authorized by other articles of this chapter if the Commission finds the proposed use:
- a. Provides a service required by the neighborhood or community and is consistent with sound principles of land use;
 - b. Will not be injurious to the use of neighboring lots, tracts of land, buildings, or structures;
 - c. Will not create special hazards or problems for the area in which it is located;
 - d. Is related to and harmonious with the general plan for the area in which it is located, as indicated by this chapter
 - e. Otherwise, is in accordance with the intents and purposes of this chapter. The Commission may make the use which is authorized in the special permit subject to reasonable conditions which in the discretion of the Planning Commission are necessary to carry out the intents and purposes of this chapter.

V. FINDINGS OF FACT

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

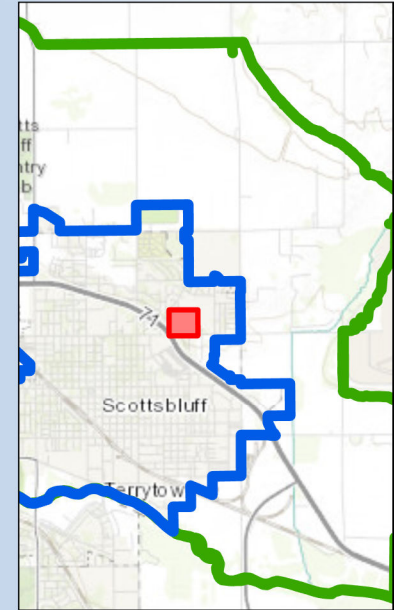
1. The Comprehensive Plan identifies the area as Highway 26 Commercial.
2. Auto mobile sales and service represent services that are required by the community and the use is consistent with the surrounding zonings and uses.
3. The use will not be injurious to neighboring uses.
4. The use will not create special hazards or problems.
5. The Comprehensive Plan Future Land Use Map supports the use.
6. The use is in accordance with the intents and purposes of the Code.

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

1. None

VI. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission recommend the approval of the special use permit to Tim Reganis for automobile sales and service at 1125 E. 27th Street.



- Proposed Changes
- Street Centerlines
- CLASS**
- Highway
- Main Road
- Residential/Rural
- Parcels
- Address

Taylor Stephens
City of Scottsbluff GIS
Created on 7/3/2023
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

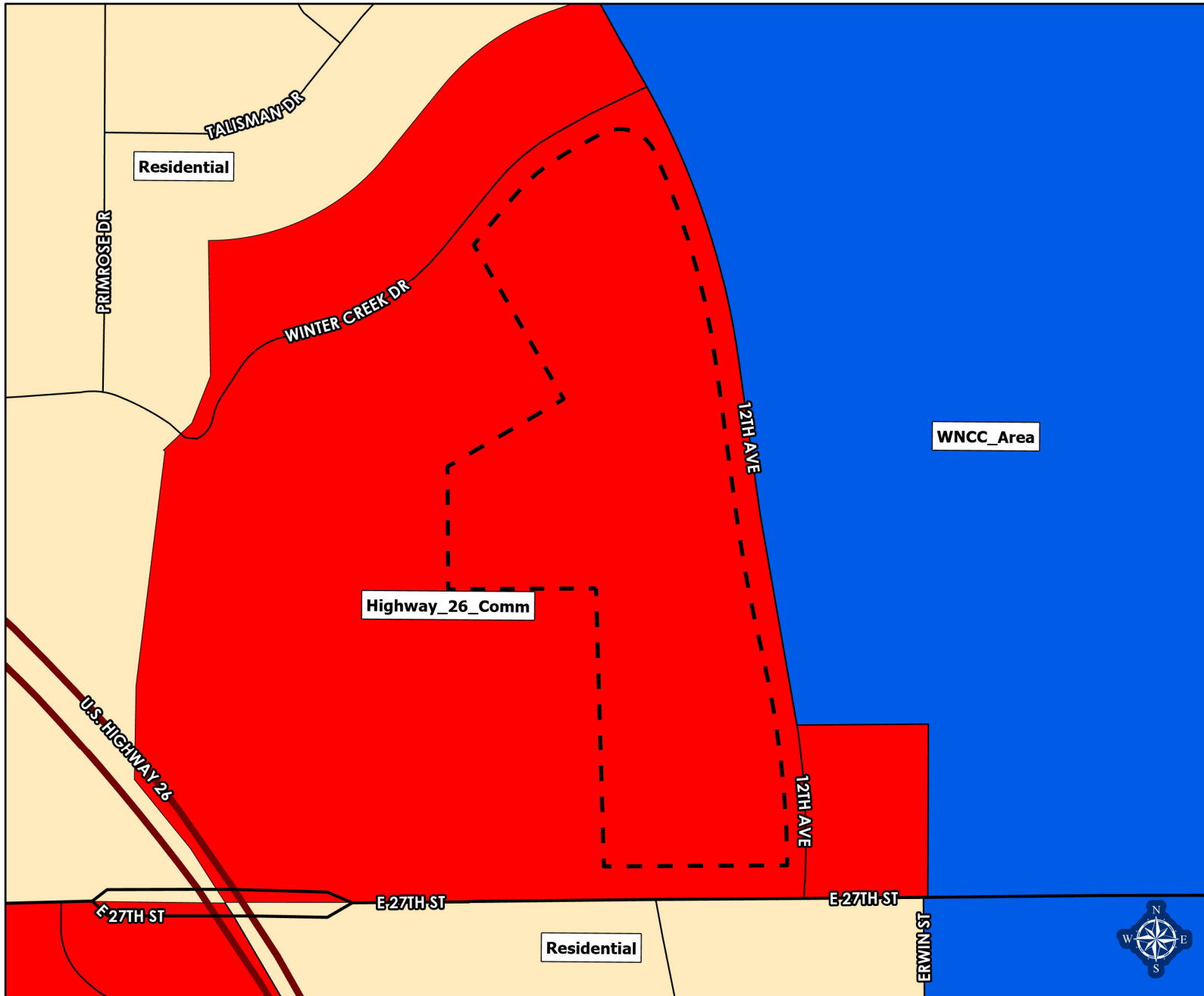
The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.



