



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive
PLANNING COMMISSION AGENDA
Monday, November 13, 2023
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 October 9, 2023
6. **Public Hearing :**
 - A **Planning Commission to conduct a Public Hearing to consider a Rezone of Lot 1A, Block 8, Laucomer Addition, commonly identified as 2003 Char Avenue, from C-2 Neighborhood and Retail Commercial to O-P Office and Professional**
 - B **Planning Commission to conduct a Public Hearing to consider a Final Plat and Contract for Public Improvements of Dollar General Plat 1, a replat of Lots 2A, 2B, 2C, Eisele Subdivision, commonly identified as 1008 W. Overland Drive**
 - C **Planning Commission to conduct a Public Hearing to consider an Off-Street Parking Requirement Exception Permit to First Link, LLC for a retail store at 1008 W. Overland Drive**
 - D **Planning Commission to conduct a Public Hearing to consider a Special Use Permit for a Junkyard at Lots 2 & 3, Block 1, Rushall's Subdivision, commonly identified as 909 S Broadway.**
 - E **Planning Commission to conduct a Public Hearing to consider a Preliminary Plat, Final Plat, and Alley/Easement Vacation for Blocks 8 and 9A, Reganis Subdivision, commonly identified as 1117 & 1125 E. 27th Street.**
 - F **Planning Commission to conduct a Public Hearing to consider a Preliminary Plat of Lots 1-4, Block 1, Triple Peaks Subdivision, a tract of unplatted land located in Section 24, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.**
 - G **Planning Commission to conduct a Public Hearing to consider a Rezone of Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office and Professional**
7. **Officer Election:**
 - A **October 2023-September 2024 Officer Elections**

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



8. Staff Reports:

A Planning Commission to receive on update on Online Permitting Portal

9. Schedule Meeting:

A December 11, 2023

10. Adjourn

City of Scottsbluff, Nebraska
Monday, November 13, 2023
Regular Meeting

Item Appr. Min.1

October 9, 2023

Staff Contact:

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
October 9, 2023
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, October 9, 2023 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 September 28, 2023. 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 Chair Becky Estrada called the meeting to order at 6:14 PM. Roll call consisted of the following members being present, Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman "Absent": Dana Weber, Dave Gompert, Kendall Palu, Jim Zitterkopf. "Excused": Linda Redfern (alternate) City Officials present were Zachary Glaubius, Development Services Director, Taylor Stephens, GIS Analyst, and Gary Batt, Code Administrator II.
- 2 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 September 11, 2023 meeting were reviewed. **Conclusion:** a motion was made by Stricker and seconded by Aguallo to approve the minutes from September 11, 2023 meeting. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman. "Nays:" None "Absent": Dana Weber, Dave Gompert, Kendall Palu, Jim Zitterkopf. The motion carried.
- 6 Estrada introduced Item 6A regarding a public hearing to consider a rezone of Lot 1A, Spengler Subdivision. Estrada opened the public hearing at 6:15 PM. Glaubius stated the rezone is located in the extra-territorial jurisdiction and the current zoning of the property is AR Agricultural Residential. Glaubius stated the property owner, Misty Aulick, is requesting a rezone to R-1 Residential in order to split the lot for another house. Glaubius stated this is an expansion of the R-1 District located to the east of Lot 1A. Glaubius stated the rezone is inline with the comprehensive plan as the future land use map identifies the area as residential. Stricker stated he read in the staff report that Aulick desires to develop properties and inquired how many properties could be located on Lot 1A. Glaubius stated the minimum size of the R-1 district is 12,000 square feet. Glaubius stated staff recommends a positive recommendation on approval of the rezone. Estrada closed the public hearing at 6:17 PM. Stricker asked if the land division would go before the Planning Commission. Glaubius stated it would depend on how the property would be subdivided as it could potentially be replatted administratively or could be required to go through Planning Commission. Stricker stated the development would be limited by water well areas and septic systems. Glaubius agreed. Stricker asked if common drives would be part of the development. Glaubius stated it would depend on the plat, but any public road would be under County jurisdiction. Aguallo asked about the 3-acre acreage requirement. Glaubius stated the current minimum lot size for AR districts is 5 acres and the existing lot is 6

acres. Glaubius stated even though the minimum lot size for R-1 is 12,000 square feet, the property owner can have larger lots such as 3 acre lots. Wayman asked if it was possible to have a well and septic system on a 12,000 square feet lot, and stated that would be pretty tight to fit on a lot of that size. Glaubius agreed. Wayman asked if the Aulick was thinking of doing a tiny home development. Glaubius stated the property owner had several ideas, but was waiting to see if the rezone was approved. Stricker stated since the applicant was not present at the meeting, he would motion to table the rezone. The motion died for lack of a second.

- 7 Huber inquired why staff was recommending a positive recommendation. Glaubius stated the rezone is aligned with the Comprehensive Plan. Wayman stated if Aulick were to replat, there would be significant review of the plat. Glaubius stated it would be reviewed to ensure it met code. Glaubius stated the type of review would be dependent on the what the replat is. Glaubius stated if the replat would be for 2 or 3 lots, it would be a typical administrative replat. Glaubius stated if the replat for were for more lots, it would require further review. Batt stated the State of Nebraska requires 2 acres for a septic system. Aguallo stated the applicant was limited to 3 lots then. Stricker stated he was concerned about the rezone due to proximity to the corporate limits and would not want the action to affect future growth due to the applicant not being present to explain the rezone request. Wayman stated R-1 is located adjacent to this property already and the rezone is aligned with the Comprehensive Plan. Glaubius stated staff would promote a rezone to R-1 from AR due to the close proximity to the corporate limits of the City and the rezone would promote smaller lot developments. Glaubius stated the rezone would promote more financially viable growth instead of creating a situation similar to the ranchettes north of Cheyenne. Stricker asked if there was a public access road to the south the property. Aguallo stated it is a utility/access easement. Batt stated there is a road to the communication tower and Aguallo stated there are utility poles locate there
- 8 **Conclusion:** Motion by Huber to make a positive recommendation on the approval of the rezone of Lot 1A Spengler Addition from AR to R-1, seconded by Wayman. Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Callan Wayman. "Nays:" Jerry Stricker "Absent": Dana Weber, Dave Gompert, Kendall Palu, Jim Zitterkopf. The motion carried.
- 9 Estrada introduced Item 6B regarding a public hearing to consider a proposed ordinance text change to Chapter 25 Article 5 regarding Off-Street Parking Requirements. Estrada opened the public hearing at 6:23 PM. Glaubius stated the proposed text change is a relatively minor change. Glaubius stated currently the zoning code under 25-5-2 allows the Planning Commission to grant an exception to off-street parking requirements for manufacturing, wholesaling, and warehousing uses. Glaubius stated that staff is requesting this be changed to allow any permitted use to be granted an exception to off-street parking requirements by the Planning Commission. Glaubius stated this code change is a way to lessen the City's parking regulations while staff reviews the existing parking requirements under 25-5-1. Wayman asked if this was a tool to allow a developer to request fewer parking stalls at a site. Glaubius stated it was. Wayman stated currently a business would not be able to come before the Planning Commission for fewer parking stalls unless it was one of the three listed types. Glaubius stated for example if a chain restaurant wanted to build in Scottsbluff and is required to have 40 parking stalls, however the restaurant has evidence to prove they only need 28 parking stalls. They would submit an application to the Planning Commission to request an exception to reduce the number of parking stalls from 40 to 28. Glaubius stated staff recommends a positive recommendation on approval to the City Council. Stricker stated this appears to be a good tool on a case-by-case basis. Stricker stated vacant Kmart property is an example of too much parking and this could be a mechanism to prevent oversized parking lots in the future. Glaubius stated this is a temporary fix until the parking calculations can be reviewed and revised. Huber

asked Batt if he had seen issues with not enough parking. Batt stated the Tangled Tumbleweed is an example of having not enough parking. Wayman stated the restaurant is located in C-1 however, so there is no required parking. Aguallo stated the text change makes the regulations more flexible and less black and white.

- 10 **Conclusion:** Motion by Stricker to make a positive recommendation on the approval of the ordinance text change to Chapter 25 Article 5 regarding the Planning Commission having the authority to grant exceptions to the off-street parking requirements for all permitted uses instead of only manufacturing, wholesaling, and warehousing uses, seconded by Wayman. Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Callan Wayman, Jerry Stricker. "Nays:" None "Absent": Dana Weber, Dave Gompert, Kendall Palu, Jim Zitterkopf. The motion carried.
- 11 Estrada introduced Item 7 regarding Officer Elections. The elections were postponed until the November meeting since only five commissioners were present.
- 12 Item 8: Staff Reports. Glaubius stated he sent out the draft of the zoning code changes. Glaubius stated most of it is changes in terminology. Glaubius stated the main thing he was requesting the Planning Commission review was the proposal to split the existing R-1A district into R-2 Low Density Residential and R-3 Mixed Density Residential. Glaubius stated it would be essentially based off of the year built of the housing. Glaubius stated R-3 would be predominantly the older residential neighborhoods of town or pre-1940s housing as these lots are smaller and narrower. Glaubius stated R-2 would be post-1950s housing such as Westmoor, Cornett Heights, and housing north of Highway 26. Glaubius stated the change could result in less non-conforming lots, however Glaubius was undecided on whether this split is necessary. Glaubius stated the other changes included renaming districts, which were mostly minor except changing O-P to MX Mixed Use. Glaubius stated the minimum housing size was removed from the performance standards table and he could not find other communities that used this standard and to help with affordable housing. Glaubius stated the definitions chapter was changed to where a code number was assigned to a letter rather than a term. Glaubius stated the zoning code revisions still have a ways to go before bringing it to the Planning Commission. Aguallo asked if the minimum dwelling size had to do with tiny home developments so housing wouldn't be too small. Glaubius stated he was thinking of defining a tiny home with a minimum and maximum size and making it a separate use from a detached single-family dwelling. Wayman stated several years ago there was a tiny home planned unit development proposed. Wayman asked if there were any tiny home planned unit developments in Scottsbluff. Glaubius stated there were none. Huber stated the tiny home trend is coming and the Planning Commission will have to carefully consider where a tiny home PUD would go due to opposition. Wayman and Aguallo agreed. Estrada stated there might not be big demand for tiny homes according to a real estate association report. Huber stated there are now 3-D homes that are completely made of concrete. Stricker asked if there were any PUDs in the City. Glaubius stated there was a handful, but were predominantly condominium complexes and retirement communities. Wayman asked if there was tiny home on 38th Street. Batt stated there is a nonconforming tiny home there.
- 13 Planning Commission confirmed the next meeting date of November 13, 2023.
- 14 Item 9: Adjournment
- 15 Adjournment: Motion by Aguallo, seconded by Wayman to adjourn meeting at 6:37 PM. Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Callan Wayman. "Nays:" Jerry Stricker "Absent": Dana Weber, Dave Gompert, Kendall Palu, Jim Zitterkopf. The motion carried.

Becky Estrada, Chairperson

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear1

Planning Commission to conduct a Public Hearing to consider a Rezone of Lot 1A, Block 8, Laucomer Addition, commonly identified as 2003 Char Avenue, from C-2 Neighborhood and Retail Commercial to O-P Office and Professional

Staff Contact:



**City of Scottsbluff
Zoning Amendment Application**

Applicant Name Oscar Gonzalez Applicant Address 2002 Char Ave
Scottsbluff, NE
Applicant Email OSCAR@REVERENCE Applicant Phone 3086335763
FUNERALPARLOR.CO
M

Contact Name Contact Address
Conact Email Contact Phone

Property Information

General Location/Address 2003 CHAR AVE
Legal Description LT 1, BLK 8, LAUCOMER ADDITION
Current Zoning District(s) C2
Proposed Zoning District: O&P

Does the proposed zoning district abut the property: Yes
Total Area (square feet or acre): 15400

Required Information (§25-15-2)

What is the reason for/intent of the rezone request?

Crematory

Would the proposed zoning district provide a service required by the neighborhood and community?

yes

Would the proposed zoning district be consistent with sound principles of land?

Yes

Describe how the proposed zoning district would not be injurious to neighboring properties and buildings?

Expiation of existing O and P zone

Describe how the proposed zoning district would not create special hazards or problems for the neighborhood and community?

Remain Commercial

Would the proposed zoning district be harmonious and consistent with the City of Scottsbluff Comprehensive Plan for the area?

Yes

Why should the rezone request be granted?

Expand Business to provide better cremation quality to area and community.

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 24, 2023

For Hearing of: November 13, 2023



I. GENERAL INFORMATION

- A. **Applicant:** Oscar Gonzalez
2002 Char Avenue
Scottsbluff, NE 69361

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

- C. **Proposal:** Rezone Lot 1, Block 8, Laucomer Addition from C-2 Neighborhood and Retail Commercial to O-P Office and Professional

- D. **Legal Description:** Lot 1, Block 8, Laucomer Addition

- E. **Location:** 2003 Char Avenue

- F. **Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial – Vacant Lot

- G. **Size of Site:** 15,400 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 Residential	Apartments
East	Residential	C-2 Neighborhood and Retail Commercial	Gas Station
South	Residential	R-1A Single Family Residential	Westmoor Pool
West	Residential	O-P Office and Professional	Funeral Home

B. Relevant Case History

- 1. None

III. ANALYSIS

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

B. Traffic & Access:

1. Access to the subdivision will be via Char Avenue

C. Utilities:

1. Water is located in Char Avenue Right-of-Way
2. Sewer is located in 20th Street Right-of-Way and Utility Easement in adjacent property to the east.
3. Stormwater is located on west side of Char Avenue and on 20th Street.

IV. STAFF COMMENTS

- A. The rezone is an expansion of the existing O-P District to the west.
- B. The minimum lot size of O-P is 7,000 square feet.
- C. The purpose of the rezone is to allow the property owner to build a crematorium. A crematorium would fall under the “mortuary” use, which is permitted in O-P but not in C-2
- D. The Comprehensive Plan identifies this area as residential in the future land use map. O-P is the City’s mixed-use district which permits both residential and commercial uses.

V. FINDINGS OF FACT

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

1. The Comprehensive Plan identifies the area as residential and the proposed rezone to O-P aligns with the future land use map.

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

1. None

VI. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission make a positive recommendation on approval of the rezone of the Lot 1, Block 8, Laucomer Addition from C-2 to O-P by the City Council.

Proposed Rezone from C2 to O&P

2003 CHAR AVE

Zoning Overview



- 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 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
 - Parcels

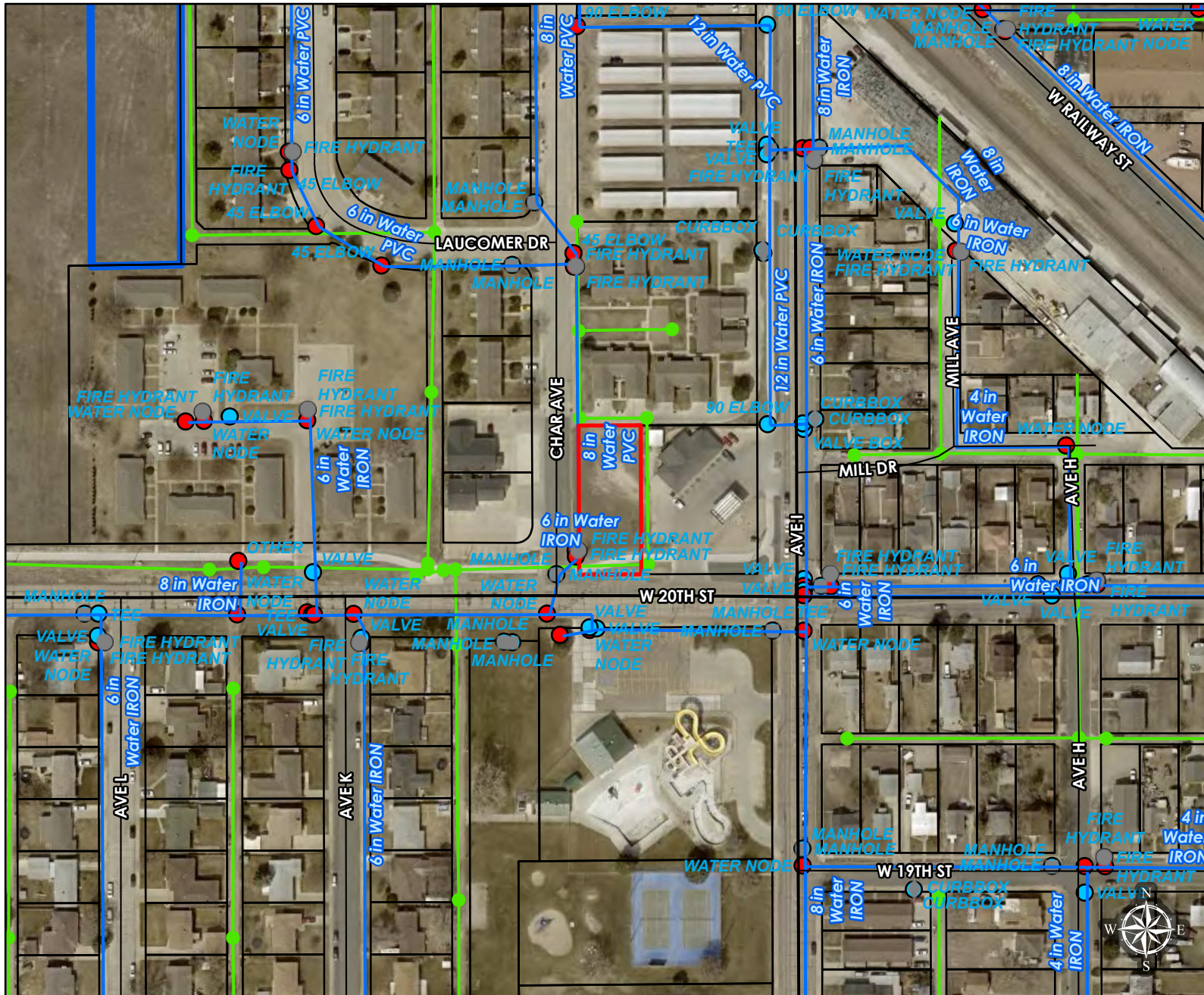
Taylor Stephens
 City of Scottsbluff GIS
 Created on 9/25/2023
 Coordinate System: NAD 1983 (2011)
 StatePlane Nebraska FIPS 2600 Feet
 Lambert Conformal Conic

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.

Proposed Rezone from C2 to O&P

2003 CHAR AVE

Utilities Overview



- Highway
 - Main Road
 - Residential/Rural
 - Wastewater MH
 - Wastewater Lines
 - Proposed Property
 - Parcels
 - GEODATA.GISMGR.Corporate_Limits
 - Water_Lines
- Waterline_Points
- No
 - Yes
 - UNKNOWN
- Water Manhole
- No
 - Yes
 - UNKNOWN
- Water Curbstop
- ◆ No
 - ◆ Yes
 - UNKNOWN
- Fire Hydrants
- No
 - Yes
 - UNKNOWN
- Easement_Poly

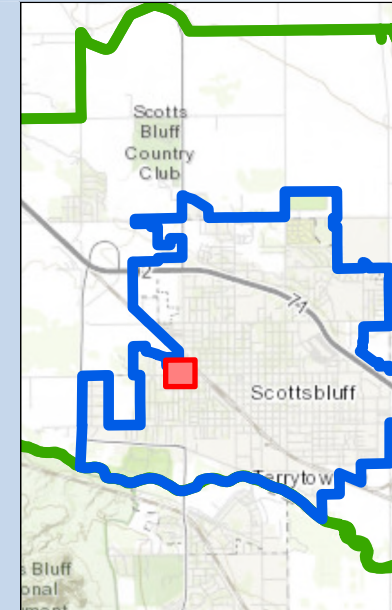
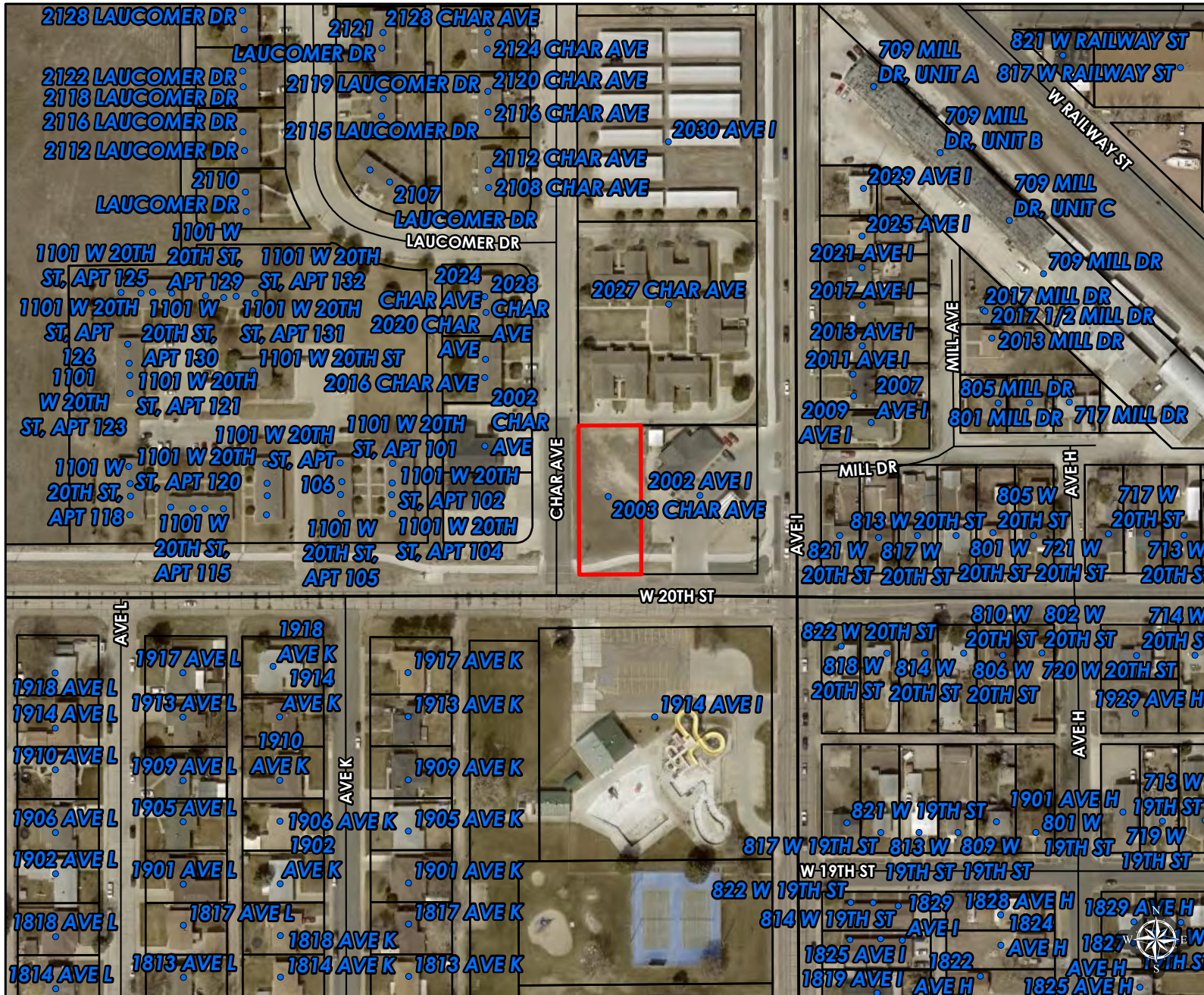
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Proposed Rezone from C2 to O&P

2003 CHAR AVE

Aerial Overview



Proposed Changes

Street Centerlines

CLASS

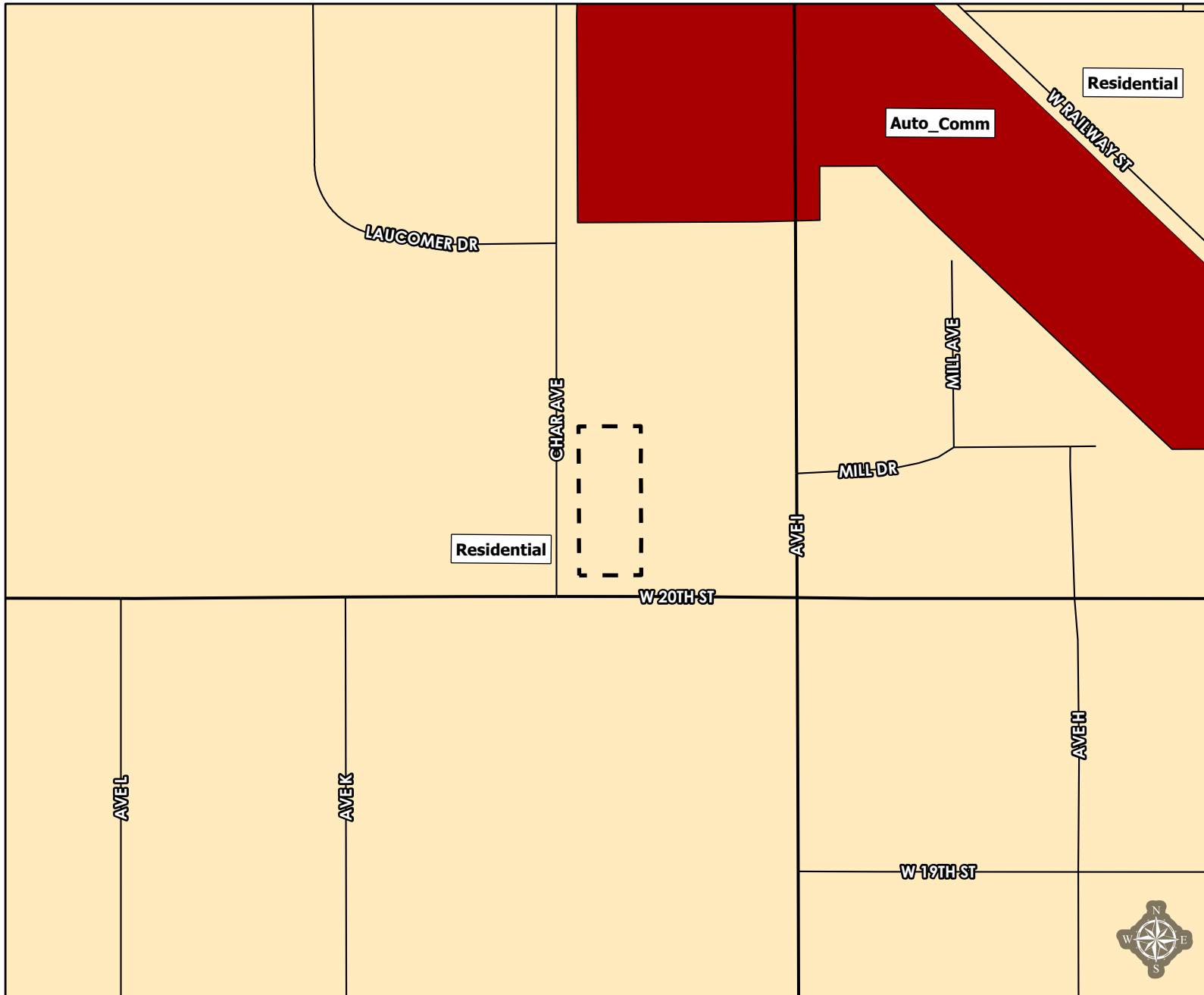
- Highway
- Main Road
- Residential/Rural
- Parcels
- Address

Taylor Stephens
City of Scottsbluff GIS
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Proposed Rezone from C2 to O&P

2003 CHAR AVE



- 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
 City of Scottsbluff GIS
 Created on 9/25/2023
 Coordinate System: NAD 1983 (2011)
 StatePlane Nebraska FIPS 2600 Feet
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City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear2

Planning Commission to conduct a Public Hearing to consider a Final Plat and Contract for Public Improvements of Dollar General Plat 1, a replat of Lots 2A, 2B, 2C, Eisele Subdivision, commonly identified as 1008 W. Overland Drive

Staff Contact:



**City of Scottsbluff
Subdivision Application**
Permit Identifier 2023-1SD

Type: Final Plat

Applicant Name Brandon Short Applicant Address 2323 Dixon St Des Moines, IA
Applicant Email brandon@pelds.com Applicant Phone 5152658196

Contact Name First Link LLC - Lou Pappan Contact Address PO Box 38548 Pittsburgh, PA 15238
Contact Email loupappan@firstlinkllc.com Contact Phone

Subdivision Information

Proposed Name of Subdivision Dollar General Plat 1

General Location/Address Lots 2a, 2, 2c, Eisele Subdivision

Legal Description LT 2A, 2B, 2C EISELE SUBDIV REPLAT BLK 2

Current Zoning District(s) c-2

Total Area (square feet or acre) 1.78 ac

Number of Past Replat/Plat Amendments

Describe the reason for the subdivision

Combine parcels for development as a single lot.

PREPARED BY: PELDS DESIGN SERVICES - 2323 DIXON STREET, DES MOINES, IOWA 50316 - PH. (515)265-8196

FINAL PLAT DOLLAR GENERAL PLAT 1

SHEET 1 OF 2

WESTMOOR 2ND ADDITION

OWNER:
MARLENE J. HENKEL

W. OVERLAND DRIVE

CONCRETE SURFACE IN GOOD CONDITION
POSTED SPEED LIMIT = 30 MPH

FOUND 5/8" DIA. REBAR

FND 1/2" REBAR W/RIBBON

N89° 27' 24"E 551.95' (M)

N89° 36' 11"E 83.87' (M)

FND 5/8" DIA. REBAR

N89° 22' 49"E 60.01' (M)

FND 1/2" DIA. REBAR

N89° 21' 18"E 202.07' (M)

N89° 21' 18"E 24.98' (M)
S0° 34' 09"E 119.78' (M)

N0° 29' 04"W 119.98' (M)
NE COR LOT 3
FND 5/8" REBAR (BENT)

LOT 2 BLK 1
0.23 ACRES ±
LOT 3 BLK 1
0.23 ACRES ±
NW COR LOT 3
FND 1/2" REBAR
119.97' (M)

N90° 00' 00"W 19.95' (M)
FND NAIL TIED W/RIBBON

OWNER:
MANUEL MARTINEZ JR. & MARY HELEN MARTINEZ

PT LTS 3, N195' TL 4A,
UNPL LANDS, 27-22-55 (.44)

FND 5/8" REBAR TIED W/RIBBON

NOTE:
THIS DRAWING IS BEING MADE AVAILABLE BY PELDS DESIGN SERVICES (P.D.S.) FOR USE ON THIS PROJECT IN ACCORDANCE WITH P.D.S.'S AGREEMENT FOR PROFESSIONAL

(CONSEQUENTIAL OR OTHERWISE) FOR ANY USE OF THESE DRAWINGS (OR ANY PART THEREOF) EXCEPT IN ACCORDANCE WITH P.D.S.'S AGREEMENT FOR PROFESSIONAL

EISELE SUBDIVISION

LOT 3D EISELE SUBDIVISION

OWNER:
HOME DREAMERS LLC

FND 5/8" REBAR WOC #331
0.1' EAST ± OF PROPERTY LINE

S0° 30' 57"E 402.25' (M)

SE COR LOT 2
FND 5/8" REBAR

S89° 27' 41"W 168.10' (M)

LOT 1 BLK 1 DOLLAR GENERAL PLAT 1 1.78 ACRES ±

SE COR LOT 1
FND 5/8" REBAR
w/WHITE PAINT

39.99' (M)

SW COR LOT 1
FND 1/2" DIA. REBAR

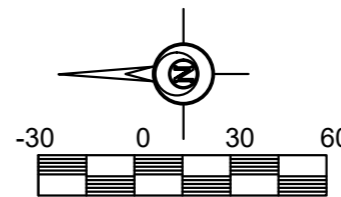
282.46' (M)

N0° 30' 45"W 402.43' (M)

HAIGVILLE SUBDIVISION

SYMBOLS LEGEND

- FOUND IRON ROD OR PIPE
- SET 1/2" REROD w/ YELLOW PLASTIC CAP STAMPED #656
- ± MORE OR LESS
- EXISTING FENCE
- (M) MEASURED
- WITH YELLOW CAP
- WITH ORANGE CAP



1" = 60'

DATE OF SURVEY:

06.27.2023

RECORD INDEX:

LOCATION:

S27-T22N-R55W

REQUESTOR:

FIRST LINK LLC

PROPRIETOR(S) AT TIME OF SURVEY:

CLIFFORD D. & LAURA C. HILBERT

PROPRIETOR ADDRESS:

1125 17TH ST

GERING NE, 69341

SITE ADDRESS:

N/A

SURVEYOR:

AIVARS PELDS

COMPANY:

PELDS DESIGN SERVICES

RETURN TO:

2323 DIXON STREET

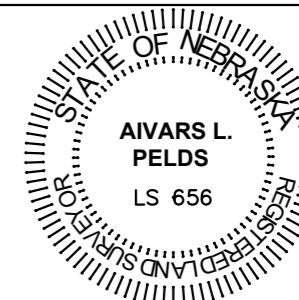
DES MOINES, IA 50316

LEGAL DESCRIPTION:

LOTS 2A, 2B, AND 2C, EISELE SUBDIVISION, A REPLAT OF LOT 2, EISELE SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.

NOTE:

1. THERE ARE NO AREAS DEDICATED TO PUBLIC USE DEDICATED TO THIS PLAT.



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NEBRASKA.

AIVARS L. PELDS, P.E. NE. LIC. NO. 656 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023

ADDITIONAL PAGES OR SHEETS COVERED BY THIS SEAL (NONE UNLESS INDICATED HERE): 1 & 2



Architecture | Engineering | Surveying
2323 Dixon Street, Des Moines, Iowa 50316 | PO Box 4626, Des Moines, Iowa 50305 | Ph: 515 265 8196

FINAL PLAT DOLLAR GENERAL PLAT 1 SCOTTSBLUFF NE, 69361

PREPARED BY: PELDS DESIGN SERVICES - 2323 DIXON STREET, DES MOINES, IOWA 50316 - PH. (515)265-8196

FINAL PLAT DOLLAR GENERAL PLAT 1

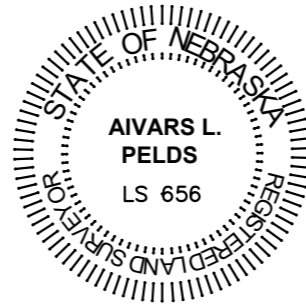
SHEET 2 OF 2

SURVEYOR'S CERTIFICATE

I, AIVARS L. PELDS, NEBRASKA REGISTERD LAND SURVEYOR NO. 656, DULY REGISTERED UNDER THE LAND SURVEYOR'S REGISTRATION ACT, HERBY CERTIFY THAT I, OR UNDER MY DIRECT SUPERVISION HAVE SURVEYED LOTS 2A, 2B, AND 2C IN EISELE SUBDIVISION A REPLAT OF LOT 2, EISELE SUBDIVISION, TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.

THAT THE ACCOMPANYING PLAT IS A TRUE DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 60 FEET TO THE INCH. THAT ALL MONUMENTS FOUNT OR SET ARE MARKED AS SHOWN. THAT ALL DIMENSIONS ARE IN FEET AND DECIMALS OF A FOOT, THAT SAID SURVEY, TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE, CORRECT AND IN ACCORDANCE WITH THE LAND SURVEYORS REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____ 2023
FROM THE FIRM OF PELDS DESIGN SERVICES.



AIVARS L. PELDS, P.E. NE. LIC. NO. 656

ACKNOWLEDGEMENT

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME CLIFFORD D. HILBERT, HUSBAND, TO ME KNOW AS 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.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____ 2023

MY COMMISSION EXPIRES

NOTARY PUBLIC

OWNER'S STATEMENT

WE, THE UNDERSIGNED, BEING THE OWNERS OF LOTS 2A, 2B, & 2C IN EISELE SUBDIVISION, A REPLAT OF LOT 2, EISELE SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA AS DESCRIBED IN THE FOREGOING 'SURVEYOR'S CERTIFICATE' AND SHOWN AN THE ACCOMPANYING PLAT.

THAT THE FOREGOING PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS. WE HEREBY DEDICATE THESE STREET S AND EASEMENTS SHOWN FOR THE USE AND BENEFIT OF THE PUBLIC.

DATED THIS ____ DAY OF ____ 2023

BY: CLIFFORD D. HILBERT, HUSBAND

BY: LAURA C. HILBERT, WIFE

ACKNOWLEDGEMENT

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME LAURA C. HILBERT, WIFE, TO ME KNOW AS 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.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____ 2023

MY COMMISSION EXPIRES

NOTARY PUBLIC

APPROVAL & ACCEPTANCE

The foregoing plat of LOTS 2A, 2B & 2C IN EISELE SUBDIVISION, A REPLAT 2 LOT 2, EISELE SUBDIVISION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY NEBRASKA. Is hereby approved by the Mayor and city Council of the City of Scottsbluff, Scotts Bluff County, Nebraska, by resolution duly passed

this ____ day of ____ 2023

MAYOR: JEANNE MCKERRIGAN

ATTEST:

CITY CLERK

FINAL PLAT
DOLLAR GENERAL PLAT 1
SCOTTSBLUFF NE, 69361

PROJECT NO.	DATE	BY	SCALE
----	A. BRADFIELD	N/A	9.26.2023

22-194 Page 19 / 114
FINAL PLAT

CONTRACT FOR PUBLIC IMPROVEMENTS

This Contract for Public Improvements (“Agreement”) is made this _____ day of _____, 20__, between **City of Scottsbluff, Nebraska**, a Municipal Corporation, hereafter called “City”, and **First Link 4, LLC**, a Delaware limited liability company, hereafter called “Owner”.

RECITALS

1. Owner is under contract to acquire real estate described as follows:

Lots 2A, 2B, and 2C, Eisele Subdivision, a Replat of Lot 2, Eisele Subdivision to the City of Scottsbluff, Scotts Bluff County, Nebraska.

This real estate will hereafter be called the “Property”.

2. Certain offsite improvements in the area which are required by the Scottsbluff Municipal Code to be constructed by the Owner in connection with Owner’s development of the Property have not been constructed. The parties desire to memorialize their agreement with respect to the construction of these improvements. For that purpose, Owner desires to bind itself and its successors in interest to construct the improvements in accordance with the Scottsbluff Municipal Code as hereinafter provided.

AGREEMENTS OF THE PARTIES

In consideration of the mutual promises of the parties, it is agreed as follows:

3. By May 31, 2024 (the “Completion Date”), Owner shall cause to be constructed, all in accordance with the plans and specifications to be approved by the City, which approval will not be unreasonably withheld, the following:

387 feet of twelve-inch (12”) sanitary main and 387 feet of twelve inch (12”) storm main to connect the Property to the public system as shown on Site Improvements dated September 1, 2023, prepared by Pelds Design Services (the “Improvements”).

The parties recite their understanding that the Improvements described above may change when the final plans and specifications are approved. The cost of these Improvements shall be paid by the Owner.

4. All Improvements described in this Agreement shall be constructed in accordance with plans and specifications approved by the City and in accordance with all ordinances and codes adopted by the City. Owner shall notify City upon substantial completion of the Improvements. Within five (5) days following Owner’s notice of substantial completion, Owner and City shall schedule an inspection of the Improvements, and Owner and City shall determine a list of any incomplete items, if any (the “Punchlist”). Any Punchlist items shall be completed by Owner within thirty (30) days after finalization of the Punchlist. The City Council shall accept the Improvements

upon completion of the Punchlist items, or if there are no Punchlist Items, upon substantial completion of the Improvements. All the Improvements shall become the property of the City immediately upon acceptance of the Improvements by the City Council. Owner warrants such Improvements against latent defects for a period of one year from the date of the acceptance of the Improvements.

5. Should Owner fail to construct the Improvements on or before the Completion Date, the City may do so. In such event, Owner shall reimburse the City for all out of pocket costs expended by the City in constructing such Improvements within thirty (30) days of receipt of an invoice for such costs. All Improvements described in this Agreement shall be constructed in accordance with plans and specifications approved by the City and in accordance with all ordinances and codes adopted by the City. If Owner fails to reimburse the City as required herein, the City may at its option, assess all or any part of the unreimbursed cost of the Improvements against the properties benefitted by the Improvements. If any installment of such special assessments is unpaid for a period of six (6) months after the same is delinquent, the City may mail written notice to Owner of that fact and demand that Owner pay such installment. If Owner fails to pay such installment within thirty (30) days after such notice is mailed, the City may proceed by appropriate action to enforce Owner's liability as described in this paragraph. In any such action the City shall be limited to the installments which are then-currently due, less sums previously paid. Any forbearance by the City to exercise any right granted to it in this contract shall not be considered a waiver of the City's rights unless set forth in writing.

6. Any notices permitted or required herein shall be deemed properly sent if sent by certified U.S. mail, postage prepaid, or by any nationally known overnight delivery service for next day delivery, to the respective party at the following address:

If to Owner: First Link 4, LLC
1300 Freeport Road
Pittsburgh, PA 15238
Attn: Louis Pappan

If to City: City of Scottsbluff, Nebraska
2525 Circle Drive
Scottsbluff, NE 69361

7. To secure Owner's liability, Owner agrees to provide a payment or performance bond consistent with the policies established by the City, which shall be maintained until termination of this Agreement. The estimated cost of the Improvements contemplated by Owner are agreed to be \$110,200.00. The parties recite their understanding that this is an estimate only and that the actual cost of the Improvements may differ from the estimate. The security furnished by Owner will be in the amount of the actual cost of the Improvements. It is contemplated that Owner will enter into a contract for the construction of the Improvements. The actual cost of the Improvements will be determined by the provisions of such contract. The bond shall provide that upon default of the

Owner under this Agreement and demand by the City, the City shall be paid all sums which the City is entitled to collect from Owner under this Agreement. If the sums collected by the City under the bond are not sufficient to satisfy Owner's liability to the City, Owner will remain liable for the balance. The City may, at its option, assess all or any part of the amounts owed by Owner for the Improvements described in paragraph 3 hereof and not covered by the bond and not paid for by Owner against the properties benefited by the Improvements. This paragraph will not be deemed a waiver of Owner's right to contest the extent to which the Owner's Property is benefited by the Improvements, or to contest the amount of any assessments levied against the Owner's Property.

8. Owner agrees to participate in and not object to the creation of any special improvement districts that may be subsequently created to maintain the Improvements.

9. This Agreement shall run with the land and shall bind, in addition to the parties, the successors and assigns of the respective parties.

10. In no event shall this Agreement be recorded or filed in its entirety in any public land or other public records of any jurisdiction, by any party. Notwithstanding the foregoing, the parties agree upon the request of either party to execute a commercially reasonable form of Memorandum of Contract suitable for filing in the Office of the Register of Deeds of Scotts Bluff County, Nebraska, to give notice of the fact that this Agreement has been executed. The party requesting execution of the Memorandum of Contract shall be responsible for the costs of filing same.

11. The Owner shall provide written notice to the City within 10 days after the closing or termination of the Owner's purchase contract. Upon the giving of notice of closing of the purchase contract, a Memorandum of Contract will be recorded as provided in paragraph 10 herein. Upon the giving of notice of termination of the purchase contract, this Agreement shall terminate, and Owner shall have no further obligation under this Agreement, including but not limited to the construction of the Improvements.

12. This Agreement shall automatically terminate upon the earlier of: (i) completion of the Punchlist Items, or if there are no Punchlist Items, upon substantial completion of the Improvements; or (ii) the Completion Date. At any time thereafter, the parties agree upon the request of either party to execute a commercially reasonable form of Termination of Memorandum of Contract suitable for filing in the Office of the Register of Deeds of Scotts Bluff County, Nebraska, if a Memorandum of Contract was recorded in accordance with the terms of this Agreement, and such obligation shall survive termination of this Agreement. The party requesting execution of the Termination of Memorandum of Contract shall be responsible for the costs of filing same.

IN WITNESS WHEREOF, the parties have set their hands the day and year first herein written.

City:

CITY OF SCOTTSBLUFF, NEBRASKA

Mayor

Dated _____

Attest:

City Clerk

Owner:

FIRST LINK 4, LLC

By: First Link Management, LLC, its Sole
Member

By: _____
Louis Pappan, Manager

Dated _____

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius



Prepared on: October 24, 2023

For Hearing of: November 13, 2023

I. GENERAL INFORMATION

- A. Applicant:** Elara Jondle First Link LLC
 2323 Dixon Street PO Box 38548
 Des Moines, IA 50316 Pittsburgh, PA 15238
- B. Property**
Owner: Clifford and Laura Hilbert
 1125 17th Street
 Gering, NE 69341
- C. Proposal:** Request to consolidate Lots 2A, 2B, and 2C Eisele Subdivision Replat Lot 2 into one lot (Lot 1, Block 1, Dollar General Plat 1)
- D. Legal Description:** Lots 2A, 2B, and 2C Eisele Subdivision Replat Lot 2
- E. Location:** 1008 W. Overland Drive
- F. Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial

Size of Site: Approximately 1.78 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	Residential	R-1A Single Family Residential	Single-Family Dwellings
East	Automobile Commercial	C-2 Neighborhood and Retail Commercial	Storage Lot and Communication Tower
South	Automobile Commercial	C-3 Heavy Commercial	Vacant Lots
West	Residential	R-1A Single Family Residential	Single-Family Dwellings

B. Relevant Case History

1. Lot 2 was replatted into Lots 2A, 2B, and 2C in 2002.
2. The proposed replat would be the second replat.

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. Current access to the existing lots is via frontage along West Overland Drive
 - 2. An unimproved alley is located to along the west and south borders of the plat.
- C. Utilities:**
 - 1. Water is located in the West Overland Drive right-of-way.
 - 2. Sewer and Stormwater infrastructure does not currently serve the property.
 - i. Per Developer's Agreement, sewer and stormwater mains will be installed in the alley to the south and tie into existing infrastructure in Avenue I.

IV. STAFF COMMENTS

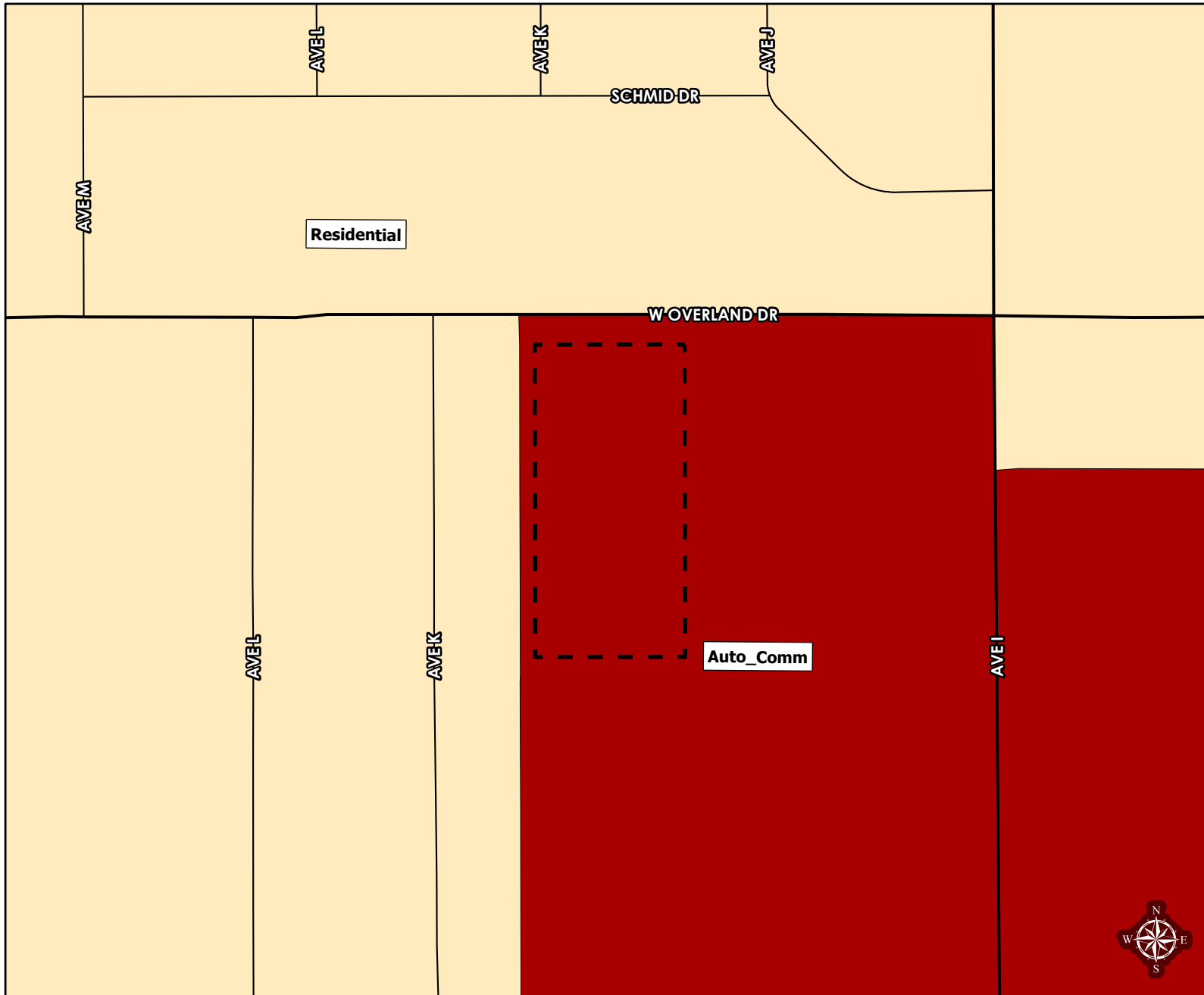
- A.** The proposed Lot 1 does not meet the requirements of 21-1-27 as there is no stormwater and sewer provided to the property.
- B.** The Developer's Agreement requires these to be built by a set date. Per 4-1-23, no building permit may be issued until requirements of Chapter 21 are met.

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 replat will not change the commercial nature of the property.
 - 2. The Developer's Agreement requires the installation of sewer and stormwater as required by 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 Final Plat of Lot 1, Block 1, Dollar General Plat 1 and Contract for Public Improvements by the City Council.



- 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
City of Scottsbluff GIS
Created on 11/8/2023
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.

City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear3

Planning Commission to conduct a Public Hearing to consider an Off-Street Parking Requirement Exception Permit to First Link, LLC for a retail store at 1008 W. Overland Drive

Staff Contact:



Dollar General Corporation
100 Mission Ridge
Goodlettsville, TN 37072

10/09/2023
City of Scottsbluff
Attn: Zachary Glaubius
2525 Circle Drive
Scottsbluff, NE 69361

Re: Parking requirements at the proposed Dollar General at Overland Drive, Scottsbluff, Nebraska

To Whom It May Concern:

Through the years, Dollar General has refined the design criteria for new store development. With over 19,000 stores in productive operation, we have gathered significant data.

One area which we are balanced between development cost and customer need is parking requirements and accessibility for our build-to-suit locations. Our stores average 15 to 20 transactions per hour. We have estimated and confirmed that 35 spaces will accommodate the customer flow rate that our business generates. This standard has also been sufficient for traffic generated at the peak Christmas season levels.

Thanks for your consideration and feel free to contact me with any other questions you may have.

Best Regards,

Sarah James Myatt

Dollar General Corporation
Plan Coordinator Southeast Region
615.855.5223
smyatt@dollargeneral.com

Proudly serving our clients and community for over 50 years.

From: Edmunds Pelds <ed@pelds.com>
Sent: Tuesday, October 17, 2023 1:35 PM
To: Brandon Short <brandon@pelds.com>
Subject: FW: DG Parking Counts - Surrounding Area

ED PELDS
Vice President, Principal Project Manager



PELDS DESIGN SERVICES
Architecture | Engineering | Surveying
2323 Dixon Street | Des Moines, IA | 50316
O: 515 | 265 | 8196 P: 515 | 978 | 4945

Proudly serving our clients and community for over 50 years.

From: Matt Davis <mattdavis@firstlinkllc.com>
Sent: Tuesday, October 17, 2023 11:38 AM
To: Edmunds Pelds <ed@pelds.com>
Subject: DG Parking Counts - Surrounding Area

Ed – below are parking counts for DG’s in the surrounding area. Let me know if I can provide any additional information.

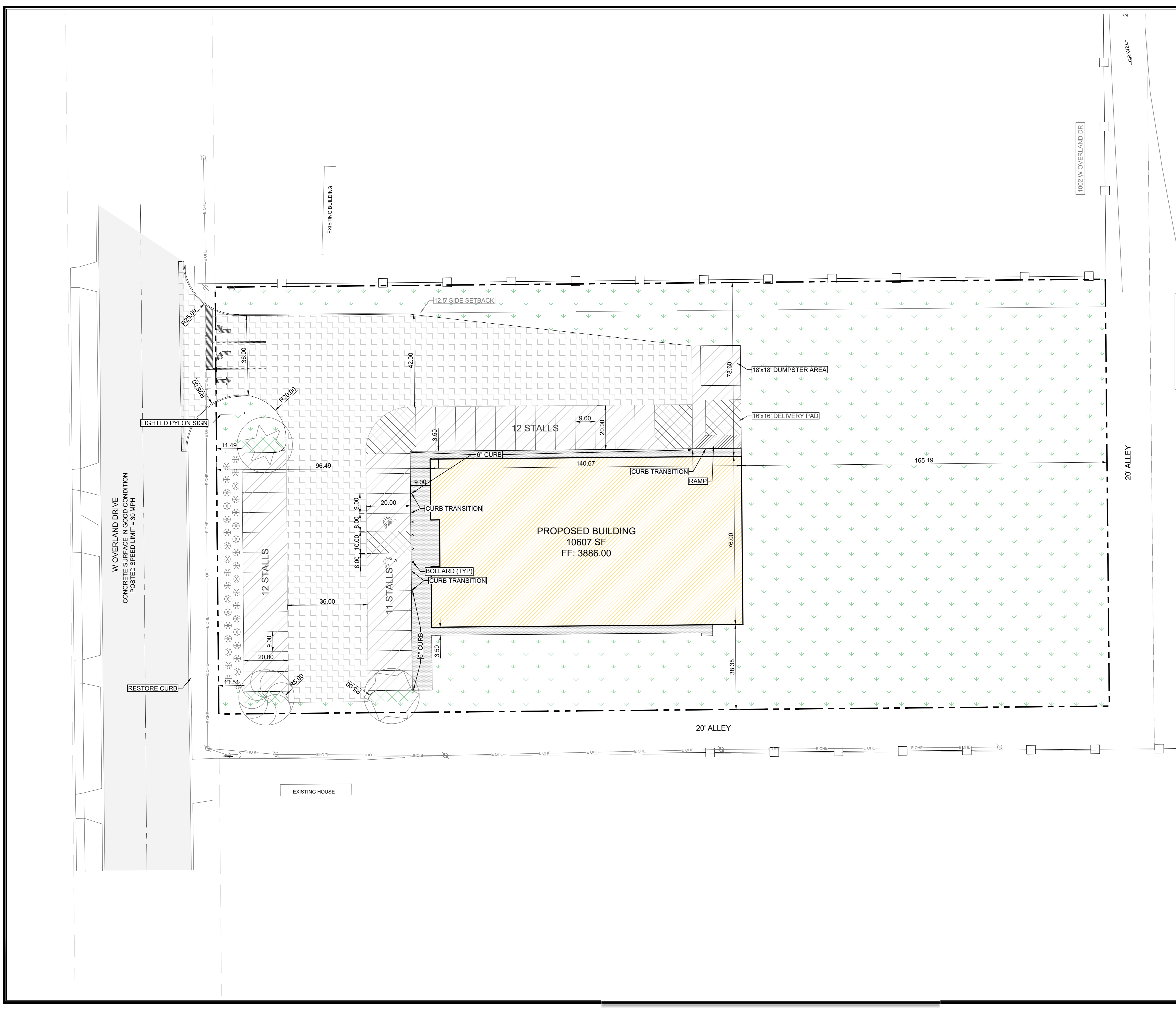
- 818 E Overland – 35 spaces
- 918 W 27th Street – 30 spaces
- 1645 10th Street, Gering - 12 spaces
- 130910 Stonegate Road, Minatare – 35 spaces
- 1303 Broadway, Mitchell – 35 spaces

Matt Davis, RLA

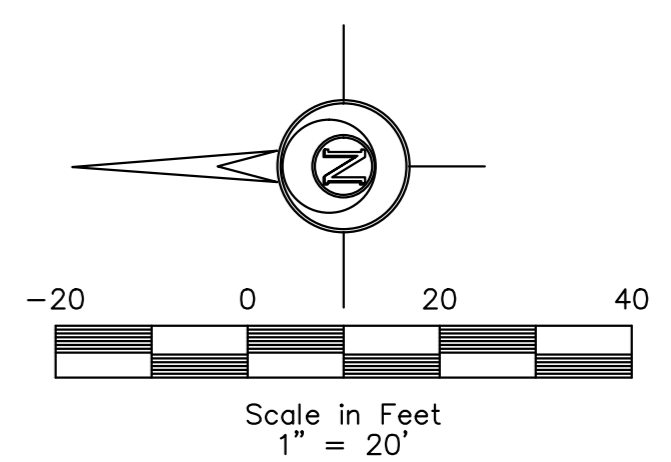
Due Diligence Manager
FIRSTLINK

1300 Freeport Rd
[Pittsburgh, PA 15238](https://www.pittsburghpa.com)
Mobile: 904-400-3949
mattdavis@firstlinkllc.com

www.firstlinkllc.com



- EXISTING PAVEMENT
- PROPOSED BUILDING
10,606 SQ. FT.
- PROPOSED 4" SIDEWALK
2,055 SF
- STANDARD PAVEMENT
8,200 SF
- HEAVY DUTY PAVEMENT
13,804 SF
- LANDSCAPE ISLAND
324 SF
- SOD/IRRIGATION LIMITS
42,530 SF



LEGEND:

+/-	MORE OR LESS	Ⓧ	VALVE
F.F.	FINISHED FLOOR	Ⓧ	PROPOSED UTILITY LINE
123.456	EXISTING ELEVATION	Ⓧ	EXISTING UTILITY LINE
123.45 / 123.45	EXISTING/PROPOSED ELEVATION	Ⓧ	FIBER OPTIC
FL	FLOWLINE ELEVATION	Ⓧ	GAS LINE
Ⓧ	CONTROL POINT	Ⓧ	OVERHEAD ELEC.
Ⓧ	CALCULATED CORNER	Ⓧ	SANITARY SEWER
Ⓧ	FOUND CORNER	Ⓧ	STORM SEWER
Ⓧ	SIGN	Ⓧ	UNDERGROUND ELEC.
Ⓧ	STREET LIGHT	Ⓧ	WATER
Ⓧ	POWER POLE	Ⓧ	FENCE
Ⓧ	GUY ANCHOR		
Ⓧ	UTILITY PEDESTAL		
Ⓧ	SANITARY SEWER MANHOLE		
Ⓧ	STORM SEWER MANHOLE		
Ⓧ	CLEANOUT		
Ⓧ	DOWNSPOUT		
Ⓧ	AREA INTAKE		
Ⓧ	SINGLE INTAKE		
Ⓧ	THROAT INTAKE		
Ⓧ	FIRE HYDRANT		

ELDS DESIGN SERVICES
 Architecture | Engineering | Surveying
 2323 Dixon Street, Des Moines, Iowa 50316 | PO Box 4626, Des Moines, Iowa 50305 | Ph: 515 265 8196

**SCOTTSBLUFF DOLLAR GENERAL
 LOTS 2A, 2B, & 2C EISLE SUBDIVISION
 SCOTTSBLUFF, NE**

PRELIMINARY

DATE: 09.01.2023
 DRAWING NO: 22-194
 FILE PATH: J:\2022 Projects\22-194 DG Scottsbluff, NE\Engineering\Sheet Set

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 24, 2023

For Hearing of: November 13, 2023



I. GENERAL INFORMATION

A. Applicant: Elara Jondle First Link LLC
2323 Dixon Street PO Box 38548
Des Moines, IA 50316 Pittsburgh, PA 15238

B. Property
Owner: Clifford and Laura Hilbert
1125 17th Street
Gering, NE 69341

C. Proposal: Request for Off-Street Parking Requirement Exception under 25-5-2

D. Legal Description: Lots 2A, 2B, and 2C Eisele Subdivision Replat Lot 2

E. Location: 1008 W. Overland Drive

F. Existing Zoning & Land Use: C-2 Neighborhood and Retail Commercial

Size of Site: Approximately 1.78 Acres

II. GENERAL INFORMATION

A. Required Off-Street Parking per 25-5-1

1. Retail Store: 1 space per 250 square feet gross floor area
2. Proposed Dollar General Store: 10,607 square feet
3. Total Required Off-Street Parking: **42 parking stalls**

B. Requested Off-Street Parking

1. 35 Parking Stalls

III. ANALYSIS

A. Dollar General submitted the following evidence to support the parking space exception:

1. Stores average 15-20 transactions per hour
2. Standard Dollar General store has 35 parking stalls
 - i. Stated this has been sufficient for peak Christmas season customer levels
3. Area Dollar General Parking Stall Counts
 - i. E. Overland Store: 35 stalls
 - ii. W. 27th Street Store: 30 stalls
 - iii. Gering Store: 12 stalls
 - iv. Minatare Store: 35 stalls
 - v. Michell Store: 35 stalls

IV. STAFF COMMENTS

- A. The evidence provided supports Dollar General’s off-street parking requirement exception request.
- B. By permitting less parking pavement, less pressure will be put on the stormwater infrastructure system.

V. FINDINGS OF FACT

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

- 1. Evidence has been submitted for the exception as per 25-5-2.
- 2. 35 parking stalls is consistent with newer Dollar General stores in the area.

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

- 1. None

VI. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission approve the permit for the off-street parking requirement request to First Link LLC for the proposed Dollar General store at 1008 West Overland Drive.

City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear4

Planning Commission to conduct a Public Hearing to consider a Special Use Permit for a Junkyard at Lots 2 & 3, Block 1, Rushall's Subdivision, commonly identified as 909 S Broadway.