- Property Location(s)
 - 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
 - Parcels

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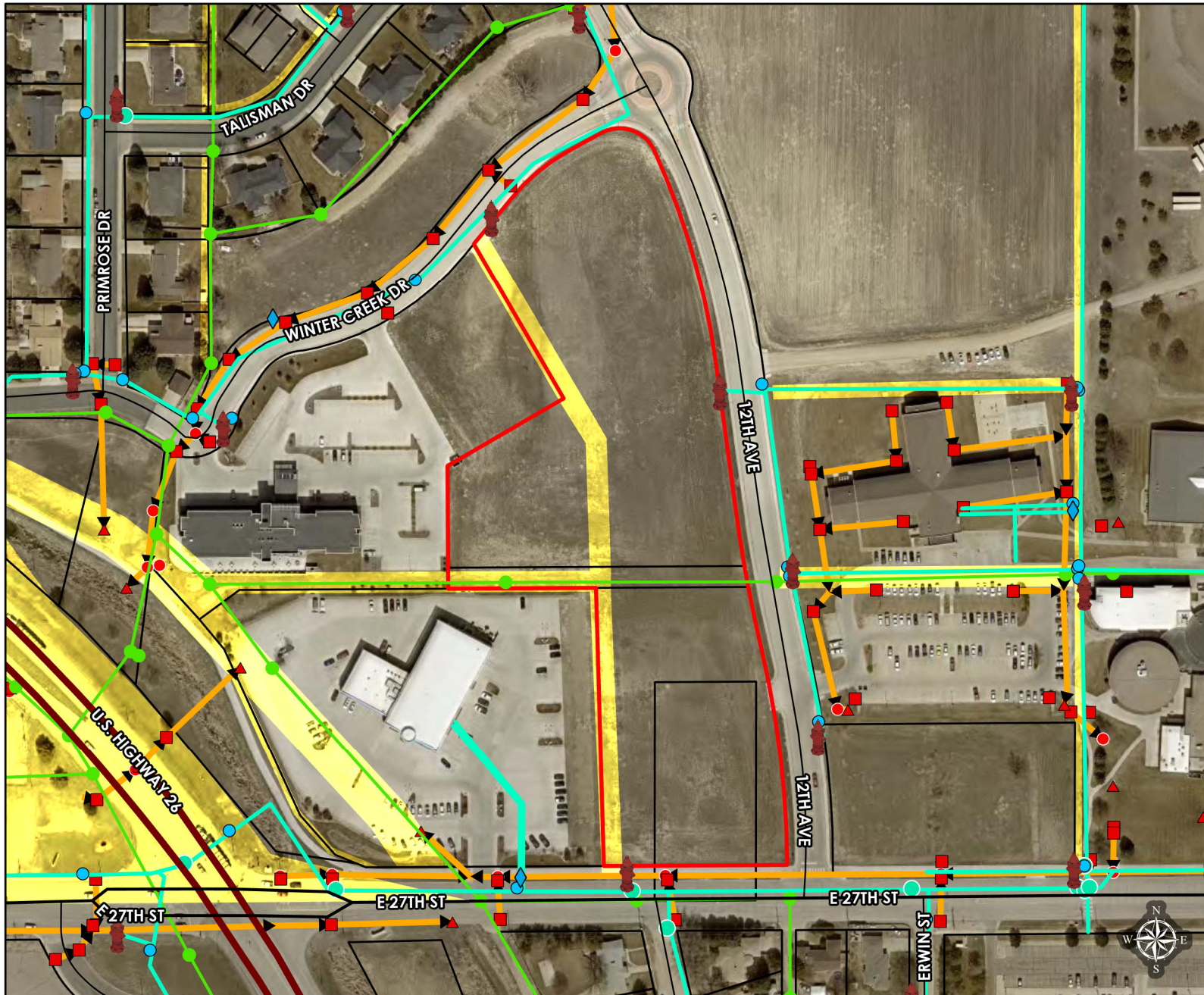
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- Proposed Changes
- 2016 Comp. Plan Land Use**
- Automobile Commercial
- Avenue B and Hospital Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural
- Rural Residential
- SE Industrial 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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Street Centerlines

- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Wastewater MH
- Wastewater Lines
- Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement
- Proposed Property
- Parcels

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