Staff Contact:



City of Scottsbluff, Nebraska Special Use Permit Application

Date:			DO NOT WRITE IN THIS BLOCK		
Address (Location) of requested Special Use: <i>909 South Broadway</i>			Permit Number:		
Applicant's Name <i>Albert L. Metcalf</i>			Special Use Permit <input type="checkbox"/> Approved <input type="checkbox"/> Denied		
Applicant's Address: <i>3302 Lilac Dr.</i>			Date Issued:		
City: <i>Scottsbluff</i>	State: <i>Ne.</i>	Zip: <i>69361</i>	Comp. Plan Land Use: Zone:		
Telephone: <i>308-631-0783</i>	Mobile: <i>308-631-0783</i>	Email:	Attached: Plot Plan <input type="checkbox"/> Legal Description (in word) <input type="checkbox"/> \$100.00 filing fee <input type="checkbox"/> \$250.00 for PUD (planned unit dev) <input type="checkbox"/> \$3.00 per property owner within 300-feet <input type="checkbox"/> Receipt # _____		
Property Owner: <i>Metcalf Family Living Trust</i>					
Property Owner's Address: <i>3302 Lilac Dr.</i>					
City: <i>Scottsbluff</i>	State: <i>Ne.</i>	Zip: <i>69361</i>			
Telephone: <i>308-631-0783</i>	Mobile: <i>308-631-0783</i>	Email:			

Description of the nature of the use for which the Special Use Permit is requested (Why and What):
Moving Scrap yard from R.R. Property - lost lease

Legal Description:
Lts 2 + 3, Block 1, Rushall's Subdivision

Zoning Ordinance Section pertaining to Special Use Permit:
25-3-16 M1 zone

- Please attach the following:
- Copy of Plot Plan (showing property lines, dimensions, existing structures, proposed structures, easements, etc..)
 - Legal Description on a CD/Disk (in Word)
 - \$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.

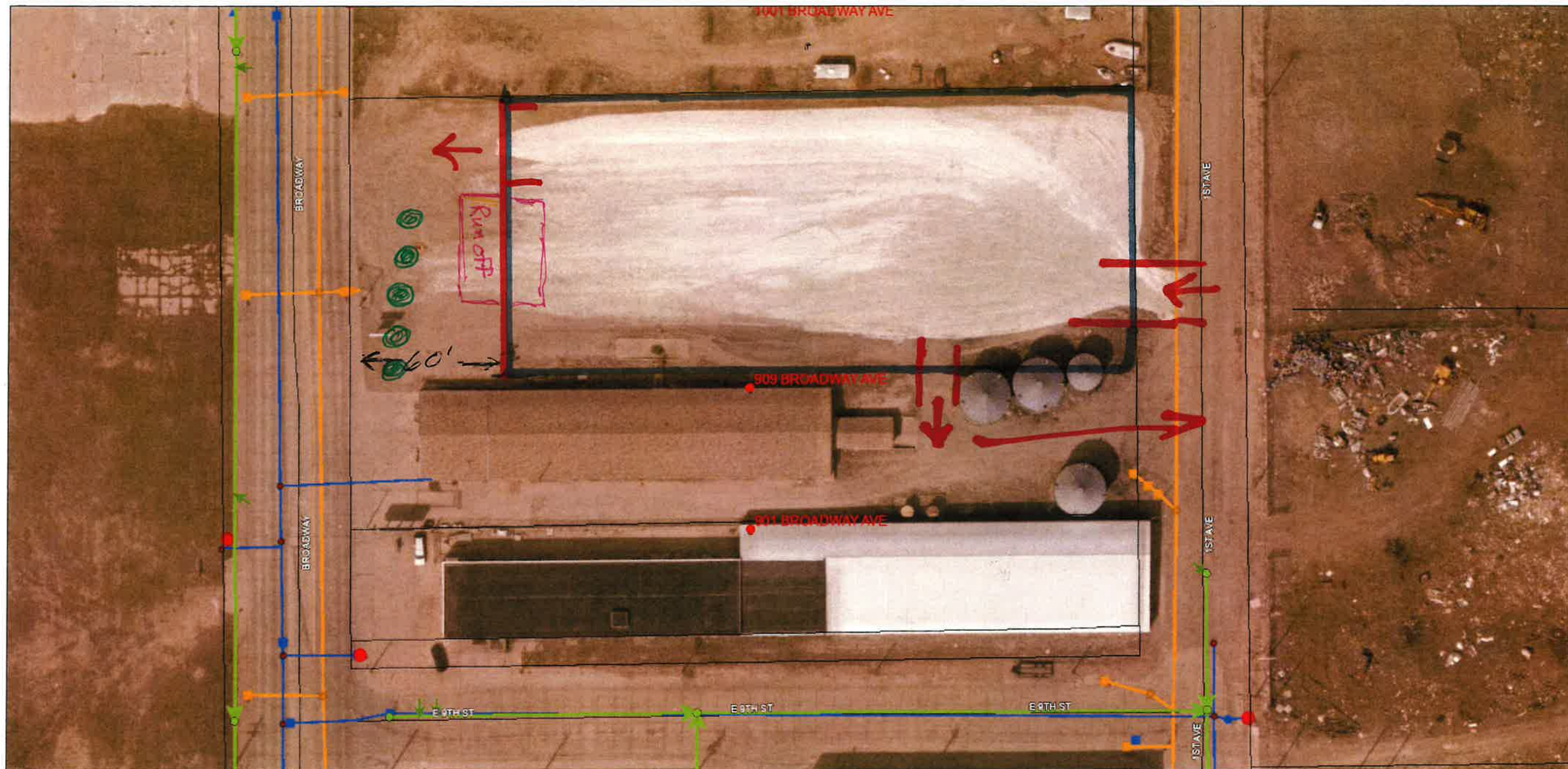
Property Owner(s) of Record: *Metcalf Family Living Trust* Date: *10-5-23*

Applicant's Signature: *Albert L. Metcalf* Date: *10-5-23*

Remarks: (Insert here any information not covered above)

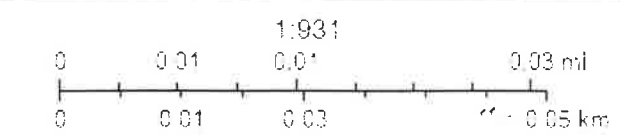
Serry Metcalf 631-0783

City of Scottsbluff Webmap



11/3/2023, 12:47:07 PM

- | | | | | |
|---|---|---|--|---|
| ● Address Point | ● Sewer Manhole | ● FIRE HYDRANT | ● ALL OTHERS | — Stormwater Line |
| Parcels | → Sewer Laterals | ● HYDRANT VALVE | — Water Lines | Streets |
| Scottsbluff Corporate Limits | → Sewer Lines | ● MANHOLE | ● Stormwater Manhole | — Main Road |
| Extended Jurisdiction | Water Features | ■ VALVE | ■ Stormwater Inlet | — Residential |
| | ▲ CURBBOX | | | — Railroad Track |



Maxar Microsoft

172x414'
Fence - Blue 10 ft. 1st Ave
Red - Enter - Exit
gates -
Green - Trees

Run off - pink
Concrete Box - 500 gal.
Fuel Tank

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 25, 2023 For Hearing of: November 13, 2023



I. GENERAL INFORMATION

- A. **Applicant:** Albert Metcalf
3302 Lilac Drive
Scottsbluff, Nebraska 69361
- B. **Property**
Owner: Same as Applicant
- C. **Proposal:** Special Use Permit to operate a junkyard at 909 S Broadway due to losing lease to BNSF property directly east of 909 S Broadway
- D. **Legal Description:** Lots 2 & 3, Block 1, Rushall’s Subdivision
- E. **Location:** 909 S Broadway
- F. **Existing Zoning & Land Use:** M-1 Light Manufacturing and Industrial
- 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	South Broadway	M-1 Light Manufacturing and Industrial	Landscaping Business
East	South Broadway	M-1 Light Manufacturing and Industrial	Junkyard
South	South Broadway	M-1 Light Manufacturing and Industrial	Commercial Building
West	South Broadway	M-1 Light Manufacturing and Industrial	Vacant Land

III. ANALYSIS

- A. **Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as South Broadway.
 - 1. Appropriate uses for the South Broadway neighborhood are C-1, O-P, C-2, R-4, and PBC.

2. The Comprehensive Plan defines the South Broadway neighborhood intensity as follows:
 3. Hours (When activity is happening)
 - i. Heavier daytime use, evening retail
 4. Auto (What type of transportation access is the neighborhood oriented towards)
 - i. Multi-modal transportation well accommodated
 5. Mass (How much of the lot should buildings utilize, and what are appropriate setbacks and heights)
 - i. Higher density development, general low buildings though 2.5-3 stories is acceptable.
 - ii. Broadway setbacks set eventually to be near or on the street. Larger for big box.
 6. Emissions (What noises, smells, sights, and level of activity are acceptable)
 - i. Traffic heaviest in the day but continuing through the night.
 - ii. Commercial deliveries frequent
 - iii. Low amounts of non-restaurant smells
 - iv. Lower noise
 - v. Enforced aesthetic and landscaping standards
- B. Traffic & Access:**
1. Primary access to the property would be via 1st Avenue
 2. Secondary access to the property would be via Broadway
- C. Utilities**
1. Water, Sewer, and Stormwater are located in the Broadway Right-of-Way.
 2. Stormwater is also located in the 1st Avenue Right-of-Way
- D. Zoning**
1. Per 25-3-16 C, Junkyard is a special permit use in the M-1 Manufacturing and Industrial Zoning District.

IV. STAFF COMMENTS

- A. A special permit is assigned to the business owner and not the land itself.
- B. Per 25-2-57, junkyard is defined as *“A space of 200 square feet or more located on a lot or tract of land which is used to store, dismantle, demolish, process, or abandon junk, or abandoned vehicles. The term “junk” shall have the meaning given to it in § 12-1-1 of this code of ordinances.”*
- C. Per 12-1-1, junk is defined as *“Includes scrap metal, parts for machinery, appliances or vehicles, any machine, or vehicle which is not in operating condition or which has lost its identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, or which has been cast off, discarded, or thrown away or left as waste or wreckage. The term does not include: (1) Solid waste as defined in Chapter 19 of this code; (2) Abandoned vehicles as defined in Chapter 22 of this code; and (3) Refrigerators kept outside of a building, if each door of the refrigerator is secured by a hasp and lock as provided elsewhere in this chapter.”*
- D. Per 25-13-3, the Planning Commission may issue a special permit for the use of a lot, tract of land, building, or structure in circumstances and a manner authorized by other articles of this chapter if the Commission finds the proposed use:

- a. Provides a service required by the neighborhood or community and is consistent with sound principles of land use;
 - b. Will not be injurious to the use of neighboring lots, tracts of land, buildings, or structures;
 - c. Will not create special hazards or problems for the area in which it is located;
 - d. Is related to and harmonious with the general plan for the area in which it is located, as indicated by this chapter
 - e. Otherwise, is in accordance with the intents and purposes of this chapter. The Commission may make the use which is authorized in the special permit subject to reasonable conditions which in the discretion of the Planning Commission are necessary to carry out the intents and purposes of this chapter.
- E. Staff met with Mr. Metcalf on November 3, 2023 and agreed on the below conditions.

V. FINDINGS OF FACT

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

- 1. The current zoning district of M-1 Light Manufacturing and Industrial.
- 2. Junkyard provides a service required by the community and is consistent with underlying zoning district.
- 3. The use will not be injurious to neighboring uses as it is a relocation of an existing junkyard approximately 64 feet away.
- 4. The use will not create special hazards or problems:
 - i. If the primary access is 1st Avenue
 - ii. No stormwater runs off the site into the City stormwater system.
- 5. The use is in accordance with the intents and purposes of the Code.

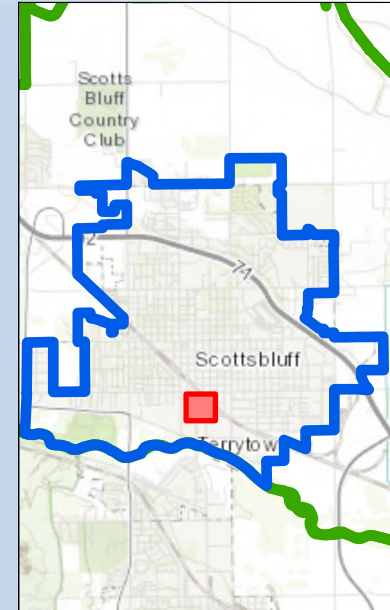
B. Findings of Fact to Not Recommend Approval May Include:


- 1. The use will create special hazards if:
 - i. Truck traffic increases on Broadway
 - ii. Contaminated stormwater runoff enters the City stormwater system.
- 2. The use is not harmonious with the Comprehensive Plan.
 - i. South Broadway neighborhood is recommended to be less intense uses such as C-1, O-P, C-2, R-4, PBC.
 - ii. The neighborhood is recommended to have lower noise, the proposed use has the potential to increase noise.

VI. STAFF RECCOMENDATION

- A.** Staff recommends Planning Commission approve the special use permit to Albert Metcalf for a junkyard at S 909 Broadway with the following conditions:
- i. The junkyard use has a setback of 60' from Broadway
 - ii. The junkyard be fully enclosed with 10' tall opaque fence.
 - iii. Primary access for truck traffic to/from the site be via 1st Avenue. Secondary access for truck traffic to/from the site be via Broadway.
 - iv. On-site retention/detention which prevents runoff from site into City stormwater sewer system reviewed and approved by City Engineer.






- v. Compliance with any other applicable City, County, State, or Federal Regulations that may apply.
- vi. A 10' wide landscaping bed with 5 trees be installed in front of the fence on the Broadway side of the property. Trees shall meet the requirements of Chapter 25 Article 22.
- vii. Maximum height permitted for scrap is 15 feet.



 Proposed Changes

Street Centerlines

CLASS

-  Highway
-  Main Road
-  Residential/Rural
-  Parcels
-  Address

Taylor Stephens
City of Scottsbluff GIS
Created on 10/25/2023
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 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

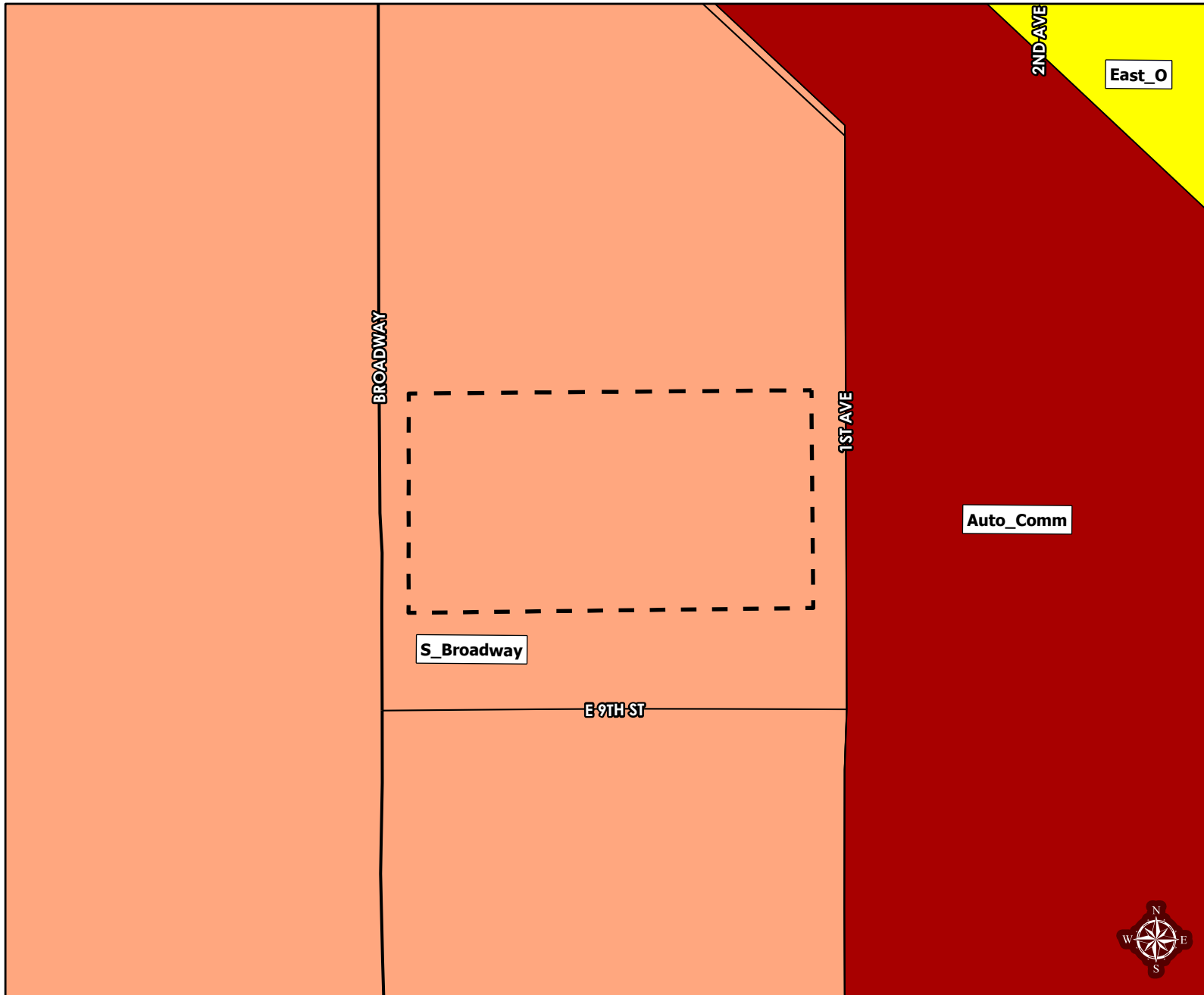
- Highway
- Main Road
- Residential/Rural
- Parcels

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 City of Scottsbluff GIS
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Special Use Permit Request

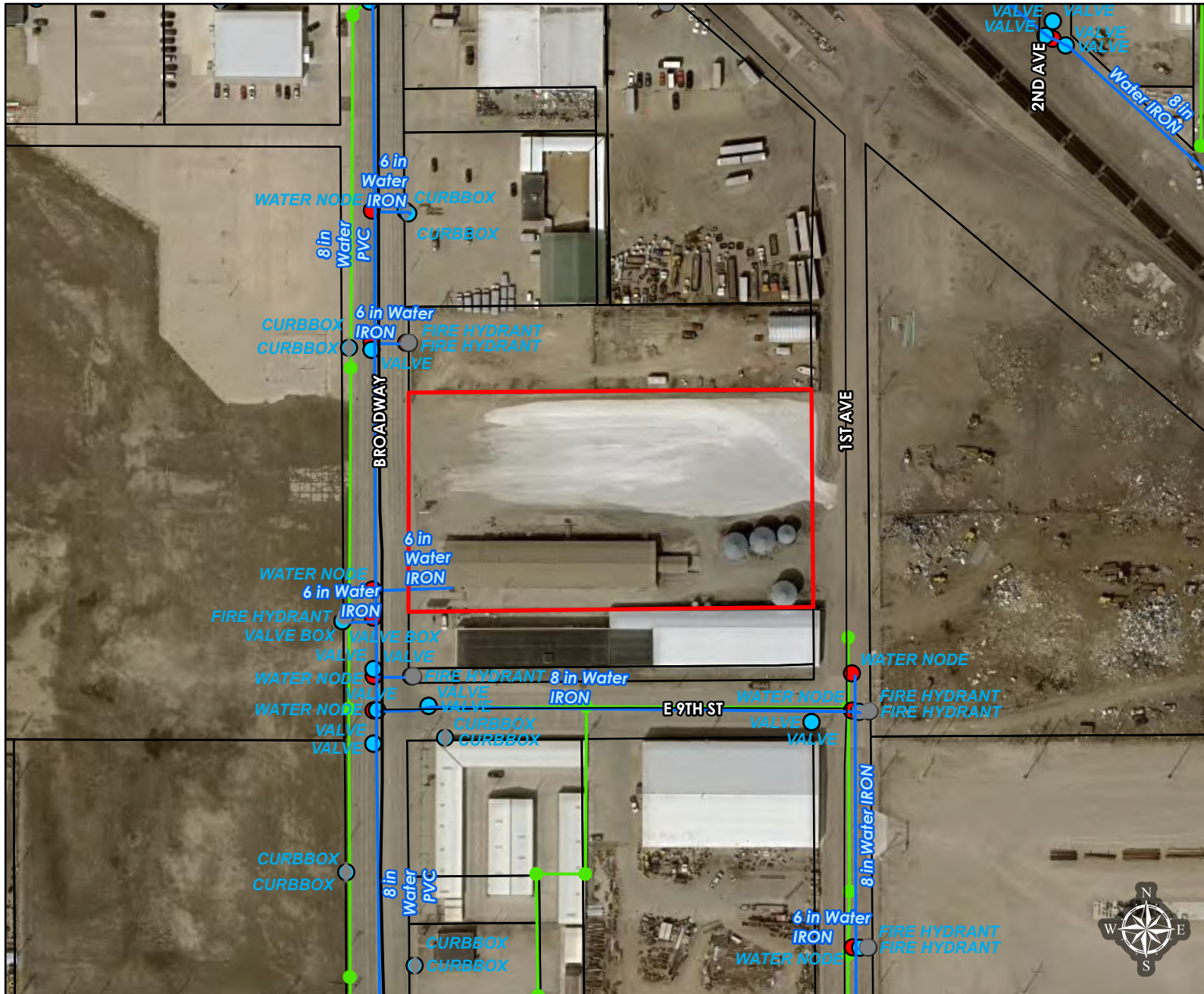
909 BROADWAY



- 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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- Highway
 - Main Road
 - Residential/Rural
 - Wastewater MH
 - Wastewater Lines
 - Proposed Property
 - Parcels
 - GEODATA.GISMGR.Corporate_Limits
 - Water_Lines
- Water Valve**
- No
 - Yes
 - UNKNOWN
- Waterline_Points**
- No
 - Yes
 - UNKNOWN
- Water Manhole**
- No
 - Yes
 - UNKNOWN
- Water Curbstop**
- ◆ No
 - ◆ Yes
 - UNKNOWN
- Fire Hydrants**
- No
 - Yes
 - UNKNOWN

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

City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear5

Planning Commission to conduct a Public Hearing to consider a Preliminary Plat, Final Plat, and Alley/Easement Vacation for Blocks 8 and 9A, Reganis Subdivision, commonly identified as 1117 & 1125 E. 27th Street.

Staff Contact:



City of Scottsbluff
Subdivision Application
Permit Identifier 2023-3SD

Type: Preliminary Plat

Applicant Name Reganis, LLC Applicant Address 1117 E 27th ST
Applicant Email tim@reganis.com Applicant Phone 3086328200

Contact Name Survey Dept MC Schaff Contact Address 818 S BELTLINE HWY
E SCOTTSBLUFF,
Nebraska
Conact Email 3086351926 Contact Phone survey@mcschaff.com

Subdivision Information

Proposed Name of Subdivision Reganis Subdivision

General Location/Address 1117 E 27TH ST

Legal Description BLOCKS 8 AND 9A, REGANIS
SUBDIVISION, A REPLAT OF BLOCK 9,
REGANIS SUBDIVISION AND PART OF
VACATED 30 FOOT ALLEY, AND
UNPLATTED LANDS

Current Zoning District(s) C-2

Total Area (square feet or acre) 8.37 Acres

Number of Past Replat/Plat Amendments 1

Describe the reason for the subdivision

This replat will allow for development of unplatted land into a new car dealership.



City of Scottsbluff, Nebraska Application for a Final Plat Subdivision

Date: 10/3/2023			DO NOT WRITE IN THIS BLOCK	
Address (Location): 1117 E 27th Street			Permit Number:	
Applicant's Name: Reganis, LLC (Timothy G. Reganis)			Plat Approved Denied	
Applicant's Address: PO BOX 1245			Date Issued:	
City: Scottsbluff	State: NE	Zip: 69363	Comp. Plan Land Use:	Zone:
Telephone: 308-632-8200	Mobile:	Email: tim@reganis.com	Attached: Final Plat Legal Description (in Word) \$100.00 filing fee Letter of transmittal Receipt # _____	
Property Owner: Reganis, LLC (Timothy G. Reganis)				
Property Owner's Address: PO BOX 1245				
City: Scottsbluff	State: NE	Zip: 69363		
Telephone: 308-632-8200	Mobile:	Email: tim@reganis.com		
Engineer or Surveyor: M.C. Schaff & Associates, Inc.			Total Acreage: 8.37 Acres	
Engineer or Surveyor Address: 818 South Beltline Hwy E			Proposed number of lots: 2	
City: Scottsbluff	State: NE	Zip: 69361	Present Use of Property: car dealership / undeveloped	
Telephone: 308-635-1926	Mobile:	Email: survey@mcschaff.com	Proposed Use of Property: car dealerships	
Location of property: NW of the Intersection of 27th St and 12th Ave. Scottsbluff			Present Zoning: C-2	
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: 10/5/2023	
Remarks: (Insert here any information not covered above)				

Development Services Department

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243

October 3, 2023

Zachary Glaubius
Development Services Director
City of Scottsbluff, NE

RE: Vacation of Alleys in Reganis Subdivision

Dear Mr. Glaubius,

I, Aldo A. Gonzalez, President of 2627 Lodging, LLC and Owner of Block 2, Reganis Subdivision in the City of Scottsbluff, Scotts Bluff County, Nebraska, am requesting the alleys in Reganis Subdivision to be vacated.

The legal description of the alleys is as follows:

A 20-FOOT ALLEY AND A 30-FOOT ALLEY IN BLOCK 2 AND BLOCK 9, 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.

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 DEED'S OFFICE, THENCE WESTERLY ON THE NORTH LINE OF SAID BLOCK 9, ON AN ASSUMED BEARING OF N88°20'01"W, A DISTANCE OF 507.86 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 LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 16°51'02", A RADIUS OF 70.00 FEET, A CHORD BEARING OF S65°58'02"E, AND A CHORD LENGTH OF 20.51 FEET, THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE, A DISTANCE OF 20.59 FEET, TO THE NORTHWEST CORNER OF BLOCK 2, REGANIS SUBDIVISION, AS RECORDED IN INSTRUMENT 2014-2872, SCOTTS BLUFF COUNTY REGISTER OF DEED'S OFFICE, THENCE BEARING S11°11'49"W, ON THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 146.17 FEET, THENCE BEARING S40°19'59"E, ON THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 74.18 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK 2, THENCE BEARING N55°43'34"E, ON THE SOUTH LINE OF SAID BLOCK 2, A DISTANCE OF 64.12 FEET, THENCE BEARING S88°20'01"E, ON THE SOUTH LINE OF SAID BLOCK 2 AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 739.33 FEET, TO THE POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 12TH AVENUE AS RECORDED IN INSTRUMENT 2014-3981, SCOTTS BLUFF COUNTY REGISTER OF DEED'S OFFICE, SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 00°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, AND ON SAID WEST RIGHT OF WAY LINE, 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 0.67 ACRES, MORE OR LESS.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Aldo Gonzalez", with a long horizontal flourish extending to the right.

Aldo A. Gonzalez
President
2627 Lodging, LLC

October 3, 2023

Zachary Glaubius
Development Services Director
City of Scottsbluff, NE

RE: Vacation of Alleys and part of a 30-foot utility easement in Reganis Subdivision

Dear Mr. Glaubius,

I, Timothy G. Reganis, Owner of Reganis, LLC and Owner of Unplatted Lands 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, and Owner of Block 9, Reganis Subdivision in the City of Scottsbluff, Scotts Bluff County, Nebraska, am requesting the alleys and part of a 30-foot utility easement in Reganis Subdivision to be vacated.

The legal description of the alleys is as follows:

A 20-FOOT ALLEY AND A 30-FOOT ALLEY IN BLOCK 2 AND BLOCK 9, 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.

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 DEED'S OFFICE, THENCE WESTERLY ON THE NORTH LINE OF SAID BLOCK 9, ON AN ASSUMED BEARING OF N88°20'01"W, A DISTANCE OF 507.86 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 LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 16°51'02", A RADIUS OF 70.00 FEET, A CHORD BEARING OF S65°58'02"E, AND A CHORD LENGTH OF 20.51 FEET, THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE, A DISTANCE OF 20.59 FEET, TO THE NORTHWEST CORNER OF BLOCK 2, REGANIS SUBDIVISION, AS RECORDED IN INSTRUMENT 2014-2872, SCOTTS BLUFF COUNTY REGISTER OF DEED'S OFFICE, THENCE BEARING S11°11'49"W, ON THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 146.17 FEET, THENCE BEARING S40°19'59"E, ON THE WEST LINE OF SAID BLOCK 2, A DISTANCE OF 74.18 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK 2, THENCE BEARING N55°43'34"E, ON THE SOUTH LINE OF SAID BLOCK 2, A DISTANCE OF 64.12 FEET, THENCE BEARING S88°20'01"E, ON THE SOUTH LINE OF SAID BLOCK 2 AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 739.33 FEET, TO THE POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 12TH AVENUE AS RECORDED IN INSTRUMENT 2014-3981, SCOTTS BLUFF COUNTY REGISTER OF DEED'S OFFICE, SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 00°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, AND ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 30.48 FEET, TO THE POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE

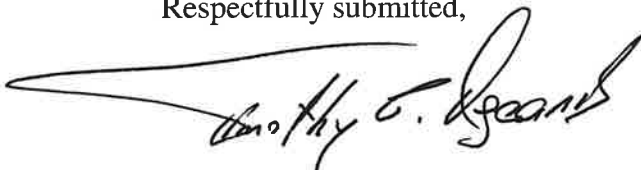
NORTH LINE OF BLOCK 9, REGANIS SUBDIVISION, THENCE BEARING N88°20'01"W, ON SAID EXTENSION LINE, A DISTANCE OF 227.16 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.67 ACRES, MORE OR LESS.

The legal description of part of a 30-foot utility easement is as follows:

PART OF A 30-FOOT UTILITY EASEMENT LYING EAST OF BLOCK 9, 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.

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 DEED'S OFFICE, THENCE EASTERLY ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 9, ON AN ASSUMED BEARING OF S88°20'01"E, A DISTANCE OF 30.02 FEET, TO A POINT BEING 30.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID BLOCK 9, AS MEASURED PERPENDICULAR TO SAID LINE, THENCE BEARING S00°25'03"E, ON A LINE 30.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF SAID BLOCK 9, A DISTANCE OF 408.36 FEET, TO THE POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF 27TH STREET, THENCE BEARING N88°20'42"W, ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 30.02 FEET, TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 9, THENCE BEARING N00°25'03"W, ON SAID EXTENSION LINE, A DISTANCE OF 17.01 FEET, TO THE SOUTHEAST CORNER OF SAID BLOCK 9, THENCE CONTINUING ON BEARING N00°25'03"W, ON THE EAST LINE OF SAID BLOCK 9, A DISTANCE OF 391.35 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.28 ACRES, MORE OR LESS.

Respectfully submitted,



Timothy G. Reganis
Owner
Reganis, LLC

October 16, 2023

Zachary Glaubius
Development Services Director
City of Scottsbluff, NE

RE: Vacation of part of a 30-foot utility easement in Reganis Subdivision

Dear Mr. Glaubius,

Our Company, M.C. Schaff & Associates, is performing surveying and engineering services for the proposed Reganis dealership site located north of 27th Street and west of 12th Avenue, in Scottsbluff. On August 30, 2023, M.C. Schaff & Associates initiated a Nebraska 811 utility marking request (ticket number 232421233) for the 30-foot utility easement and surrounding area of the proposed site. The following utility companies were notified:

Allo Communications LLC
Black Hills Energy
Enterprise Irrigation District
Great Plains Communications
Nebraska Public Power District
City of Scottsbluff
Charter Communications
CTLCL-Centurylink

On September 5, 2023, M.C. Schaff & Associates performed a topographic field survey on the Reganis property. During this field survey, no utility markings or evidence of utilities were observed in the 30-foot utility easement that is being proposed to be vacated.

Regards,

A handwritten signature in black ink, appearing to read 'Dustin Beaudette', written over a horizontal line.

Dustin Beaudette
Nebraska Registered Land Surveyor
M.C. Schaff & Associates, Inc.

PRELIMINARY PLAT

**BLOCKS 8 AND 9A, REGANIS SUBDIVISION,
A REPLAT OF BLOCK 9, REGANIS SUBDIVISION,
AND PART OF VACATED 30 FOOT ALLEY,
AND UNPLATTED LANDS
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

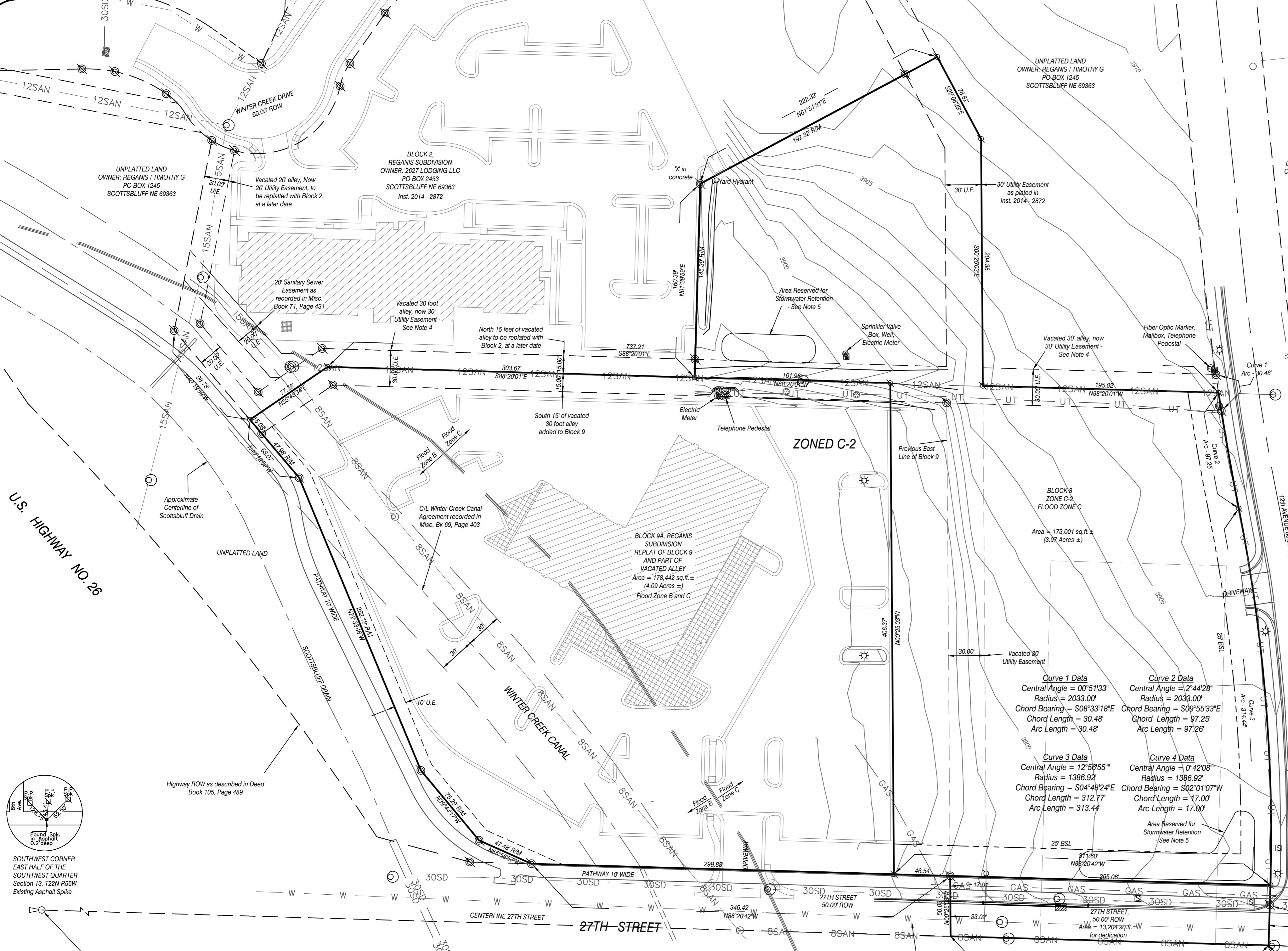


VICINITY MAP

LEGAL DESCRIPTION

BLOCKS 8 AND 9A, REGANIS SUBDIVISION, A REPLAT OF BLOCK 9, REGANIS SUBDIVISION, AND PART OF VACATED 30 FOOT ALLEY AND UNPLATTED LANDS 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.

COMMENCING AT THE SOUTH QUARTER CORNER 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 205.90 FEET, TO THE SOUTHWEST CORNER OF 27TH STREET, AS PLATTED IN INSTRUMENT 2014-3981, IN THE SCOTTS BLUFF COUNTY REGISTER OF DEEDS OFFICE, SAID POINT ALSO BEING 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, TO THE SOUTHEAST CORNER OF 27TH STREET, AS PLATTED IN INSTRUMENT 2014-1683, THENCE BEARING N00°25'03"W, A DISTANCE OF 30.03 FEET, TO THE NORTHEAST CORNER OF 27TH STREET, AS PLATTED, THENCE BEARING N88°20'42"W, ON THE NORTH RIGHT OF WAY LINE OF 27TH STREET, AS PLATTED, A DISTANCE OF 348.42 FEET, THENCE BEARING N65°56'57"W, A DISTANCE OF 47.48 FEET, THENCE BEARING N39°44'17"W, A DISTANCE OF 75.29 FEET, THENCE BEARING N22°33'48"W, A DISTANCE OF 262.18 FEET, THENCE BEARING N40°19'59"W, A DISTANCE OF 63.07 FEET, THENCE BEARING N55°43'34"E, A DISTANCE OF 77.78 FEET, THENCE BEARING S88°20'01"E, A DISTANCE OF 303.67 FEET, TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF BLOCK 2, REGANIS SUBDIVISION, AS PLATTED IN INSTRUMENT 2014-2872, THENCE BEARING N01°39'59"E, ON SAID EXTENSION LINE AND EASTERLY LINE THEREOF, A DISTANCE OF 160.39 FEET, THENCE BEARING N61°51'31"E, ON SAID EASTERLY LINE OF BLOCK 2 AND NORTHERLY EXTENSION THEREOF, A DISTANCE OF 222.32 FEET, TO THE POINT OF INTERSECTION WITH THE EAST LINE OF A 30-FOOT UTILITY EASEMENT, AS PLATTED IN INSTRUMENT 2014-2872, THENCE BEARING S28°08'29"E, ON THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 76.82 FEET, THENCE BEARING S00°25'03"E, ON THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 204.38 FEET, THENCE BEARING S88°20'01"E, A DISTANCE OF 195.02 FEET, TO THE POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 12TH AVENUE, AS PLATTED IN INSTRUMENT 2014-3981, SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 92°48'20", A RADIUS OF 2033.00 FEET, A CHORD BEARING OF S09°55'33"E, AND A CHORD LENGTH OF 97.25 FEET, THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE, AND ON THE WEST RIGHT OF WAY LINE OF 12TH AVENUE, A DISTANCE OF 97.26 FEET, TO THE POINT OF A 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 CURVE, AND ON THE WEST RIGHT OF WAY LINE OF 12TH AVENUE, A DISTANCE OF 330.44 FEET, TO A POINT BEING 33.00 FEET NORTH OF THE SOUTH LINE OF SECTION 13, AS MEASURED PERPENDICULAR TO SAID SOUTH LINE OF SECTION 13, THENCE BEARING S01°39'18"W, A DISTANCE OF 33.00 FEET, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 8.37 ACRES, MORE OR LESS.

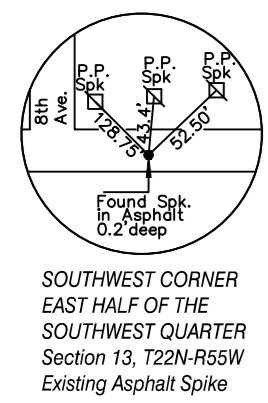


Curve 1 Data
Central Angle = 00°51'33"
Radius = 2033.00'
Chord Bearing = S08°33'18"E
Chord Length = 30.48'
Arc Length = 30.48'

Curve 2 Data
Central Angle = 2°44'28"
Radius = 2033.00'
Chord Bearing = S09°55'33"E
Chord Length = 97.25'
Arc Length = 97.26'

Curve 3 Data
Central Angle = 12°59'55"
Radius = 1386.92'
Chord Bearing = S04°48'24"E
Chord Length = 312.77'
Arc Length = 313.44'

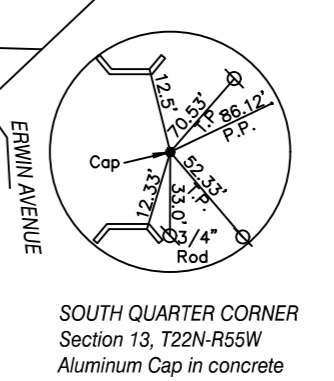
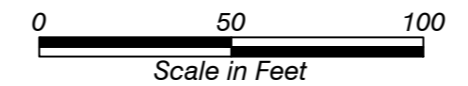
Curve 4 Data
Central Angle = 0°42'08"
Radius = 1386.92'
Chord Bearing = S02°01'07"W
Chord Length = 17.00'
Arc Length = 17.00'



- GENERAL NOTES**
- BLOCK 8, Flood Plain Information:** This property is located in the Flood Plain Zone C, as shown on FIRM Map, Community Panel No. 310206-0010-C, effective date June 15, 1979, Zone C refers to area of minimum flooding.
 - BLOCK 9, Flood Plain Information:** This property straddles Flood Plain Zones B & C, as shown on FIRM Map, Community Panel No. 310206-0010-C, effective date June 15, 1979.
Zone B refers to Area between 100 year and 500 year flooding
Zone C refers to area of minimum flooding.
The approximate location of the separation line between Zone B and C is shown on this survey.
 - Zoning Information:** This property is zoned C-2 (Neighborhood and Retail Commercial) in the City of Scottsbluff, Nebraska. The Building Setback requirements as per zoning designation is as follows:
SETBACK REQUIREMENTS FOR ZONE C-2 (Neighborhood and Retail Commercial)
Front yard setback - C or 25
Side street setback - None
Rear yard setback - None
Side yard setback - None
The maximum height of building allowed - 35 feet
(source: Scottsbluff Municipal Code Section 25-3-14)
 - This 30' wide utility easement includes the previous 20' wide sanitary sewer easement recorded in Misc. Book 71, Page 431

**DEVELOPER: TIM REGANIS
2006 EAST OVERLAND DRIVE
SCOTTSBLUFF, NEBRASKA 69361**

- LEGEND**
- EXISTING QUARTER SECTION CORNER, AS NOTED
 - EXISTING SIXTEENTH SECTION CORNER, AS NOTED
 - EXISTING 6" REBAR, UNLESS OTHERWISE NOTED
 - LIGHT POLE
 - MANHOLE, AS NOTED
 - STORM SEWER INLET
 - FIRE HYDRANT
 - WATER VALVE
 - BOLLARD
 - SPRINKLER VALVE BOX
 - WELL
 - ELECTRICAL BOX
 - TELEPHONE PEDESTAL
 - FIBER OPTIC MARKER
 - STREET SIGN
 - PROPERTY LINE
 - UTILITY EASEMENT
 - SAN - SANITARY SEWER LINE, SIZE NOTED
 - SD - STORM SEWER LINE, SIZE NOTED
 - W - WATER LINE
 - GAS - GAS LINE
 - UT - UNDERGROUND TELEPHONE
 - BUILDING SETBACK LINE
 - BUILDING SETBACK LINE RECORD



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 BLOCKS 8 & 9A
REGANIS SUBDIVISION, A REPLAT
OF BLOCK 9, PART OF VACATED
30 FOOT ALLEY, AND UNPLATTED
LANDS SITUATED IN SEQ OF SWQ
SECTION 13, T22N-R55W
SCOTTS BLUFF COUNTY, NE**

CLIENT: TIM REGANIS

PROJECT NUMBER: RM230101-00
PROJECT DATE: SEPT 21, 2023
PROJECT MGR: MO-DB-TD
PROJECT TEAM: DB-TD

SEAL

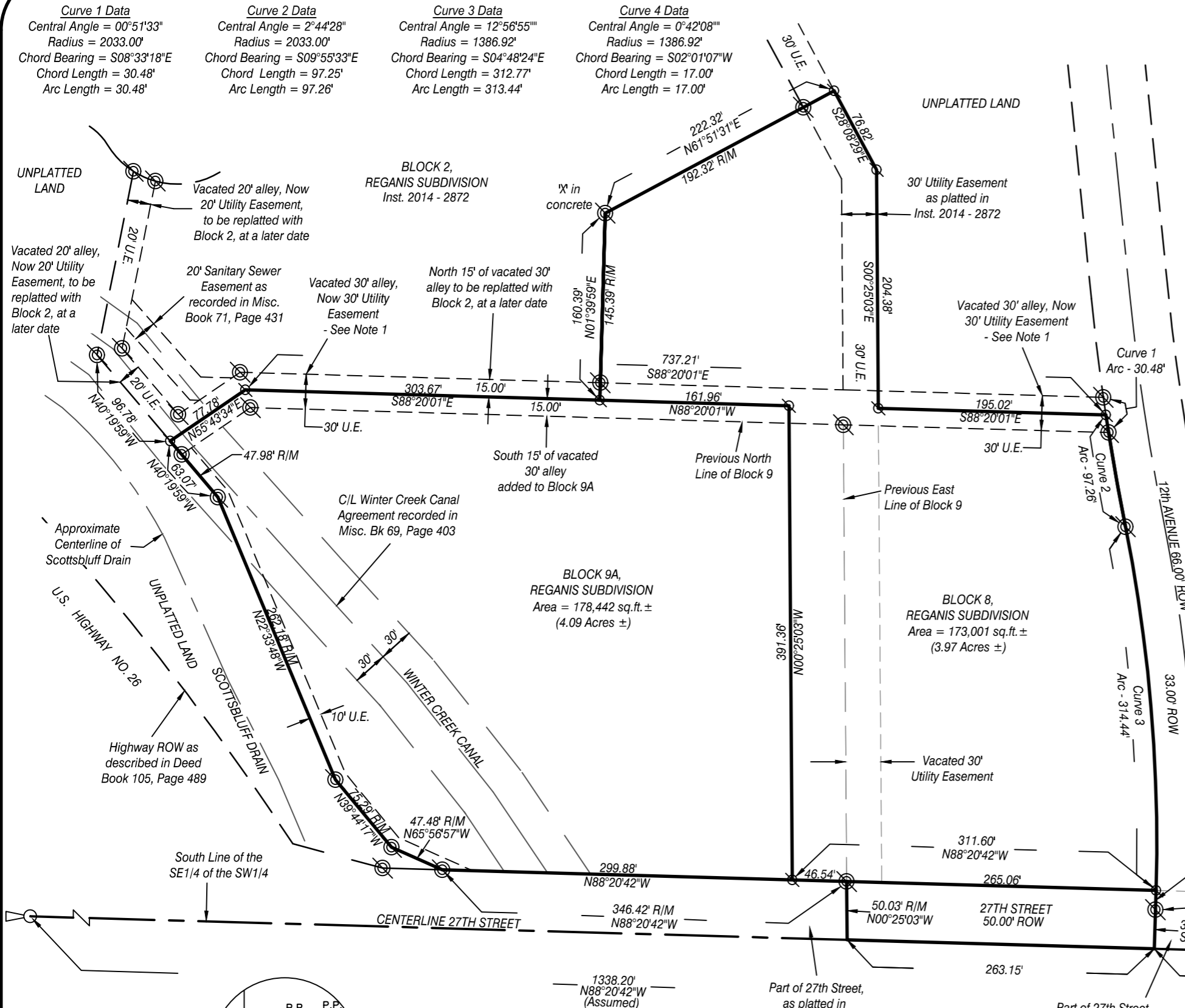
DATE	REVISION

SHEET 1 OF 1
PRELIM - 1

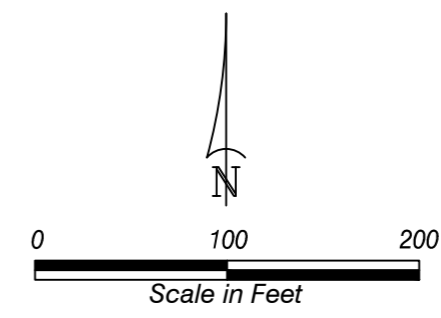
FINAL PLAT BLOCKS 8 AND 9A, REGANIS SUBDIVISION, A REPLAT OF BLOCK 9, REGANIS SUBDIVISION, AND PART OF VACATED 30 FOOT ALLEY, AND UNPLATTED LANDS

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

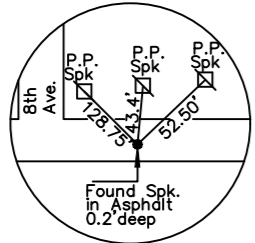


Curve 1 Data	Curve 2 Data	Curve 3 Data	Curve 4 Data
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Radius = 2033.00'	Radius = 2033.00'	Radius = 1386.92'	Radius = 1386.92'
Chord Bearing = S08°33'18"E	Chord Bearing = S09°55'33"E	Chord Bearing = S04°48'24"E	Chord Bearing = S02°01'07"W
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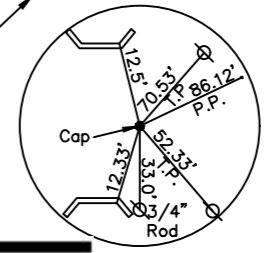


LEGEND

	EXISTING 5/8" REBAR, OR AS NOTED
	SET 5/8"x24" REBAR w/ CAP
	MEASURED
	RECORD
	RIGHT OF WAY
	UTILITY EASEMENT



NOTES:
 1. This 30' utility easement includes the previous 20' wide sanitary sewer easement recorded in Misc. Book 71, Page 431.
 2. 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.



SURVEYOR'S CERTIFICATE

I, Dustin L. Beaudette, a Nebraska Registered Land Surveyor No. 799, duly registered under the Land Surveyor's Regulation Act, hereby certify I, or under my direct supervision, have surveyed and prepared a plat of BLOCKS 8 AND 9A, REGANIS SUBDIVISION, A REPLAT OF BLOCK 9, REGANIS SUBDIVISION, AND PART OF VACATED 30 FOOT ALLEY AND UNPLATTED LANDS 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.

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That the accompanying plat is a true delineation of said survey drawn to a scale of 100 feet to the inch. That all monuments found or set are marked as shown. That all dimensions are in feet and decimals of a foot. That the boundary of the plat is shown with a heavy solid line with dashed lines being for orientation purposes only. That said survey, to the best of my knowledge and belief is true, correct and in accordance with the Land Surveyor's Regulation Act in effect at the time of this survey.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2023.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

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

BLOCKS 8 AND 9A
REGANIS SUBDIVISION
SCOTTSBLUFF, NEBRASKA
SHEET 2 OF 3
JOB# RM230101-00

OWNER'S STATEMENT

We, the undersigned, being the owners of BLOCK 9, REGANIS SUBDIVISION, AND PART OF VACATED 30 FOOT ALLEY, AND UNPLATTED LANDS 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 as described in the foregoing "Surveyor's Certificate" and shown on the accompanying plat have caused such real estate to be platted as **BLOCKS 8 AND 9A, REGANIS SUBDIVISION**, A REPLAT OF BLOCK 9, REGANIS SUBDIVISION, AND PART OF VACATED 30 FOOT ALLEY, AND UNPLATTED LANDS 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

That the foregoing plat is made with the free consent and in accordance with the desires of the undersigned owners, we hereby dedicate the street and easements as shown on accompanying survey for the use and benefit of the public.

Dated this _____ day of _____, 2023.

Reganis, LLC

By: _____
Timothy G. Reganis, Owner

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

Before me, a Notary Public, qualified and acting in said County, personally came Timothy G. Reganis, owner of Reganis 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 Reganis LLC.
WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2023.

Notary Public

My Commission Expires _____

APPROVAL AND ACCEPTANCE

The foregoing plat of **BLOCKS 8 AND 9A, REGANIS SUBDIVISION**, A REPLAT OF BLOCK 9, REGANIS SUBDIVISION, AND PART OF VACATED 30 FOOT ALLEY, AND UNPLATTED LANDS 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 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 _____, 2023.

Mayor: Jeanne McKerrigan

ATTEST: _____
City Clerk

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 2, 2023

For Hearing of: November 13, 2023



I. GENERAL INFORMATION

- A. Applicant:** Reganis LLC
1117 E. 27th Street
Scottsbluff, NE 69361

- B. Property**
Owner: Same as Applicant

- C. Proposal:** Preliminary Plat and Final Plat of Block 8 and Block 9A, Reganis Subdivision
Request to Vacate Alleys and Utility Easement

- D. Legal Description:** Block 8 and Block 9A, Reganis Subdivision

- E. Location:** 1117 and 1125 E. 27th Street

- F. Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial

Size of Site: Approximately 8.06 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 and Retail Commercial	Hotel and Vacant Lot
East	WNCC and Surrounding Areas	R-1 Single-Family Residential & C-2 Neighborhood and Retail Commercial	WNCC Dormitory and Vacant Lot
South	Residential	R-1A Single-Family Residential	Single-Family Dwellings
West	Residential	R-1A Single Family Residential	Highway 26 and Single-Family Dwellings

B. Relevant Case History

1. Special Use Permit for Block 8 was issued at the July 10, 2023 Planning Commission Meeting

2. Special Use Permit for Block 9A was issued on February 10, 2014

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.
 3. Part of 27th Street will be dedicated as right-of-way.
- 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. This alley will be vacated and dedicated as utility easement

IV. STAFF COMMENTS

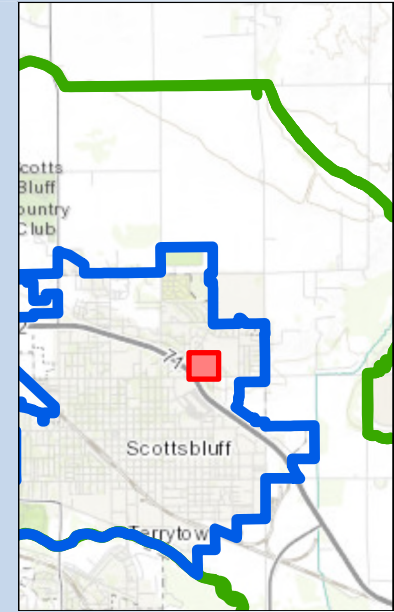
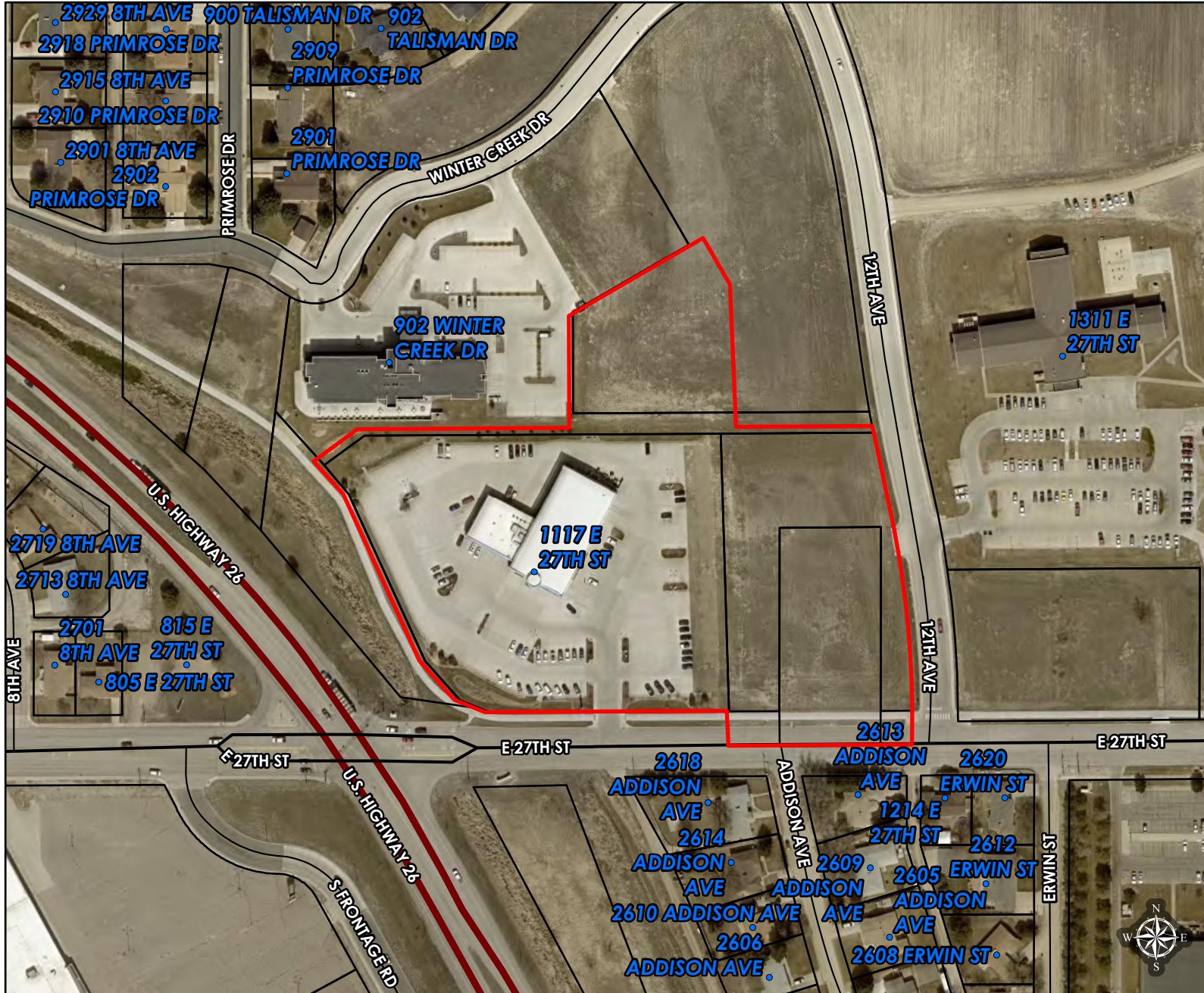
- A. The plats include a replat of the existing Block 9 as the existing eastern property line is shifted west.
- B. Stormwater retention will be on-site. A drainage study will be required as part of the building permit to ensure compliance with City Code.
- C. 21-1-20 states a subdivision may be approved without alleys if the applicant has provided and will maintain access sufficient for emergency vehicles and city vehicles needed for trash, sewer, water, or other city services, as well as access for delivery vehicles.
 - a. The alleys have not been improved or used since being platted.
 - b. Both lots will can be crossed accessed and there will be one entrance to 12th Avenue and two accesses to 27th Street.
 - c. The majority of the lot will be paved due to nature of car dealerships.
- D. The north-south utility easement requested to be vacated has no utilities in it.
- E. The current property line for part of the proposed Block 8 is the centerline of 27th Street, therefore a dedication of right-of-way for 27th Street is included in the plat.

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 and the plat will not change the commercial nature of the property.
 2. The vacated utility easement is not being used and 12th Avenue provides a nearby alternate route.
 3. The vacated alleys will be rededicated as utility easements due to existing utilities.
 4. There is no minimum lot size requirement for the C-2 zoning district.
- 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 preliminary plat and final plat of Block 8 and Block 9A, Reganis Subdivision and vacation requests for the identified alleys and utility easement in the plat and rededicate the alleys as utility easements by the City Council.



Proposed Changes

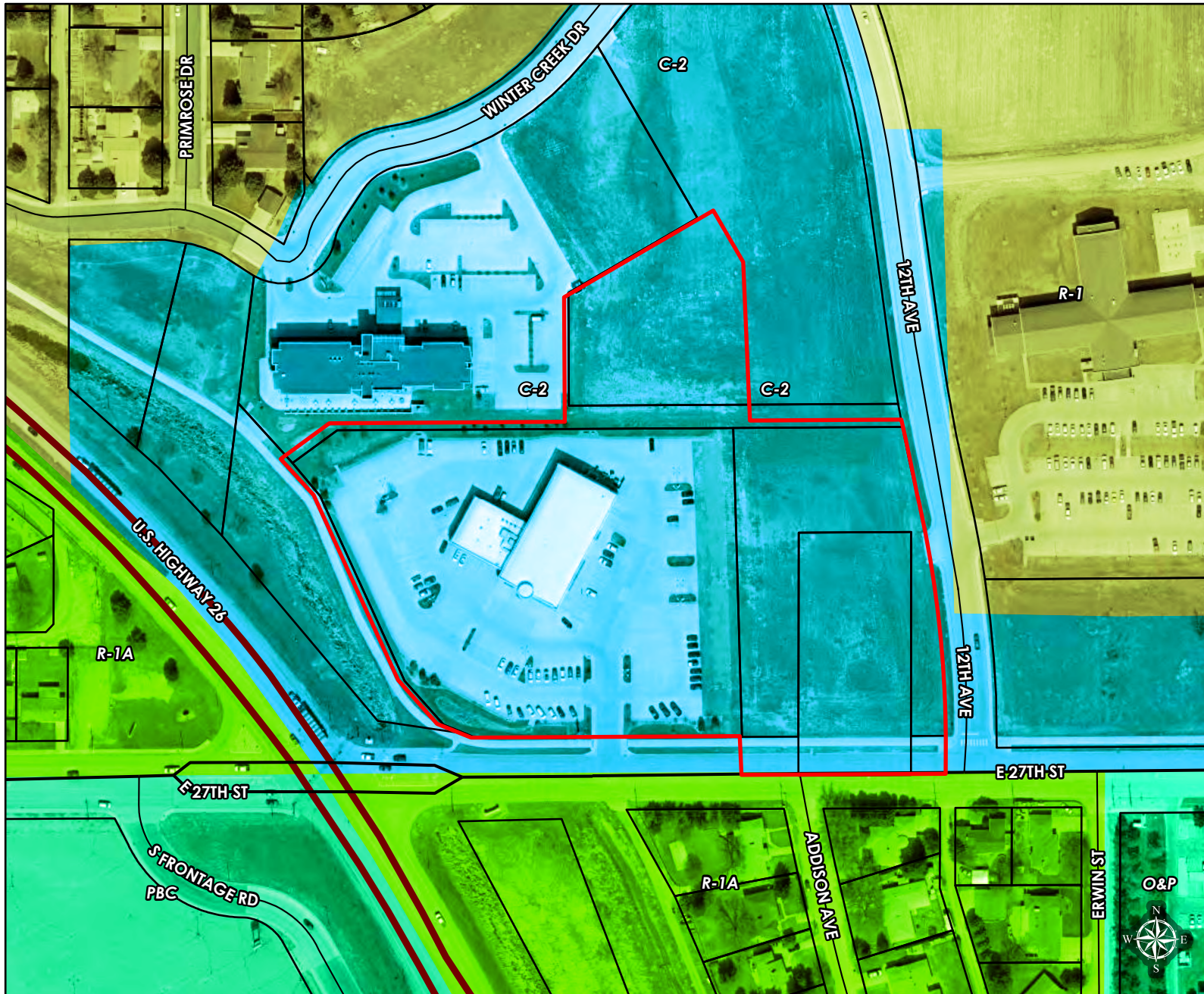
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Parcels
- Address

Taylor Stephens
City of Scottsbluff GIS
Created on 10/25/2023
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

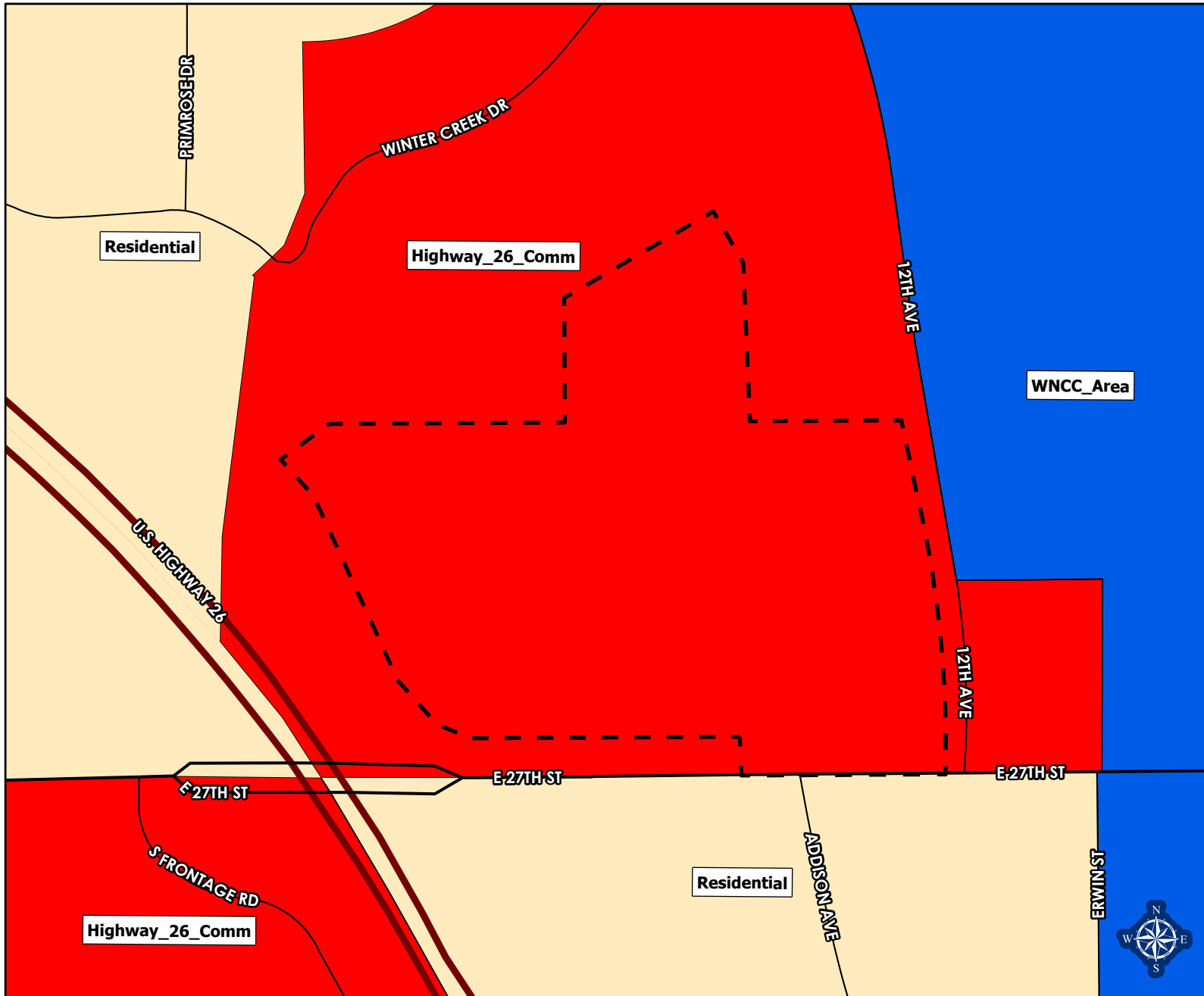
- (A) Agriculture
- (AR) Ag Residential
- (C-1) Central Business District
- (C-2) Neighborhood Com
- (C-3) Heavy Com
- (M-1) Light Man & Ind
- (M-2) Heavy Man & Ind
- (O-P) Office and Professional
- (PBC) Planned Business
- (R-1) Single Family
- (R-1A) Single Family Med Dens
- (R-1B) Rural Residential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

Street Centerlines

- Highway
- Main Road
- Residential/Rural
- Parcels

Taylor Stephens
 City of Scottsbluff GIS
 Created on 10/16/2023
 Coordinate System: NAD 1983 (2011)
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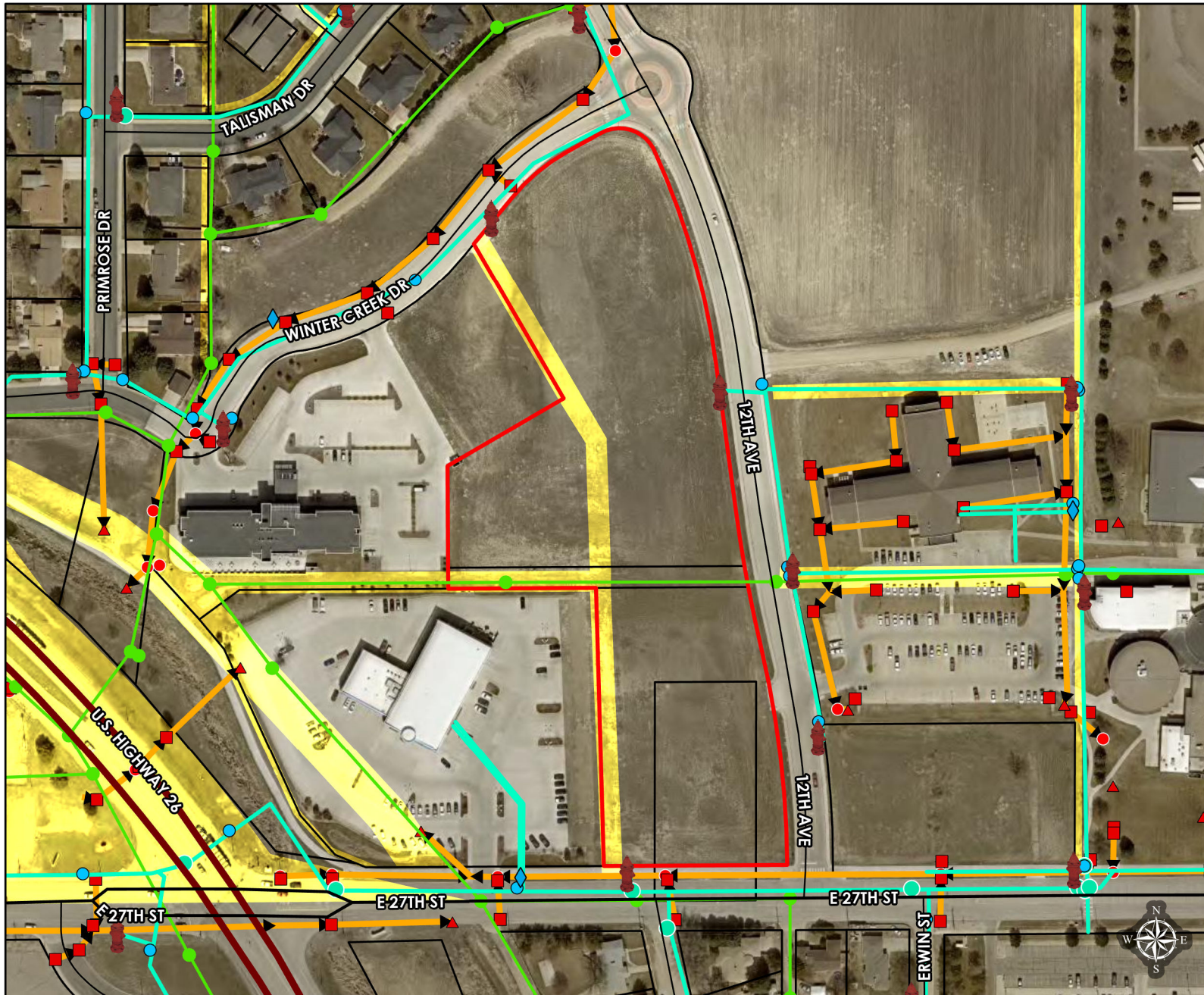
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- Proposed Changes
- 2016 Comp. Plan Land Use**
- Automobile Commercial
- Avenue B and Hospital Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural
- Rural Residential
- SE Industrial 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)

Taylor Stephens
City of Scottsbluff GIS
Created on 10/16/2023
Coordinate System: NAD 1983 (2011)
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Street Centerlines

- Highway
- Main Road
- Residential/Rural

- Fire Hydrants
- Water Curbstop
- Water Valve
- Water Manhole
- Wastewater MH
- Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc

- Easement
- Proposed Property
- Parcels

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

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City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear6

Planning Commission to conduct a Public Hearing to consider a Preliminary Plat of Lots 1-4, Block 1, Triple Peaks Subdivision, a tract of unplatted land located in Section 24, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska.

Staff Contact:



City of Scottsbluff
Subdivision Application
Permit Identifier 2023-2SD

Type: Preliminary Plat

Applicant Name	Brenda Anderson	Applicant Address	3311 Ave B Scottsbluff, NE
Applicant Email	brenda@haunnelson.com	Applicant Phone	3086315840
Contact Name	Jack Baker	Contact Address	120 E 16th Street
Contact Email	jack@baker-eng.com	Contact Phone	308-632-3123

Subdivision Information

Proposed Name of Subdivision Triple Peaks Subdivision

General Location/Address South of intersection of 27th Street and 18th Avenue

Legal Description PT NE NE EX N 350' ABOVE WINTER CREEK CANAL 24-22-55 (21.6)

Current Zoning District(s) Agricultural Residential

Total Area (square feet or acre) 18.28

Number of Past Replat/Plat Amendments 0

Describe the reason for the subdivision

November 2, 2023

Rod Adams
Winters Creek Canal Company
230710 Highland Road
Scottsbluff, NE 69361

RE: Letter of Understanding - Winters Creek Crossing at 18th Street

Dear Mr. Adams

This letter is to summarize and confirm the understanding that Winters Creek Canal Company would allow for a proposed road crossing to be located at the future extension of 18th Street and Winters Creek Canal located just to the northeast of the Target store in Scottsbluff. The location of the crossing and proposed roadway is shown in the attached preliminary plat exhibits. The crossing will be constructed very similar to the current existing crossing at College Park Drive.

Winters Creek Canal Company would have the opportunity to review and comment on the construction drawings for the culvert and road crossing improvements prior to construction.

If this accurately summarizes the discussion and understanding, please acknowledge by signing below.

Sincerely,

Baker & Associates, Inc. – On behalf of Deidra Bruner (Developer)



Jack Baker

Winters Creek Canal Company agrees to allow for improvements to be made for a street crossing and culvert to be installed at 18th Street as shown in the proposed Preliminary Plat Documents for Triple Peaks Subdivision.


Rod Adams – Winters Creek Canal Company

11/3/2023
Date

Triple Peaks Subdivision

Drainage Report

For:
Bruner Family

Prepared by:

Baker & Associates
120 E 16th Street, Suite A
Scottsbluff, NE 69361

November 2023





VICINITY MAP

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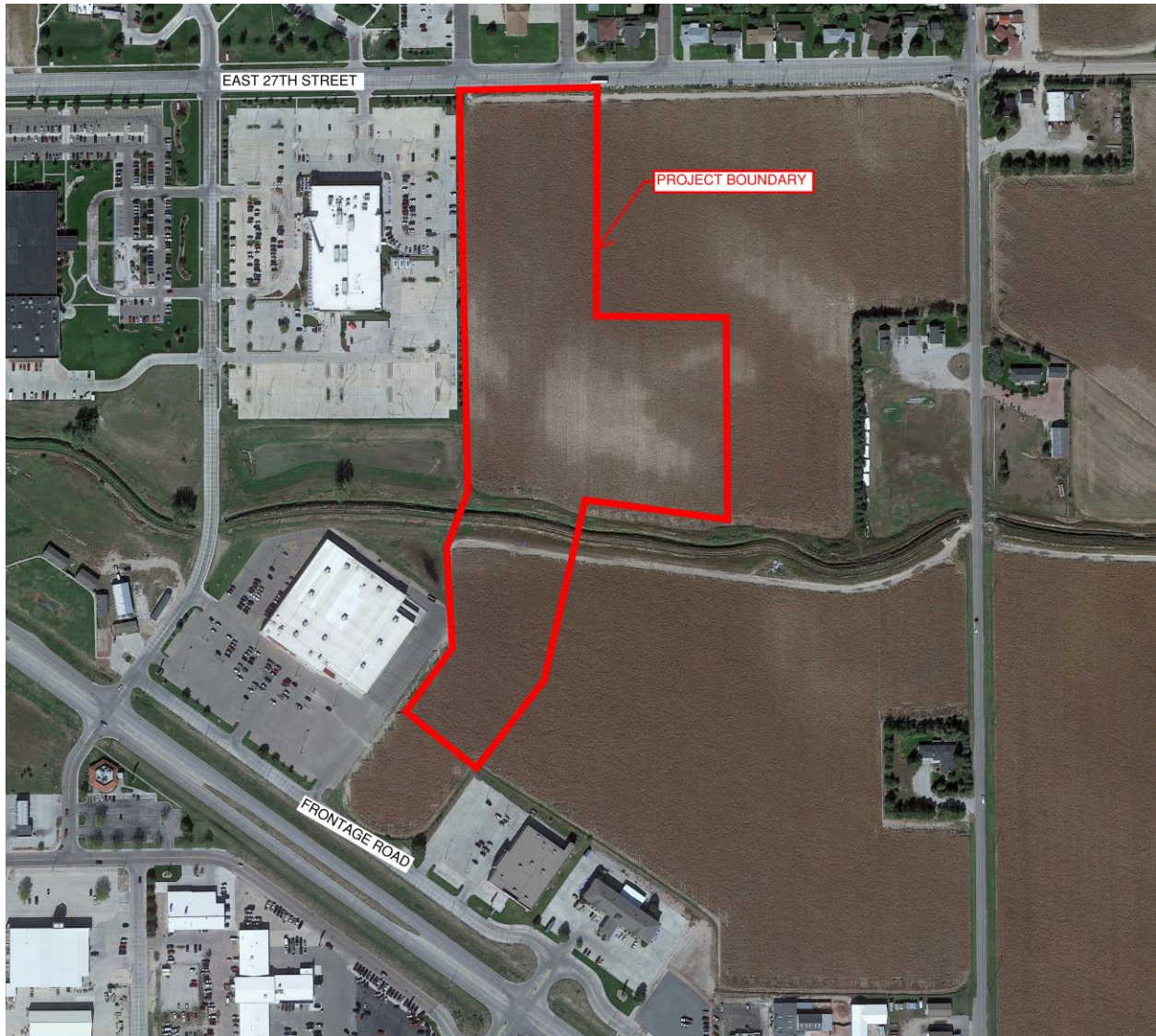
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Introduction:

This report outlines the design concept for grading and drainage facilities for the Triple Peaks Subdivision Preliminary Plat which is a new plat of unplatted lands in the City of Scottsbluff. This project includes the development of an area of approximately 18.22 acres. The site will consist of 4 commercial lots with an average lot size of 3.94 acres. This reports addresses the potential impacts of the site with the plan that all lots within the proposed development will provide their own storm water management plan in accordance with the City of Scottsbluff requirements.



Design Criteria

The design standards for drainage are based on the City of Scottsbluff standards. The City of Scottsbluff Drainage Ordinance is attached in Appendix C. The City's regulations essentially require limited or controlling peak runoff levels from a new development to the pre-existing 5-year storm peak flow. Any new development must detain or retain the balance of runoff that exceeds this pre-developed 5-year peak flow.

The drainage calculations are based on the TR-55 Urban Hydrology for Small Watersheds developed by the United States Department of Agriculture, NRCS, Conservation Engineering Division.

Existing Site:

The existing site is currently cultivated farm-land. The site slopes generally from the north to the south. The average slope of the site is approximately 1.6%. Runoff from the site currently flows to the south and into a dedicated canal easement. The existing canal easement is a 25.0' easement from the centerline of the canal on each side.

The portion of the site to be platted and developed at this point consists of the south and west portion or approximately 18 acres of land from Frontage Road on the south to 27th Street North and SWBC commercial building to the west.

The site is surrounded by existing developments including the Sykes development on the west, Quindt Commercial Tracts to the south, and 27th Street ROW on the north.

The existing site plan is shown in Appendix B.

Off-site Drainage

The site currently receives little or no offsite drainage. Drainage for the north is currently stopped by curb and gutter on 27th street. To the west is an existing commercial lot which controls all its own runoff and generally slopes from the north to south. To the east will remain unplatted agricultural farm ground. There is no evidence of any significant off-site drainage flowing onto this property.

Proposed Site and Design:

Overview:

The proposed development includes the construction of street, water, sewer and storm drain infrastructure for the purpose of supporting the commercial subdivision. The development will consist of 4 commercial lots with an average lot size of 3.94 acres.

The commercial lots are speculative as to the exact type of development but are planned to be marketed as neighborhood friendly business such as light commercial centers, professional offices, restaurants and or other similar type developments.

Runoff and Detention:

The intent of the design is to reduce the amount of runoff from the site and limit the peak flow levels of any storm up to a 25-year storm, to at or below the pre-existing 5-year storm levels. The topography of the site allows for all runoff to be directed to the south and to discharge in a collection system into Block 4, Sykes Addition which is a regional storm water retention basin.

Each individual lot is to require onsite detention. The sites would be required to meet all of the City of Scottsbluff requirements for storm water runoff and each lot would act as an independent property with privately controlled, maintained measures to hold and release storm water according to City requirement.

We calculated the storage volume the proposed Street ROW will contribute to the regional retention basin to hold the flow for the approximate duration of a typical storm. In this case, the calculated volumes were for peak flows levels for a post development 25-year storm.

The area south of the canal is included in all calculations. The street right-of-way in this area will all drain south and into Frontage Road ROW. The additional runoff from the proposed improvements in this area has been included in the needed storage for the entire development.

The existing retention area described in the proposed design has been sized for a regional retention for the City of Scottsbluff, the proposed development will contribute an additional 12,200 cf of storage volume. These calculations are shown in Appendix A.

Conclusions:

All of the proposed improvements will adequately control the storm water runoff for up to a 25-year storm. The regional retention facilities have been previously designed to handle runoff in this portion of Scottsbluff. The proposed development only contributes 12,200 cf of volume in the post development 25-year storm event. All proposed improvements have taken in consideration of future construction of the remaining nearby property.

Attached Documentation:

Appendix A - Drainage Calculations and Summary

Appendix B – Storm Drain Exhibit Map

Appendix C – Reference Documentation

APPENDIX A - DRAINAGE CALCUATIONS & SUMMARY

CURVE NUMBER RUNOFF AND STORAGE CALCULATIONS



Project: Site Drainage Calculations
Triple Peaks Subdivision

Engineers - Architects - Surveyors
Since 1977

Date: 11/1/2023

SCS Runoff Curve Number Method

Pre- Developed - Entire Site

Known Variables

CN = 78 * Table 2-2c Type B Soil
 Ia = 0.564 * Table 4-1
 S = 2.8205 Eq. 2.4
 A(acres) = 18.22 *
 Am = 0.02847 Area - sq. miles
 q(u) = Varies * Exhibit 4-II
 V (ft/s) = 2 * Figure 3-1
 Tc = 0.15417 * T = L/(3600*V), Figure 3-1, V = 2.0 ft/s, L =1110
 P Varies Figures B-4,5,6 (app B)

Type II rainfall

Return Time (Storm - yrs)	CN	Ia	S	P (inches)	Ia/P	Am (area- miles)	Q (inches)	V (ft/sec)	Tc (hr)	q(u) (csm/in)	q(p) (cfs)	Vr (acre-ft)	q(o) (cfs)	q(o)/q(l)	Vs/Vr (Fig 6-1)	Vs (cf)
5 Yr	78	0.564	2.8205	2.8	0.2014	0.0284688	0.99	2	0.1542	850	23.92					
10 Yr	78	0.564	2.8205	3.3	0.1735	0.0284688	1.31	2	0.1542	860	32.08					
25 Yr	78	0.564	2.8205	4.3	0.1327	0.0284688	2.09	2	0.1542	875	52.01					

CN= Curve Number
 Ia= Initial Abstraction
 S= Potential max retention
 P= Rainfall (inches, Appendix B)
 Am= Area (miles)
 Q= runoff (inches)
 V= velocity (ft/sec, Figure 3-1)
 Tc= time of concentration (hr, chapter 3)
 q(u)= unit peak discharge (csm/in)
 q(p)= peak discharge (cfs)
 Vr= volume of total runoff (acre-ft)
 Runoff = volume of total runoff (cf)
 q(o) = discharge from storage

$Q = (P-0.2S)^2 / (P+0.8*S)$ Eq. 2-3
 $S = 1000 / CN - 10$ Eq. 2-4
 $q(p) = q(u) * Am * Q$ Eq. 4-1
 $Vr = 53.33 * Q * Am$ Eq. 6-1
 $Vs = Vr(Vs/Vr)$ Eq. 6-2

CURVE NUMBER RUNOFF AND STORAGE CALCULATIONS



Project: Site Drainage Calculations
Triple Peaks Subdivision

Engineers - Architects - Surveyors
Since 1977

Date: 11/1/2023

SCS Runoff Curve Number Method

Pre- Developed - Street ROW

Known Variables

CN = 78 * Table 2-2c Type B Soil
 Ia = 0.564 * Table 4-1
 S = 2.8205 Eq. 2.4
 A(acres) = 1.94 *
 Am = 0.00303 Area - sq. miles
 q(u) = Varies * Exhibit 4-II
 V (ft/s) = 2 * Figure 3-1
 Tc = 0.15417 * T = L/(3600*V), Figure 3-1, V = 2.0 ft/s, L =1110
 P = Varies Figures B-4,5,6 (app B)
 Type II rainfall

Return Time (Storm - yrs)	CN	Ia	S	P (inches)	Ia/P	Am (area- miles)	Q (inches)	V (ft/sec)	Tc (hr)	q(u) (csm/in)	q(p) (cfs)	Vr (acre-ft)	q(o) (cfs)	q(o)/q(l)	Vs/Vr (Fig 6-1)	Vs (cf)
5 Yr	78	0.564	2.8205	2.8	0.2014	0.0030313	0.99	2	0.1542	850	2.55					
10 Yr	78	0.564	2.8205	3.3	0.1735	0.0030313	1.31	2	0.1542	860	3.42					
25 Yr	78	0.564	2.8205	4.3	0.1327	0.0030313	2.09	2	0.1542	875	5.54					

CN= Curve Number
 Ia= Initial Abstraction
 S= Potential max retention
 P= Rainfall (inches, Appendix B)
 Am= Area (miles)
 Q= runoff (inches)
 V= velocity (ft/sec, Figure 3-1)
 Tc= time of concentration (hr, chapter 3)
 q(u)= unit peak discharge (csm/in)
 q(p)= peak discharge (cfs)
 Vr= volume of total runoff (acre-ft)
 Runoff = volume of total runoff (cf)
 q(o) = discharge from storage

$Q = (P-0.2S)^2 / (P+0.8S)$ Eq. 2-3
 $S = 1000 / CN - 10$ Eq. 2-4
 $q(p) = q(u) * Am * Q$ Eq. 4-1
 $Vr = 53.33 * Q * Am$ Eq. 6-1
 $Vs = Vr / (Vs/Vr)$ Eq. 6-2

CURVE NUMBER RUNOFF AND STORAGE CALCULATIONS



Project: Site Drainage Calculations
Triple Peaks Subdivision

Engineers - Architects - Surveyors
Since 1977

Date: 11/1/2023

SCS Runoff Curve Number Method

Post Development - Street ROW

Known Variables

CN = 98 * Table 2-2a Type B Soil
 Ia = 0.041 * Table 4-1
 S = 0.20408 Eq. 2.4
 Area Basin A = 1.94 * (acres)
 Am (A)= 0.00303 Area (Sq miles)
 q(u) = Varies * Exhibit 4-II
 V (ft/s)= 2.6 * Figure 3-1
 Tc (A) = 0.14 * T = L/(3600*V), Figure 3-1, V = 2.6 ft/s, L = 1110
 P Varies Figures B-4,5,6 (app B)
 Type II rainfall

Return Time (Storm - yrs)	CN	Ia	S	P (inches)	Ia/P	Am (area- miles)	Q (inches)	V (ft/sec)	Tc (hr)	q(u) (csm/in)	q(p) (cfs)	Vr (acre-ft)	q(o) (cfs)	q(o)/q(l)	Vs/Vr (Fig 6-1)	Vs (cf)
5 Yr	98	0.041	0.2041	2.8	0.0146	0.0030281	2.57	2.6	0.1442	900	7.00	0.41	2.547	0.36	0.34	6,144.73
10 Yr	98	0.041	0.2041	3.3	0.0126	0.0030281	3.02	2.6	0.1442	910	8.31	0.49	2.547	0.31	0.37	7,853.33
25 Yr	98	0.041	0.2041	4.3	0.0096	0.0030281	4.01	2.6	0.1442	920	11.18	0.65	2.547	0.23	0.43	12,143.32

CN= Curve Number
 Ia= Initial Abstraction
 S= Potential max retention
 P= Rainfall (inches, Appendix B)
 Am= Area (miles)
 Q= runoff (inches)
 V= velocity (ft/sec, Figure 3-1)
 Tc= time of concentration (hr, chapter 3)
 q(u)= unit peak discharge (csm/in)
 q(p)= peak discharge (cfs)
 Vr= volume of total runoff (acre-ft)
 Runoff = volume of total runoff (cf)
 q(o) = discharge from storage
 Vs = Volume of storage needed

$Q = (P-0.2S)^2 / (P+0.8*S)$ Eq. 2-3
 $S = 1000 / CN - 10$ Eq. 2-4
 $q(p) = q(u) * Am * Q$ Eq. 4-1
 $Vr = 53.33 * Q * Am$ Eq. 6-1
 $T = L / (3600 * V)$, Figure 3-1, V = 4.1ft/s, L = 1850
 $Vs = Vr / (Vs/Vr)$ Eq. 6-2

APPENDIX B – EXISTING & PROPOSED SITE PLAN

Triple Peaks Subdivision
Drainage Report

Baker & Associates, Inc.
November 2023

PRELIMINARY PLAT

LOTS 1-3, BLOCK 1, TRIPLE PEAKS SUBDIVISION, SCOTTS BLUFF COUNTY, NEBRASKA
 SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE
 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions

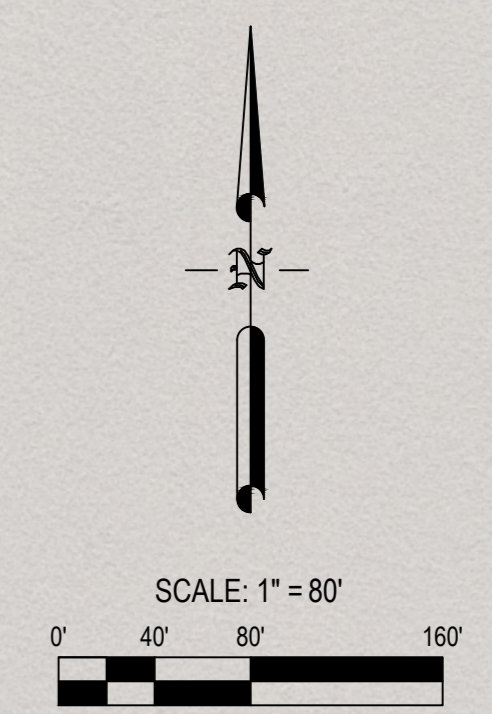
Date	Description	Initials
10-06-23	PRELIMINARY PLAT	KLJ
10-23-23	PRELIMINARY PLAT	BAS

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 Engineers * Architects * Surveyors
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PRELIMINARY PLAT SURVEY

EXISTING SITE PLAN

Baker Project Number: 5186-002-23			
Project Location: CITY OF SCOTTSBLUFF (SCOTTS BLUFF COUNTY, NEBRASKA)			
Project Code	Last Mod. Date	Subset	Sheet No.
5186		2 of 7	6



PRELIMINARY PLAT

LOTS 1-3, BLOCK 1, TRIPLE PEAKS SUBDIVISION, SCOTTS BLUFF COUNTY, NEBRASKA
 SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE
 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

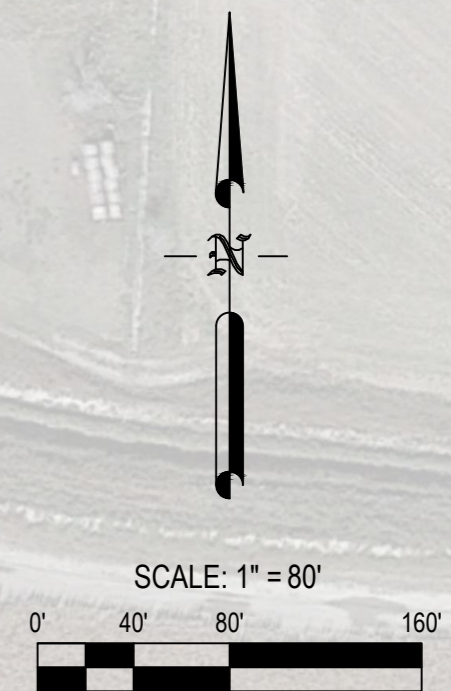
Sheet Revisions

Date	Description	Initials
10-06-23	PRELIMINARY PLAT	KLJ
10-23-23	PRELIMINARY PLAT	BAS

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 Engineers * Architects * Surveyors
 COPYRIGHT

PRELIMINARY PLAT SURVEY

PROPOSED SITE PLAN		
Baker Project Number: 5186-002-23		
Project Location: CITY OF SCOTTSBLUFF (SCOTTS BLUFF COUNTY, NEBRASKA)		
Project Code	Last Mod. Date	Subset
5186		3 of 7
		Sheet No.
		3



APPENDIX C - REFERENCE DOCUMENTATION

Triple Peaks Subdivision
Drainage Report

Baker & Associates, Inc.
November 2023

§ 21-1-39 DRAINAGE SYSTEM; REQUIRED; STANDARDS.

(A) An adequate system to control the adverse impacts associated with increased stormwater runoff shall be constructed.

(B) The minimum stormwater controls shall require that all developments provide management measures necessary to maintain the post-developed peak discharge at a level that is equal to or less than the pre-developed peak discharge for the design storm. The (m) year storm is defined as a storm event which, over a long period of time, will be equaled or exceeded on the average of once every (m) years.

(C) Site specific facilities shall be designed to restrict stormwater discharge to that generated from the pre-developed site during a five-year storm. The facilities shall be designed to limit the Q5 discharge up through the ten-year storm event. The facility shall be designed to prevent uncontrolled overflow for storms having a frequency of 25 years or less.

(D) Regional facilities shall be designed to allow a maximum controlled discharge of Q5 pre-development through the 25-year storm. The minimum uncontrolled overflow should be based on the 100-year storm.

(E) Site grading and drainage for all sites shall be designed to prevent stormwater from outside of the design area from entering the area.

(F) All conveyance systems for proposed projects shall be analyzed, designed, and constructed for existing tributary off-site runoff and developed on-site runoff from the proposed project. Conveyance systems in residential areas shall be designed to carry a two-year intensity storm. A ten-year intensity storm shall be used to check the hydraulic grade of the pipe system. The hydraulic grade line shall be limited to five inches of water in the gutter.

(G) In commercial and industrial areas, the design storm intensity shall be a storm of five-year frequency, the check intensity for hydraulic grade calculations shall be a ten-year frequency with the hydraulic grade limited to the gutter elevation.

(Ord. 3669, passed - -2001)

§ 21-1-40 PLANNED UNIT DEVELOPMENT; WAIVER; MODIFICATION.

Anything in the preceding sections of this article to the contrary notwithstanding, if a proposed subdivision comprises, or is wholly comprised within, an area with respect to which the Planning Commission shall have issued a special permit authorizing a planned unit development as provided in Article 9 of Chapter 25 of this code, the City Council may, with respect to such subdivision, or a part thereof, waive or modify the requirements in this article concerning the design of streets, street right-of-way width, width of construction of streets, length of streets, length or width of blocks, design of cul-de-sacs, necessity or location of curb, gutter and sidewalks, type of construction of streets and sidewalks, utilities design, and public facilities design.

(Ord. 1116, passed 2-25-1957; Ord. 2489, passed - -1979)

§ 21-1-41 ADDITIONAL REGULATIONS; CITY COUNCIL AUTHORITY; CONFORMANCE REQUIRED.

The City Council, prior to approving a proposed subdivision, may impose requirements set forth in the foregoing sections of this article, and compliance with such additional requirements shall also be necessary to warrant approval of the subdivision. Provided, notwithstanding the fact that a proposed subdivision may comply with the requirements set forth in the foregoing sections of this article, the City Council may refuse to approve it if, in the judgment of the City Council, platting and development of the site for the purposes or in the manner proposed, or for other reasons, would not be in the public interest.

(Ord. 1116, passed 2-25-1957; Ord. 1225, passed - -1959)

PRELIMINARY PLAT

LOTS 1-3, BLOCK 1, TRIPLE PEAKS SUBDIVISION, SCOTTS BLUFF COUNTY, NEBRASKA
SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE
6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions

Date	Description	Initials
10-06-23	PRELIMINARY PLAT	KLJ
10-23-23	PRELIMINARY PLAT	BAS
10-26-23	REVISE UTILITIES	BAS
11-3-23	ADD SEWER EASEMENT NOTE	BEG

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PRELIMINARY PLAT SURVEY

COVER PAGE			
Baker Project Number: 5186-002-23			
Project Location: CITY OF SCOTTSBLUFF (SCOTTS BLUFF COUNTY, NEBRASKA)			
Project Code	Last Mod. Date	Subset	Sheet No.
5186		1 of 7	1

TRIPLE PEAKS SUBDIVISION

A TRACT OF LAND SITUATED IN SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULAR DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTH-WEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE S 02°07'49" W (ASSUMED BEARING), A DISTANCE OF 50.00 TO THE NORTHEAST CORNER OF BLOCK 2A, SYKES ADDITION, AND THE POINT OF BEGINNING; THENCE S 88°31'12" E ON THE SOUTH RIGHT OF WAY LINE OF 27TH STREET, A DISTANCE OF 305.93 FEET; THENCE S 2°07'44" W A DISTANCE OF 629.04 FEET; THENCE S 87°52'16" E A DISTANCE OF 487.50 FEET; THENCE S 2°07'44" W A DISTANCE OF 533.01 FEET TO THE CENTERLINE OF WINTER CREEK CANAL; THENCE S85°23'05" W ON SAID CENTERLINE A DISTANCE OF 160.05 FEET; THENCE N 78°29'55" W CONTINUING ON SAID CENTERLINE, A DISTANCE OF 219.08 FEET; THENCE N 77°13'56" W CONTINUING ON SAID CENTERLINE A DISTANCE OF 114.37 FEET; THENCE S 2°07'44" W, A DISTANCE OF 158.19 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A 300.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 186.91 FEET, THE CHORD OF SAID CURVE BEARS S 19°58'38" W, A DISTANCE OF 183.90 FEET; THENCE S 37°49'32" W, A DISTANCE OF 363.58 FEET TO THE NORTH LINE OF QUINDT COMMERCIAL TRACTS; THENCE N 52°10'28" W ON SAID NORTH LINE, A DISTANCE OF 277.14 FEET, TO A POINT ON THE EASTERLY LINE OF TRACT 2, OF SAID QUINDT COMMERCIAL TRACTS; THENCE N 37°49'32" E ON SAID EASTERLY LINE, A DISTANCE OF 240.00 FEET; THENCE N 1°30'21" E CONTINUING ON SAID EAST LINE, A DISTANCE OF 318.04 FEET TO THE NORTHEAST CORNER OF SAID TRACT 2; THENCE S 86°05'51" E ON SAID CENTERLINE, A DISTANCE OF 51.13 FEET TO THE SOUTHEAST CORNER OF BLOCK 4, OF SYKES ADDITION; THENCE N 2°07'30" E ON THE EAST LINE OF SAID BLOCK 4, A DISTANCE OF 225.96 FEET TO THE SOUTHEAST CORNER OF BLOCK 2A, OF SAID SYKES ADDITION, A REPLAT OF BLOCKS 2 AND 3, SYKES ADDITION; THENCE CONTINUING N 2°07'30" E ON THE EAST LINE OF SAID BLOCKS 2 AND 3, A DISTANCE OF 550.50 FEET; THENCE N 2°08'11" E, CONTINUING ON SAID EAST LINE, A DISTANCE OF 299.58 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 793,679.99 SQUARE FEET, OR 18.22 ACRES, MORE OR LESS.

SYMBOL LEGEND

- ◆ INDICATES FOUND SECTION CORNER
- INDICATES FOUND QUARTER CORNER
- INDICATES FOUND BOUNDARY EVIDENCE AS DESCRIBED
- INDICATES SET BAKER & ASSOCIATES PROPERTY CORNER BEING A 1-5/8" DIAMETER ORANGE PLASTIC CAP ON A #5 REBAR, STAMPED "BAKER LS 731"
- (M) INDICATES MEASURED DISTANCE BY BAKER AND ASSOCIATES
- (R) INDICATES RECORDED DISTANCE FROM ORIGINAL RECORDS
- INDICATES FOUND NDOR CONCRETE RIGHT OF WAY MARKER
- ▽ INDICATES FLARED END SECTION
- INDICATES STORM SEWER INLET
- ⊕ INDICATES SEWER MANHOLE
- ⊕ INDICATES STORM SEWER MANHOLE
- ⊗ INDICATES GAS METER
- ⊞ INDICATES ELECTRICAL JUNCTION BOX
- ⊞ INDICATES ELECTRICAL SERVICE PEDESTAL
- ▲ INDICATES ELECTRICAL TRANSFORMER
- ⊛ INDICATES LIGHT POLE
- ⊛ INDICATES POWER POLE
- ▲ INDICATES SURVEY CONTROL MONUMENT
- INDICATES WATER FIRE HYDRANT
- INDICATES WATER VALVE
- INDICATES WATER WELL
- INDICATES LIGHT POLE

LINETYPE LEGEND

- UGP — INDICATES UNDERGROUND ELECTRIC LINE
- OGP — INDICATES OVERHEAD ELECTRIC LINE
- W — INDICATES UNDERGROUND WATER LINE
- FO — INDICATES UNDERGROUND FIBER OPTIC LINE
- Gas — INDICATES UNDERGROUND GAS LINE
- UGTele — INDICATES UNDERGROUND TELEPHONE LINE
- INDICATES EDGE OF PAVEMENT
- INDICATES STORM PIPE (SEE SIZE AS DETAIL)
- San — INDICATES SEWER PIPE (SEE SIZE AS DETAIL)
- 3965 — INDICATES CONTOUR LINE
- INDICATES UTILITY EASEMENT
- INDICATES EXISTING CORPORATION LIMITS
- INDICATES EXISTING PROPERTY LINE
- INDICATES PROPOSED PROPERTY LINE

ABBREVIATIONS

FH	FIRE HYDRANT	PCC	PORTLAND CEMENT CONCRETE
RSWV	RESILIENT SEAT WEDGE VALVE	CL	CENTERLINE
MH	MANHOLE	EL	ELEVATION
STA	STATION	PROP	PROPOSED
ELEV	ELEVATION ABOVE SEA LEVEL	EX	EXISTING
INV	INVERT	BCR	BEGIN CURB RETURN
BOC	BACK OF CURB	ECR	END CURB RETURN
TOC	TOP OF CURB	PC	POINT OF CURVATURE
EOR	EDGE OF ROAD	PT	POINT OF TANGENT
FL	FLOW LINE	PRC	POINT OF REVERSE CURVE
FG	FINISH GRADE	POB	POINT OF BEGINNING
GL	GUTTER LINE	POE	POINT OF END
L.F.	LINEAL FEET	PI	POINT OF INTERSECTION
PVC	POLYVINYL CHLORIDE MATERIAL	PVI	POINT OF VERTICAL INTERSECTION
VCP	VITRIFIED CLAY PIPE	GB	GRADE BREAK
RCP	REINFORCED CONCRETE PIPE	HP	HIGH POINT
CMP	CORRUGATED METAL PIPE	LP	LOW POINT
HDPE	HIGH DENSITY POLYETHYLENE	SF	SQUARE FEET
DIP	DUCTILE IRON PIPE	(R)	RECORDED DISTANCE
T-BLK	CONCRETE THRUST BLOCK	(M)	MEASURED DISTANCE



VICINITY MAP

NOT TO SCALE

INDEX OF SHEETS

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PAGE 3	PROPOSED LOT PLAN
PAGE 4	PROPOSED LOT PLAN
PAGE 5	UTILITY PLAN
PAGE 6	UTILITY PLAN
PAGE 7	R.O.W. CROSS-SECTION

PRELIMINARY PLAT

LOTS 1-3, BLOCK 1, TRIPLE PEAKS SUBDIVISION, SCOTTS BLUFF COUNTY, NEBRASKA
 SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE
 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions

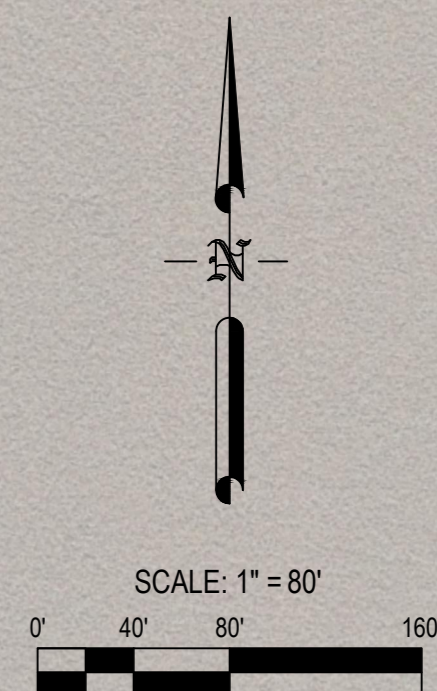
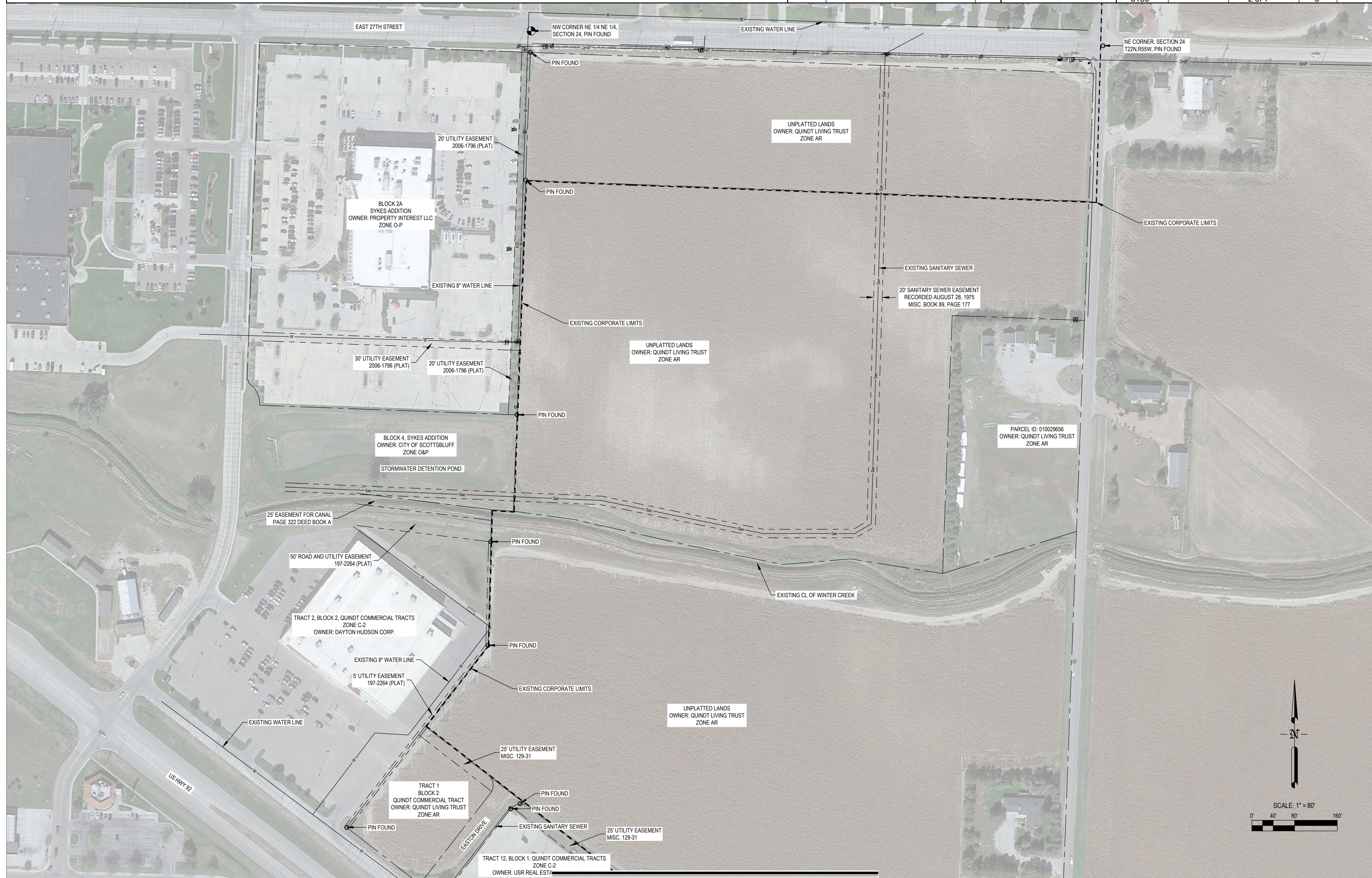
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10-23-23	PRELIMINARY PLAT	BAS
10-26-23	REVISE UTILITIES	BAS
11-3-23	ADD SEWER EASEMENT NOTE	BEG



PRELIMINARY PLAT SURVEY

EXISTING SITE PLAN

Baker Project Number: 5186-002-23			
Project Location: CITY OF SCOTTSBLUFF (SCOTTS BLUFF COUNTY, NEBRASKA)			
Project Code	Last Mod. Date	Subset	Sheet No.
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PRELIMINARY PLAT

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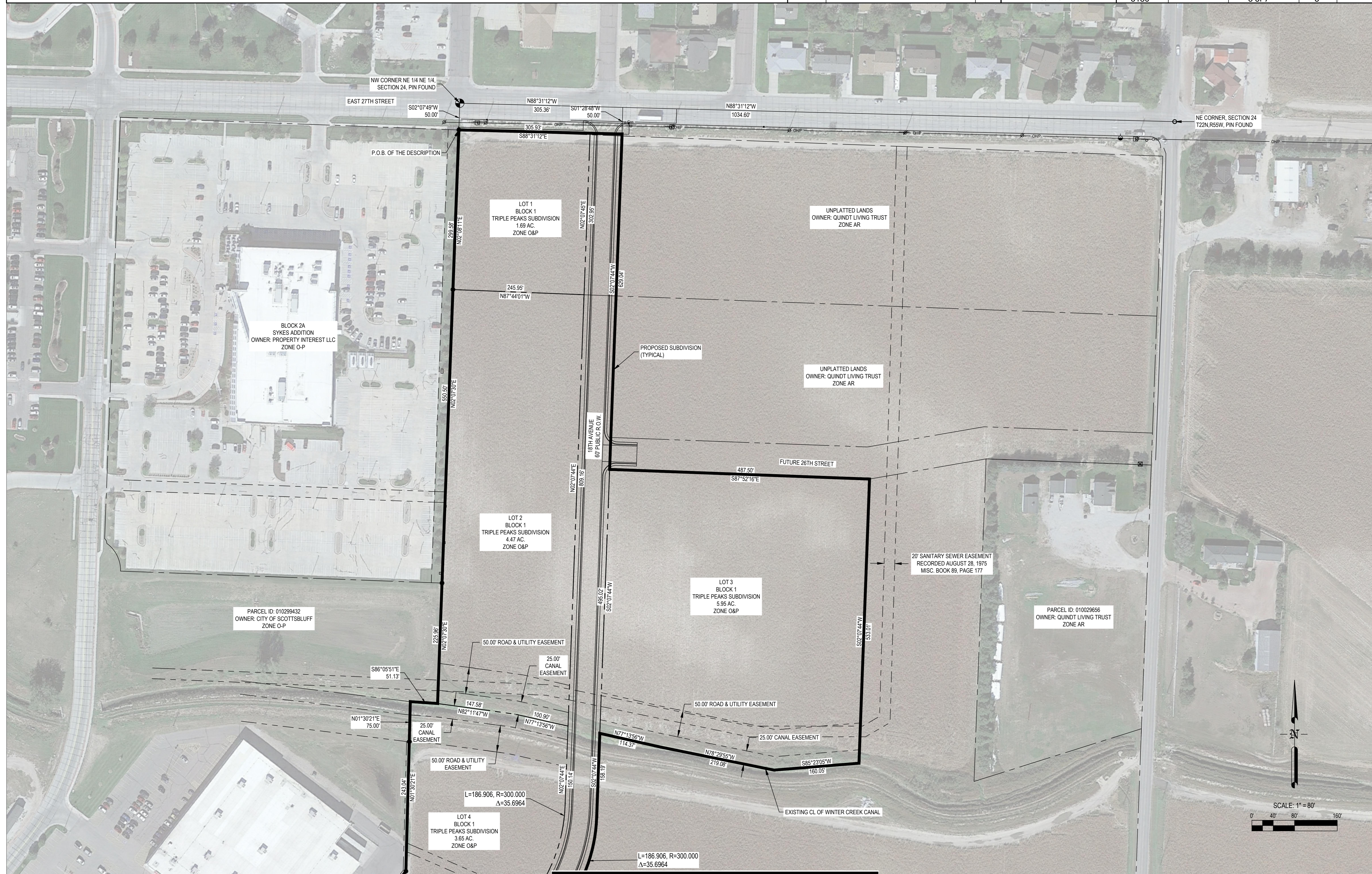
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PRELIMINARY PLAT SURVEY

PROPOSED SITE PLAN		
Baker Project Number: 5186-002-23		
Project Location: CITY OF SCOTTSBLUFF (SCOTTS BLUFF COUNTY, NEBRASKA)		
Project Code	Last Mod. Date	Sheet No.
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PRELIMINARY PLAT

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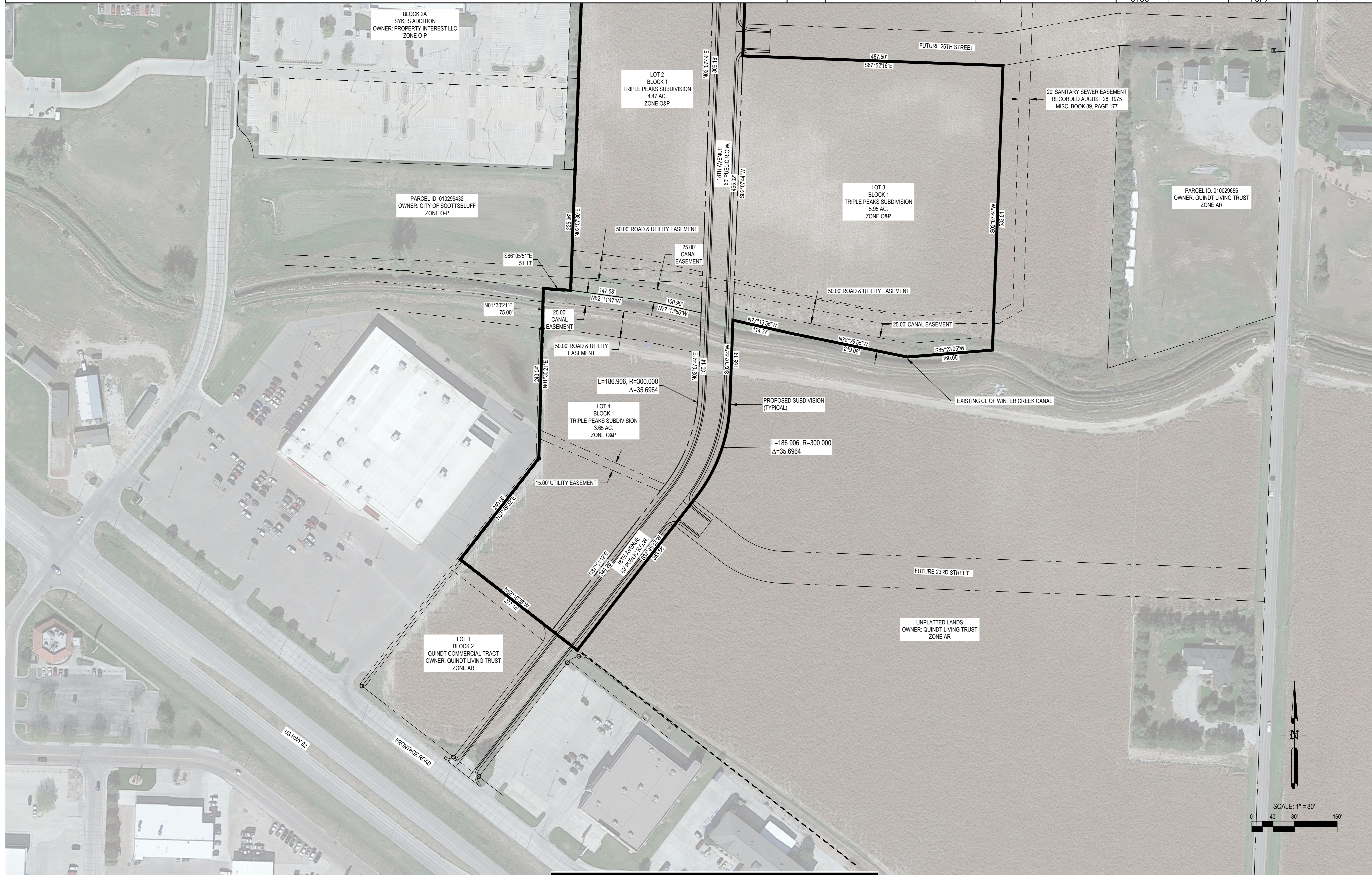
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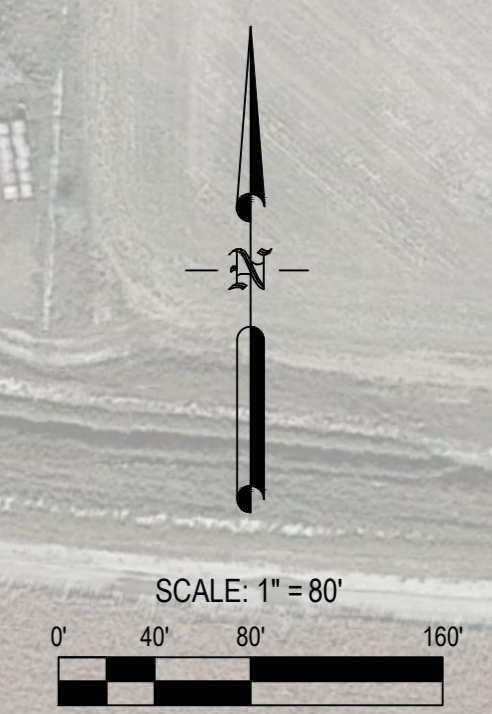
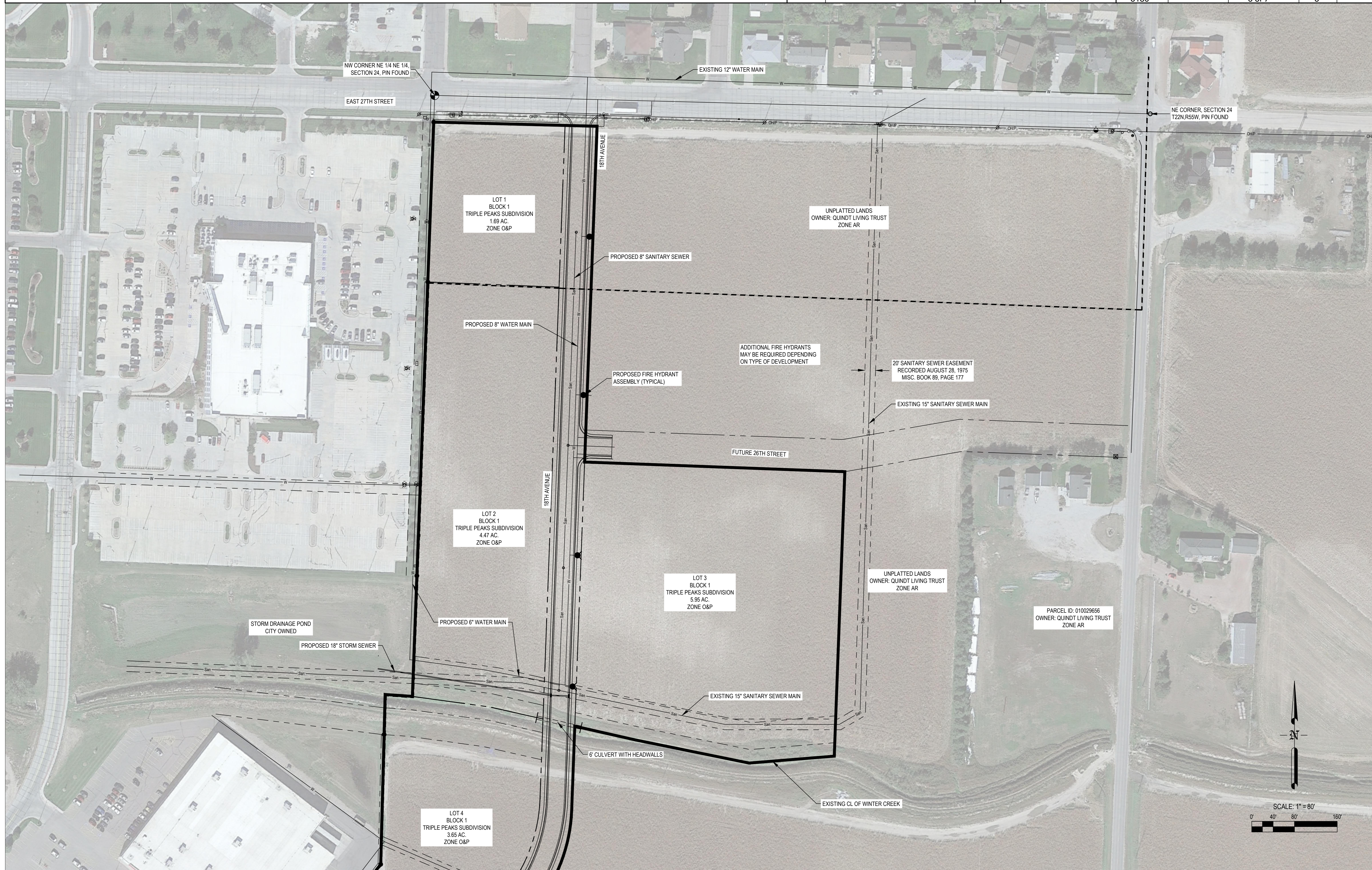
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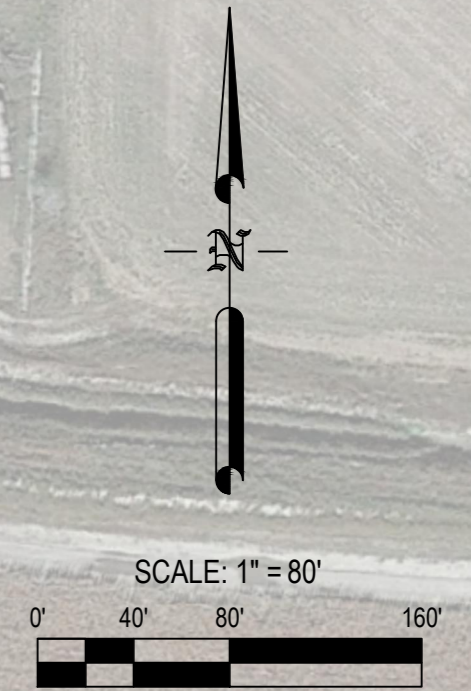
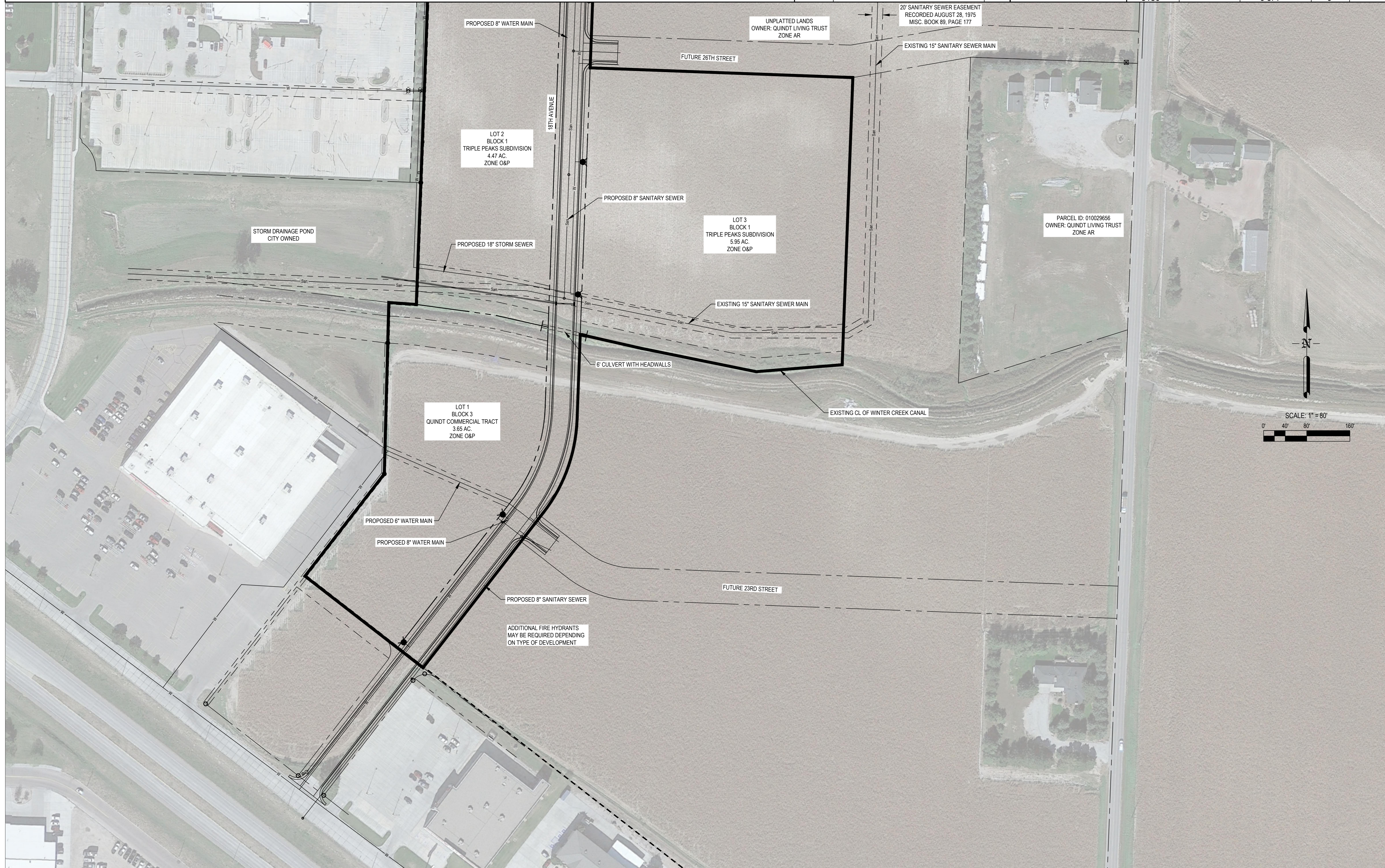
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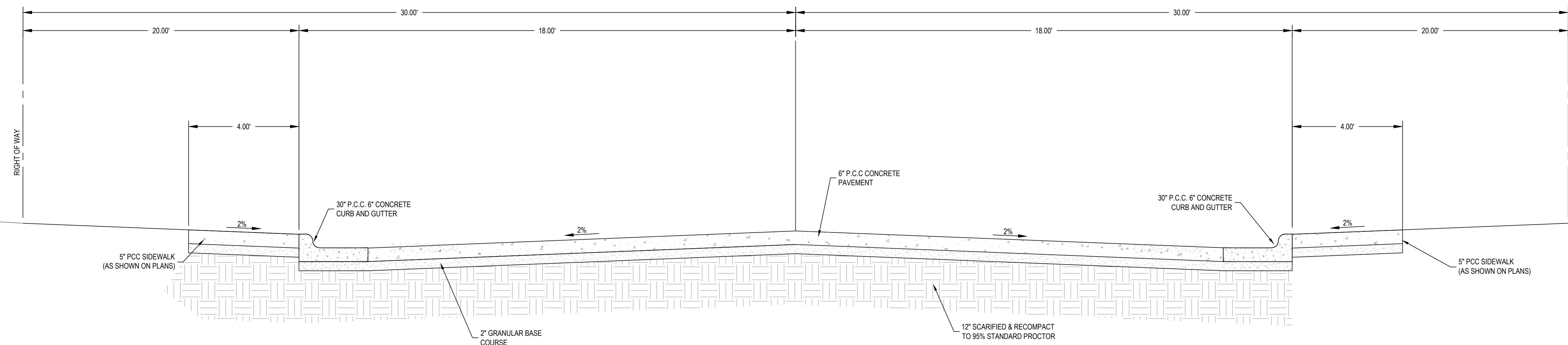
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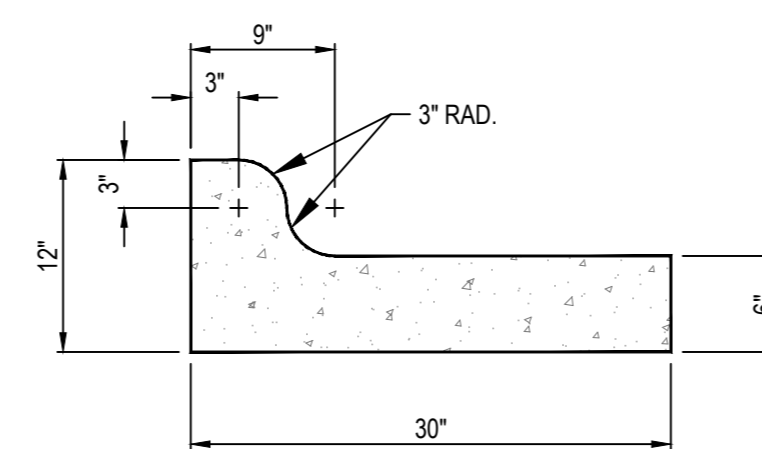
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TYPICAL 60.00' R.O.W. CROSS SECTION



6" STANDARD CURB & GUTTER
(STREETS)

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 9, 2023

For Hearing of: November 13, 2023



I. GENERAL INFORMATION

A. Applicant: Deidra Bruner
3302 Verbena Place
Scottsbluff, NE 69361

B. Property

Owner: Wilbert Quindt Living Trust & Vicki Quindt Trust
429 W Lakeshore Drive
Lincoln, NE 68528

C. Proposal: Preliminary Plat, Lots 1-4, Block 1, Triple Peaks Subdivision

D. Legal Description: See Preliminary Plat

E. Location: Tract of land south of E. 27th Street and east of SWBC building

F. Existing Zoning & Land Use: AR Agricultural Residential - Farmland

Size of Site: Approximately 18.22 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	Residential	R-1A Single Family Residential	Church and Single-Family Dwellings
East	Residential	A - Agricultural	Farmland
South	Highway 26 Commercial	AR – Agricultural Residential	Farmland
West	WNCC and Surrounding Area	O-P Office and Professional / C-2 Neighborhood and Retail Commercial	Commercial Buildings (SWBC Building and Target)

B. Relevant Case History

1. None

III. ANALYSIS

A. Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan currently shows the site as WNCC and Surrounding Area.

B. Traffic & Access:

1. Access to the subdivision will be via 27th Street and the newly proposed 18th Avenue.
2. Intersections for 26th Street and 23rd Street are shown.
3. A cross-section of 18th Avenue is included in the plat.

C. Utilities:

1. Water mains will be located in 18th Avenue Right-of-Way and Utility Easements on Lot 2 and Lot 4.
2. Sewer mains will be/ is located in 18th Avenue Right-of-Way and Canal Utility/Access Easement
3. A Stormwater Main will be located in the Canal Utility/Access Easement on Lot 4 which will drain 18th Avenue (north of the canal) into the City-owned retention pond south of the SWBC building.

IV. STAFF COMMENTS

A. A Developer's Agreement/Contract for Public Improvements will be necessary as part of the Final Plat.

B. The drainage study for the subdivision is included with the preliminary plat.

C. A letter of understanding is included which states the Winters Creek Canal Company will allow 18th Avenue to cross the Winters Creek Canal.

D. The subdivision will be annexed into the corporate limits of the City.

E. An ordinance will be necessary to change the name of Easton Drive to 18th Avenue. The City requested the street be named 18th Avenue.

F. The City of Scottsbluff is working with the project engineer, Baker & Associates, on the stormwater management plan/infrastructure for the subdivision.

- a. A revised preliminary plat has not been submitted or reviewed yet.

V. FINDINGS OF FACT

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

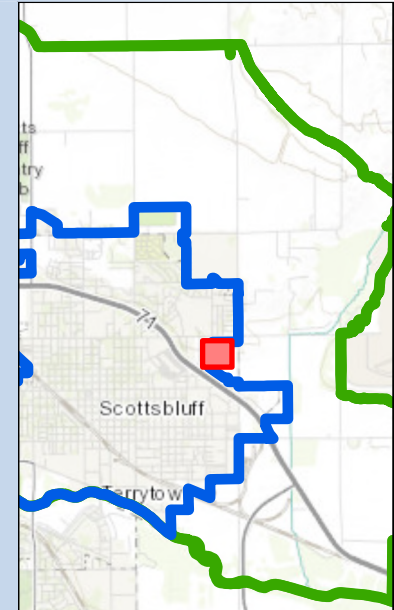
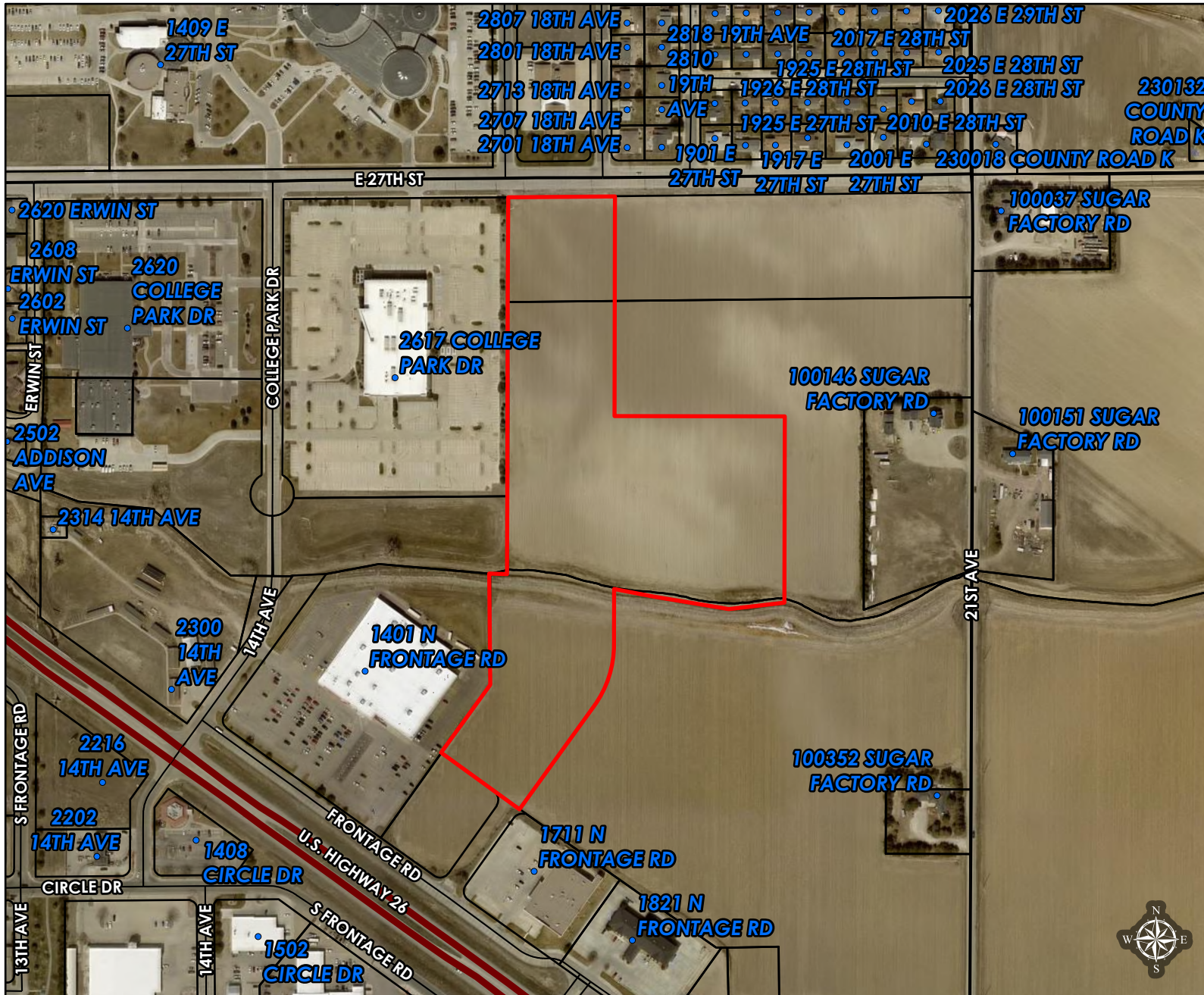
1. The Comprehensive Plan identifies the area as WNCC and Surrounding Areas and the proposed subdivision is intended to be commercial which aligns with the future land use map.
2. The minimum lot size requirement for the O-P zoning district is 7,000 square feet, and the smallest proposed lot is 1.69 acres.

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

1. The revised preliminary plat showing the discussed stormwater retention has not been submitted or reviewed yet.
2. The current stormwater retention for the subdivision does not meet §21-1-39.

VI. STAFF RECCOMENDATION

- A.** Staff recommends Planning Commission table the preliminary plat for Lots 1-4, Block 1, Triple Peaks Subdivision until the December 11, 2023 Planning Commission meeting, in order for City Staff to further review stormwater management and retention in the subdivision.



Proposed Changes

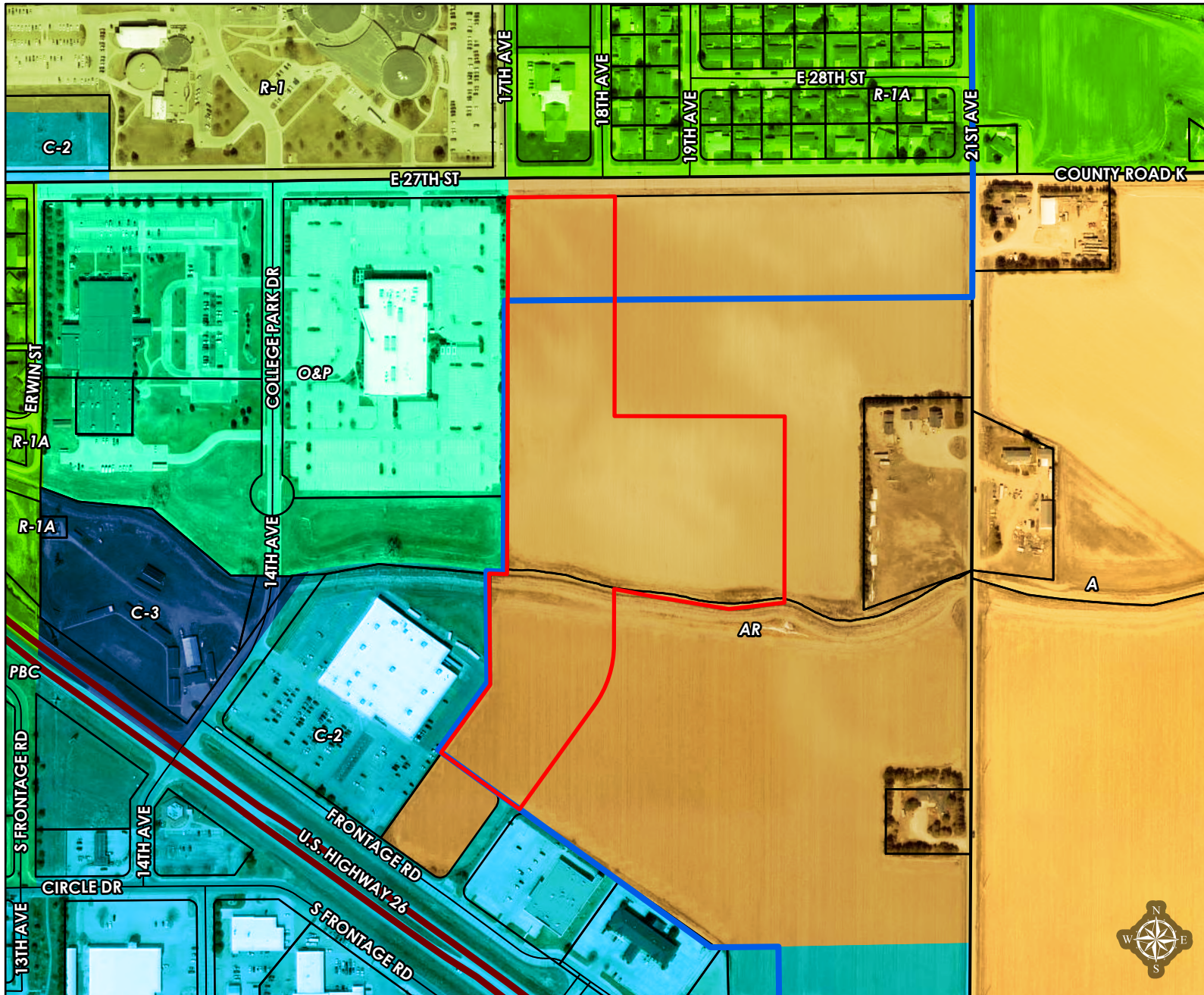
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Parcels
- Address

Taylor Stephens
City of Scottsbluff GIS
Created on 10/25/2023
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.



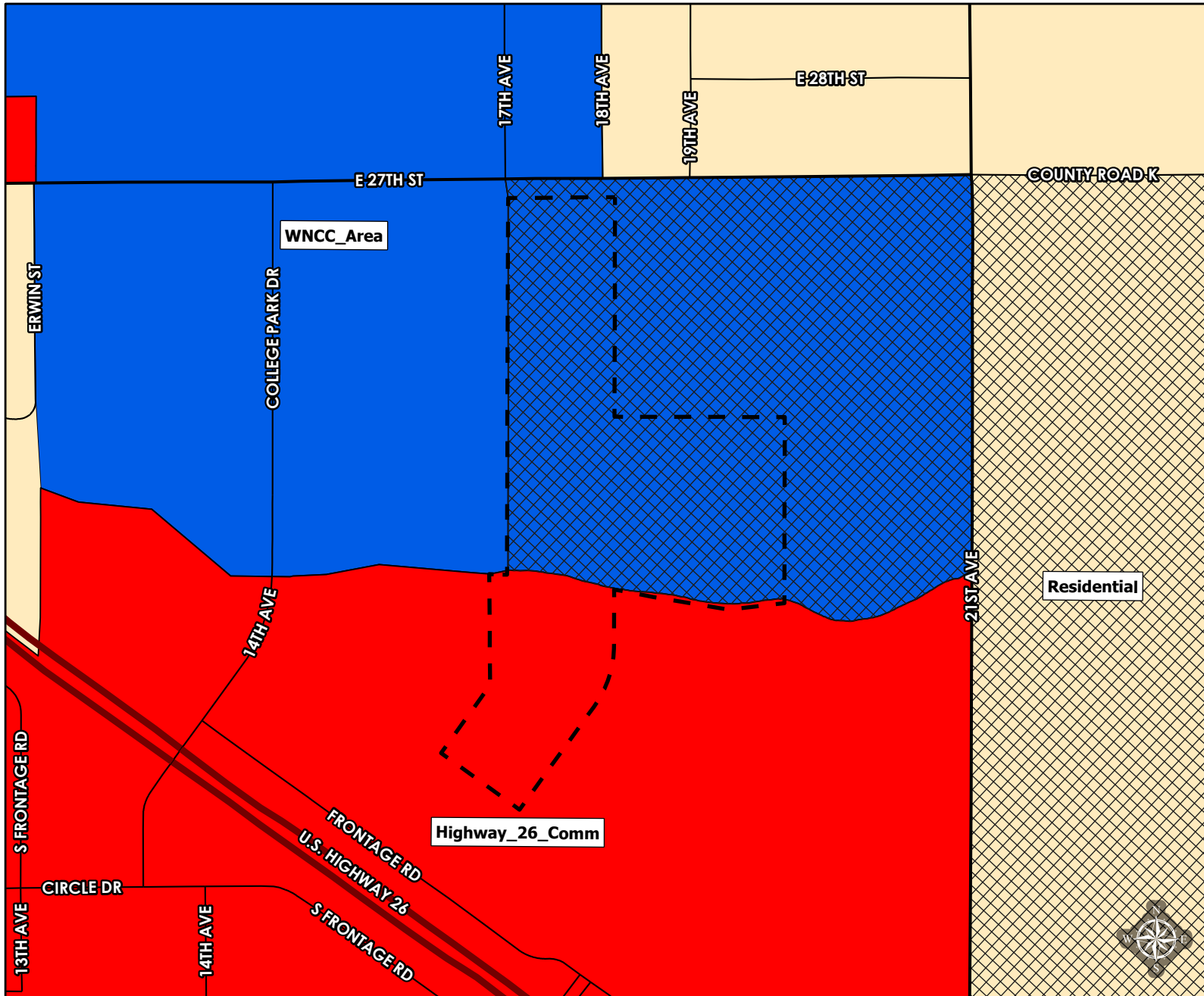
- Property Location(s)
 - Corporate Limits
 - Extended Jurisdiction
- City Zoning**
- (A)Agriculture
 - (AR)Ag Residential
 - (C-1)Central Business District
 - (C-2)Neighborhood Com
 - (C-3)Heavy Com
 - (M-1)Light Man & Ind
 - (M-2)Heavy Man & Ind
 - (O-P)Office and Professional
 - (PBC) Planned Bussiness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



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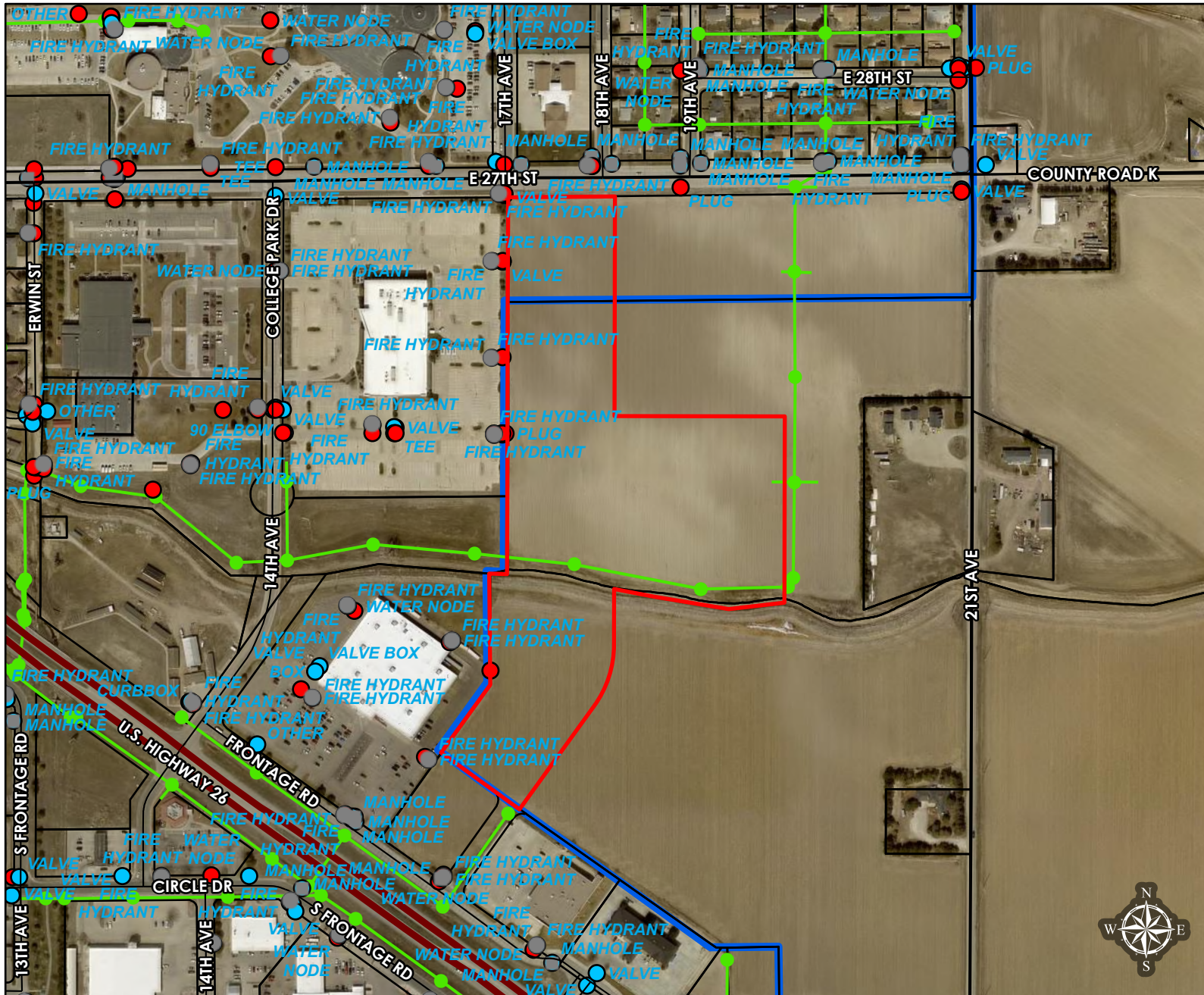
Proposed Rezone from AG to O&P



- 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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- Highway
 - Main Road
 - Residential/Rural
 - Wastewater MH
 - Wastewater Lines
 - Proposed Property
 - Parcels
 - GEODATA.GISMGR.Corporate_Limits
- Waterline_Points
- No
 - Yes
 - UNKNOWN
- Water Manhole
- No
 - Yes
 - UNKNOWN
- Water Curbstop
- ◆ No
 - ◆ Yes
 - UNKNOWN
- Fire Hydrants
- No
 - Yes
 - UNKNOWN
- Easement_Poly



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City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Pub Hear7

Planning Commission to conduct a Public Hearing to consider a Rezone of Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office and Professional

Staff Contact:



City of Scottsbluff
Zoning Amendment Application
Permit Identifier S2023-01Z

Applicant Name Brenda Anderson Applicant Address 3311 Ave B Scottsbluff, NE
Applicant Email brenda@haunnelson.com Applicant Phone 3086315840
Contact Name Jack Baker Contact Address 120 E 16th St, Scottsbluff, NE 69361
Contact Email jack@baker-eng.com Contact Phone (308) 632-3123

Property Information

General Location/Address

Legal Description PT NE NE EX N 350' ABOVE WINTER CREEK CANAL 24-22-55 (21.6)

Current Zoning District(s) Ag

Proposed Zoning District: Office and Professional

Does the proposed zoning district abut the property: Yes

Total Area (square feet or acre): 10.49 + 21.84 = 32.33

Required Information (§25-15-2)

What is the reason for/intent of the rezone request?

To create a multifunctional space containing a gym and community center with future growth opportunities.

Would the proposed zoning district provide a service required by the neighborhood and community?

Yes, it will provide a central meeting space and further opportunities for health and wellness as well as expanded economic development.

Would the proposed zoning district be consistent with sound principles of land?

Yes, will integrate business and professional use which runs adjacent to other business and professional use facilities.

Describe how the proposed zoning district would not be injurious to neighboring properties and buildings?

It will compliment the area with an aesthetic upgrade and will utilize the area in a community-minded and growth-centered facility.

Describe how the proposed zoning district would not create special hazards or problems for the neighborhood and community?

The ingress/egress will be adjacent to current businesses and will not run against current residential traffic. It will create an improved aesthetic use to the area.

Would the proposed zoning district be harmonious and consistent with the City of Scottsbluff Comprehensive Plan for the area?

Yes. The vision of the project is to grow opportunities for current and future generations as well as expand recreational and entertainment amenities.

Why should the rezone request be granted?

The rezone will allow for positive growth both economically and for the residents who reside her now and in the future. It is truly a vision to promote excellence in our community.

Issued By

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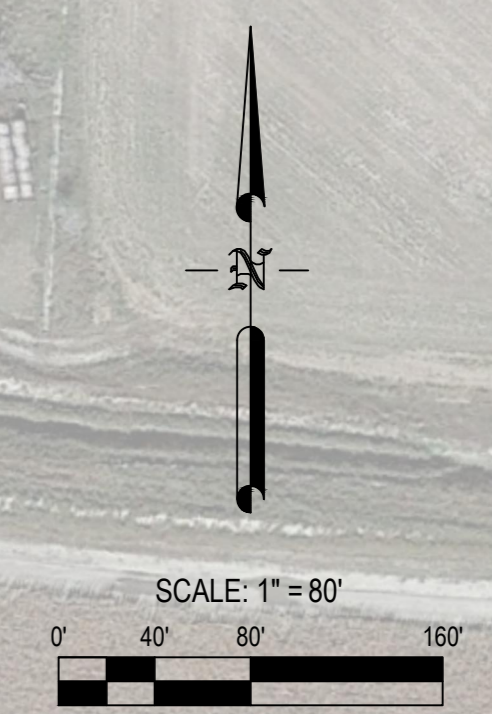
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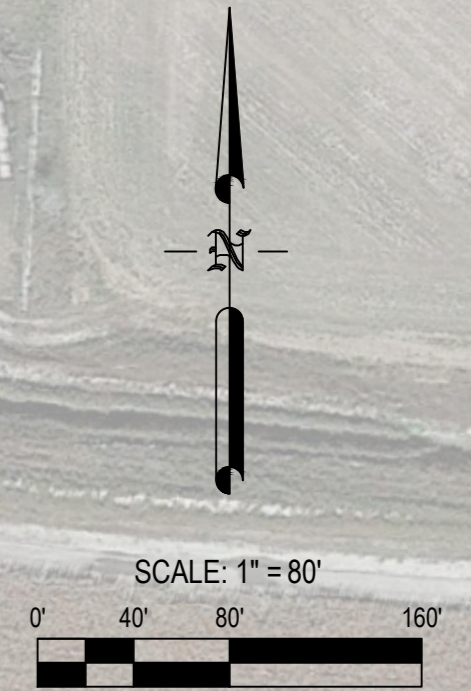
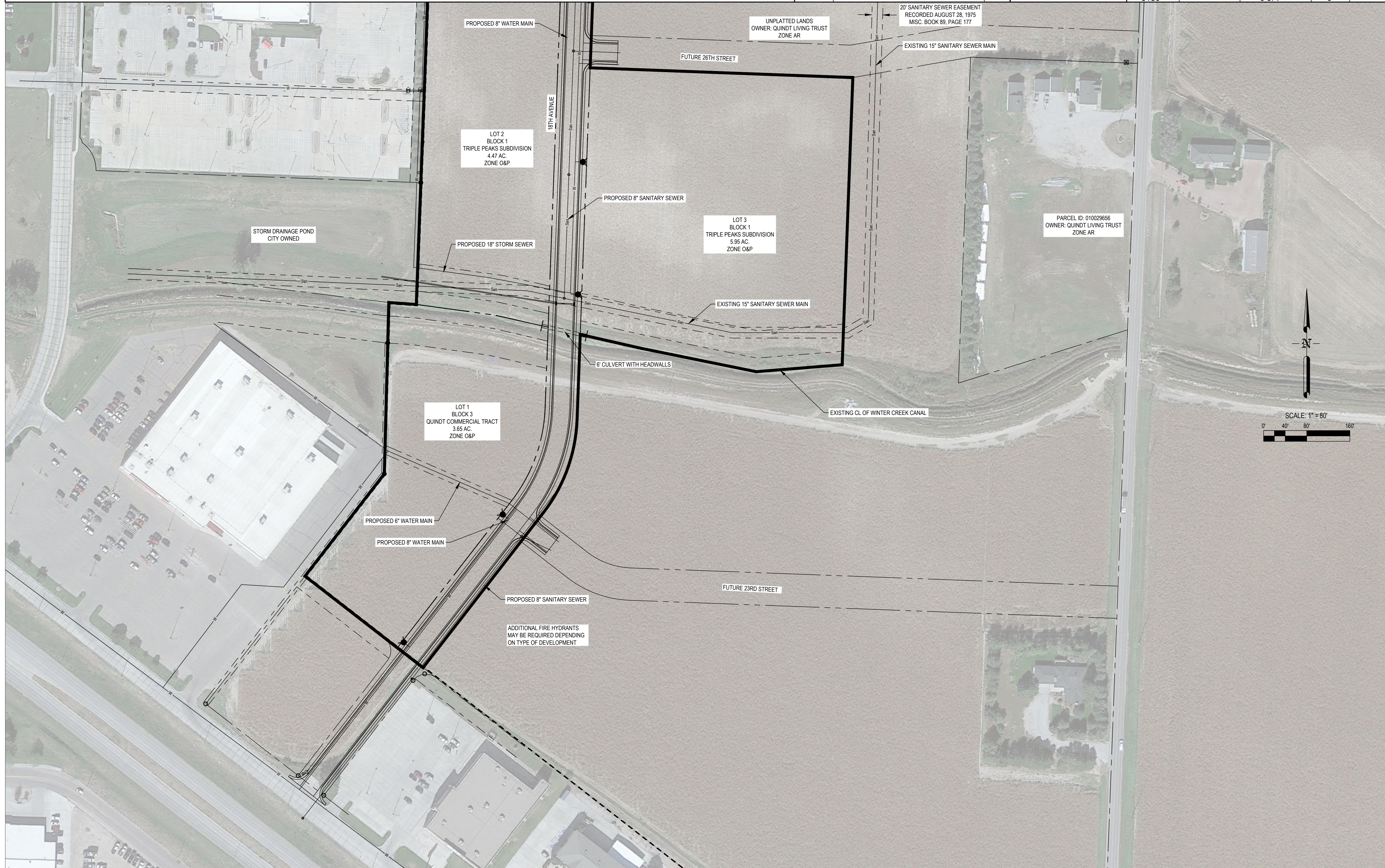
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October 5, 2023

3302 Verbena Pl
Scottsbluff, NE 69361

Scottsbluff Planning Commission
Scottsbluff City Council
2525 Circle Drive
Scottsbluff, NE 69361

Dear Planning Commission/City Council Members:

My name is Deidra Bruner. I am writing to inform you and ask for your support in a project that was birthed after the tragic loss of my three loved ones; Matt, Noah and Sydnee.

November 21, 2021 - The plane crashed, taking their lives. At that moment, I found myself standing in a pile of remnants. A moment where time stood still. Many of you are aware of that day and the waves it created. Many of you knew Matt, Noah and/or Sydnee personally. Each plays an important role in this project. For purposes of time and place, I want to focus on our patriarch. Maybe you knew him personally or as Dr. Bruner, who addressed the city council during the covid outbreak. Through that time, he researched, problem-solved and was a light in uncharted territory. His passion for medicine and the need to care for his family, friends, patients, community, and surrounding communities led to numerous conversations on the state and national levels. He was highly respected, knowledgeable, and accredited. He genuinely cared deeply about and for those around him. His life goal was to assist, exemplify and eventually achieve the goal of becoming a "center of excellence" for Regional West Medical Center. I dare say, he did 2 or the 3 to the best of his ability and was on the right road towards his 3rd goal. I can't walk into the hospital and stand in the gap to fulfill his professional goal or fill the enormous hole left that day.

November 20, 1995 – A moment on the college basketball court that changed my life and our story began. A forty-five-minute challenge led to a first date, a proposal, a wedding, 5 kids and 24 years of marriage. A moment I would not change if I knew then what I know now. The moment, about 2 years ago, that left me in shambles was also a moment that reinforced the very person I became because of my relationship to my husband. He taught me that perspective is vital. There are ashes. There is beauty. It's a choice. After months of planning, researching, meetings and yes, tears, let me introduce you to the Bruner project: Element Sports Summit and Event Center.

Project Definition and Mission

- A multifunctional space containing 2 full, wooden basketball courts (Junior college regulations) and space for 2 additional courts with the ability to use for multiple events and activities
- Bleacher space to accommodate community and regional events and activities
- 2 restaurants and/or beverage restaurants with drive-thru option; build to suit
- 3 spaces (approx. 1000 sq ft) for small businesses, entrepreneurs, clubs, etc; build to suit
- Sports lounge with interior and exterior games retrieval from community events, college and professional events
- Banquet room/meeting/work space for receptions, birthdays, workshops, gatherings, etc
- Land to expand and grow

The Mission: Bringing people together to create life-changing moments through sports and events that challenge us to be better, care genuinely and love unconditionally in the knowledge that we were created in a unique way, the dreams and aspirations of each individual are just as vast. Building and investing in relationships come with no expiration dates or age requirements, just 'be brave enough to do the right thing.' (Quote by Matt Bruner)

Unique facility environment

- Endless opportunities to pursue individual aspirations for all generations with a heavy emphasis on character building, strong relationships, and high respect and regard for people
- Draw people in who share values and see the importance of teaching, coaching, refereeing, etc
- Exemplifies values and character traits; both on and off the court, field, etc
- Encourage each other on in the pursuit to be better today than we were yesterday
- Support local schools and implement character traits as we connect, support, and grow together
- Show in our words and actions that we care about people who walk in the door. We want to take that mindset and take it up a notch by not only caring about people but caring for people
- Provide opportunities for all ages. We are never too old to pursue what we love, impact others, and invest in opportunities that help better ourselves, those around us and our community as a whole. When our efforts are combined, not only will this be a community that people want to be a part of and come back to, but Scottsbluff and surrounding communities will be a place that stirs people of all ages to dream, aspire and make an impact for generations to come.

Community benefits

- Community minded, to support and to build unity with people and businesses
- Will create limitless economic and cultural opportunities through additional tourism, travel, hotel, restaurants, etc
- Provide a "home" opportunity for community members who travel for events and activities
- Provide an environment that promotes personal, social, economic, business growth, health, and incentives
- Aid in social and economic stability through a timeless value system emphasizing the importance of relationships. It's investing and pursuing positive
- Hosting events that bring out-of-town guests that will need accommodations, food establishments and shopping experiences
- Advertising opportunities for different events varying in size and audience
- The very definition of community-be a part of a group of people that sees the value in relationships and genuinely connecting with others
- Opportunity to be a living example of what it means to truly care about and for the people- the very threads of a community
- Creates a magnetic draw and reason for why people want to live here, a place that stirs people of all ages to dream, aspire, and make an impact for generations to come

Community amenities & future plans

- Planting trees, donating memory plates, and giving back as part of sponsorship package
- Advertising and involvement opportunities
- "Park and walk" to your destination on or around the surrounding area
- Create a park and/or outdoor activities and spaces to bring people together
- Walking, cycling, connecting to pathway
- Concert, sport, and venue for small and large events

- Support and encourage entrepreneurships
- Support and promote community effort in progressing forward with project and land usage while being sensitive to the needs of the community and surrounding area

I am in the process of securing land with a closing date of mid-November. I am asking for your support in rezoning, approving, and proceeding with the plans of land and of the building. Opening and operating Element Sports Summit and Event Center as a center of excellence and sharing the message of "being brave enough to do the right thing" on and off the court is truly the heart of the mission for this project.

In closing, it started with a need that Matt and I had a personal investment in. Then tragedy hit. A community that sat in the trenches, stood beside our family and continued to walk with us. People who have become family by just being there, filling our needs and showing that they genuinely care by encouraging and believing in the mission and vision of this project. Key factors that brought unexpected blessings, hope, comfort and peace. This is what fuels my fire to give back to my community in a special way.

A gym is where our story began. Where Matt and I shared many moments throughout the years and celebrated our kids accomplishments together. In that moment as I stood in the ashes alone, I knew it was a defining moment. I had to see the beauty; something good has to come from this. I chose then and choose now; to walk with grace, purpose, drive and passion for the people around me. I know there are hundreds of moments that my husband had a hand in delivering as little babies as they drew their first breath. As Matt took his last; the aspiration and need to show how much we care about and need to care for those around us grew exponentially. I know the only thing we get to take with us, in the end, is our relationships: the most valuable thing on earth. What brought Matt and I together on the college basketball court enriched and changed the course of my life. Through our years together, we have invested in others, experienced life-changing moments and learned life lessons. I want to create opportunities for others; not based on athleticism, but on moments. I envision a place that brings people together, where learning never ends, growing is infinite, and love goes beyond a game. Moments are impactful, leaving one forever changed. I'm living proof.

November 20, 1996- our first date

November 20, 2021- our last day together

Twenty-five years together. Exactly.

What started with a moment that took my breath away, now serves as a lifetime memory.

What ended in a moment that took Matt's breath away, now serves as the purpose to survive life itself.

It's about bringing people together with purpose; creating and capturing life-changing moments.

It's about being kind, caring, and brave; doing the right thing for my kids, my family, and my community.

I'm in my ELEMENT, doing what I love, for those I love.

I want to thank you for your time, service, and all you do for our community!

Sincerely,



Deidra K. Bruner

September 19, 2023

Scottsbluff City
2525 Circle Drive
Scottsbluff, NE 69361

RE: N 350' of PT N ½ NE 24-22-55 Unplatted Lands and PT
NE NE EX N 350' Above Winter Creek Canal 24-22-55
("Property")

To Whom It May Concern:

The undersigned is the owner of the Property. Please accept this letter as evidence that the owner approves all or any portion of the Property being re-zoned as requested by the applicant. We believe this project would be an amazing addition to the community and are more than happy to help in any way needed.

Sincerely,

Wilbert L. Quindt Trustee Wilbert L. Quindt Living Trust

Wilbert L. Quindt Living Trust
Living Trust

492 W. Lakeshore Drive
Lincoln, NE 68528
(308) 631-8937

Vicki S. Quindt Trustee
Vicki S. Quindt *Vicki S. Quindt Living Trust*

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 31, 2023

For Hearing of: November 13, 2023



I. GENERAL INFORMATION

- A. Applicant:** Deidra Bruner
3302 Verbena Place
Scottsbluff, NE 69361

- B. Property**
 - Owner:** Wilbert Quindt Living Trust & Vicki Quindt Trust
429 W Lakeshore Drive
Lincoln, NE 68528

- C. Proposal:** Rezone Proposed Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office & Professional

- D. Legal Description:** See Preliminary Plat

- E. Location:** Tract of land south of E. 27th Street and east of SWBC building

- F. Existing Zoning & Land Use:** AR Agricultural Residential - Farmland

- G. Size of Site:** 18.22 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	Residential	R-1A Single Family Residential	Church and Single-Family Dwellings
East	Residential	A - Agricultural	Famland
South	Highway 26 Commercial	AR – Agricultural Residential	Farmland
West	WNCC and Surrounding Area	O-P Office and Professional / C-2 Neighborhood and Retail Commercial	Commercial Buildings (SWBC Building and Target)

B. Relevant Case History

1. None

III. ANALYSIS

- A. **Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as WNCC and Surrounding Area.
- B. **Traffic & Access:**
 - 1. Access to the subdivision will be via 27th Street and the newly proposed 18th Avenue.
- C. **Utilities:**
 - 1. Water will be located in 18th Avenue Right-of-Way
 - 2. Sewer will be/ is located in 18th Avenue Right-of-Way and Canal Utility/Access Easement
 - 3. Stormwater will be located in Canal Utility/Access Easement.

IV. STAFF COMMENTS

- A. The rezone is an expansion of the existing O-P District to the west.
- B. The minimum lot size of O-P is 7,000 square feet.
- C. The purpose of the rezone is to allow the property owner to build a community center on Lot 3. A community center permitted in O-P but not in AR.
- D. The Comprehensive Plan identifies this area as WNCC and Surrounding Area in the future land use map. Appropriate zones for this area are R-1a, O-P, and R-4.
- E. A permission letter from the current property owner is included.

V. FINDINGS OF FACT

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

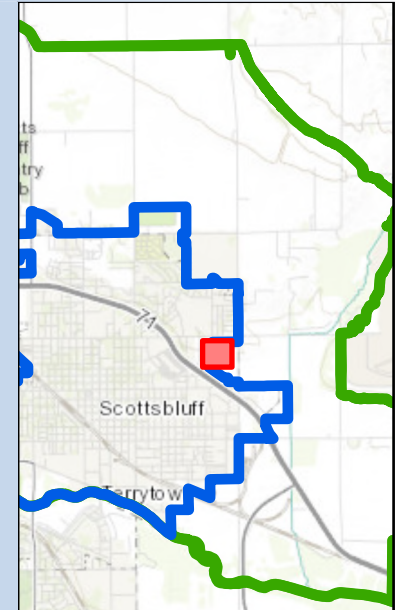
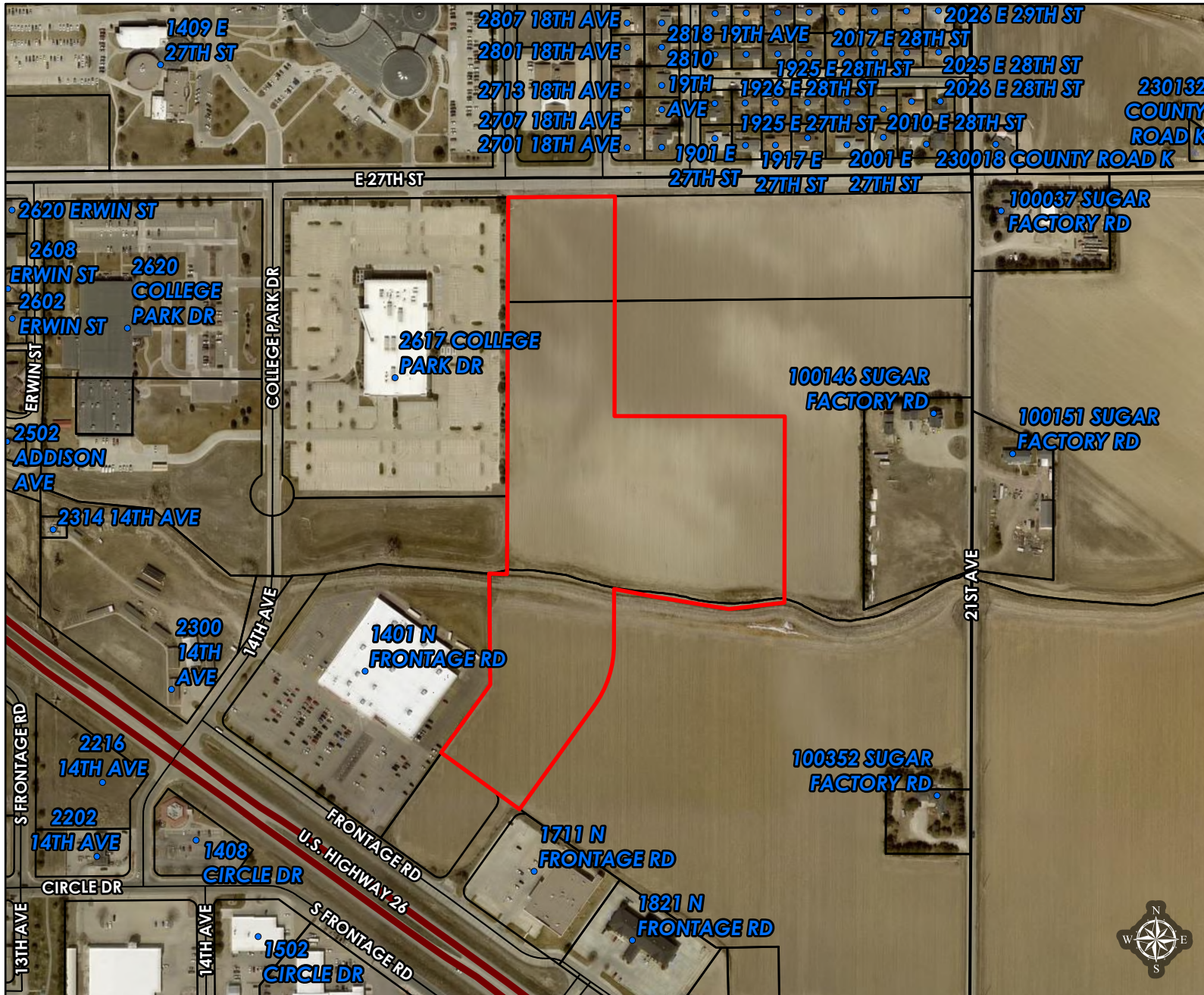
- 1. The Comprehensive Plan identifies the area as WNCC and Surrounding Areas and the proposed rezone to O-P aligns with the future land use map.
- 2. The rezone would not be injurious to adjacent properties as the lot will remain a commercial zone.
- 3. No special hazards or problems will be created from the rezone as the lot will remain a commercial lot and will be less intensive zoning district.

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

- 1. None

VI. STAFF RECCOMENDATION

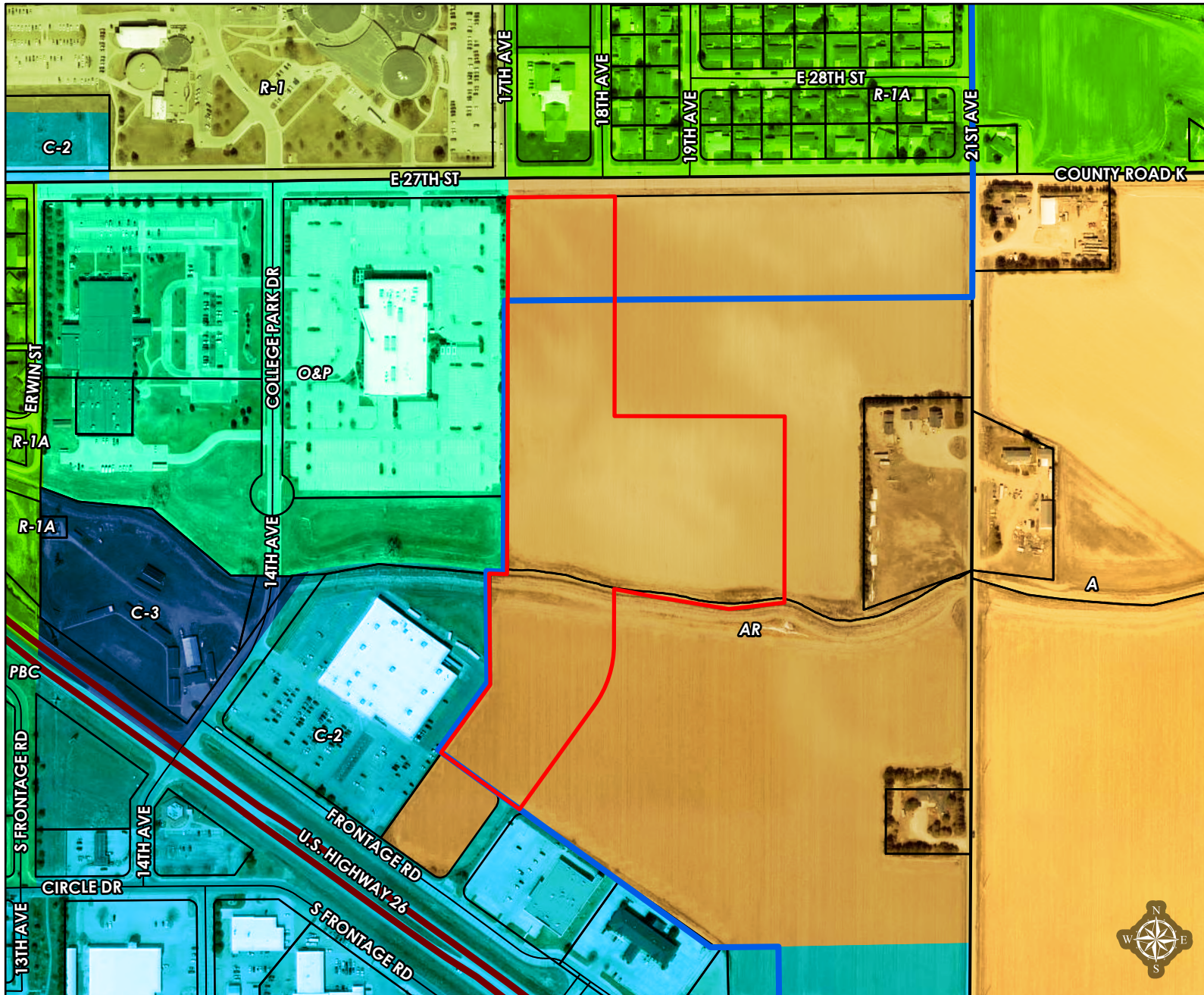
- A. Staff recommends Planning Commission make a positive recommendation on approval of the rezone of the proposed Lots 1-4, Block 1, Triple Peaks Subdivision by City Council.



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

Taylor Stephens
City of Scottsbluff GIS
Created on 10/25/2023
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.



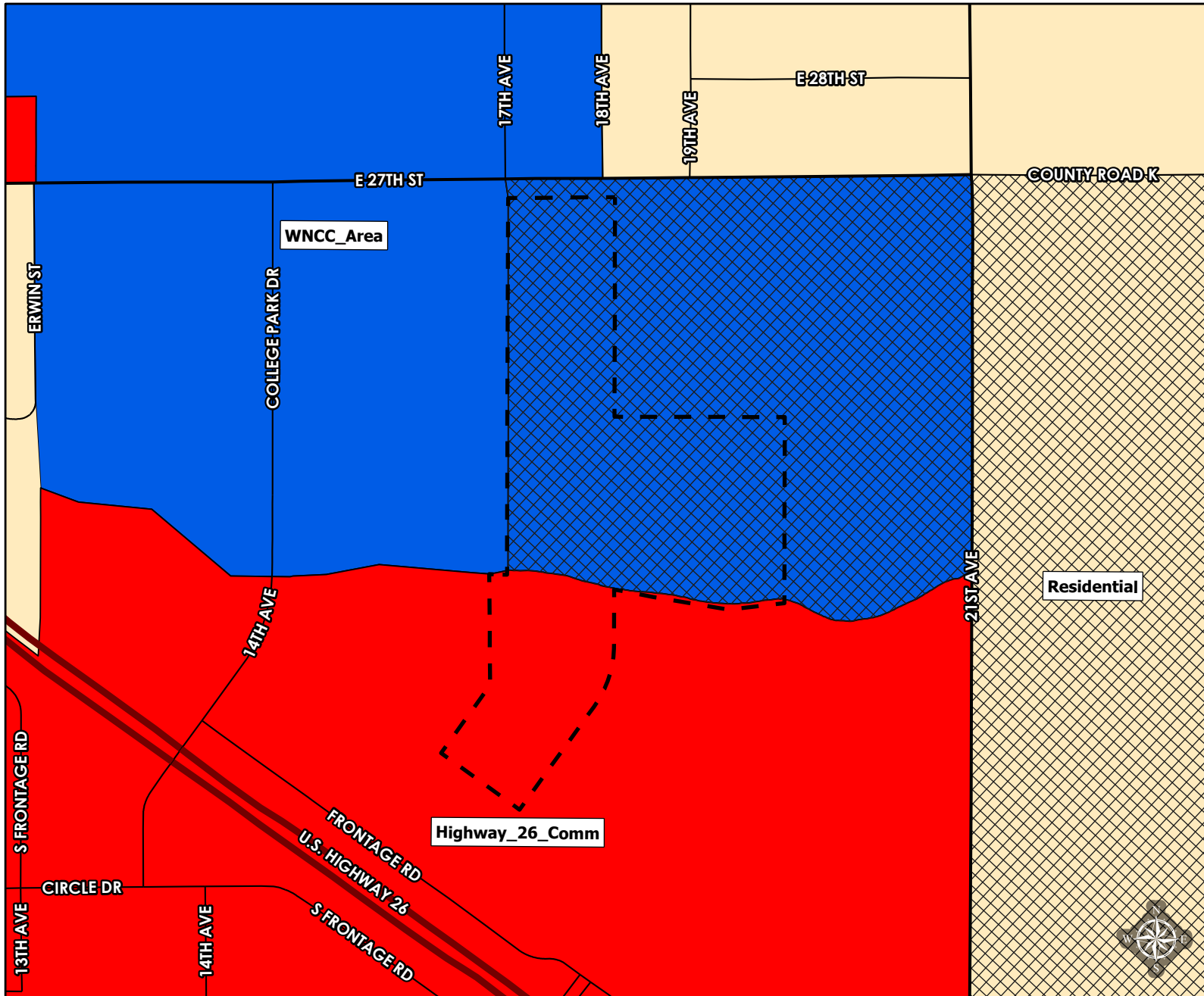
- Property Location(s)
 - Corporate Limits
 - Extended Jurisdiction
- City Zoning**
- (A)Agriculture
 - (AR)Ag Residential
 - (C-1)Central Business District
 - (C-2)Neighborhood Com
 - (C-3)Heavy Com
 - (M-1)Light Man & Ind
 - (M-2)Heavy Man & Ind
 - (O-P)Office and Professional
 - (PBC) Planned Bussiness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



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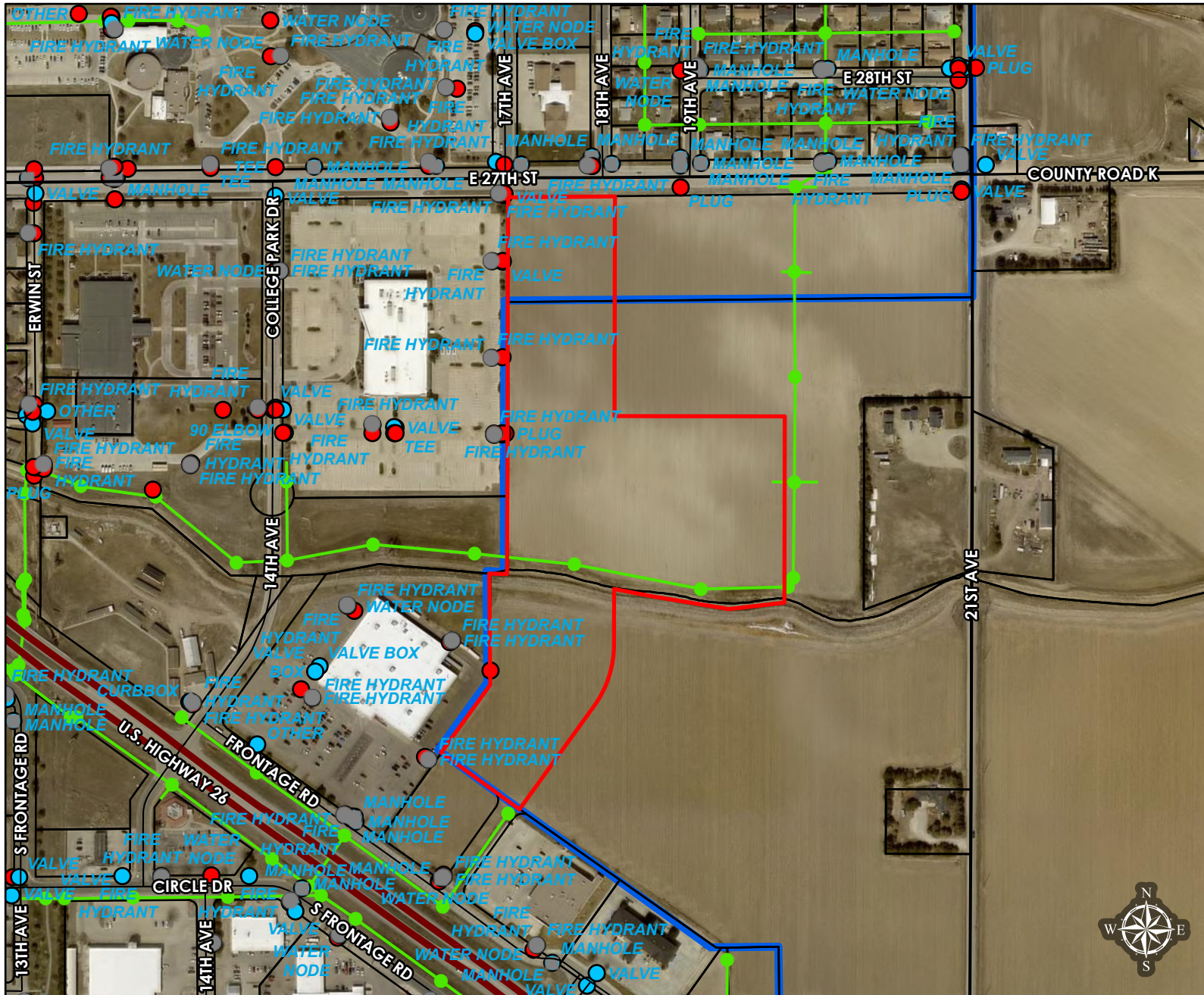
Proposed Rezone from AG to O&P



- 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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- Highway
 - Main Road
 - Residential/Rural
 - Wastewater MH
 - Wastewater Lines
 - Proposed Property
 - Parcels
 - GEODATA.GISMGR.Corporate_Limits
- Waterline_Points
- No
 - Yes
 - UNKNOWN
- Water Manhole
- No
 - Yes
 - UNKNOWN
- Water Curbstop
- ◆ No
 - ◆ Yes
 - UNKNOWN
- Fire Hydrants
- No
 - Yes
 - UNKNOWN
- Easement_Poly



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City of Scottsbluff, Nebraska
Monday, November 13, 2023
Regular Meeting

Item Election1

October 2023-September 2024 Officer Elections

Staff Contact:

City of Scottsbluff, Nebraska

Monday, November 13, 2023

Regular Meeting

Item Staff Rep1

Planning Commission to receive on update on Online Permitting Portal

Staff Contact:

City of Scottsbluff, Nebraska
Monday, November 13, 2023
Regular Meeting

Item Meet1

December 11, 2023

Staff Contact: