



**CITY OF SCOTTSBLUFF**  
**Scottsbluff City Hall Council Chambers**  
**2525 Circle Drive**  
**PLANNING COMMISSION AGENDA**  
*Monday, December 11, 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 November 13, 2023
6. **New Business :**
  - A Planning Commission to remove from the table the consideration of the Preliminary Plat of Lots 1-4, Block 1, Triple Peaks Subdivision
  - B Planning Commission to make a recommendation on the annexation request by Deidra Bruner and the Wilbert L. Quindt Living Trust & Vicki S. Quindt Living Trust for Lots 1-4, Block 1, Triple Peaks Subdivision
7. **Tax Increment Financing:**
  - A Planning Commission to conduct a public hearing for the purpose of reviewing and obtaining comment on the Redevelopment Plan for the TGR Trust/Reganis Dealership Project.
  - B Planning Commission to review and take action on a resolution recommending approval of the Redevelopment Plan for the TGR Trust/Reganis Dealership Project.
  - C Planning Commission to conduct a public hearing for the purpose of reviewing and obtaining comment on the Amended Redevelopment Plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project.
  - D Planning Commission to review and take action on a resolution recommending approval of the Amended Redevelopment Plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project.
8. **Public Hearing :**
  - A Planning Commission to conduct a Public Hearing to consider the Preliminary Plat and Final Plat of Lots 1-4, Block 1, Triple Peaks Subdivision
  - B 3. Planning Commission to conduct a Public Hearing to consider a Final Plat of Lot 1A, Block 1,

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



**Platte Valley Addition and Easement, Platte Valley Drive, and part of 13th Avenue Vacation,  
commonly identified as 1212 Circle Drive**

**9. Officer Election:**

**A Planning Commission to remove from the table Officer Elections for the October 2023- September 2022 term**

**B October 2023-September 2024 Officer Elections**

**10. Schedule Meeting:**

**A January 8, 2024**

**11. Adjourn**

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**City of Scottsbluff, Nebraska**  
**Monday, December 11, 2023**  
**Regular Meeting**

**Item Appr. Min.1**

**November 13, 2023**

**Staff Contact:**

PLANNING COMMISSION MINUTES  
REGULAR SCHEDULED MEETING  
November 13, 2023  
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, November 13, 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 November 2, 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 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf "Absent": Dave Gompert. "Excused": Linda Redfern (alternate) City Officials present were Zachary Glaubius, Development Services Director, Taylor Stephens, GIS Analyst, Gary Batt, Code Administrator II, Tom Schingle, Fire Chief, and Chris Perales, Fire Prevention Officer.
- 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 October 9, 2023 meeting were reviewed. **Conclusion:** a motion was made by Stricker and seconded by Palu to approve the minutes from September 11, 2023 meeting. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. "Nays:" None "Absent": Dave Gompert. The motion carried.
- 6 Estrada introduced Item 6A regarding a public hearing to consider a rezone of Lot 1A, Block 8, Laucomer Addition. Estrada opened the public hearing at 6:01 PM. Glaubius stated the rezone is located at 2003 Char Avenue and the applicant is requesting a rezone from C-2 Neighborhood and Retail Commercial to O-P Office and Professional in order to have a crematory at the location. Glaubius stated crematory would fall under the mortuary use which is permitted in O-P districts, but not in C-2 districts. Glaubius stated the rezone is in compliance with the future land use map as the comprehensive plan identifies the area as residential and O-P is a residential-commercial zone. Glaubius stated staff recommends a positive recommendation on approval to City Council. Applicant Oscar Gonzales stated his business, Reverence Funeral Home, is planning on expanding to have a crematory, however the current campus for the funeral home does not have space. Gonzales stated the rezone is for the vacant lot across Char Avenue from the funeral home. Gonzales stated there has not been a new crematory installed in the Scottsbluff area and their crematory will be more advanced than those existing in the community. Estrada closed the public hearing at 6:04 PM. Stricker asked Gonzales if there were regulations on emissions. Gonzales stated the EPA has extensive regulations on emissions. Stricker asked if there would be a viewing room at the crematory. Gonzales stated that it was not in the immediate plans, but was something they were considering in the future. Gonzales said the building would have offices, a viewing room, a crematory for humans, and a crematory for pets. Stricker asked if

there would be space for parking. Gonzales stated there would be space left on the property for the required parking.

- 7 **Conclusion:** Motion by Stricker to make a positive recommendation on the approval of the rezone of Lot 1A, Block 8, Laucomer Addition, seconded by Zitterkopf. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. “Nays:” None “Absent”: Dave Gompert. The motion carried.
- 8 Estrada introduced Item 6B regarding a public hearing to consider a Final Plat and Contract for Public Improvements of Dollar General Plat 1, a replat of Lots 2A, 2B, and 2C, Eisele Subdivision, commonly identified as 1008 W. Overland Dr. Estrada opened the public hearing at 6:06 PM. Glaubius stated this final plat is to consolidate three lots into a single lot for a new Dollar General store. Glaubius stated a contract for public improvements is included with this plat as there is no sewer or stormwater sewer serving the property. Glaubius stated the plat is aligned with the Comprehensive Plan as the property is already commercial. Glaubius stated access will be via W. Overland Drive. Applicant Ed Pelds stated the plat is to prepare the property for a new Dollar General store and stated his team has been working with staff to meet the City’s requirements. Estrada closed the public hearing at 6:08 PM. Stricker inquired where the on-site stormwater retention area. Glaubius stated the on-site retention is located on the rear of the property. Stricker inquired what was to happen with the open portion of the property south of the building. Pelds stated that portion of the property will remain open space and serve as on-site stormwater retention space.
- 9 **Conclusion:** Motion by Weber to make a positive recommendation on the approval of the Final Plat and Contract for Public Improvements of Lot 1, Block 1, Dollar General Plat 1, seconded by Stricker. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. “Nays:” None “Absent”: Dave Gompert. The motion carried.
- 10 Estrada introduced Item 6C regarding 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. Estrada opened the public hearing at 6:10 PM. Glaubius stated the City recently revised Municipal Code 25-5-2 to allow the Planning Commission to grant off-street parking exceptions to all permitted uses rather than limit it to only manufacturing, warehousing, and wholesaling. Glaubius stated Dollar General through First Link is requesting an exception to the off-street parking requirements. Glaubius stated code requires 42 parking stalls due to the building size, and that Dollar General is requesting a reduction of parking stalls to 35. Glaubius stated Dollar General submitted evidence that 35 stalls are sufficient as well as parking stall counts for area Dollar General Stores. Glaubius stated staff recommend Planning Commission approve the Off-Street Parking Exception Permit and reminded the Planning Commission that this does not go to City Council. Estrada closed the public hearing at 6:11 PM. Stricker stated he was glad the City updated the code to allow for off-street parking requirement exceptions.
- 11 **Conclusion:** Motion by Weber to approve the off-street parking exception permit to First Link, LLC to require 35 parking stalls instead of 42 parking stalls, seconded by Wayman. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. “Nays:” None “Absent”: Dave Gompert. The motion carried.
- 12 Estrada introduced Item 6D regarding 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. Estrada opened the public hearing at 6:13. Glaubius stated the special use permit was submitted by Scottsbluff Recycling to relocate their business across 1<sup>st</sup> Avenue. Glaubius stated that scrap processing is included under the junkyard definition in code. Glaubius stated the property is located in the M-1 Light Manufacturing and Industrial district which junkyard is a special permit

use. Glaubius stated the comprehensive plan identifies the area as South Broadway which is more commercial in nature. Glaubius stated staff met with the applicant, Jerry Metcalf, to discuss conditions regarding this special use permit. Glaubius stated the findings of fact and that staff recommends approval of the special use permit to Albert "Jerry" Metcalf for a junkyard at 909 S. Broadway subject to the following conditions:

- 13 -The junkyard use shall be setback 60 feet from the property line along Broadway.
- 14 -The junkyard shall be fully enclosed with a 10-foot-tall opaque fence.
- 15 -The primary access for truck traffic to and from the property shall be via 1st Avenue. Secondary access for truck traffic to and from the property shall be via Broadway.
- 16 -The on-property stormwater retention and detention system shall prevent all runoff from the property from entering the City of Scottsbluff stormwater sewer system, and the design shall be approved by the City Engineer.
- 17 -The junkyard shall comply with any other applicable City, County, State, or Federal Regulations that may apply.
- 18 -A 10-foot-wide landscaping bed with a minimum of 5 trees shall be installed in front of the fence on the Broadway facing side of the property. The trees shall meet the requirements of Chapter 25 Article 22 of the City of Scottsbluff Municipal Code.
- 19 -The scrap metal on the property shall not exceed 15 feet in height.
- 20 Metcalf stated he had worked with the City and have agreed to the conditions. Estrada closed the public hearing at 6:19. Stricker stated he liked the 60' setback and inquired what opaque met. Glaubius stated it meant a solid fence. Stricker inquired about the secondary truck access on Broadway. Metcalf stated that only the semi's would exit onto Broadway and they typically only receive one or two trucks a week. Glaubius stated that from conversations from Metcalf, the Broadway access would be right turn in and right turn out. Metcalf stated the trucks turn right to travel to the Scottsbluff Recycling scale north of the site. Stricker asked what type of trees that Metcalf planned to plant. Metcalf stated most likely pine trees. Stricker asked about the size of the trees. Glaubius stated the tree size minimums can be found in the landscaping article of the zoning code. Stricker made a motion to approve the special use permit with the conditions recommended by staff. Huber seconded. Charlie Wright requested the Planning Commission reopen the public hearing. Estrada reopened the public hearing at 6:20. Wright stated he is the president of the Panhandle Cooperative Association, and the Coop owns the property directly west of the proposed junkyard. Wright asked about the 10' fence and 15' height limit for scrap. Metcalf stated scrap typically does not get that tall and if it does, it would be located towards the rear of the property. Wright stated he was concerned as he has been meeting with developers to put housing in on their property across Broadway. Wright stated that the Coop Board recommended he speak against the granting of the special use permit. Wright stated that the board may be against it due to the terminology of junkyard. Jennifer Reisig, representing the Western Nebraska Community College Foundation, who own the adjoining property at 901 S. Broadway. Reisig stated she met with the current tenant, Beacon Roofing, who stated there only concern was mitigated by the 10' tall fence. Reisig stated Beacon has worked with Metcalf and do not have any other concerns regarding the special use permit. Wayman asked Metcalf how many years that Scottsbluff Recycling has been located to the north on Broadway. Metcalf stated the business has been there for 39 years. Wayman stated he works near the Scottsbluff Recycling scale and imagined truck traffic on Broadway will be the same. Wayman stated the Coop's property is not zoned for housing in response to Wright's comment and that it would be difficult to develop housing there. Wayman stated the 60' setback, 10' landscaping buffer and 10' opaque fence mitigates the use very well and will make it look better than it currently. Wayman stated he would make a positive recommendation on the special use

permit. Stricker stated his initial thought on the special use permit was that it did not mesh with the comprehensive plan. Stricker stated that after looking at the conditions, existing zoning, and staff report, he stated he must follow what is allowed by code so it cannot be consider a taking. Stricker stated while he would prefer the use somewhere else, he would also make a positive recommendation on approval due to the mitigating factors. Public hearing closed at 6:22

- 21 **Conclusion:** Motion by Stricker to approve the special use permit for a junkyard at 909 S. Broadway to Albert Metcalf subject to the conditions recommended by staff, seconded by Huber. "Yeas:" Becky Estrada, Henry Huber, Angie Aguillo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. "Nays:" None "Absent": Dave Gompert. The motion carried.
- 22 Estrada introduced Item 6E regarding a public hearing to consider the preliminary plat, final plat, and alley/easement vacation for Blocks 8 & 9A, Reganis Subdivision, commonly identified as 1117 and 1125 E. 27<sup>th</sup> Street. Estrada opened the public hearing at 6:23. Glaubius stated the public hearing is for a combination of a preliminary and final plat along with vacations of existing utility easements and alleys. Glaubius stated the property line of Block 9, the Honda dealership, being adjusted along with platting unplatted land for a new Chrysler Dodge Jeep Ram dealership. Glaubius stated the Honda dealership received a special use permit in 2014 and the new dealership was granted a special use permit in July 2023. Glaubius stated access would primarily be via 27<sup>th</sup> Street and secondary access would be via 12<sup>th</sup> Avenue. Glaubius stated the existing alley in the subdivision is being proposed to be vacated and rededicated as a utility easement due to the existing sewer main. Glaubius stated an unoccupied utility easement in Block 8 is being vacated. Glaubius stated stormwater retention and drainage study for the site will be designed as part of the building permit process. Glaubius stated alleys are required by code, unless they meet certain conditions which permit the alley requirement to be waived. Glaubius stated the plat will not change the commercial nature of the area which the Comprehensive Plan identifies the area as. Glaubius stated there are no minimum lot size for the C-2 district, and staff recommends a positive recommendation on the approval of the preliminary plat, final plat, and alley/easement vacations of Blocks 8 and 9A, Reganis Subdivision. Estrada closed the public hearing at 6:26. Stricker stated at the special use permit hearing for the car dealership, he had concerns about emergency access. Stricker stated he drove around the site and was wondering how the access will work. Stricker asked if the applicant has worked with the Fire Department on access. Chris Perales stated the City and Fire Department has not received building plans yet. Perales stated the Honda Dealership has enough maneuvering room for Tower 1, however it will depend on the site plan of the new dealership. Stricker stated he was nervous about vacating the easements and alleys as he used to review plans like this for emergency access. Stricker asked if there a representative for the applicant was present. Glaubius stated he believed so, but the site plan for the site is part of the building permit review process rather than preliminary plat. Stricker stated he understood. Glaubius stated the preliminary plat is for public improvements such as access and hydrants in the right-of-way. Wayman stated the easements and alleys were platted at the initial plat when the applicant did not necessarily have a plan in place, so it is reasonable to expect things to change. Stricker inquired about private water lines and hydrants connecting to city water mains. Stephens stated there are private water lines and hydrants in the city, such as those around the Target store. Stricker stated he was concerned the State of Nebraska reviewers would overlook certain things that local reviewers know to look for. Stricker stated he wanted on the record that City officials need to ensure the site meets the emergency access requirements of Code.
- 23 **Conclusion:** Motion by Weber to make a positive recommendation on the approval of the preliminary plat, final plat, and easement/alley vacation requests for Blocks 8 and 9A, Reganis

Subdivision, seconded by Aguallo. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. "Nays:" None "Absent": Dave Gompert. The motion carried.

- 24 Estrada introduced Item 6F regarding 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 6<sup>th</sup> P.M. Estrada opened the public hearing at 6:32. Glaubius stated the subdivision is located east of the former SWBC building and the applicant is proposing to subdivide the unplatted land into four lots and continue 18<sup>th</sup> Avenue from 27<sup>th</sup> Street to Frontage Road. Glaubius stated it is currently zoned AR Agriculture Residential and the rezone request public hearing is following this agenda item. Glaubius stated access would be via 27<sup>th</sup> Street and 18<sup>th</sup> Avenue. Additionally, Glaubius stated there are two proposed intersections for 23<sup>rd</sup> Street and 26<sup>th</sup> Street. Glaubius stated the water mains will be located in the 18<sup>th</sup> Avenue right-of-way and easements as will sewer mains. Glaubius stated a stormwater main will be constructed that will drain 18<sup>th</sup> Avenue into the city owned retention pond south of the former SWBC building. Glaubius stated a contract for public improvements will be necessary for the subdivision and a drainage study was included with the plat. Glaubius stated a letter was included in the packet showing the Winter Creek Canal Company will permit 18<sup>th</sup> Avenue to cross the Winter Creek Canal. Glaubius stated the unimproved right-of-way west of Staples is currently named Easton Drive and will be renamed by the City to 18th Avenue. Glaubius stated the City is working with the project engineer, Baker and Associates, on drainage of the subdivision south of the canal. Glaubius stated the revised plan was submitted today prior to the meeting, however staff has not reviewed the plan yet. Glaubius stated the comprehensive plan supports the subdivision as O-P is recommended for the area, which the applicant wants to rezone the properties too. Glaubius stated the lots exceed the O-P minimum lot size of 7,000 sq feet as well. Glaubius stated that since the City is still working with the applicant and engineer on the drainage, staff is requesting the Planning Commission to table the preliminary plat until the December Planning Commission meeting. Glaubius stated if the drainage was sufficient, staff would have recommended a positive recommendation. Jack Baker stated he met with staff the previous week and the applicant and City agree on the solution. Baker stated the turn around was a little quick to get the revisions submitted for this meeting. Baker stated the applicant was fine with tabling the plat until the December meeting. Estrada closed the public hearing at 6:37.
- 25 **Conclusion:** Motion by Aguallo to table the preliminary plat of Lots 1-4, Block 1, Triple Peaks Subdivision until the December Planning Commission meeting, seconded by Stricker. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. "Nays:" None "Absent": Dave Gompert. The motion carried.
- 26 Estrada introduced Item 6G regarding 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. Estrada opened the public hearing at 6:38. Glaubius stated the rezone is for the land included in the previous item preliminary plat. Glaubius stated the proposed use of community center is a permitted use in the O-P zone whereas it is a special permit use in the AR zone. Glaubius stated the rezone is also to reduce the minimum lot size as AR requires a 5-acre minimum lot, which is not the most practical within corporate limits. Glaubius stated the rezone is aligned with the comprehensive plan as it is identified as WNCC and Surrounding areas/Highway 26 commercial which supports a commercial district like O-P. Glaubius stated staff is recommending a positive recommendation on the rezone, and that staff would not move the rezone forward to City Council until the plats have received recommendations from Planning Commission. Estrada closed the public hearing at 6:40. Stricker stated he thought from reading the applicant's letter



that it will be a unique development that is aligned well with the Comprehensive Plan. Stricker stated he would make a positive recommendation on the rezone.

- 27 **Conclusion:** Motion by Stricker to make a positive recommendation on the rezone of Lots 1-4, Block 1, Triple Peaks Subdivision, seconded by Huber. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. "Nays:" None "Absent": Dave Gompert. The motion carried.
- 28 Item 7: Officer Elections: Remained on the table.
- 29 Item 8: Staff Reports. Glaubius provided the Planning Commission with an update on the Online Permitting Portal. Glaubius stated the portal was launched on November 7, 2023 and allows applicants to apply for a variety of permits online instead of solely requiring applicants to apply at City Hall. Glaubius stated the City is working on accepting online payments and as today 234 permits have been applied for.
- 30 Planning Commission confirmed the next meeting date of December 11, 2023.
- 31 Item 9: Adjournment
- 32 Adjournment: Motion by Aguallo, seconded by Wayman to adjourn meeting at 6:45PM. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf. "Nays:" None "Absent": Dave Gompert. The motion carried.

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Becky Estrada, Chairperson

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Zachary Glaubius, Secretary

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item New Bus1**

**Planning Commission to remove from the table the consideration of the Preliminary Plat of Lots 1-4, Block 1, Triple Peaks Subdivision**

**Staff Contact:**

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item New Bus2**

**Planning Commission to make a recommendation on the annexation request by Deidra Bruner and the Wilbert L. Quindt Living Trust & Vicki S. Quindt Living Trust for Lots 1-4, Block 1, Triple Peaks Subdivision**

**Staff Contact:**

December 6, 2023

City of Scottsbluff  
2525 Circle Drive  
Scottsbluff, NE 69361

RE: Request for Annexation

To Whom It May Concern:

Please accept this letter as a request from the undersigned owner for the annexation of Lots 1-3, Block 1 Triple Peaks Subdivision.

Please contact me with further questions.

Sincerely,

A handwritten signature in cursive script that reads "Deidra Bruner". The signature is written in black ink and is positioned above the printed name.

Deidra Bruner

December 5, 2023

City of Scottsbluff  
2525 Circle Drive  
Scottsbluff, NE 69361

RE: Request for Annexation

To Whom It May Concern:


Please accept this letter as a request from the undersigned owner for the annexation of Lot 4, Block 1 Triple Peaks Subdivision.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,



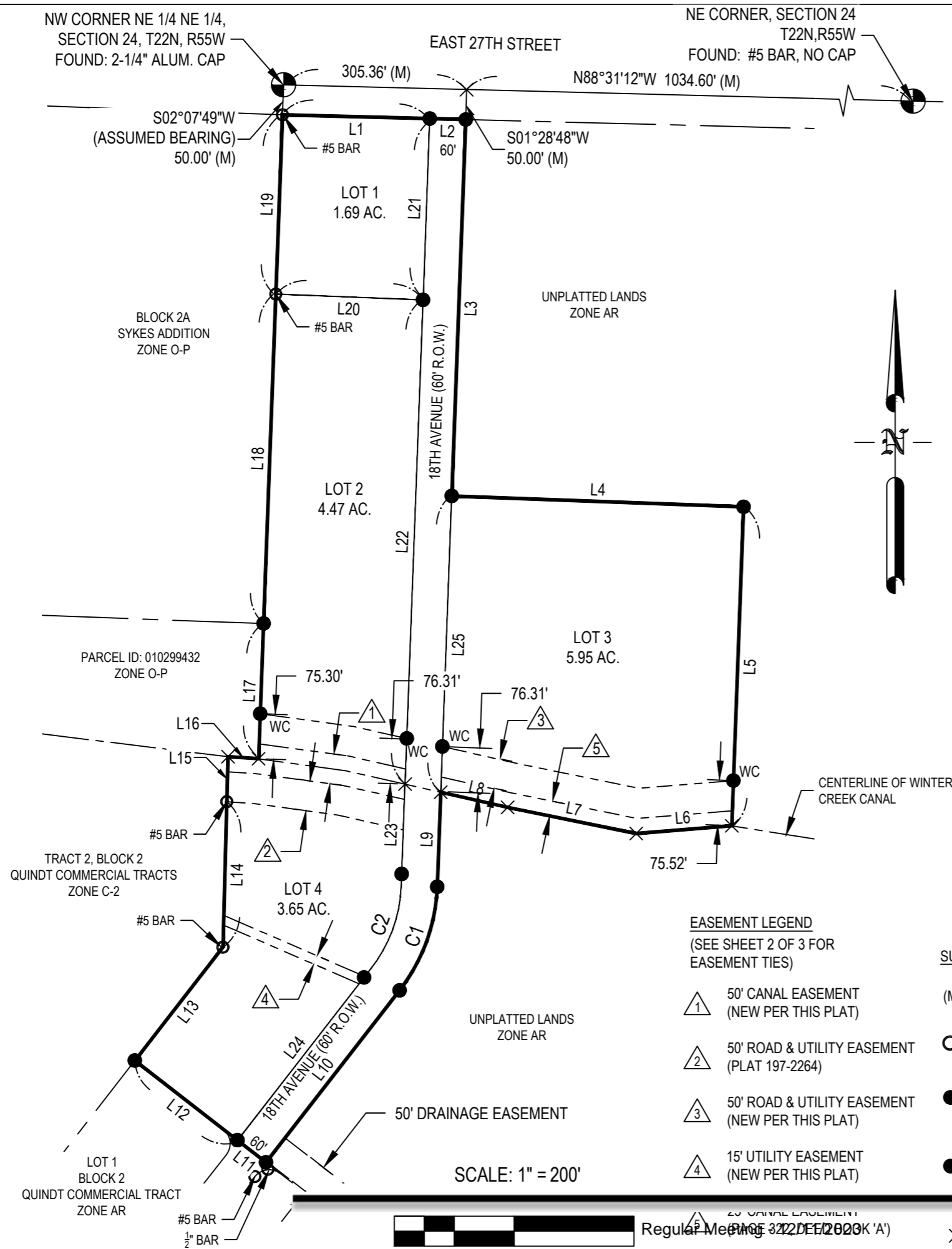
Wilbert L. Quindt Living Trust  
Living Trust

  
Vicki S. Quindt

NW CORNER NE 1/4 NE 1/4,  
SECTION 24, T22N, R55W  
FOUND: 2-1/4" ALUM. CAP

NE CORNER, SECTION 24  
T22N, R55W  
FOUND: #5 BAR, NO CAP

**LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION** SHEET 1 OF 3  
**AN ADDITION TO THE CITY OF SCOTTSBLUFF,**  
**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



Parcel Line Table

Line #	Length	Direction
L1	245.93	N88° 31' 12"W
L2	60.00	N88° 31' 12"W
L3	629.04	N2° 07' 44"E
L4	487.50	N87° 52' 16"W
L5	533.01	N2° 07' 44"E
L6	160.05	N85° 23' 05"E
L7	219.08	S78° 29' 55"E
L8	114.37	S77° 13' 56"E
L9	158.19	N2° 07' 44"E
L10	363.58	N37° 49' 32"E
L11	60.17	S52° 10' 28"E
L12	216.98	S52° 10' 28"E
L13	240.00	S37° 49' 32"W

Parcel Line Table

Line #	Length	Direction
L14	243.04	S1° 30' 21"W
L15	75.00	S1° 30' 21"W
L16	51.13	N86° 05' 51"W
L17	225.96	S2° 07' 30"W
L18	550.50	S2° 07' 30"W
L19	299.58	S2° 08' 11"W
L20	245.95	N87° 44' 01"W
L21	302.95	N2° 07' 45"E
L22	809.16	N2° 07' 44"E
L23	169.46	N2° 07' 46"E
L24	363.58	N37° 51' 05"E
L25	495.02	S2° 07' 44"W

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	186.91	300.00	35.70	N19° 58' 38"E	183.90
C2	149.52	240.00	35.70	N19° 58' 38"E	147.12

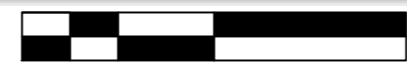
**EASEMENT LEGEND**  
(SEE SHEET 2 OF 3 FOR EASEMENT TIES)

- ① 50' CANAL EASEMENT (NEW PER THIS PLAT)
- ② 50' ROAD & UTILITY EASEMENT (PLAT 197-2264)
- ③ 50' ROAD & UTILITY EASEMENT (NEW PER THIS PLAT)
- ④ 15' UTILITY EASEMENT (NEW PER THIS PLAT)

**SURVEY LEGEND**

- (M) = MEASURED DISTANCE
- = FOUND PROPERTY CORNER (AS NOTED)
- = SET PROPERTY CORNER 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED "BORCHERS 766"
- = SET WITNESS CORNER 5/8" x 24" REBAR WITH PLASTIC CAP
- × = TEMPORARY POINT

SCALE: 1" = 200'



Regular Meeting 322 DECEMBER 2020



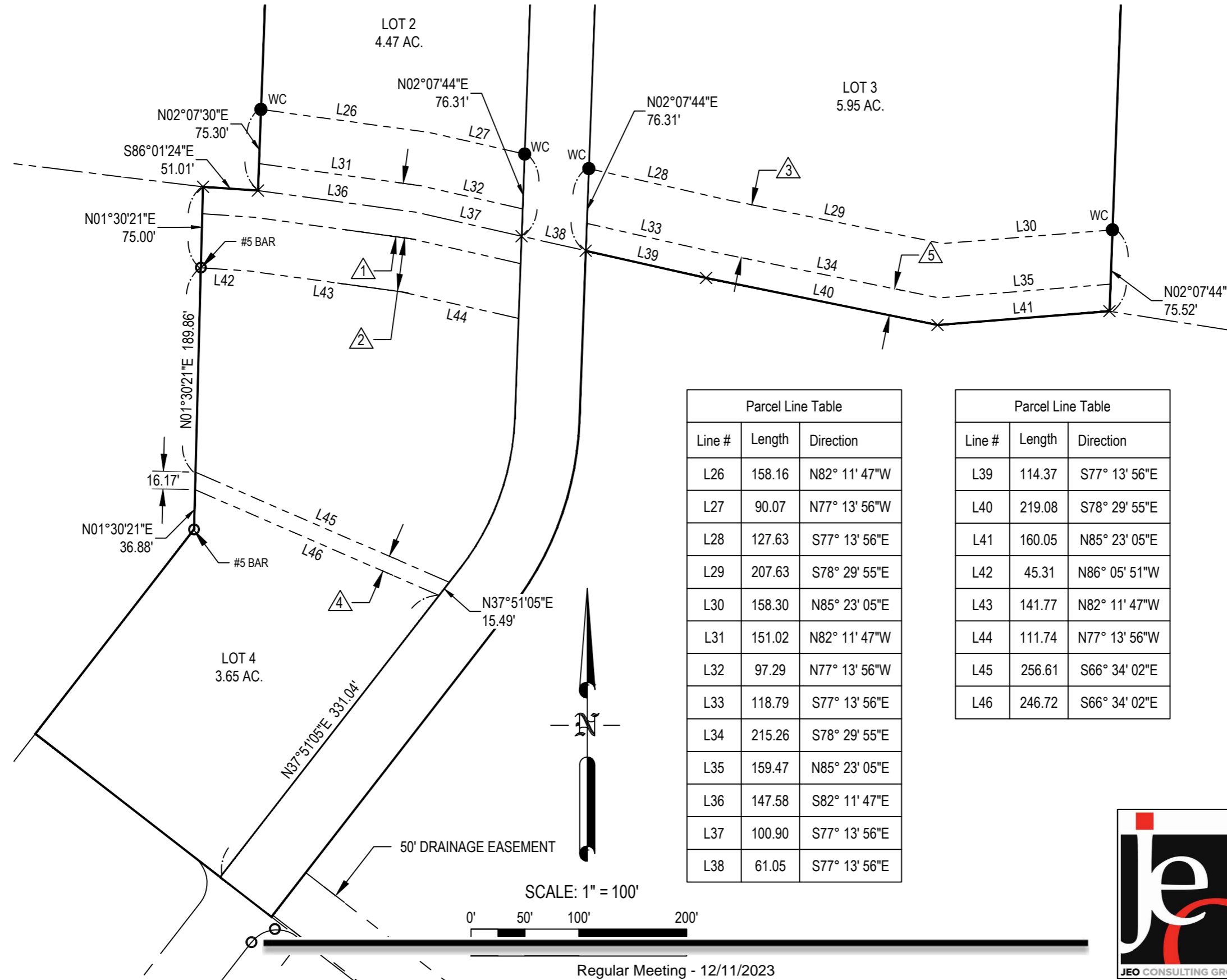
120 EAST 16TH STREET, SUITE 'A'  
SCOTTSBLUFF, NEBRASKA 69361

PHONE: (308) 632-3123

DECEMBER 1, 2023

SHEET 2 OF 3

**LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION**  
**AN ADDITION TO THE CITY OF SCOTTSBLUFF,**  
**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



**EASEMENT LEGEND**

- △ 1 50' CANAL EASEMENT (NEW PER THIS PLAT)
- △ 2 50' ROAD & UTILITY EASEMENT (PLAT 197-2264)
- △ 3 50' ROAD & UTILITY EASEMENT (NEW PER THIS PLAT)
- △ 4 15' UTILITY EASEMENT (NEW PER THIS PLAT)
- △ 5 25' CANAL EASEMENT (PAGE 322, DEED BOOK 'A')
- △ 6 20' SANITARY SEWER EASEMENT (MISC. BOOK 89, PAGE 177)

**SURVEY LEGEND**

- (M) = MEASURED DISTANCE
- = FOUND PROPERTY CORNER (AS NOTED)
- = SET PROPERTY CORNER 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED "BORCHERS 766"
- WC = SET WITNESS CORNER 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED "BORCHERS 766"
- × = TEMPORARY POINT

Parcel Line Table		
Line #	Length	Direction
L26	158.16	N82° 11' 47"W
L27	90.07	N77° 13' 56"W
L28	127.63	S77° 13' 56"E
L29	207.63	S78° 29' 55"E
L30	158.30	N85° 23' 05"E
L31	151.02	N82° 11' 47"W
L32	97.29	N77° 13' 56"W
L33	118.79	S77° 13' 56"E
L34	215.26	S78° 29' 55"E
L35	159.47	N85° 23' 05"E
L36	147.58	S82° 11' 47"E
L37	100.90	S77° 13' 56"E
L38	61.05	S77° 13' 56"E

Parcel Line Table		
Line #	Length	Direction
L39	114.37	S77° 13' 56"E
L40	219.08	S78° 29' 55"E
L41	160.05	N85° 23' 05"E
L42	45.31	N86° 05' 51"W
L43	141.77	N82° 11' 47"W
L44	111.74	N77° 13' 56"W
L45	256.61	S66° 34' 02"E
L46	246.72	S66° 34' 02"E



120 EAST 16TH STREET, SUITE 'A'  
 SCOTTSBLUFF, NEBRASKA 69361

PHONE: (308) 632-3123

DECEMBER 1, 2023

**LEGAL DESCRIPTION - TRIPLE PEAKS SUBDIVISION**

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

REFERRING TO THE NORTHWEST 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 27<sup>TH</sup> 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.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA; THAT THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE LAND SURVEYORS REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY; THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
JOSHUA D. BORCHERS, LS 766

**OWNER'S STATEMENT AND DEDICATION**

I, THE UNDERSIGNED, BEING THE OWNER OF THE PROPERTY TO BE PLATTED AS LOTS 1, 2 AND 3, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNER AND THAT THE UTILITY AND ACCESS EASEMENTS ARE HEREBY DEDICATED FOR THE USE AND BENEFIT OF THE PUBLIC AS SHOWN ON THE FOREGOING PLAT.

BY: \_\_\_\_\_  
DEIDRA BRUNER

**ACKNOWLEDGEMENT:**

STATE OF NEBRASKA                    )  
                                                  )SS  
COUNTY OF SCOTTS BLUFF        )

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME DEIDRA BRUNER, KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

**LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION  
AN ADDITION TO THE CITY OF SCOTTSBLUFF,  
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**

**OWNER'S STATEMENT AND DEDICATION**

I, THE UNDERSIGNED, BEING THE OWNER OF THE PROPERTY TO BE PLATTED AS LOT 4, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNER AND THAT THE UTILITY AND ACCESS EASEMENTS ARE HEREBY DEDICATED FOR THE USE AND BENEFIT OF THE PUBLIC AS SHOWN ON THE FOREGOING PLAT.

BY: \_\_\_\_\_  
WILBER L. QUINDT

**ACKNOWLEDGEMENT:**

STATE OF NEBRASKA                    )  
                                                  )SS  
COUNTY OF SCOTTS BLUFF        )

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME WILBER L. QUINDT, KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

**APPROVAL AND ACCEPTANCE**

THE FOREGOING PLAT OF LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

BY: \_\_\_\_\_  
JEANNE MCKERRIGAN, MAYOR

ATTESTED: \_\_\_\_\_  
CITY CLERK

	120 EAST 16TH STREET, SUITE 'A' SCOTTSBLUFF, NEBRASKA 69361
	PHONE: (308) 632-3123
	DECEMBER 1, 2023



# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: December 5, 2023 For Meeting of: December 11, 2023



## I. GENERAL INFORMATION

- A. Deidra Bruner, owner of the proposed Lots 1-3, Block 1, Triple Peaks Subdivision, and the Wilbert L Quindt Living Trust and Vicki S Quindt Living Trust, owner of the proposed Lot 4, Block 1, Triple Peaks Subdivision have requested annexation by the City of Scottsbluff.

## II. STAFF COMMENTS

- A. The reference Nebraska Revised Statutes below have been summarized for this agenda item. The complete statutes are included in the packet
- B. According Nebraska Revised Statute § 18-3301, an owner of territory contiguous to the corporate limits of a city desire to be annexed, the owner shall prepare a plat of the territory. A copy of the plat shall be filed with the city with a written request for annexation. The City Council shall at the next regular meeting after filing and request vote on the annexation. If the request is approved, an ordinance shall be prepared declaring the territory as within the corporate limits of the city.
- C. However, according Nebraska Revised Statute § 19-929, the city council shall not take final action on matters relating annexation of territory until it has received the recommendation of the planning commission
- D. Furthermore, according to Nebraska Revised Statute § 16-117 (7), when any owner of property contiguous to a city of the first class may by petition request that such property be included within the corporate limits of the city. The city council may include such property within the corporate limits without complying to subsection 3-6.
  - i. Subsection 3-6 require a resolution for annexation, public notice in the newspaper, and a public hearing.
- E. To summarize, a property owner next to the city may request annexation, and when this occurs a public hearing on the annexation is not necessary.

## III. STAFF RECCOMENDATION

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

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item TIF1**

**Planning Commission to conduct a public hearing for the purpose of reviewing and obtaining comment on the Redevelopment Plan for the TGR Trust/Reganis Dealership Project.**

**Staff Contact:**

**CITY OF SCOTTSBLUFF REDEVELOPMENT PLAN**  
*TGR Trust/Reganis Car Dealership*

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**Attachments**

**Attachment 1:** *Blighted and Substandard Maps*

**Attachment 2:** *Map of Project Site*

**Attachment 3:** *Plat of Project Site*

**Attachment 4:** *Site Plan*

**Attachment 5:** *Excerpts from Comprehensive Plan*

**Attachment 6:** *Cost-Benefit Analysis*

**CITY OF SCOTTSBLUFF REDEVELOPMENT PLAN**  
***TGR Trust/Reganis Car Dealership***

**1. Introduction/Executive Summary**

Timothy G. Reganis, Trustee of the TGR Trust (the “Redeveloper”) submits this Redevelopment Plan (“Plan”) to the City of Scottsbluff City Council (the “City”), the City of Scottsbluff Planning Commission (“Planning Commission”), and the City of Scottsbluff Community Redevelopment Authority (the “CRA”), according to the Nebraska Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*

Under this Plan, the Redeveloper proposes to develop the “Project Site” (as described below) into a new Chrysler, Dodge, Jeep, Ram dealership (the “Project”). The Project Site has been declared to be blighted and substandard.

The Project requires a significant investment, with the cost being estimated at \$5,905,400.00. To make the project economically feasible, the Redeveloper is requesting tax increment financing for certain eligible costs and expenses related to the Project.

**2. Blighted and Substandard Condition of Project Site (NEB. REV. STAT. §§ 18-2103 (3) and (31) and 18-2109)**

The City has declared the Project Site and surrounding areas as blighted and substandard as defined in the Nebraska Community Development Law. *See* Attachment 1.

**3. Statutory Elements (NEB. REV. STAT. §§ 18-2103(27) and 18-2111)**

**A. *Boundaries of the Project Site:*** The Project Site is described as:

A tract of land containing approximately 3.97 acres in the southeast quarter of the southwest quarter of Section 13, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, to be platted as **Block 8, 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 and adjacent public right of way.

An aerial map of the Project Site is attached as Attachment 2. A Plat of the Project Site is attached as Attachment 3.

**B. *Land Acquisition:*** The Redeveloper will acquire the Project Site for the Project.

**C. *Land Uses:*** The Redeveloper proposes to develop the Project Site into a Chrysler, Dodge, Jeep, Ram dealership.

**D. *Land Coverage and Building Intensities:*** See the Site Plan attached as Attachment 4.

**E. *Site Plan:*** See Attachment 4.

**F. *Existing Uses and Condition:*** The Project Site is currently vacant land.

**G. *Demolition and Removal of Structures:*** No demolition is necessary.

- H. *Population Densities:*** The Plan does not contemplate a change in population densities around the Project Site. Increased traffic to and use on the Project Site will result due to the increased employment, occupancy, and customers on the Project Site. The Redeveloper expects approximately 32 employees to be employed by the dealership on the Project Site.
  - I. *Zoning Changes:*** The Project Site is zoned as C-2 (Neighborhood and Retail Commercial) which includes auto sales and service as a special permitted use. Thus, no zoning changes are necessary.
  - J. *Additional Public Facilities and Utilities:*** No additional public facilities and utilities are anticipated.
  - K. *Street Layouts, Street Levels, and Grades:*** No changes to street layouts, street levels, and grades are needed for this Plan.
  - L. *Ordinance and Building Code Changes:*** No ordinance or building code changes are contemplated by the Plan.
4. **Conformity to General Plan of the City (NEB. REV. STAT. §§ 18-2112, 18-2113(1), and 18-2116(1)(a)).**

The Planning Commission, City, and CRA are all tasked with determining whether this Plan conforms to the general plan for the development of the City as a whole. NEB. REV. STAT. §§ 18-2112, 18-2113(1), and 18-2116(1)(a).

According to the 2016 Scottsbluff Comprehensive Plan, the Project Site is on the border of the *North of Highway 26 District* and *Northeast District* and is in a *Highway 26 Commercial Neighborhood*. A principle of sustainable development in the Northeast District is to encourage diversity of commercial types and mixed use development along the Highway 26 corridor. A principle for sustainable development for both the Northeast District and North of Highway 26 District is to encourage new development to be contiguous with existing development with planned linkages between roads and utilities.

For the Highway 26 Commercial Neighborhoods, the Comprehensive Plan contemplates daytime and evening hours; a variety of building types, heights, and setbacks; moderate to high density and mixes of uses; and C-2 as an appropriate zone.

The Redeveloper's development of the Project Site is consistent with the Comprehensive Plan. Relevant excerpts from the Comprehensive Plan are attached as Attachment 5.

5. **Proposed Financing**

A. **Tax Increment Financing.** The Redeveloper is requesting tax increment financing to pay for statutorily eligible expenses, to the extent such funds are available. The tax increment financing will be generated from the increased property taxes to be paid on the Project Site after development all according to NEB. REV. STAT. § 18-2147. The amount of the available proceeds from tax increment financing (“TIF Revenues”) is estimated to be \$1,031,820.00, calculated as follows:

a. Estimated Value at Completion:	\$3,750,000.00
b. Estimated Base Value:	\$ 520,485.00
c. Tax Increment (a minus b):	\$3,229,515.00
d. Estimated Levy:	2.13%
e. Average Annual Projected Shift (rounded):	\$ 68,788.00
f. Total TIF Available (e multiplied by 15)	\$1,031,820.00

*Note: The above figures are based on estimated values, project completion/phasing timelines, and levy rates. Actual values and rates may vary materially from the estimated amounts.*

The TIF Revenues will be used to make principal and interest payments toward a tax increment financing bond (“TIF Indebtedness”) to be held or sold by the Redeveloper. The principal amount of the TIF Indebtedness will be based on the eligible expenses actually incurred by the Redeveloper. The interest rate will be established according to the Redevelopment Contract.

Because the Plan proposes the use of tax increment financing, the City must find that the Plan would not be economically feasible without the use of tax increment financing and the Project would not occur in the blighted and substandard area without the use of tax increment financing. The City and the CRA must also find that the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed and been found to be in the long-term best interest of the community. NEB. REV. STAT. §§ 18-2113(2) and 18-2116(1)(b).

The Redeveloper certifies that the Plan would not be economically feasible and would not occur in the blighted and substandard area without the use of tax increment financing.

Notwithstanding the foregoing, the Redeveloper understands the liability of the CRA and City is limited to the TIF Revenues received by the CRA from the Project, and the Redeveloper shall look exclusively thereto for the payment of the TIF Indebtedness. The Redeveloper acknowledges that the above figures are, and any TIF Indebtedness will be set, based on estimates and assumptions, including expectations as to the completion of construction and valuations, suggested by the Redeveloper, which may alter substantially and materially, and/or certain project costs incurred by the Redeveloper, and that tax increment revenues may be altered or eliminated entirely based on future decisions of the Nebraska Legislature or the voters of the State of Nebraska or by future court decisions.

Below are the portions of the project, and estimated cost that the Redeveloper proposes to be paid with TIF Revenues, to the extent available:

Land Acquisition	\$ 800,000.00
Site Preparation	\$ 105,000.00
Site Engineering	\$ 45,000.00
Site Preparation/Other	\$ 65,000.00
Plan Preparation/Legal (City Application, Processing, and Administrative Fees)	\$ 15,400.00
Estimated TIF Eligible Expenses	\$ 1,030,400.00

**B. Private Investment/Financing.** The Redeveloper will make a substantial private investment in the Project estimated at \$4,875,000.00. Below is a breakdown of estimated costs and expenses of the Project and the use of funds for each. This breakdown does not account for interest to be paid out of TIF funds.

Description	TIF Funds	Private Funds	
Land Acquisition	\$ 800,000.00		
Site Preparation/Dirt Work	\$ 105,000.00		
Site Engineering	\$ 45,000.00		
Site Preparation/Other	\$ 65,000.00	\$ 685,000.00	
Building Cost		\$ 4,000,000.00	
Architecture/Engineering		\$ 152,000.00	
Contingencies		\$ 38,000.00	
Sub Totals	\$ 1,015,000.00	\$ 4,875,000.00	\$ 5,890,000.00
Plan Preparation/Legal (City Application, Processing, and Administrative Fees)	\$ 15,400.00		
			<b>Total Project Costs</b>
Totals	\$ 1,030,400.00	\$ 4,875,000.00	\$ 5,905,400.00

*Please note that all the figures in this Plan are estimates and tax increment financing granted will be based on actual costs incurred for eligible expenses, as limited by tax increment revenues received.*

A proposed statutory Cost-Benefit Analysis of the Project is attached as Attachment 6.

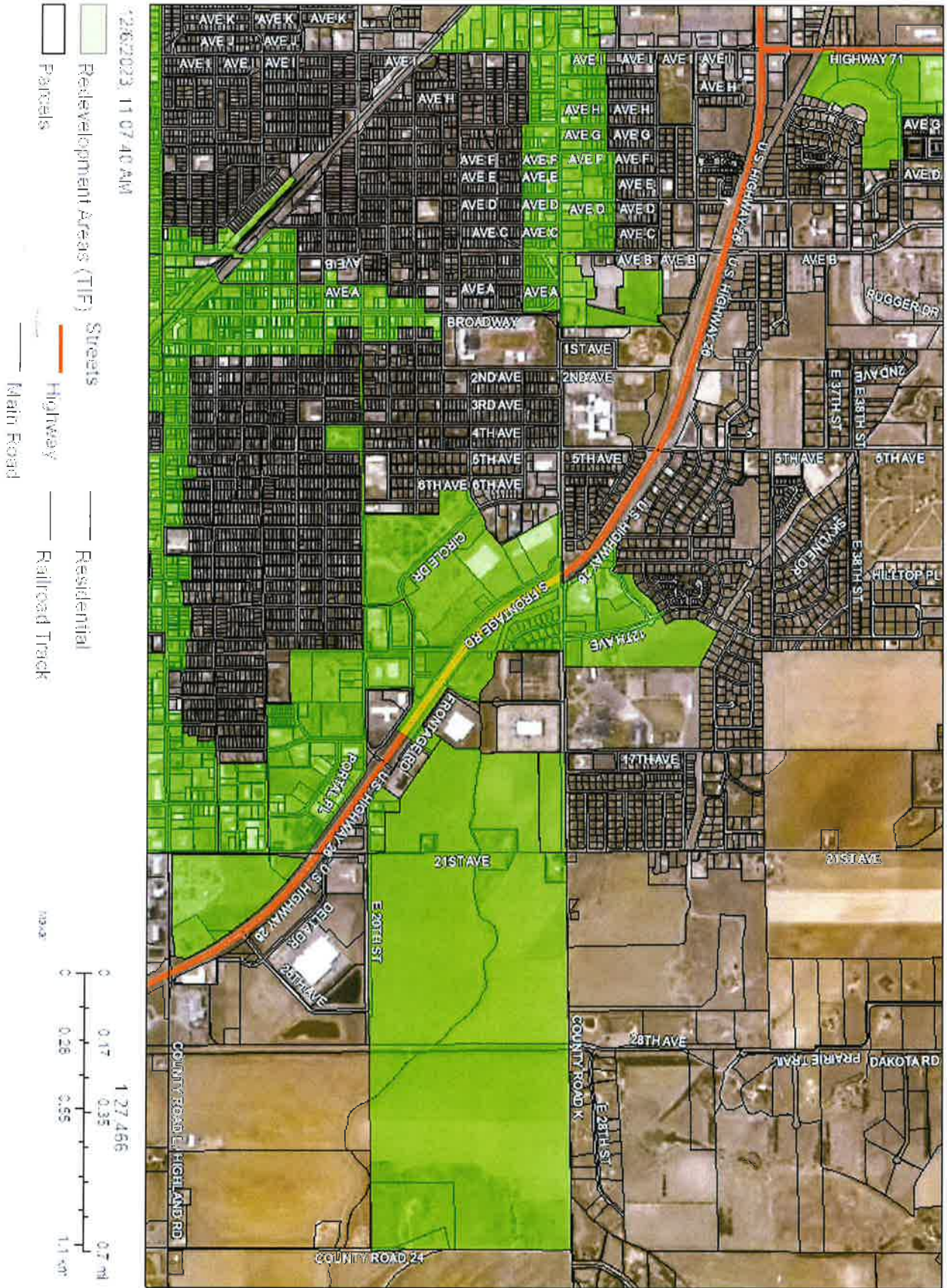
**6. Implementation of the Plan**

Upon approval of this Plan, the Redeveloper will enter into a Redevelopment Contract with the CRA which will govern the implementation of this Plan. All public improvements related to this Plan shall be according to (a) plans and specifications approved in writing by the City in advance of commencement of construction, (b) all ordinances and codes adopted by the City, as in effect at the time that the public improvements are constructed, and (c) any other agreement related to the public improvements between the Redeveloper and the City. The Redevelopment Contract between the Redeveloper and the CRA does not replace or supersede the need for the Redeveloper to obtain other agreements, consents, permits, or licenses from the City related to the public improvements or other improvements as required by the City for the type of work to be performed on the Project Site.

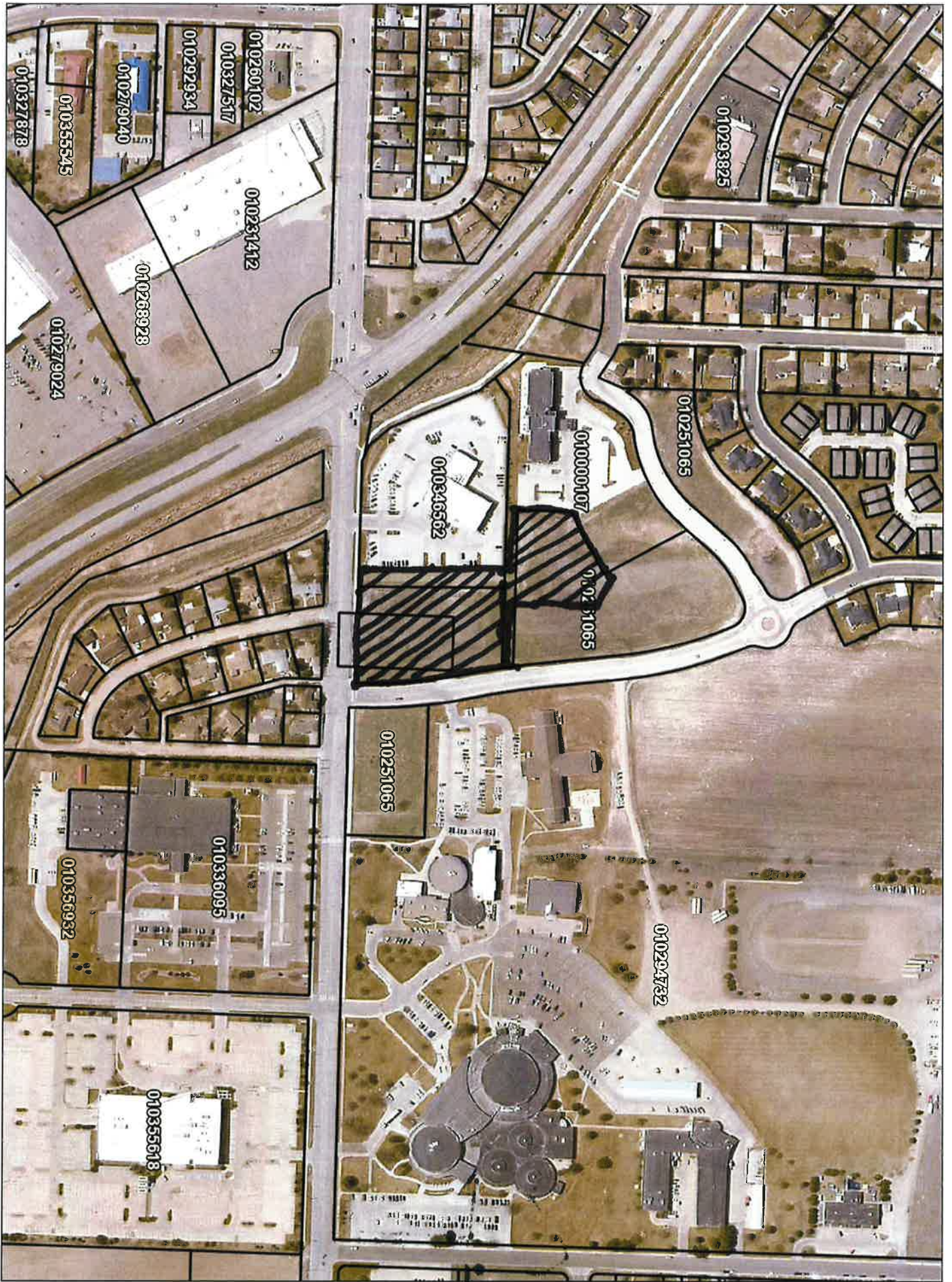


**TGR Trust/Reganis Car Dealership Redevelopment Plan  
Attachment 1  
Blighted and Substandard Map**

# Blighted and Substandard Area



**TGR Trust/Reganis Car Dealership Redevelopment Plan  
Attachment 2  
Map of Project Site**



**TGR Trust/Reganis Car Dealership Redevelopment Plan  
Attachment 3  
Plat of Project Site**



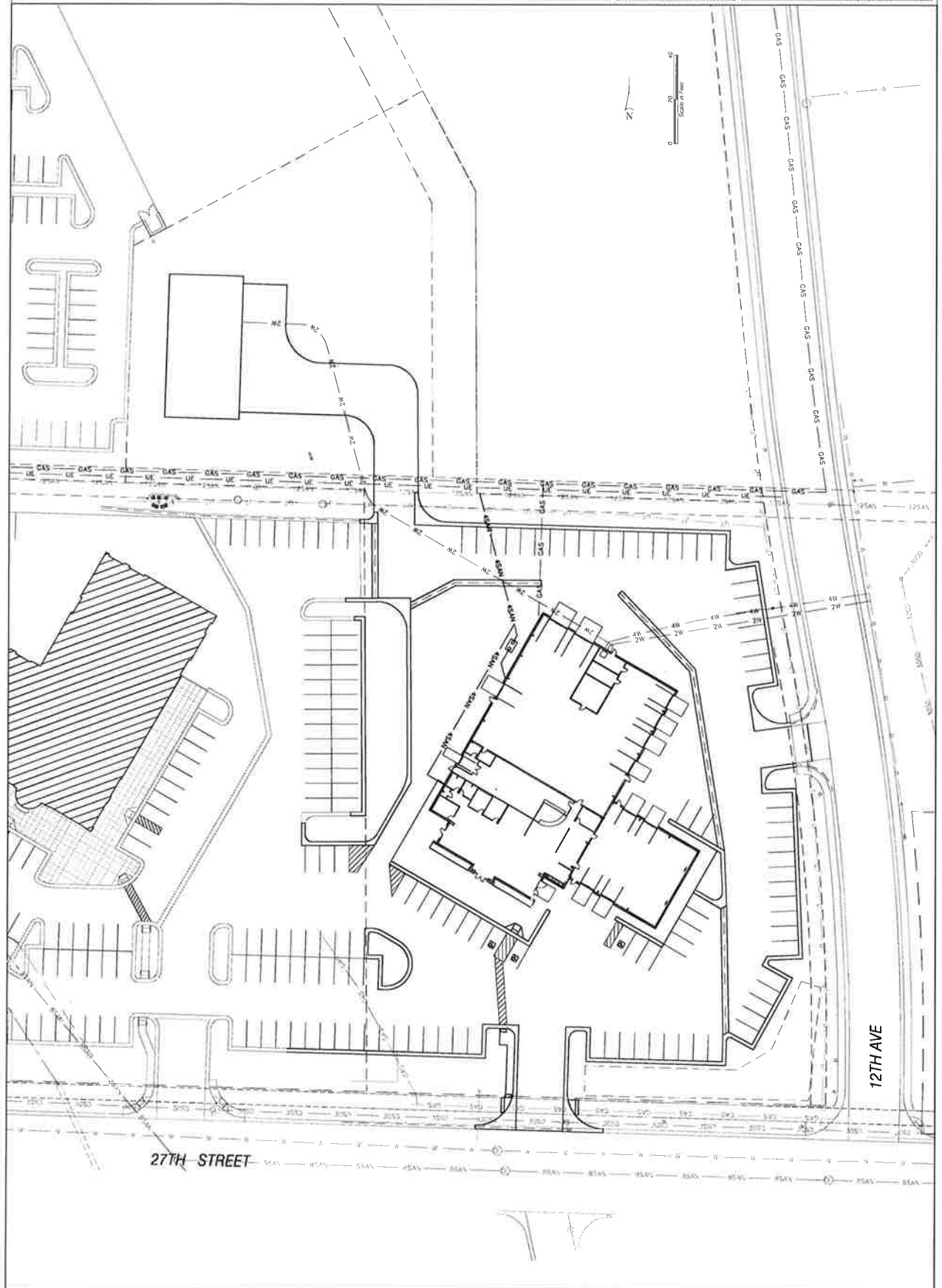
**TGR Trust/Reganis Car Dealership Redevelopment Plan  
Attachment 4  
Site Plan**

**TRAILS WEST ARCHITECTURE**  
 Physical: 818 S. Balline Hwy. E. Suite C  
 Scottsbluff, Nebraska 69361  
 Mailing: 13724 Country Road D  
 Morrill, Nebraska 68369  
 Phone: 402-707-9461

**Contractors:**  
 M.C. Schmidt and Associates  
 618 S. Balline Hwy. E. Suite C  
 Scottsbluff, NE 69361  
 Phone: (402) 707-9461  
 Mailing: 13724 Country Road D  
 Morrill, NE 68369  
 Phone: (402) 707-9461  
**STRUCTURAL ENGINEER**  
 RICHARD J. SCHMIDT, P.E.  
 RICHARD J. SCHMIDT, P.E.  
 618 S. Balline Hwy. E. Suite C  
 Scottsbluff, NE 69361  
 Phone: (402) 707-9461  
**MECHANICAL ENGINEER**  
 STEVEN J. SCHMIDT, P.E.  
 618 S. Balline Hwy. E. Suite C  
 Scottsbluff, NE 69361  
 Phone: (402) 707-9461  
**FIRE PROTECTION ENGINEER**  
 DOUGLAS B. SCHMIDT, P.E.  
 618 S. Balline Hwy. E. Suite C  
 Scottsbluff, NE 69361  
 Phone: (402) 707-9461

**Reganis**  
 CDJR  
 1125 E 27th St, Scottsbluff, NE 69361  
 Civil Site Plan

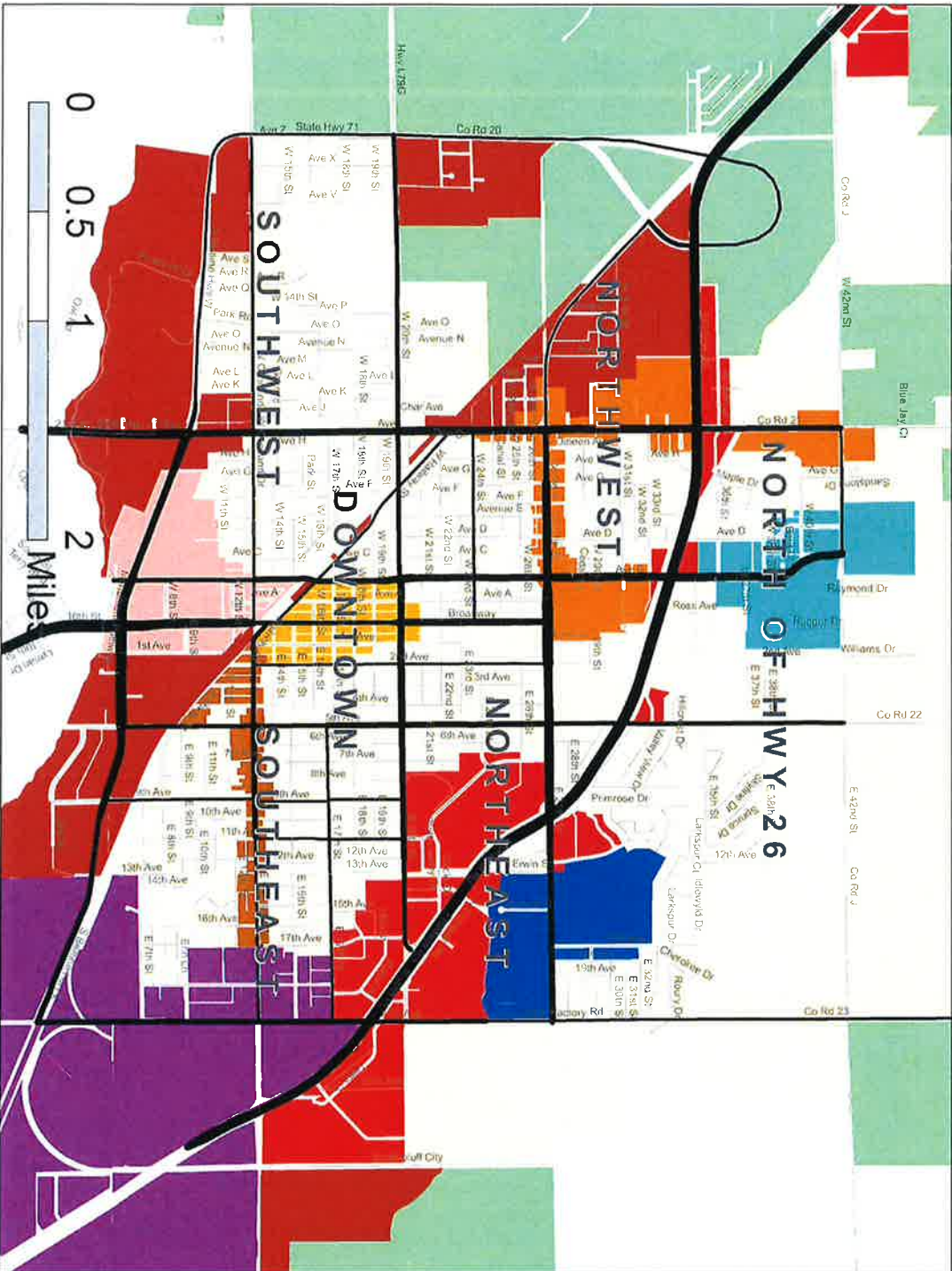
Project Number: 23-CM-REG-1  
 Date: 10/19/2023  
 Drawn by: MWO  
 Checked by: Cracker  
**C400**  
 SEE SHEET





**TGR Trust/Reganis Car Dealership Redevelopment Plan  
Attachment 5  
Excerpts from Comprehensive Plan**

# Scottsbluff Future Land Use Map



**Legend**

**Future Land Use**

**Neighborhood Type**

- Rural
- Automobile Commercial
- Avenue B and Hospital Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural Residential
- South Broadway
- Southeast Industrial and Commercial
- WNCC and Surrounding Area

**2012 Avg. Daily Traffic**

- 435-4000
- 4001-6000
- 6001-8000
- 8001-10000
- 10001-15025

All other streets



Summary of Neighborhood Types

Neighborhood	Characteristics
<b>East Overland</b>	<p><b>Hours:</b> Active daytime, limited nighttime activities</p> <p><b>Auto:</b> Human scale transportation oriented. Formalized bicycle and pedestrian accommodations.</p> <p><b>Mass:</b> Dense business corridor built near or to the street, one to two stories, Corners built out to develop 'nodes' of activity</p> <p><b>Emissions:</b> High activity during the day, generally residential daily business traffic, low amounts of noise and smells, and enforced aesthetic and design standards.</p> <p><b>Appropriate zones:</b> C-1, C-2, R-1a*</p>
<b>Southeast Industrial</b>	<p><b>Hours:</b> Active daytime and nighttime</p> <p><b>Auto:</b> Heavy traffic both personal and commercial motorized vehicles</p> <p><b>Mass:</b> Wide variety of buildings</p> <p><b>Emissions:</b> High amounts of noise and smells tolerated closer to highway 26. Heavy day-time traffic acceptable closer to residential areas west of 21st Avenue. .</p> <p><b>Appropriate zones:</b> C-3, M-1, M-2</p>
<b>WNCC Campus and Surrounding Area</b>	<p><b>Hours:</b> Daytime, generally 8-5 working hours.</p> <p><b>Auto:</b> Both motorized and non-motorized traffic should be well facilitated, Motorized vehicle convenience should yield to pedestrian connectivity</p> <p><b>Mass:</b> Variety of building types and heights and setbacks. Moderate to low density with accompanying open space and landscaping.</p> <p><b>Emissions:</b> High activity during the day, generally residential daily business traffic, low amounts of noise and smells, and enforced aesthetic and design standards.</p> <p><b>Appropriate zones:</b> R-1a, O-P, R-4</p>
<b>Highway 26 Commercial</b>	<p><b>Hours:</b> Daytime and evening. Nighttime activity acceptable adjacent to highway.</p> <p><b>Auto:</b> Motorized vehicle oriented to facilitate both personal and commercial vehicles. Formalized pedestrian and cycling facilities.</p> <p><b>Mass:</b> Variety of building types and heights and setbacks. Moderate to high density and mixes of uses.</p> <p><b>Emissions:</b> High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-2, PBC, O-P, R-4</p>
<b>Avenue B and Hospital Campus</b>	<p><b>Hours:</b> Daytime and evening. Nighttime activity acceptable adjacent to highway.</p> <p><b>Auto:</b> Motorized vehicle oriented to facilitate both personal and commercial vehicles. Formalized pedestrian and cycling facilities.</p> <p><b>Mass:</b> Variety of building types and heights and setbacks. Moderate to high density and mixes of uses.</p> <p><b>Emissions:</b> High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-2, PBC, O-P, R-5</p>
<b>Northwest Commercial</b>	<p><b>Hours:</b> Heavier daytime use, 24 hour retail, fast-food, or traveler activity accepted.</p> <p><b>Auto:</b> Multi-modal accommodations integrated on 27th street and included on Avenue I.</p> <p><b>Mass:</b> Big box with surface parking acceptable when built to design code, shared buildings, built out along key intersections, low height, set-backs to encourage walkability on 27th st.</p> <p><b>Emissions:</b> Traffic heaviest in the day but continuing through the night, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-2</p>

<b>South Broadway</b>	<p><b>Hours:</b> Heavier daytime use, evening retail.</p> <p><b>Auto:</b> Multi-modal transportation well accommodated.</p> <p><b>Mass:</b> Higher density development, generally low buildings though 2.5-3 stories is acceptable. Broadway setbacks set eventually to be near or on the street. Larger for big box.</p> <p><b>Emissions:</b> Traffic heaviest in the day but continuing through the night, commercial deliveries frequent, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-1, O-P, C-2, R-4, PBC*</p>
<b>Central Business District</b>	<p><b>Hours:</b> Active daytime, evening, and nighttime activities</p> <p><b>Auto:</b> Formalized bicycle and pedestrian accommodations. Pedestrian oriented along Broadway</p> <p><b>Mass:</b> Allowable height up to 70 feet, zero setbacks. Buildings should take up entire lot- green space provided in public facilities.</p> <p><b>Emissions:</b> High activity during the day, evening, and late night. Lights that reflect historical character of district.</p> <p><b>Appropriate zones:</b> C-1</p>
<b>Automobile Commercial</b>	<p><b>Hours:</b> Daytime and nighttime activity</p> <p><b>Auto:</b> Motorized traffic oriented with ease of commercial vehicle access</p> <p><b>Mass:</b> Wide variety of building types and sizes</p> <p><b>Emissions:</b> Noises and heavier commercial traffic associated with business</p> <p><b>Appropriate zones:</b> C-2, C-3, PBC, R-4</p>
<b>Rural Residential</b>	<p><b>Hours:</b> Generally daytime activity</p> <p><b>Auto:</b> Motorized traffic oriented</p> <p><b>Mass:</b> Some agricultural activity, low traffic intensity, dust from unpaved roads</p> <p><b>Emissions:</b> Noises and heavier commercial traffic associated with business</p> <p><b>Appropriate zones:</b> R-1b, AR</p>
<b>Residential</b>	<p><b>Hours:</b> Daytime activity</p> <p><b>Auto:</b> Generally personal motorized traffic only, safe streets for non-motorized transportation</p> <p><b>Mass:</b> Generally small buildings, single family homes predominately with ample setbacks</p> <p><b>Emissions:</b> No offensive smells or noises, low traffic, well maintained properties</p> <p><b>Appropriate zones:</b> R-1a, Due to higher intensity of traffic and density in R-4 and R-6, these zones may be appropriate in certain areas</p>

## Northeast

### Themes:

1. **Growing as a regional leader of commerce and economic opportunity**
  - Attractive, thriving highway corridor, housing that supports a capable workforce.
2. **Living into our unique character of a city in the country**
  - Small town feel in residential neighborhoods and minor arterials, major retail and office opportunities in major arterials and commercial centers.
3. **Promoting the health and happiness of all citizens**
  - Clean neighborhoods and housing, access to parks and schools.
4. **Inclusive Opportunities for participation in civic life**
  - Strong civic groups , available resources, community events

### Principles:

5. **Interconnection of Neighborhoods and amenities**
  - a. Improve pedestrian and cycling facilities east-west from Broadway to Highway 26 through the Northeast Neighborhood.
  - b. Safe and efficient transportation access in auto-oriented commercial centers along highway 26.
  - c. Enhanced employment centers set back from the highway and accessible from residential areas and main thoroughfares.
  - d. Encourage multi-family residential development along periphery of low density residential neighborhoods.
  - e. Plan safe crossings and routes to schools.
6. **Sustainable development**
  - a. Incorporate native species, and natural landscaping into codes of commercial and big box development along highway.
  - b. Scottsbluff drain- There is an opportunity to make changes to the drain that would improve stormwater drainage, improve water quality, and provide green space for recreation and wildlife habitat.
  - c. Encourage diversity of commercial types mixed use development along the Highway 26 corridor.
  - d. Targeted and planned utilities maintenance activities.
  - e. Preserve land potentially served by city utilities for near term (within five years) development needs.
  - f. Encourage new development to be contiguous with existing development with planned linkages between roads and utilities.
  - g. Direct rural residential development to areas to which utilities cannot be reasonably extended.
7. **Access to culture and recreation**
  - a. Improved access, visibility, and connectivity of school recreation facilities and public parks near the middle school and high school.
  - b. Walking and bicycle path connectivity along and across Highway 26 and greenways.
  - c. Improved pedestrian and cycling connectivity to downtown.
  - d. Enhanced sense of place improvements in parks and around high school sports fields and courts.
8. **Strong neighborhoods and places, rooted in our unique character**

- a. Make programs that encourage up-keep of private property and neighborhoods more accessible and better communicated.
- b. Facilitate and support neighborhood involvement in plans, studies, and community events.
- c. Continue traditional neighborhood style of homes, streets, and sidewalks in residential areas.
- d. Improve aesthetics and landscaping along collectors and arterials, utilizing native species.

## Northeast Neighborhoods

### *WNCC Campus and Surrounding Area*

Appropriate Zones: R-1a, O-P, R-4

- **Hours:** Daytime, generally 8-5 working hours. Special events in the evenings expected, very limited activity at night.
- **Auto:** Both motorized and non-motorized traffic should be well facilitated, Motorized vehicle convenience should yield to pedestrian connectivity and safety around WNCC campus.
- **Mass:** Variety of building types and heights and setbacks. Moderate to low density with accompanying open space and landscaping.
- **Emissions:** High activity during the day, generally residential daily business traffic, low amounts of noise and smells, and enforced aesthetic and design standards.

### *Highway 26 Commercial*

Appropriate Zones: C-2, PBC, O-P, R-4

- **Hours:** Daytime and evening. Nighttime activity acceptable adjacent to highway.
- **Auto:** Motorized vehicle oriented to facilitate both personal and commercial vehicles. Formalized pedestrian and cycling facilities.
- **Mass:** Variety of building types and heights and setbacks. Moderate to high density and mixes of uses.
- **Emissions:** High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.

## North of Highway 26

### Themes:

1. **Growing as a regional leader of commerce and economic opportunity**
  - Housing that supports a thriving workforce, home to regional office, medical, and retail facilities.
2. **Living into our unique character of a city in the country**
  - State of the art medical facility and surrounding campus, variety of housing options
3. **Promoting the health and happiness of all citizens**
  - Clean residential neighborhoods, well-designed and accessible hospital campus
4. **Inclusive Opportunities for participation in civic life**
  - Strong civic groups, available resources, community events

### Principles:

5. **Interconnection of Neighborhoods and amenities**
  - a. Improve pedestrian and cycling facilities across the highway and throughout the neighborhood.
  - b. Safe and efficient motorized transportation access to the hospital from major arterials.
  - c. Limited vehicular access points along Avenue I to maximize traffic flow, utilizing shared driveways.
  - d. Encourage multi-family residential development adjacent to low-intensity commercial areas.
  - e. Coordinate land improvements and expansion of road capacity.
6. **Sustainable development**
  - a. Incorporate native species, and natural landscaping into codes commercial development and campus landscape design.
  - b. Natural stormwater facilities in uses with high percentage of impervious surfaces.
  - c. Direct higher intensity uses towards arterials, with highest intensities at intersections of arterials and collectors.
  - d. Plan for continuity of street patterns in development.
  - e. Preserve land potentially served by city utilities for short term (5-10 year) and near term (within five years) development needs.
  - f. Encourage new development to be contiguous with existing development with planned linkages between roads and utilities.
7. **Access to culture and recreation**
  - a. Connect residential areas to parks through walking and biking trail connectivity and attention to pedestrian accommodations along and across heavily trafficked thoroughfares.
  - b. Plan for a public access to a park or greenspace in current and new development, striving for no one residence to be more than a quarter mile walking distance from recreation facilities.
8. **Strong neighborhoods and places, rooted in our unique character**
  - a. Make programs that encourage up-keep of private property and neighborhoods more accessible and better communicated.
  - b. Facilitate and support neighborhood involvement in plans, studies, and community events.
  - c. Maintain quiet character of existing contemporary single family residential areas.

- d. Encourage multi-family housing and traditional neighborhood style of homes, grid streets, and sidewalks within walking distance (quarter mile) of the hospital.
- e. Improve aesthetics and landscaping along collectors, arterials, and in front of businesses, utilizing native species and enforcing design standards especially along Avenue B and near the hospital.
- f. Direct higher intensity commercial uses toward Avenue I and at major intersections.

## North of Highway 26 Neighborhoods

### Avenue B and Hospital Campus

Appropriate Zones: O-P, R-4\*,

- **Hours:** Daytime use though nighttime and 24 hour uses acceptable at major intersections.
- **Auto:** Multi-modal accommodations for motorized and non-motorized transportation
- **Mass:** Similar building heights with higher ratio of lot coverage smaller setbacks.
- **Emissions:** High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.

\*Institutional zoning may be included in future zoning map.



**TGR Trust/Reganis Car Dealership Redevelopment Plan  
Attachment 6  
Cost Benefit Analysis**

COMMUNITY REDEVELOPMENT AUTHORITY, CITY OF SCOTTSBLUFF, NEBRASKA  
 TGR Trust/Reganis Car Dealership  
 COST-BENEFIT ANALYSIS  
 (According to Neb. Rev. Stat. § 18-2113)

**A. Project Sources/Use of Funds:** The estimated tax increment revenues (TIF Revenues) for this project are calculated as follows\*:

a. Estimated Value at Completion:	\$3,750,000.00
b. Estimated Base Value:	\$ 520,485.00
c. Tax Increment (a minus b):	\$3,229,515.00
d. Estimated Levy:	2.13%
e. Average Annual Projected Shift (rounded):	\$ 68,788.00
f. Total TIF Available (e multiplied by 15)	\$1,031,820.00

Below is a breakdown of estimated costs and expenses of the Project and the use of funds for each. This breakdown does not account for interest to be paid out of TIF funds.

Description	TIF Funds	Private Funds	
Land Acquisition	\$ 800,000.00		
Site Preparation/Dirt Work	\$ 105,000.00		
Site Engineering	\$ 45,000.00		
Site Preparation/Other	\$ 65,000.00	\$ 685,000.00	
Building Cost		\$ 4,000,000.00	
Architecture/Engineering		\$ 152,000.00	
Contingencies		\$ 38,000.00	
Sub Totals	\$ 1,015,000.00	\$ 4,875,000.00	\$ 5,890,000.00
Plan Preparation/Legal (City Application, Processing, and Administrative Fees)	\$ 15,400.00		
			<b>Total Project Costs</b>
Totals	\$ 1,030,400.00	\$ 4,875,000.00	\$ 5,905,400.00

An estimated \$1,031,820.00 of TIF Revenues may be eligible for this Project. This public investment will leverage approximately \$4,875,000.00 in private sector investment; a private investment of approximately \$4.72 for every TIF dollar invested.

**B. Tax Revenues and Tax Shifts Resulting from the Division of Taxes.**

The current “base” value of the Project Site is estimated to be \$520,485.00, which currently generates tax revenues of approximately \$11,100.00 per year. Taxes from base value of the Project Site will be available and distributed to the local taxing jurisdictions regardless of the tax increment financing. The local taxing jurisdictions are the City, Scotts Bluff County, Scottsbluff Public Schools, WNCC, ESU 13, and North Platte NRD.

The TIF Revenues from this Project, estimated to be \$68,788.00 per year\*, will not be available to local taxing jurisdictions for up to 15 years after the effective date of the division of taxes. During those times, the TIF Revenues from the Project Site will be used to reimburse the Redeveloper for the eligible development costs (with interest) necessary for the Project.

\* Note: The above figures are based on estimated values, project completion/phasing timelines, and levy rates. Actual values and rates may vary materially from the estimated amounts.

**C. Public Infrastructure and Community Public Service Needs Impacts and Local Tax Impacts Arising from Project Approval.**

No public infrastructure or community public service needs are anticipated.

**D. Impacts on Employers and Employees of Firms Locating or Expanding Within the Boundaries of the Redevelopment Project Area.**

Employment on the Project Site is currently 0. The Redeveloper expects approximately 32 employees to be located on the Project Site.

**E. Impacts on other Employers and Employees within the City and immediate area located outside the Redevelopment Project Area.**

None anticipated.

**F. Impacts on Student Populations of School Districts within the City.**

None anticipated.

**G. Other Impacts.**

Local contractors and consultants will perform the work.  
Infill development

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Robert G. Simmons, Jr. (1918-1998)

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To: City of Scottsbluff Planning Commission  
From: John L. Selzer, Deputy City Attorney  
Date: December 6, 2023  
Re: TGR Trust/Reganis Redevelopment Plan

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**Introduction:** At your December 11, 2023 meeting you will conduct a public hearing regarding the Redevelopment Plan for the TGR Trust/Reganis Project (the “Plan” and the “Project”). The Project is the development of a new Chrysler, Dodge, Jeep, Ram dealership next to the current Reganis Honda dealership, northeast of the Highway 26 and 27<sup>th</sup> Street intersection. The Plan is currently a preliminary plan and there may be updates to the Plan. However, there are no updates expected that would change the issues addressed in this memo. The proposed Project is in an area that has been designated as blighted and substandard and in need of redevelopment. After the public hearing, you will make a recommendation regarding the Plan and Project to the Community Redevelopment Authority and City Council.

**Standard of Review:** The Planning Commission must review and recommend whether the Project and Plan conform to the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”).

**Issues Relevant to Your Review:** The Project Site is described as: A tract of land containing approximately 3.97 acres in the southeast quarter of the southwest quarter of Section 13, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, to be platted as **Block 8, 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 and adjacent public right of way.

According to the 2016 Scottsbluff Comprehensive Plan, the Project Site is on the boarder of the *North of Highway 26 District* and *Northeast District* and is in a *Highway 26 Commercial Neighborhood*. A principle of sustainable development in the Northeast District is to encourage diversity of commercial types and mixed use development along the Highway 26 corridor. A principle for sustainable development for both the Northeast District and North of Highway 26 District is to encourage new development to be contiguous with existing development with planned linkages between roads and utilities. For the Highway 26 Commercial Neighborhoods, the Comprehensive Plan contemplates daytime and evening hours; a variety of building types, heights, and setbacks; moderate to high density and mixes of uses; and C-2 as an appropriate zone. Relevant excerpts from the Comprehensive Plan are attached to the Redevelopment Plan as Attachment 5. The Redeveloper’s development of the Project Site is consistent with the Comprehensive Plan.

The Project Site is zoned as C-2 (Neighborhood and Retail Commercial) which includes auto sales and service as a special permitted use. Thus, no zoning changes are necessary.

**Conclusion:** If at the conclusion of the public hearing, the Planning Commission feels that the proposed Project and Plan conform to the Comprehensive Plan, it may recommend approval of the Plan and Project to the CRA and City Council. A proposed resolution has been provided.

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item TIF2**

**Planning Commission to review and take action on a resolution recommending approval of the Redevelopment Plan for the TGR Trust/Reganis Dealership Project.**

**Staff Contact:**

**RESOLUTION \_\_\_\_\_**

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SCOTTSBLUFF, NEBRASKA:**

**Recitals:**

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a redevelopment plan titled *TGR Trust/Reganis Car Dealership* (the “Redevelopment Plan”) has been submitted to the Planning Commission.

b. The Planning Commission has reviewed the Redevelopment Plan as to its conformity with the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”).

**Resolved:**

1. The Planning Commission finds that Redevelopment Plan conforms to the Comprehensive Plan and recommends approval of the Redevelopment Plan to the Scottsbluff Community Redevelopment Authority and City Council.

2. All prior resolutions of the Commission in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

3. This Resolution shall become effective immediately upon its adoption.

**PASSED and APPROVED** on December 11, 2023

**PLANNING COMMISSION OF THE CITY OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
Recording Secretary

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item TIF3**

**Planning Commission to conduct a public hearing for the purpose of reviewing and obtaining comment on the Amended Redevelopment Plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project.**

**Staff Contact:**

**AMENDED REDEVELOPMENT PLAN FOR THE FORMER  
MONUMENT MALL, NOW UPTOWN MALL, REHABILITATION AND FORMER K  
MART SITE REHABILITATION  
INCLUDING A REQUEST FOR TAX INCREMENT FINANCING  
AND DESIGNATION AS AN ENHANCED EMPLOYMENT AREA AND IMPOSITION  
OF A TWO PERCENT OCCUPATION TAX ON SALES**

I. INTRODUCTION.

The City of Scottsbluff, Nebraska, recognizes that blight is a threat to the continued stability and vitality of the City as a focal point of business, financial, social, cultural and civic activity of the region, and a focus of community pride and achievement. The City Council previously approved a redevelopment plan (“Original Plan”) for the former Scottsbluff Mall in 2015 which provided tax increment financing and the imposition of a one-half percent occupation tax to support the mall rehabilitation.

This plan is intended to amend the Original Plan and add the adjacent site formerly occupied by a K Mart retail store (“K Mart Site”). Since the implementation of the of the Original Plan, the Herberger’s store closed leaving a substantial vacancy. K Mart closed the store on the K Mart Site. The K Mart Site has remained vacant and in a state of deterioration for a substantial period. RockStep Scottsbluff, LLC, (“RockStep”) owns the real estate described in the Original Plan. An affiliate of Rock Step, RockStep KM Redevelopment, LLC, (“RockStep KM”) has recently purchased the K Mart Site.

This Amended Plan has been developed to provide for the comprehensive redevelopment of the Uptown Mall and the K Mart Site. Exhibit “A” is a map of combined properties showing four intended development areas. The redevelopers intend to install demising walls and provide for separate ownership of the four parcels. Parcel IV will be further subdivided, after partial demolition, into five or more parcels. Exhibit “B” shows a proposed concept of the final development of the K Mart Site.

This Amended Redevelopment Plan covers an area legally described and shown on Exhibit “C”, attached hereto and incorporated herein by this reference (“Community Redevelopment Area”). The Community Redevelopment Area was declared blighted and substandard by the Scottsbluff City Council on August 20, 2013. The Community Redevelopment Area has been determined, through the blight and substandard resolution, to be in need of revitalization and strengthening to ensure that it will contribute to the economic and social well-being of the City.

To encourage private investment in the Community Redevelopment Area, this Redevelopment Plan has been prepared to set forth the Monument Mall Rehabilitation Redevelopment Project (“Redevelopment Project”), which is considered to be of the highest priority in accomplishing the goal of revitalizing and strengthening the Community Redevelopment Area.



## REQUESTED ACTION

1. Terminate division of taxes on Uptown Mall properties and implement new TIF project for Uptown Mall properties.
2. Designate Uptown Mall and former K Mart properties as an Enhanced Employment Area
3. Amend one-half cent occupation tax ordinance to two percent occupation tax and impose the tax on not only the Uptown Mall but also the former K Mart site.
4. Adopt redevelopment contracts that provide TIF and EEA funding for Uptown Mall renovation and for the renovations and new construction for the K Mart site.
5. Waive percentage fee for TIF bond with undertaking of Redevelopers to reimburse City and Authority for legal expenses.

## II. EXISTING SITUATION.

This section of the Redevelopment Plan examines the existing conditions within the designated Community Redevelopment Area. This section is divided into the following subsections: existing land use, existing zoning, existing public improvements, and existing building condition/blighting influences.

A. Existing Land Use. The Community Redevelopment Area contains the Uptown Mall consisting of approximately 364,904 square feet under one roof and the K Mart property consisting of a retail space of 105,742 square feet under one roof. This use is shown on Exhibit "A".

B. Existing Zoning. The Community Redevelopment Area is zoned PBC. The intent of the Planned Business Center District is to provide for an area for a unified commercial center which provides goods and services to a regional trading area; joint or grouped parking facilities serving several retail stores; and coordinate a vehicular and pedestrian traffic circulation system and carefully design access that is compatible with surrounding uses. The PBC District includes a wide range of retail and service uses generally helpful to the traveling public and found along arterial roadways in the community. Some of the permitted uses include retail stores. The Redevelopment Area also falls within the Gateway Greenway Overlay zone.

C. Existing Public Improvements.

1. Street System. There is no internal street network or system constructed within the Community Redevelopment Area.

2. Utilities. Existing public utilities are available adjacent to the Redevelopment Area.

D. Existing Building Conditions/Blighting Influences. Charles K. Bunker, Attorney at Law, conducted a study entitled "Study of Blight and Substandard Conditions" dated July 7, 2013 ("Blight Study"). The "study area" for the Blight Study, which includes the Community Redevelopment Area, as well as additional property. The evaluation and subsequent findings of

the Blight Study were based upon the criteria outlined in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 et seq.). The Blight Study determined that the study area exhibited a number of deficiencies applicable to the consideration of a “substandard and blight” designation including the existence of conditions which endanger life or property by fire or other causes, improper subdivision and dilapidation/deterioration. In addition, the Blight Study identified the existence of one condition within the study area that is a determinant of blight – the area substantially impairs or arrests the sound growth of the community and the average age of structures in the area is greater than 40 years. The City Council declared the Community Redevelopment Area blighted and substandard and eligible for a Redevelopment Project on August 20, 2013, by resolution of the Scottsbluff City Council, after a public hearing with notice pursuant to the Community Development Law. The Blight Study is incorporated herein by this reference. A copy of the Blight Study is available at the City of Scottsbluff Clerk’s Office.

### III. FUTURE SITUATION.

This section of the Redevelopment Plan examines the future conditions within the Community Redevelopment Area. This section is divided into the following subsections:

- A. Proposed Land Use Plan
- B. Conformance with the Comprehensive Plan; Conformance with the Community Development Law Declarations
- C. Relationship to Local Objectives
- D. Building Requirements and Standards after Redevelopment
- E. Proposed Changes and Actions
- F. Cost-Benefit Analysis
- G. Proposed Cost and Financing

A. Proposed Land Use Plan. Changes are contemplated in the current Land Use Plan for the area. The Redevelopment Project will primarily provide for site rehabilitation of the Uptown Mall for re-tenanting with up to 8000 square feet of possible new pad site construction. The proposed site plan for the area after completion of the Uptown Mall Redevelopment Project is shown on attached Exhibit “D” which is attached hereto and incorporated herein by this reference. The land use plan shows a proposed Redevelopment Project including approximately 8000 square feet of new construction not shown, but contemplated.

The Land Use Plan for the K Mart site is shown on Exhibit “B” as a concept.

The Scottsbluff Redevelopment Authority will negotiate specific redevelopment agreements with the redevelopers outlining the proposed Redevelopment Projects, and what contributions are necessary from the City of Scottsbluff. In such case the written redevelopment agreement would include a site plan, Redevelopment Project description, specific funding arrangements, and specific covenants and responsibilities of the City and the redevelopers to implement the Redevelopment Projects.

B. Conformance with the Comprehensive Plan; Conformance with the Community Development Law Declarations. In accordance with Nebraska State Law, the Redevelopment Plan described in this document has been designed to conform to the City of Scottsbluff Comprehensive Plan 2016 (“Comp Plan”). The City Council finds that this redevelopment plan is feasible and in conformity with the general plan for the development of the City as a whole and the plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

C. Relationship to Local Objectives. The Redevelopment Plan has been developed on the basis of the goals, policies and actions adopted by the City for the community as a whole and for the Monument Mall area. General goals, policies and actions relating to the community as a whole and for the Monument Mall are contained in the Comp Plan. The local objective of rehabilitating the vacant K Mart building can now finally be achieved with new ownership.

D. Building Requirements and Redevelopment Standards. The redevelopment of the Community Redevelopment Area should generally achieve the following requirements and standards:

1. Population Density. There are no dwelling units currently located within the Community Redevelopment Area. The development proposed under this Redevelopment Plan does not include any residential construction. Consequently, there will be no change proposed for the permanent population density within the Community Redevelopment Area.

Redevelopment of the Community Redevelopment Area will provide for revitalization of the Upton Mall and former K Mart property. This development will encourage further development to both the northeastern sector of the City as well as the City as a whole. Often an investment and improvement of the magnitude proposed by this Plan has the benefit of spurring improvements in nearby commercial areas.

2. Land Coverage and Building Density. Land coverage and building density is shown on Exhibit “B” and Exhibit "D”.

3. General Environment. This plan will rehabilitate a retail mall and the adjacent K Mart store that has suffered significant retail closings over the past 15 years. New tenants are finally becoming available for these properties. This commercial activity will intensify and strengthen Scottsbluff as a focal point for local and regional retail sales and development.

The Plan will provide for significant reinvestment in both properties with tenant improvements, structural improvements, including the roof and parking lot. New retail buildings will be constructed on the K Mart Site increasing the amount and variety of activity in the entire Redevelopment Area while maintaining good traffic flow, pedestrian movement and visual interest.

The Plan provides an environment that minimizes automobile-pedestrian conflicts, assures that lighting, signs, pedestrian ways, and communication devices are oriented to the human scale and provides an attractive shopping experience.

4. Pedestrian ways and Open Spaces. Provide a pedestrian circulation system to facilitate the movement of pedestrians to and within the major development activities within the area.

5. Building Heights and Massing. Building heights and massing for the proposed project will comply with the PBC zone.

6. Circulation, Access and Parking. The Plan provides for vehicular access to the Community Redevelopment Area in a manner consistent with the needs of the development and the community.

The Plan provides for an adequate supply of appropriately located parking in accordance with applicable zoning district regulations. Adequate parking needs to be provided so the development does not generate parking problems for abutting commercial and residential streets.

7. Off-Street Loading, Service and Emergency Facilities. The Plan provides for consolidated off-street loading and service facilities.

The Plan provides for emergency vehicle access in a manner compatible with established design and environmental objectives.

The Plan provides a maximum floor area ratio in accordance with applicable zoning district regulations in the Community Redevelopment Area.

E. Proposed Changes and Actions. The Community Redevelopment Area is anticipated to function as an upscale retail mall after significant investment through Tax Increment Financing, implementation of an Enhanced Employment Area Occupation Tax and Developer capital. This section describes the proposed changes needed, if any, to the zoning ordinances or maps, street layouts, street levels or grades, and building codes and ordinances, and actions to be taken to implement this Redevelopment Plan.

1. Zoning, Building Codes and Ordinances. The Community Redevelopment Area is zoned PBC Planned Business Center. No additional changes to the City's Zoning Ordinances, Building Codes, or other local ordinances are contemplated to implement this Redevelopment Plan.

a. Uptown Mall subdivision. The current owner of the Uptown Mall intends to install demising walls generally as shown on Exhibit "D" and convey the individual properties to separate owners.

b. The K Mart Site will be further subdivided (see Exhibit "B" as an example) to provide for the development of separate retail sites in the current parking lot.

c. One possible use for a portion of the K Mart site would be for a private or public leased recreational facility.

2. Traffic Flow, Street Layout and Street Grades. The primary streets providing access to the Community Redevelopment Area is S. Frontage Road, 13<sup>th</sup> Avenue, Circle Drive and 27<sup>th</sup> Street.

3. Public Redevelopments, Improvements, Facilities, Utilities and Rehabilitations. In order to support the new land uses in the Community Redevelopment Area, the following proposed public redevelopments, improvements, facilities, utilities and rehabilitations may be needed:

- a. Installation of landscaping in the public right of way.
- b. Installation of appropriate site drainage solutions.

4. Site Preparation and Demolition. Site preparation will consist of relocation of utility lines to provide for pad site development in the current parking lots, new sign location and improvement. A portion of the existing building on the K Mart site may be demolished to provide pad site development.

5. Private Redevelopment, Improvements, Facilities and Rehabilitation. The private improvements anticipated within the Community Redevelopment Area include site preparation, roof and HVAC rehabilitation, installation of demising walls, exterior lights, landscape rehabilitation, required interior rehabilitation for tenant relocation to the Mall, parking lot resurfacing and construction of new retail buildings with, enhancements to structures in the redevelopment plan area which exceed minimum building and design standards in the community and prevent the recurrence of substandard and blighted conditions. The Redevelopers specifically request that funds paid directly to tenants for use by tenants for leased space rehabilitation or lowered rent amounts be considered as qualifying expenditures for both enhanced employment area and TIF purposes.

6. Open Spaces, Pedestrian ways, Landscaping, Lighting, Parking. The proposed site plan and private sector improvements will comply with the City's minimum open space, pedestrian way, landscaping, lighting, and parking standards as defined in the Zoning and Subdivision Ordinances, Building Codes, or other local ordinances. In addition, the City may elect to require additional standards in these areas as described in a written redevelopment agreement in order to help remove blight and substandard conditions.

F. Cost-Benefit Analysis. A City of Scottsbluff Redevelopment Project TIF Statutory Cost Benefit Analysis is incorporated herein by this reference ("Cost-Benefit Analysis") and is shown on Exhibit "E". The Cost-Benefit Analysis complies with the requirements of the Community Development Law in analyzing the costs and benefits of the Redevelopment Project, including costs and benefits to the economy of the community and the demand for public and private services.

G. Proposed Costs and Financing; Statements. The City will work with the redeveloper owner of the Community Redevelopment Area to identify proposed funding, timeframe, ability to carry out the proposed Redevelopment Project, and what, if any, contributions are necessary to be made by the City of Scottsbluff.

The City will begin good faith negotiating on a specific written redevelopment agreement with the respective redeveloper owners of the Community Redevelopment Area. The written redevelopment agreements will include site plans consistent with this Redevelopment Plan, development descriptions, specific funding arrangements, and specific covenants and responsibilities of the City and the redevelopers to implement the Redevelopment Projects.

Estimated Redevelopment Project costs, including site preparation, and rehabilitation are shown on attached Exhibit “F” .

The figures shown are estimates. Final figures are subject to a specific site plan, design specifications, City approval and public procedures and regulations.

The Proposed Public and Private Improvements will exceed the amount of funds available from the tax-increment financing indebtedness that the City Council may approve. The estimated amount of a Tax Increment Bond that can be retired based on increased values of real estate driven by the above investments is shown on Exhibit “F”. Therefore, RockStep Scottsbluff, LLC, and RockStep KM Redevelopment, LLC request that the Community Development Agency declare all of the Redevelopment Area, shown on attached Exhibit “C” as an Enhanced Employment Area under the Community Development Law; that the City impose a 2% occupation tax on such area to finance the payment of two separate Occupation Tax Bonds as in the amounts shown on Exhibit “F”. Specific undertakings related to the Enhanced Employment Area and the Occupation Tax are shown in Section IV below.

This Plan proposes that Tax Increment bond and the Occupation Tax Bonds be purchased by the respective property owners to fund the required rehabilitation of the Uptown Mall and the Former K Mart Site project. The balance of private improvements shall be paid by the respective property owners.

Any ad valorem tax levied upon the real property in a Redevelopment Project for the benefit of any public body shall be divided, for a period not to exceed fifteen (15) years after the effective date of such provision established in the respective redevelopment contracts or amended redevelopment contracts to be executed by the respective redevelopers and the Community Redevelopment Authority. Said tax shall be divided as follows:

- a. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each such public body upon the Redevelopment Project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and
- b. That portion of the ad valorem tax on real property in the Redevelopment Project in excess of such amount, if any, shall be allocated to and, when collected, paid

into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, a Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the authority shall so notify the county assessor and county treasurer and all ad valorem taxes upon taxable real property in such a Redevelopment Project shall be paid into the funds of the respective public bodies.

Because the redevelopment plan proposes to use tax-increment financing funds as authorized in section 18-2147 of the Community Development Law, the City Council in approving this Redevelopment Plan will be required to find as follows:

- a. the Redevelopment Project in the plan would not be economically feasible without the use of tax-increment financing;
- b. the Redevelopment Project would not occur in the community redevelopment area without the use of tax-increment financing; and
- c. the costs and benefits of the Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and been found to be in the long term best interest of the community impacted by the Redevelopment Project.

**IV. THE ENHANCED EMPLOYMENT AREA DESIGNATED BY THE AGENCY AS ELIGIBLE FOR THE IMPOSITION OF AN OCCUPATION TAX TO PAY FOR AUTHORIZED WORK WITHIN THE AREA IS DESCRIBED AS FOLLOWS:  
Property Description (the “Enhanced Employment Area”)**

This property is generally referred to as the Uptown Mall and the former K Mart site.

- **Legal Descriptions** See attached Exhibit “C” for the legal description of the tracts to be declared as the respective Enhanced Employment Areas

**Authorized work within the Enhanced Employment Area means the performance of any one or more of the following purposes:**

- (a) The acquisition, construction, maintenance, and operation of public off-street parking facilities for the benefit of the Enhanced Employment Area;
- (b) Improvement of any public place or facility in the Enhanced Employment Area, including landscaping, physical improvements for decoration or security purposes, and plantings;
- (c) Construction or installation of pedestrian shopping malls or plazas, sidewalks or moving sidewalks, parks, meeting and display facilities, bus stop shelters, lighting, benches or other

seating furniture, sculptures, trash receptacles, shelters, fountains, skywalks, and pedestrian and vehicular overpasses and underpasses, and any useful or necessary public improvements;

(d) Leasing, acquiring, constructing, reconstructing, extending, maintaining, or repairing parking lots or parking garages, both above and below ground, or other facilities for the parking of vehicles, including the power to install such facilities in public areas, whether such areas are owned in fee or by easement, in the Enhanced Employment Area; and

(e) Maintenance, repair, and reconstruction of any improvements or facilities authorized by the Community Development Law;

**Redevelopment Plan to the Enhanced Employment Area Complies with the Act:**

The Act requires that in connection with the approval of any redevelopment plan which includes the designation of an enhanced employment area, the governing body may approve the redevelopment plan if it determines that any new investment within such enhanced employment area will result in at least ten new employees and new investment of five hundred thousand dollars in counties with at least twenty five thousand inhabitants but fewer than fifty thousand inhabitants.

This Plan Amendment meets these enhanced employment area statutory qualifications because at the Uptown Mall and the former K Mart Site each site will (a) at project stabilization employment will increase by 10 full time employees, (b) the project in each Enhanced Employment Area includes new private sector investment of substantially in excess of \$500,000, and (c) as of the 2020 census, Scotts Bluff County’s population was 36,084 inhabitants. Total project development is expected to exceed \$27,000,000.

**Levy of General Business Occupation Tax and Levy:**

A city may levy a general business occupation tax upon the businesses and users of space within an enhanced employment area for the purpose of paying all or any part of the costs and expenses of any redevelopment project within such enhanced employment area. Any occupation tax imposed pursuant to the Act shall make a reasonable classification of businesses, users of space, or kinds of transactions for purposes of imposing such tax.

The businesses and their classification in the Enhanced Employment Area are as follows:

<u>BUSINESS</u>	<u>CLASSIFICATION</u>
1. Apparel	Clothing Retail
2. Hobby & Crafts	Hobby & Craft Retail
3. Shoes	Shoe Retail
4. Cosmetics	Beauty Retail
5. Quick Serve	Prepared Food Retail
6. Specialty Store	Specialty Retail
7. Salon	Service Retail



8. Restaurant	Prepared Food Retail
9. Service/Fitness	Service Retail
10. Fast Food	Prepared Food Retail
11. Theatre/ entertainment	Entertainment
12. Sporting Goods	Sporting Goods Retail
13. Miscellaneous Retail	Retail

No occupation tax shall be imposed on any business or transaction which is subject to tax under section 53-160, 66-489, 66-489.02, 66-4,140, 66-4,145, 66-4,146, 77-2602, or 77-4008 of the Act or which is exempt from tax under section 77-2704.24 of the Act. Any such occupation tax agreed to by the Agency and the City shall remain in effect so long as the Agency has bonds outstanding which have been issued stating such occupation tax as an available source for payment.

The collection of a tax imposed pursuant to the Act shall be made and enforced in such a manner as the governing body shall by ordinance determine to produce the required revenue. The governing body may provide that failure to pay the tax imposed pursuant to this section shall constitute a violation of the ordinance and subject the violator to a fine or other punishment as provided by ordinance.

Undertaking by RockStep Scottsbluff, LLC and RockStep KM Redevelopment, LLC.

Each developer undertakes to rehabilitate the Redevelopment Area and in so doing invest more than \$500,000 and create through new tenants, (over current employment) more than 10 jobs. (Neb. Rev. Stat. §18-2116(2)). For clarity RockStep Scottsbluff, LLC, will create more than 10 new full time jobs in the Uptown Mall site and invest substantially more than \$500,000. And RockStep KM Redevelopment, LLC will create more than 10 new full time jobs in the former K Mart site and invest substantially more than \$500,000.

**EXHIBIT "A"**  
**COMBINED REDEVELOPMENT AREA MAP**



**EXHIBIT "B"**  
**Proposed K Mart Site After Redevelopment**

PRELIMINARY  
 NOT FOR CONSTRUCTION

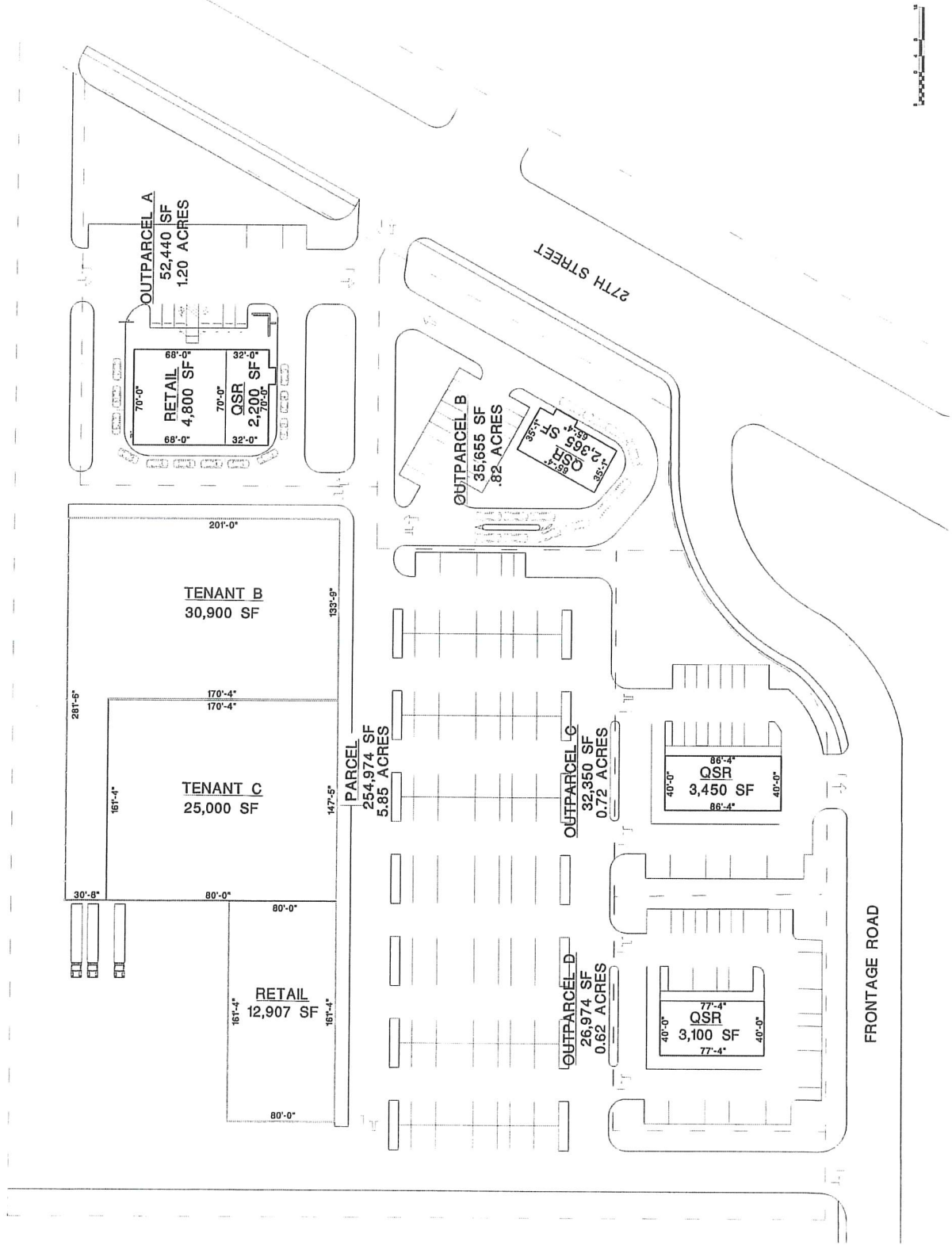
Scope of Architectural Services:  
 1. Preparation of Preliminary Site Plan  
 2. Preparation of Preliminary Site Plan  
 3. Preparation of Preliminary Site Plan  
 4. Preparation of Preliminary Site Plan  
 5. Preparation of Preliminary Site Plan  
 6. Preparation of Preliminary Site Plan  
 7. Preparation of Preliminary Site Plan  
 8. Preparation of Preliminary Site Plan  
 9. Preparation of Preliminary Site Plan  
 10. Preparation of Preliminary Site Plan

FORMER KMART CENTER  
 FRONTAGE ROAD RETAIL CENTER  
 800 E 27TH STREET  
 SCOTTSBUFF, NE 68031

Project No: 202302  
 Project Name: Former Kmart Center  
 Date: 12/11/2023  
 Scale: 1/4" = 1'-0"

SP4

NEW SITE PLAN



**Exhibit "C"**  
**Respective Enhanced Employment Areas**  
**Combined Areas Constitute the Redevelopment Area**

**DESCRIPTION OF ENHANCED EMPLOYMENT AREA**  
**Uptown Mall**

THE LAND REFERRED TO IS SITUATED IN THE STATE OF NEBRASKA, COUNTY OF SCOTTS BLUFF AND IS DESCRIBED AS FOLLOWS:

PARCEL I:

LOT 3, BLOCK 3, THIRD REPLAT OF LOTS 3 AND 4, BLOCK 3, NORTHEAST SECOND ADDITION REPLAT NO. 2, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.

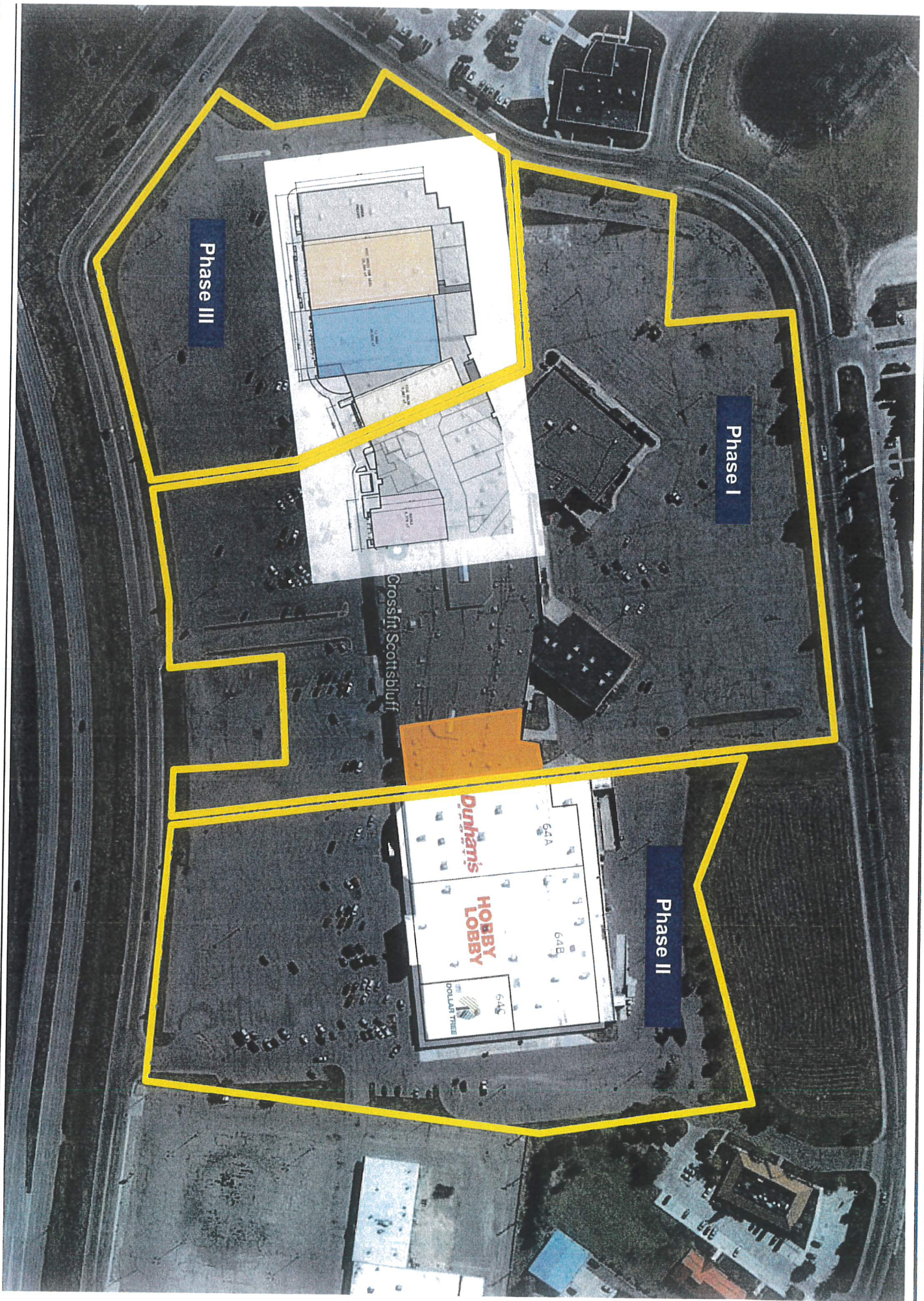
PARCEL IA:

LOT 2, BLOCK 3, NORTHEAST SECOND ADDITION REPLAT NO. 2, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTSBLUFF COUNTY, NEBRASKA.

**DESCRIPTION OF ENHANCED EMPLOYMENT AREA**  
**Former K Mart Site**

LOTS ONE (1), AND TWO (2), BLOCK ONE (1), SUBDIVISION OF BLOCK ONE (1), NORTHEAST SECOND ADDITION, REPLAT NO. 1, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTSS BLUFF COUNTY, NEBRASKA.

EXHIBIT "D"  
Uptown Mall Showing Possible Subdivision





**EXHIBIT “E”**  
**STATUTORY COST BENEFIT ANALYSIS**  
**UPTOWN MALL AND FORMER K MART SITE REHABILITATION**  
**PROJECT**

As authorized in the Nebraska Community Development Law, §18-2147, *Neb. Rev. Stat.* (2012), the City of Scottsbluff has analyzed the costs and benefits of the proposed Uptown Mall and K Mart site Redevelopment Project, including:

**Tax Shift:** Approximately \$316,000 in principal of public funds from tax increment financing provided by the City of Scottsbluff will be required to complete the Uptown Mall portion of the redevelopment project, in addition to \$20,200 in interest. Approximately \$2,050,000 in principal of public funds from tax increment financing provided by the City of Scottsbluff will be required to complete the former K Mart portion of the redevelopment project, in addition to \$1,650,000 in interest.

Enhanced employment area occupation tax bonds will provide \$7,590,000 in principal for Uptown Mall rehabilitation and \$2,400,000 for the former K Mart rehabilitation. This investment by the city will leverage \$15,356,000 in private sector financing.

**Public Infrastructure and Community Public Service Needs.** The Project will not require that the city pay for any changes to utilities, or other public service needs.

**Employment Within the Project Area.** Employment within the Project Area is expected to increase by at least 50 full and part time positions. Temporary construction employment will increase during the construction. The construction period is expected to exceed 24 months.

**Employment in the City Outside the Project Area.** The latest available labor statistics show that the Scotts Bluff County has a 2.2% unemployment rate.

**Impact on student population.** No significant student population increase is expected as a result of the redevelopment projects.

**Other Impacts.** Significant local sales tax will be generated as the Mall is filled with tenants. The Mall rehabilitation will generate on site sales significantly in excess of current levels. At full development with stabilized occupancy, the Redevelopers estimate an increase in city sales tax of \$442,000 annually.

**EXHIBIT "F"**  
**Redevelopment Costs and Bond Amounts**

**Uptown Mall TIF Expenditures****Uptown Mall TIF Bond**

Building rehab	\$	316,000.00		
Total Uptown TIF Expenditures	\$	<b>316,000.00</b>	\$	<b>316,000.00</b>

**Uptown Mall EEA****Uptown Mall EEA Bond**

Building rehab:				
Tenant imp; roof; HVAC	\$	5,344,950.00		
Parking lot	\$	1,000,000.00		
Lighting	\$	250,000.00		
Landscaping & signage	\$	200,000.00		
Arch/Promotion	\$	800,000.00		
Total EEA	\$	<b>7,594,950.00</b>	\$	<b>7,590,000.00</b>

**Former K Mart TIF Expenditures****Former K Mart TIF Bond**

Site acquisition reimbursement	\$	<b>2,470,000.00</b>	\$	<b>2,050,000.00</b>
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**Former K Mart EEA Expenditures****Former K Mart EEA Bond**

Site preparation/subdivision	\$	2,040,000.00		
Demolition	\$	300,000.00		
Building rehabilitation	\$	12,063,000.00		
Pad sites construction	\$	3,050,000.00		
Total EEA Expenditures	\$	<b>17,453,000.00</b>	\$	<b>2,400,000.00</b>

**Expenses may shift between categories without further approval.**

**Direct payment to tenants for tenant improvements are authorized rehabilitation expenditures.**

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To: City of Scottsbluff Planning Commission  
From: John L. Selzer, Deputy City Attorney  
Date: December 6, 2023  
Re: Uptown Mall/Former K-Mart Site Redevelopment Plan

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**Introduction/Summary of Project:** At your December 11, 2023 meeting you will conduct a public hearing regarding the Redevelopment Plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project (the "Plan" and the "Project").

The Project contemplates rehabilitating the mall and former K-Mart site and adding pad site construction in the current K-Mart parking lot (see Exhibit B of the Plan).

The proposed Project is in an area that has been designated as blighted and substandard and in need of redevelopment. After the public hearing, you will make a recommendation regarding the Plan and Project to the Community Redevelopment Authority and City Council.

**Standard of Review:** The Planning Commission must review and recommend whether the Project and Plan conform to the 2016 Scottsbluff Comprehensive Plan (the "Comprehensive Plan").

**Issues Relevant to Your Review:** The Project Site is zoned as PBC (Planned Business Center). The intent of the PBC zone include to (1) provide an area for a unified commercial center which provides goods and services to a regional trading area and (2) provide for joint or grouped parking facilities serving several retail stores.

According to the 2016 Scottsbluff Comprehensive Plan, the Project Site is in the *Northeast District* and in a *Highway 26 Commercial Neighborhood*. Principles of sustainable development in the Northeast District include (1) encouraging diversity of commercial types and mixed use development along the Highway 26 corridor and (2) encouraging new development to be contiguous with existing development with planned linkages between roads and utilities.

For the Highway 26 Commercial Neighborhoods, the Comprehensive Plan contemplates daytime and evening hours with nighttime activity adjacent to the highway; a variety of building types, heights, and setbacks; moderate to high density and mixes of uses; high activity during the day; and PBC as an appropriate zone. The Redeveloper's proposed development of the Project Site is consistent with the Comprehensive Plan. Relevant excerpts from the Comprehensive Plan are attached to this memo.

**Conclusion:** If at the conclusion of the public hearing, the Planning Commission feels that the proposed Project and Plan conform to the Comprehensive Plan, it may recommend approval of the Plan and Project to the CRA and City Council. A proposed resolution has been provided.



Summary of Neighborhood Types

Neighborhood	Characteristics
<b>East Overland</b>	<p><b>Hours:</b> Active daytime, limited nighttime activities</p> <p><b>Auto:</b> Human scale transportation oriented. Formalized bicycle and pedestrian accommodations.</p> <p><b>Mass:</b> Dense business corridor built near or to the street, one to two stories, Corners built out to develop 'nodes' of activity</p> <p><b>Emissions:</b> High activity during the day, generally residential daily business traffic, low amounts of noise and smells, and enforced aesthetic and design standards.</p> <p><b>Appropriate zones:</b> C-1, C-2, R-1a*</p>
<b>Southeast Industrial</b>	<p><b>Hours:</b> Active daytime and nighttime</p> <p><b>Auto:</b> Heavy traffic both personal and commercial motorized vehicles</p> <p><b>Mass:</b> Wide variety of buildings</p> <p><b>Emissions:</b> High amounts of noise and smells tolerated closer to highway 26. Heavy day-time traffic acceptable closer to residential areas west of 21st Avenue. .</p> <p><b>Appropriate zones:</b> C-3, M-1, M-2</p>
<b>WNCC Campus and Surrounding Area</b>	<p><b>Hours:</b> Daytime, generally 8-5 working hours.</p> <p><b>Auto:</b> Both motorized and non-motorized traffic should be well facilitated, Motorized vehicle convenience should yield to pedestrian connectivity</p> <p><b>Mass:</b> Variety of building types and heights and setbacks. Moderate to low density with accompanying open space and landscaping.</p> <p><b>Emissions:</b> High activity during the day, generally residential daily business traffic, low amounts of noise and smells, and enforced aesthetic and design standards.</p> <p><b>Appropriate zones:</b> R-1a, O-P, R-4</p>
<b>Highway 26 Commercial</b>	<p><b>Hours:</b> Daytime and evening. Nighttime activity acceptable adjacent to highway.</p> <p><b>Auto:</b> Motorized vehicle oriented to facilitate both personal and commercial vehicles. Formalized pedestrian and cycling facilities.</p> <p><b>Mass:</b> Variety of building types and heights and setbacks. Moderate to high density and mixes of uses.</p> <p><b>Emissions:</b> High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-2, PBC, O-P, R-4</p>
<b>Avenue B and Hospital Campus</b>	<p><b>Hours:</b> Daytime and evening. Nighttime activity acceptable adjacent to highway.</p> <p><b>Auto:</b> Motorized vehicle oriented to facilitate both personal and commercial vehicles. Formalized pedestrian and cycling facilities.</p> <p><b>Mass:</b> Variety of building types and heights and setbacks. Moderate to high density and mixes of uses.</p> <p><b>Emissions:</b> High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-2, PBC, O-P, R-5</p>
<b>Northwest Commercial</b>	<p><b>Hours:</b> Heavier daytime use, 24 hour retail, fast-food, or traveler activity accepted.</p> <p><b>Auto:</b> Multi-modal accommodations integrated on 27th street and included on Avenue I.</p> <p><b>Mass:</b> Big box with surface parking acceptable when built to design code, shared buildings, built out along key intersections, low height, set-backs to encourage walkability on 27th st.</p> <p><b>Emissions:</b> Traffic heaviest in the day but continuing through the night, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.</p> <p><b>Appropriate zones:</b> C-2</p>

<p><b>South Broadway</b></p>	<p><b>Hours:</b> Heavier daytime use, evening retail.  <b>Auto:</b> Multi-modal transportation well accommodated.  <b>Mass:</b> Higher density development, generally low buildings though 2.5-3 stories is acceptable. Broadway setbacks set eventually to be near or on the street. Larger for big box.  <b>Emissions:</b> Traffic heaviest in the day but continuing through the night, commercial deliveries frequent, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.  <b>Appropriate zones:</b> C-1, O-P, C-2, R-4, PBC*</p>
<p><b>Central Business District</b></p>	<p><b>Hours:</b> Active daytime, evening, and nighttime activities  <b>Auto:</b> Formalized bicycle and pedestrian accommodations. Pedestrian oriented along Broadway  <b>Mass:</b> Allowable height up to 70 feet, zero setbacks. Buildings should take up entire lot- green space provided in public facilities.  <b>Emissions:</b> High activity during the day, evening, and late night. Lights that reflect historical character of district.  <b>Appropriate zones:</b> C-1</p>
<p><b>Automobile Commercial</b></p>	<p><b>Hours:</b> Daytime and nighttime activity  <b>Auto:</b> Motorized traffic oriented with ease of commercial vehicle access  <b>Mass:</b> Wide variety of building types and sizes  <b>Emissions:</b> Noises and heavier commercial traffic associated with business  <b>Appropriate zones:</b> C-2, C-3, PBC, R-4</p>
<p><b>Rural Residential</b></p>	<p><b>Hours:</b> Generally daytime activity  <b>Auto:</b> Motorized traffic oriented  <b>Mass:</b> Some agricultural activity, low traffic intensity, dust from unpaved roads  <b>Emissions:</b> Noises and heavier commercial traffic associated with business  <b>Appropriate zones:</b> R-1b, AR</p>
<p><b>Residential</b></p>	<p><b>Hours:</b> Daytime activity  <b>Auto:</b> Generally personal motorized traffic only, safe streets for non-motorized transportation  <b>Mass:</b> Generally small buildings, single family homes predominately with ample setbacks  <b>Emissions:</b> No offensive smells or noises, low traffic, well maintained properties  <b>Appropriate zones:</b> R-1a, Due to higher intensity of traffic and density in R-4 and R-6, these zones may be appropriate in certain areas</p>

## Northeast

### Themes:

1. **Growing as a regional leader of commerce and economic opportunity**
  - Attractive, thriving highway corridor, housing that supports a capable workforce.
2. **Living into our unique character of a city in the country**
  - Small town feel in residential neighborhoods and minor arterials, major retail and office opportunities in major arterials and commercial centers.
3. **Promoting the health and happiness of all citizens**
  - Clean neighborhoods and housing, access to parks and schools.
4. **Inclusive Opportunities for participation in civic life**
  - Strong civic groups , available resources, community events

### Principles:

5. **Interconnection of Neighborhoods and amenities**
  - a. Improve pedestrian and cycling facilities east-west from Broadway to Highway 26 through the Northeast Neighborhood.
  - b. Safe and efficient transportation access in auto-oriented commercial centers along highway 26.
  - c. Enhanced employment centers set back from the highway and accessible from residential areas and main thoroughfares.
  - d. Encourage multi-family residential development along periphery of low density residential neighborhoods.
  - e. Plan safe crossings and routes to schools.
6. **Sustainable development**
  - a. Incorporate native species, and natural landscaping into codes of commercial and big box development along highway.
  - b. Scottsbluff drain- There is an opportunity to make changes to the drain that would improve stormwater drainage, improve water quality, and provide green space for recreation and wildlife habitat.
  - c. Encourage diversity of commercial types mixed use development along the Highway 26 corridor.
  - d. Targeted and planned utilities maintenance activities.
  - e. Preserve land potentially served by city utilities for near term (within five years) development needs.
  - f. Encourage new development to be contiguous with existing development with planned linkages between roads and utilities.
  - g. Direct rural residential development to areas to which utilities cannot be reasonably extended.
7. **Access to culture and recreation**
  - a. Improved access, visibility, and connectivity of school recreation facilities and public parks near the middle school and high school.
  - b. Walking and bicycle path connectivity along and across Highway 26 and greenways.
  - c. Improved pedestrian and cycling connectivity to downtown.
  - d. Enhanced sense of place improvements in parks and around high school sports fields and courts.
8. **Strong neighborhoods and places, rooted in our unique character**



- a. Make programs that encourage up-keep of private property and neighborhoods more accessible and better communicated.
- b. Facilitate and support neighborhood involvement in plans, studies, and community events.
- c. Continue traditional neighborhood style of homes, streets, and sidewalks in residential areas.
- d. Improve aesthetics and landscaping along collectors and arterials, utilizing native species.

## Northeast Neighborhoods

### *WNCC Campus and Surrounding Area*

Appropriate Zones: R-1a, O-P, R-4

- **Hours:** Daytime, generally 8-5 working hours. Special events in the evenings expected, very limited activity at night.
- **Auto:** Both motorized and non-motorized traffic should be well facilitated, Motorized vehicle convenience should yield to pedestrian connectivity and safety around WNCC campus.
- **Mass:** Variety of building types and heights and setbacks. Moderate to low density with accompanying open space and landscaping.
- **Emissions:** High activity during the day, generally residential daily business traffic, low amounts of noise and smells, and enforced aesthetic and design standards.

### *Highway 26 Commercial*

Appropriate Zones: C-2, PBC, O-P, R-4

- **Hours:** Daytime and evening. Nighttime activity acceptable adjacent to highway.
- **Auto:** Motorized vehicle oriented to facilitate both personal and commercial vehicles. Formalized pedestrian and cycling facilities.
- **Mass:** Variety of building types and heights and setbacks. Moderate to high density and mixes of uses.
- **Emissions:** High activity during the day, low amounts of non-restaurant smells, lower noise, and enforced aesthetic and landscaping standards.

**City of Scottsbluff, Nebraska**  
**Monday, December 11, 2023**  
**Regular Meeting**

**Item TIF4**

**Planning Commission to review and take action on a resolution recommending approval of the Amended Redevelopment Plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project.**

**Staff Contact:**

**RESOLUTION \_\_\_\_\_**

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SCOTTSBLUFF, NEBRASKA:**

**Recitals:**

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, the *Amended Redevelopment Plan for the Former Monument Mall, now Uptown Mall, Rehabilitation and Former K Mart Site Rehabilitation Project* (the “Redevelopment Plan”) has been submitted to the Planning Commission.

b. The Planning Commission has reviewed the Redevelopment Plan as to its conformity with the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”).

**Resolved:**

1. The Planning Commission finds that Redevelopment Plan conforms to the Comprehensive Plan and recommends approval of the Redevelopment Plan to the Scottsbluff Community Redevelopment Authority and City Council.

2. All prior resolutions of the Commission in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

3. This Resolution shall become effective immediately upon its adoption.

**PASSED and APPROVED** on December 11, 2023

**PLANNING COMMISSION OF THE CITY OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
Recording Secretary

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item Pub Hear1**

**Planning Commission to conduct a Public Hearing to consider the Preliminary Plat and Final Plat of Lots 1-4, Block 1, Triple Peaks Subdivision**

**Staff Contact:**



**City of Scottsbluff**  
**Subdivision Application**  
Permit Identifier 2023-8SD

---

Type: Final 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 ST STE A Scottsbluff, NE 69361, NE  
Contact Email jack@baker-eng.com Contact Phone 3086323123

Subdivision Information

Proposed Name of Subdivision Lots 1-3, Block 1, Triple Peaks Subdivision

General Location/Address East 27th Street

Legal Description N 350' OF PT N 1/2 NE 24 22 55 (10.49)  
UNPL LANDS

Current Zoning District(s) O & P

Total Area (square feet or acre) 18.22 acres

Number of Past Replat/Plat Amendments 0

Describe the reason for the subdivision

Development of farmland for offices and professional use, including a recreational facility

---

# 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



## PRELIMINARY PLAT SURVEY

COVER PAGE			
Project Code	Last Mod. Date	Subset	Sheet No.
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### 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 60.00 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
- OHP — INDICATES OVERHEAD ELECTRIC LINE
- W — INDICATES UNDERGROUND WATER LINE
- FO — INDICATES UNDERGROUND FIBER OPTIC LINE
- Gas — INDICATES UNDERGROUND GAS LINE
- UGTalk — 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

PAGE 1	TITLE SHEET
PAGE 2	EXISTING SITE PLAN
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  
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## Sheet Revisions

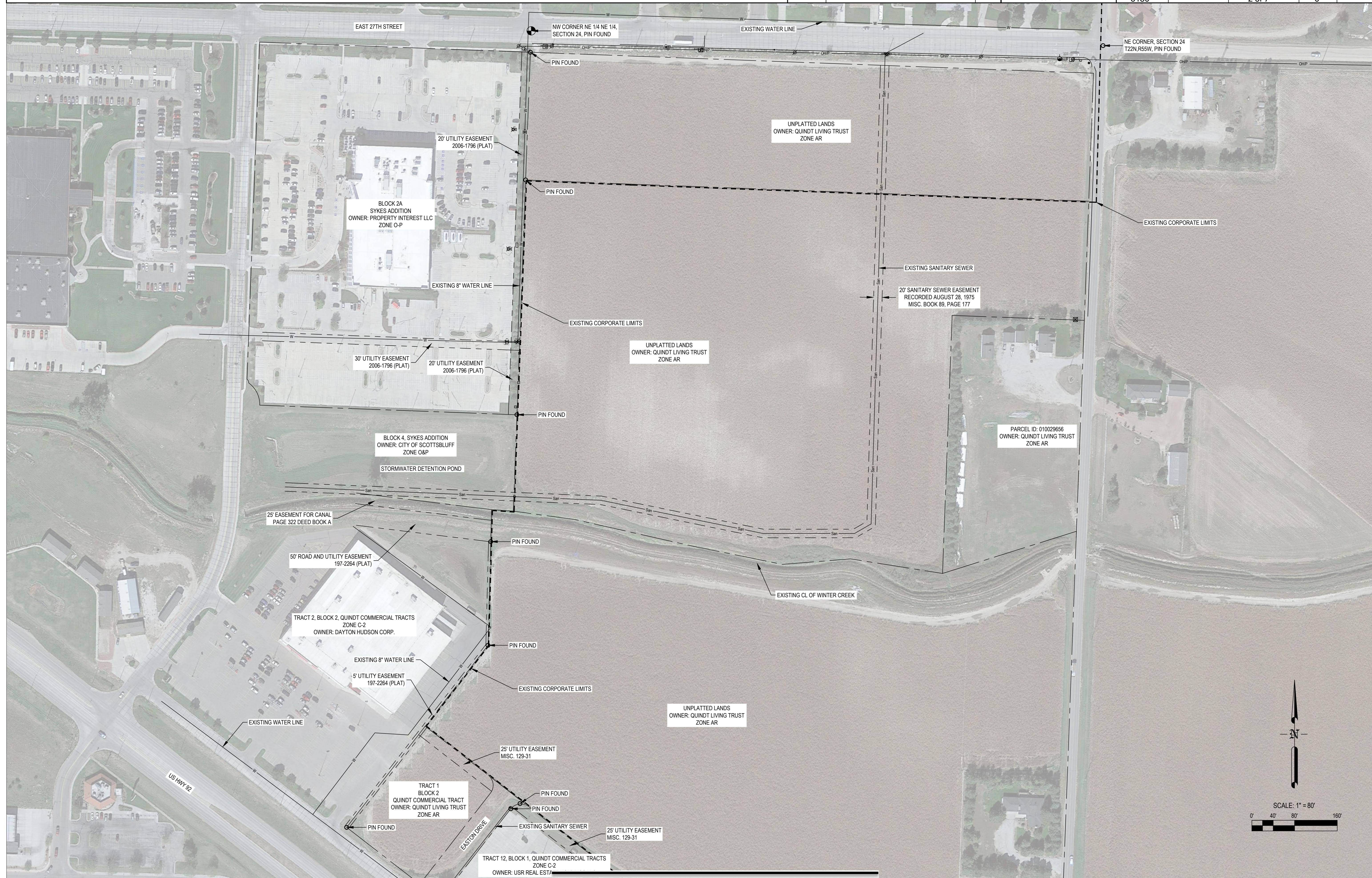
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11-3-23	ADD SEWER EASEMENT NOTE	BEG

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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.
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# PRELIMINARY PLAT

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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	Subset
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		Sheet No.
		3





# PRELIMINARY PLAT

LOTS 1-3, BLOCK 1, TRIPLE PEAKS SUBDIVISION, SCOTTS BLUFF COUNTY, NEBRASKA  
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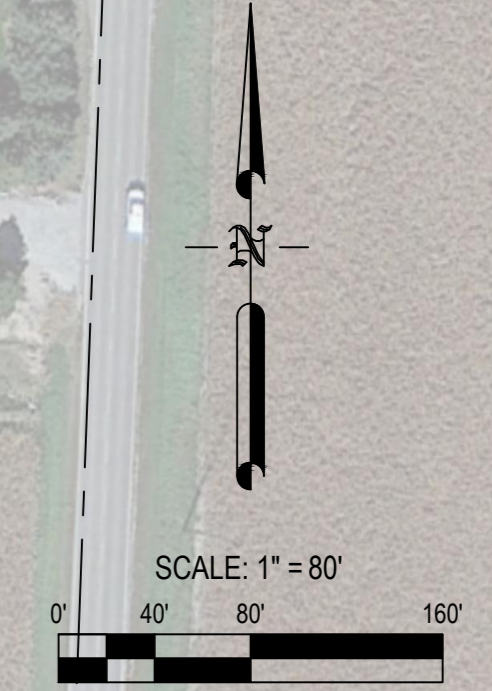
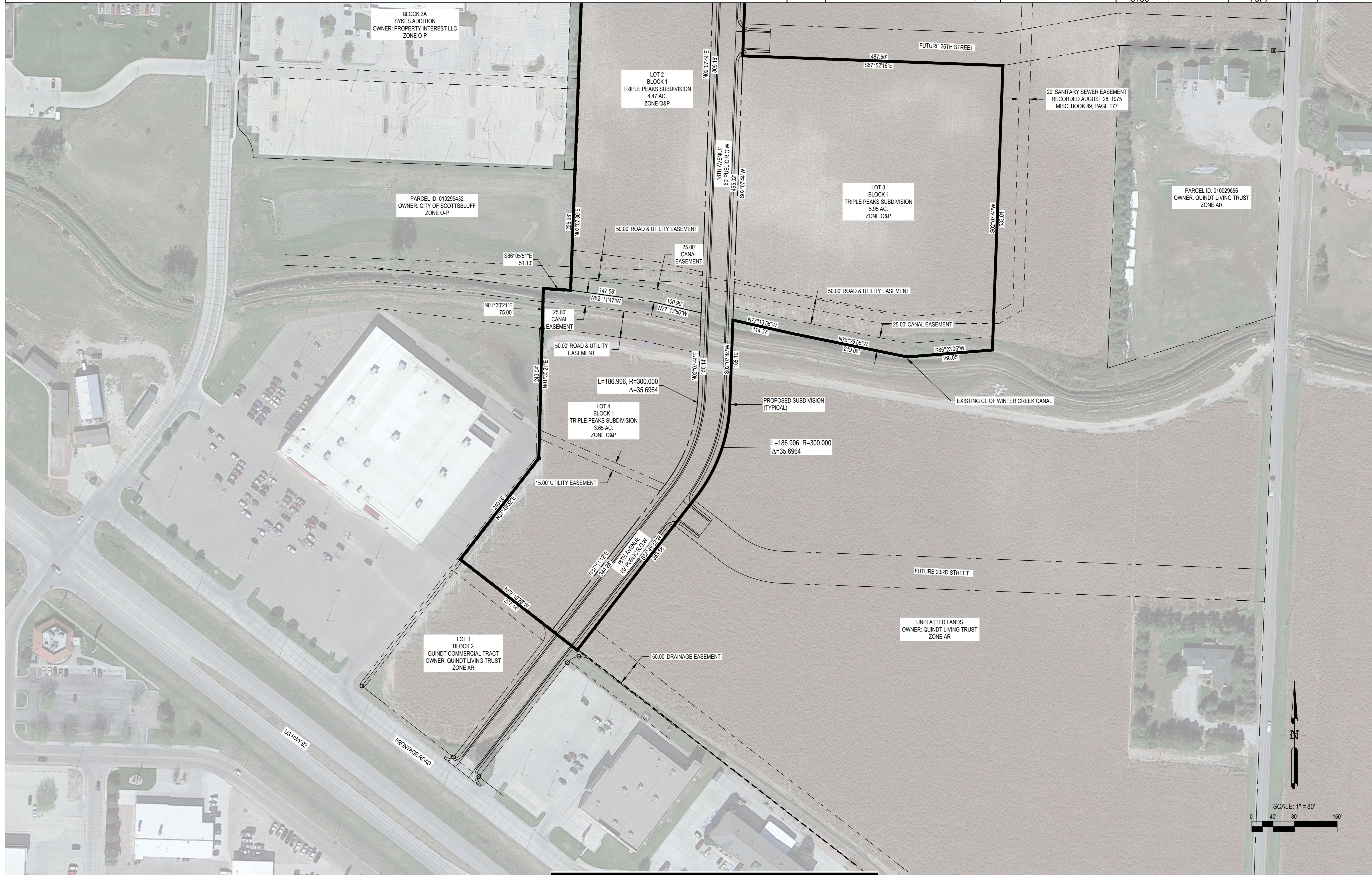
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## PRELIMINARY PLAT SURVEY

### PROPOSED SITE PLAN

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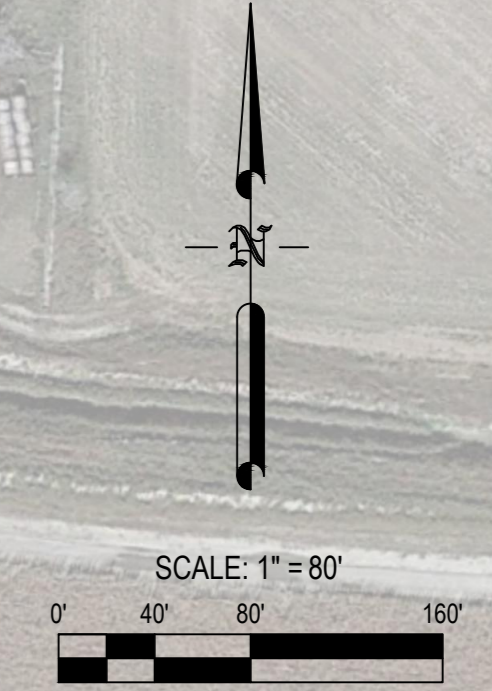
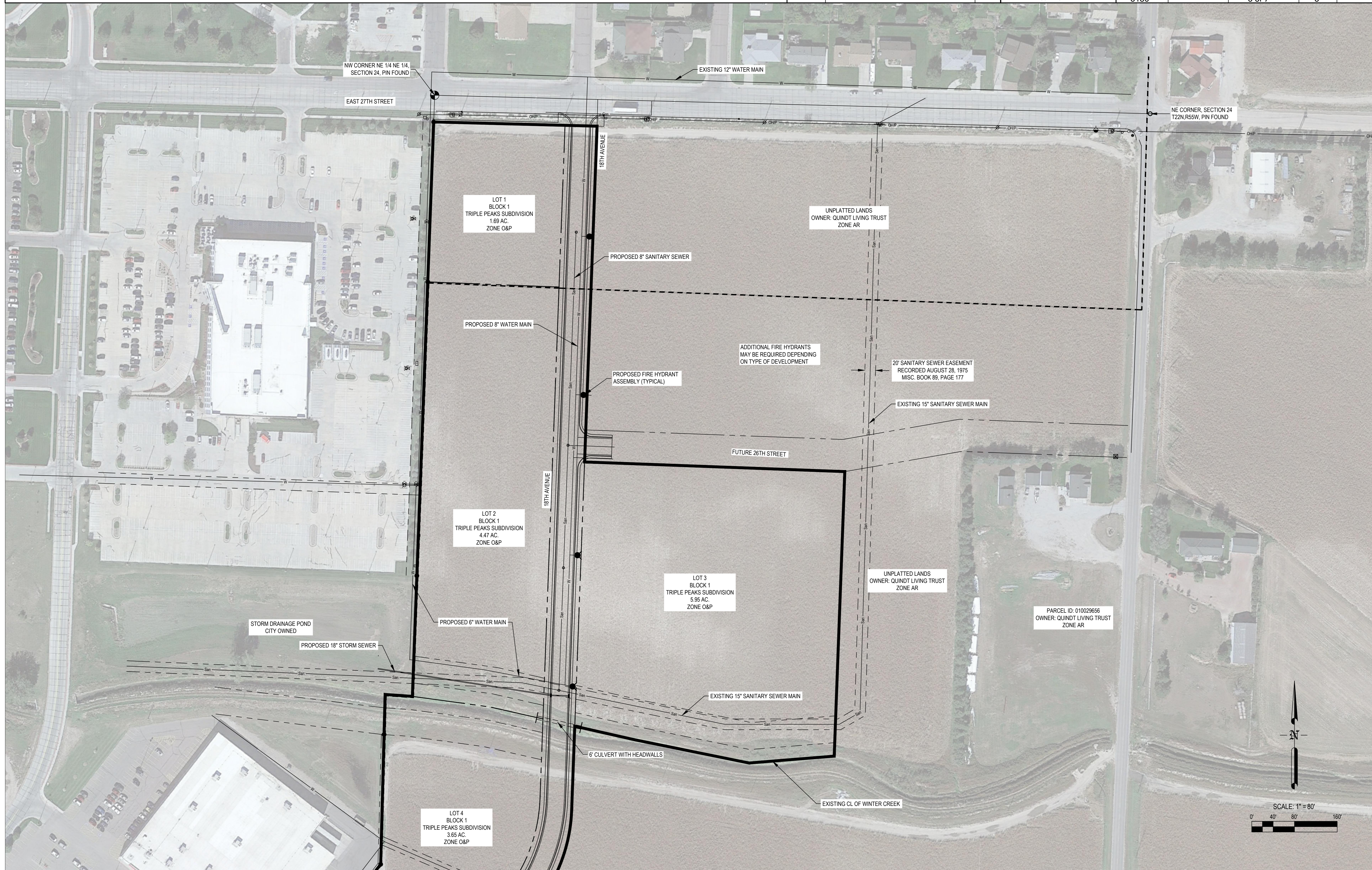
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## PRELIMINARY PLAT SURVEY

### UTILITY PLAN

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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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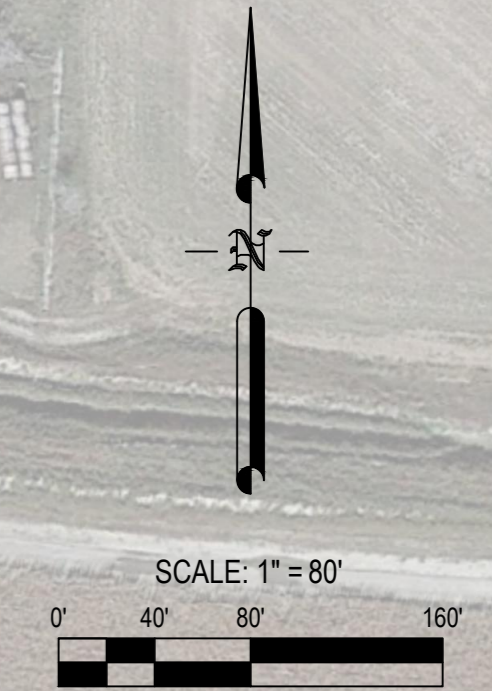
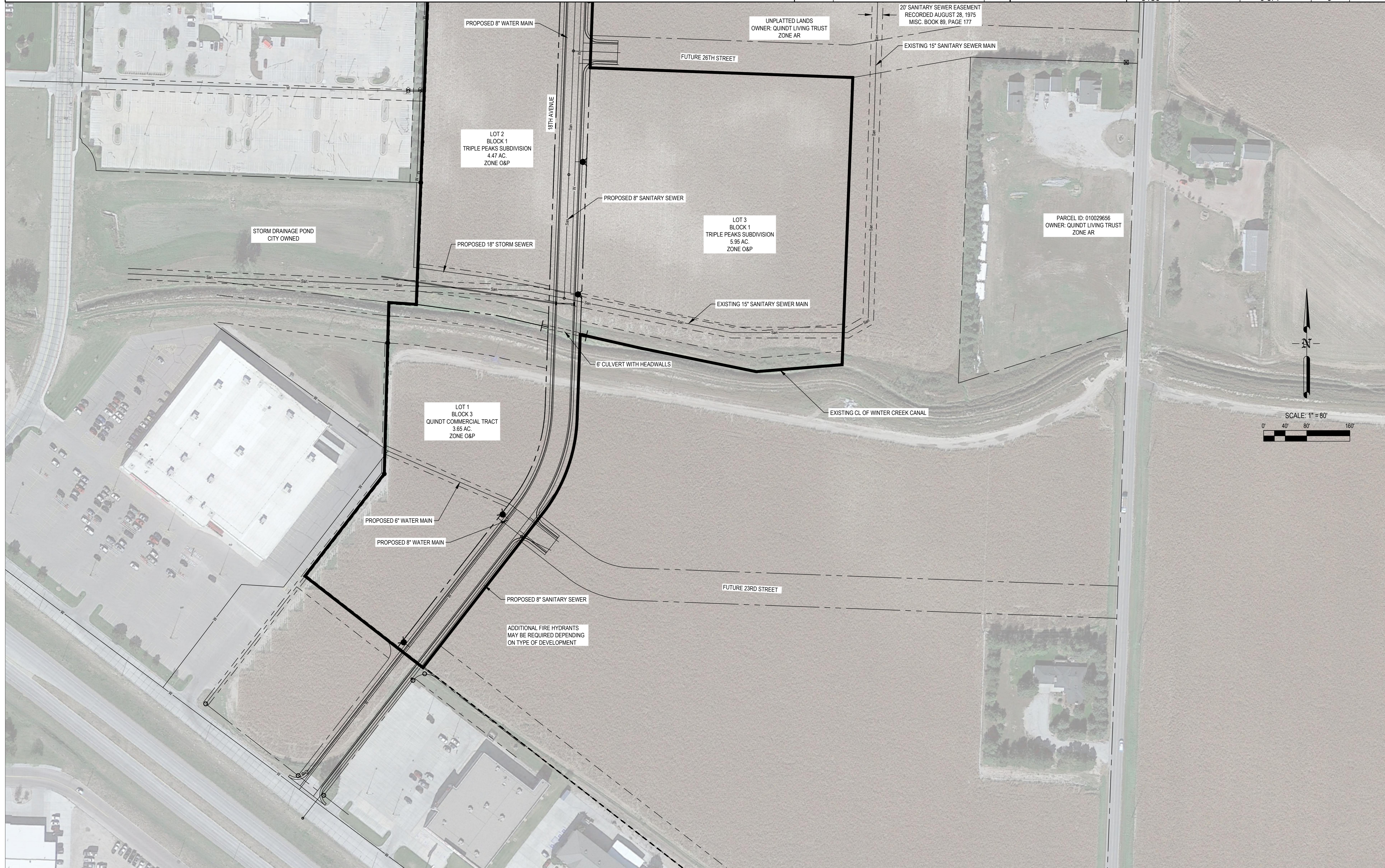
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## PRELIMINARY PLAT SURVEY

### UTILITY PLAN

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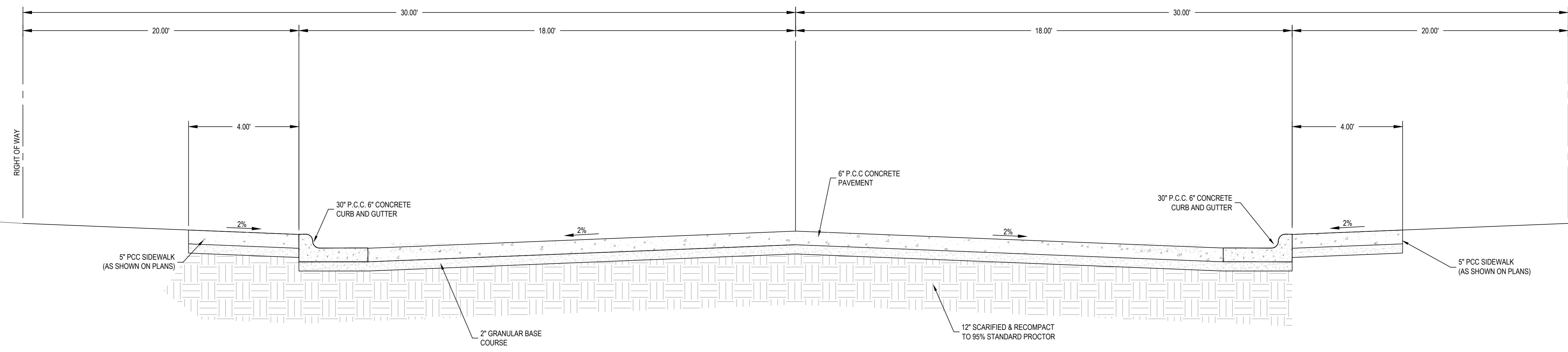
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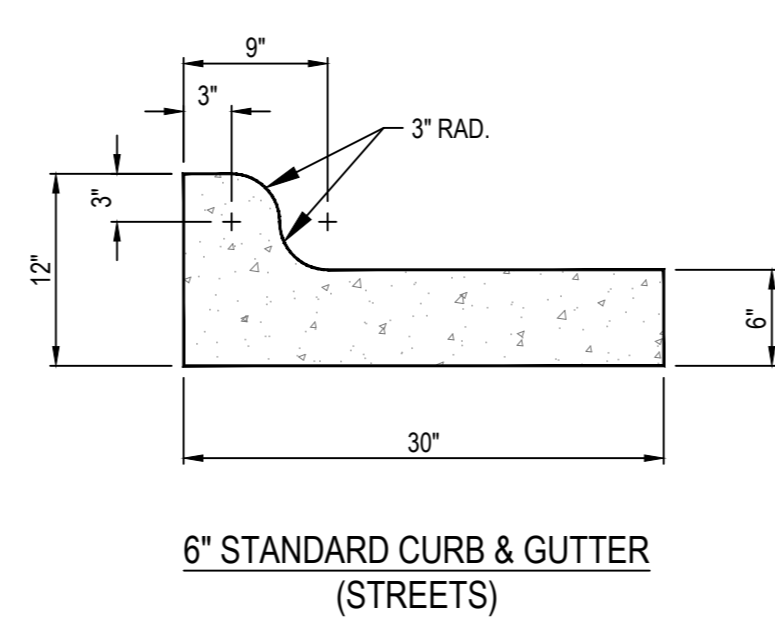
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PRELIMINARY PLAT SURVEY			
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TYPICAL 60.00' R.O.W. CROSS SECTION



6" STANDARD CURB & GUTTER (STREETS)

# Triple Peaks Subdivision

## Drainage Report

For:  
Bruner Family

Prepared by:

Baker & Associates  
120 E 16<sup>th</sup> Street, Suite A  
Scottsbluff, NE 69361

November 2023





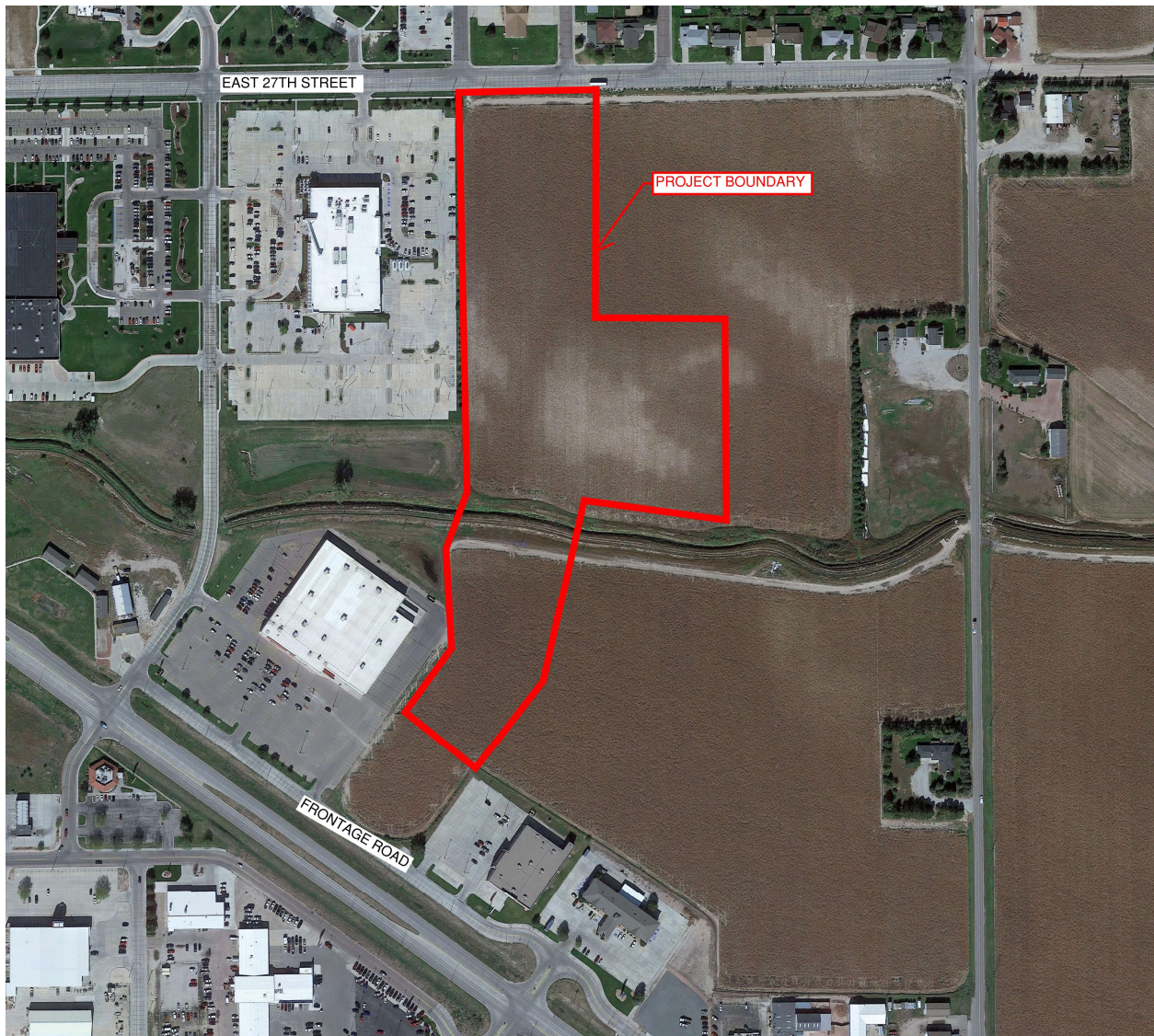
## VICINITY MAP

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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 report 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 27<sup>th</sup> 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 27<sup>th</sup> 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 27<sup>th</sup> 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 drain south into a new regional retention basin north of Tract 12, Block 1, Quindt Commercial Tract. The intent of this regional retention basin is to be expanded as future expansion occurs within the unplatted lands north of the basin. This includes the unplatted lands south of the canal, and east of this platted area to 21<sup>st</sup> Avenue.

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 typically can handle most storms but do on occasion reach capacity. As part of this development, it is proposed to expand the regional facility to accommodate the added flow from 18<sup>th</sup> Avenue. The proposed development only contributes 12,200 cf of volume in the post development 25-year storm event. All proposed improvements have taken into 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: 11/9/2023

**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: 11/9/2023

**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: 11/9/2023

**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

$Q = (P-0.2S)^2 / (P+0.8S)$  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  
 $T = L / (3600 * V)$ , Figure 3-1, V = 4.1ft/s, L = 1850  
 $Vs = Vr(Vs/Vr)$  Eq. 6-2

\*Storage needed from the following storms. Regional Basin would need expanded at minimum 12,500 cf.

# 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

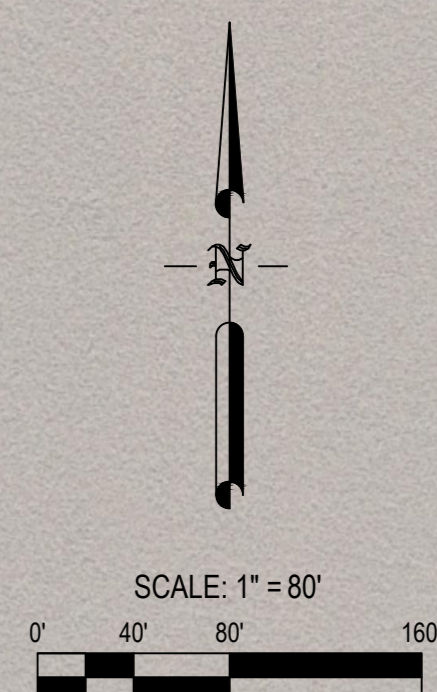
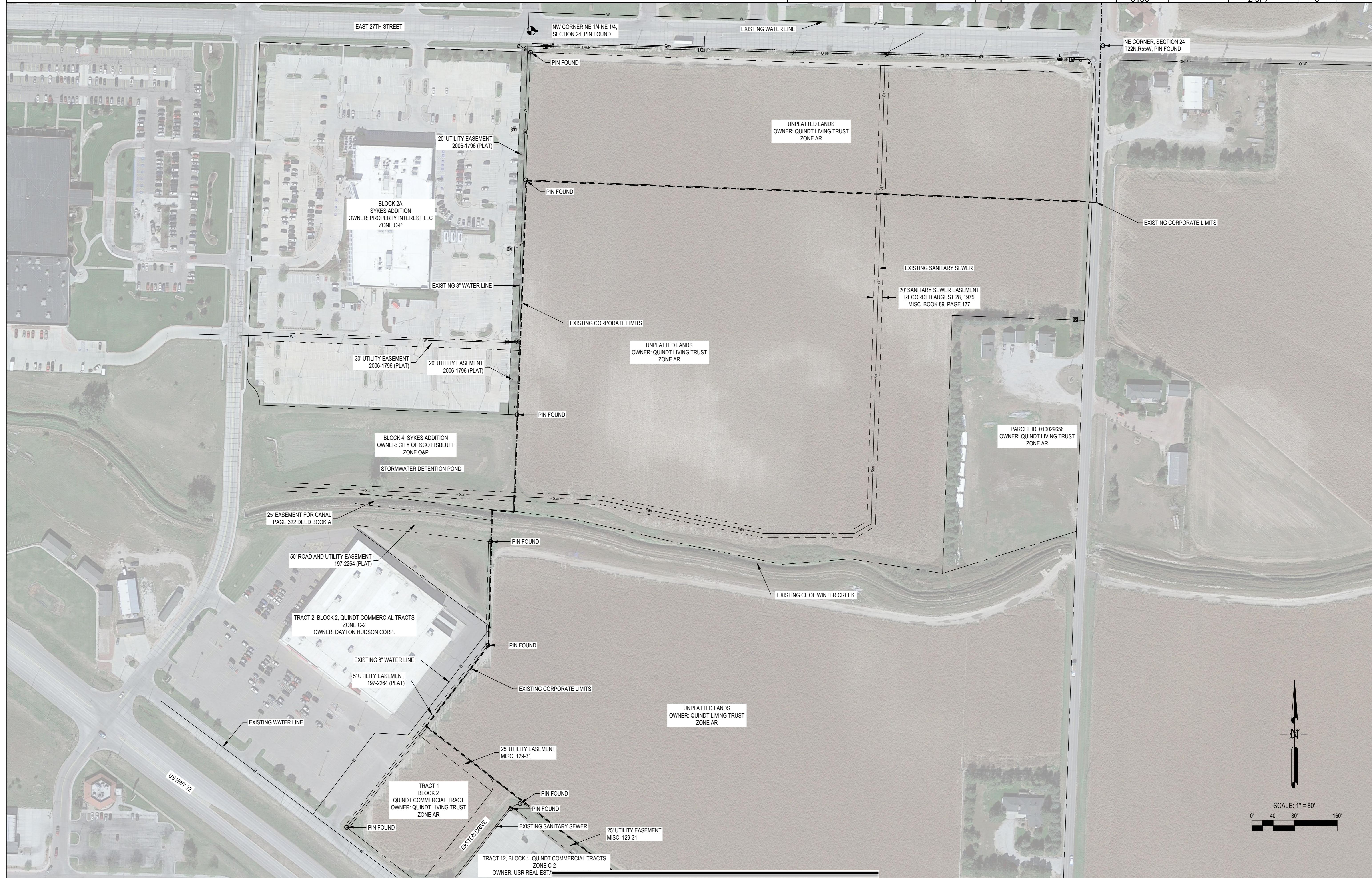
Date	Description	Initials
10-06-23	PRELIMINARY PLAT	KLJ
10-23-23	PRELIMINARY PLAT	BAS
10-26-23	REVISE UTILITIES	BAS
11-3-23	ADD SEWER EASEMENT NOTE	BEG

**Baker & Associates Inc.**  
 Engineers \* Architects \* Surveyors  
 COPYRIGHT

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

**Baker & Associates Inc.**  
 www.baker-eng.com  
 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	Sheet No.
5186		3 of 7



# 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

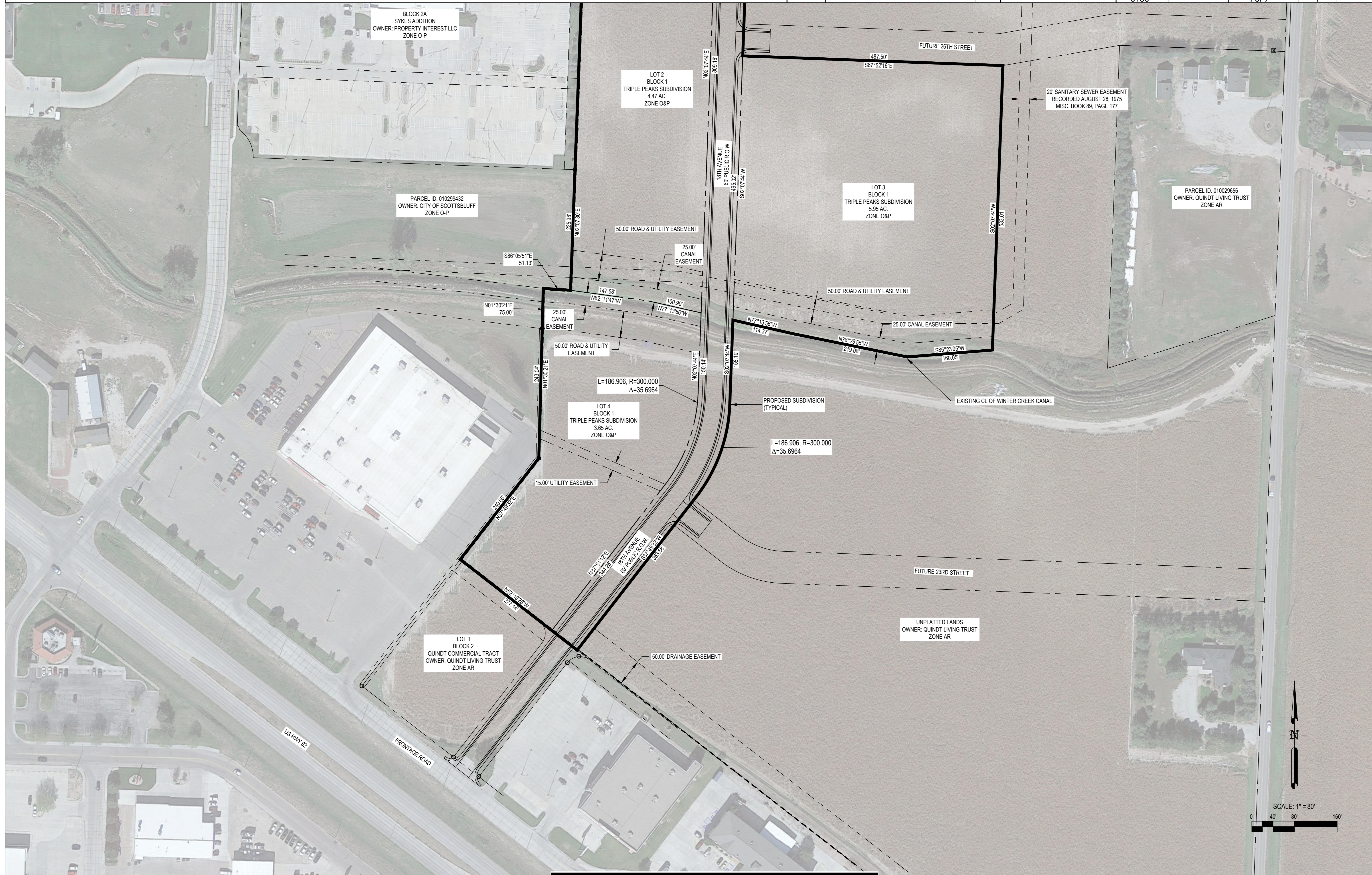
## Sheet Revisions

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

**Baker & Associates Inc.**  
 www.baker-eng.com  
 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		4 of 7
		Sheet No.
		4



## **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.

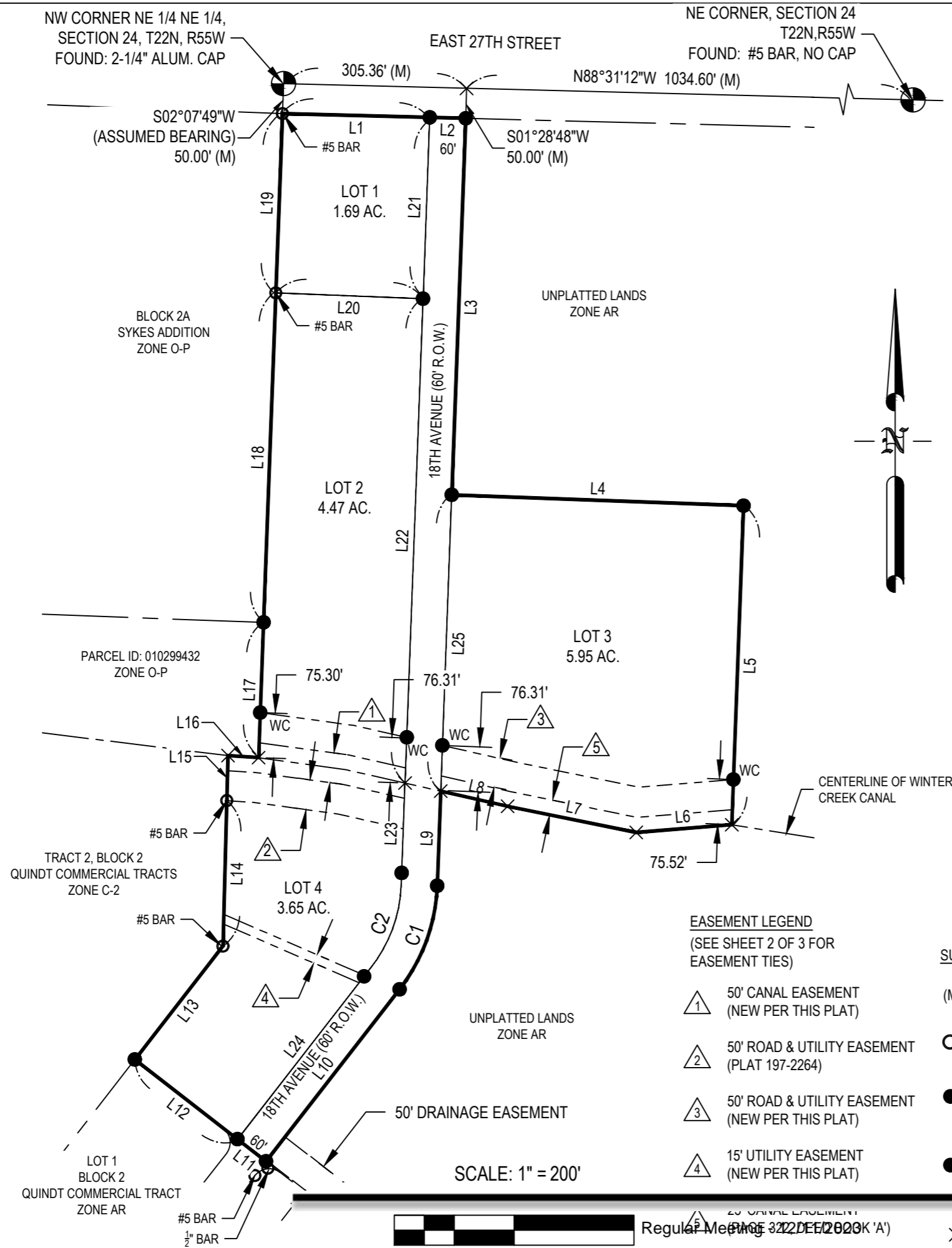
(Ord. 1116, passed 2-25-1957; Ord. 1225, passed - -1959)



NW CORNER NE 1/4 NE 1/4,  
SECTION 24, T22N, R55W  
FOUND: 2-1/4" ALUM. CAP

NE CORNER, SECTION 24  
T22N, R55W  
FOUND: #5 BAR, NO CAP

**LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION** SHEET 1 OF 3  
**AN ADDITION TO THE CITY OF SCOTTSBLUFF,**  
**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



Parcel Line Table		
Line #	Length	Direction
L1	245.93	N88° 31' 12"W
L2	60.00	N88° 31' 12"W
L3	629.04	N2° 07' 44"E
L4	487.50	N87° 52' 16"W
L5	533.01	N2° 07' 44"E
L6	160.05	N85° 23' 05"E
L7	219.08	S78° 29' 55"E
L8	114.37	S77° 13' 56"E
L9	158.19	N2° 07' 44"E
L10	363.58	N37° 49' 32"E
L11	60.17	S52° 10' 28"E
L12	216.98	S52° 10' 28"E
L13	240.00	S37° 49' 32"W

Parcel Line Table		
Line #	Length	Direction
L14	243.04	S1° 30' 21"W
L15	75.00	S1° 30' 21"W
L16	51.13	N86° 05' 51"W
L17	225.96	S2° 07' 30"W
L18	550.50	S2° 07' 30"W
L19	299.58	S2° 08' 11"W
L20	245.95	N87° 44' 01"W
L21	302.95	N2° 07' 45"E
L22	809.16	N2° 07' 44"E
L23	169.46	N2° 07' 46"E
L24	363.58	N37° 51' 05"E
L25	495.02	S2° 07' 44"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	186.91	300.00	35.70	N19° 58' 38"E	183.90
C2	149.52	240.00	35.70	N19° 58' 38"E	147.12

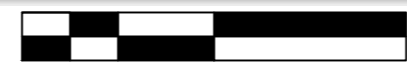
**EASEMENT LEGEND**  
(SEE SHEET 2 OF 3 FOR  
EASEMENT TIES)

- ① 50' CANAL EASEMENT (NEW PER THIS PLAT)
- ② 50' ROAD & UTILITY EASEMENT (PLAT 197-2264)
- ③ 50' ROAD & UTILITY EASEMENT (NEW PER THIS PLAT)
- ④ 15' UTILITY EASEMENT (NEW PER THIS PLAT)

**SURVEY LEGEND**

- (M) = MEASURED DISTANCE
- = FOUND PROPERTY CORNER (AS NOTED)
- = SET PROPERTY CORNER 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED "BORCHERS 766"
- WC = SET WITNESS CORNER 5/8" x 24" REBAR WITH PLASTIC CAP
- × = TEMPORARY POINT

SCALE: 1" = 200'



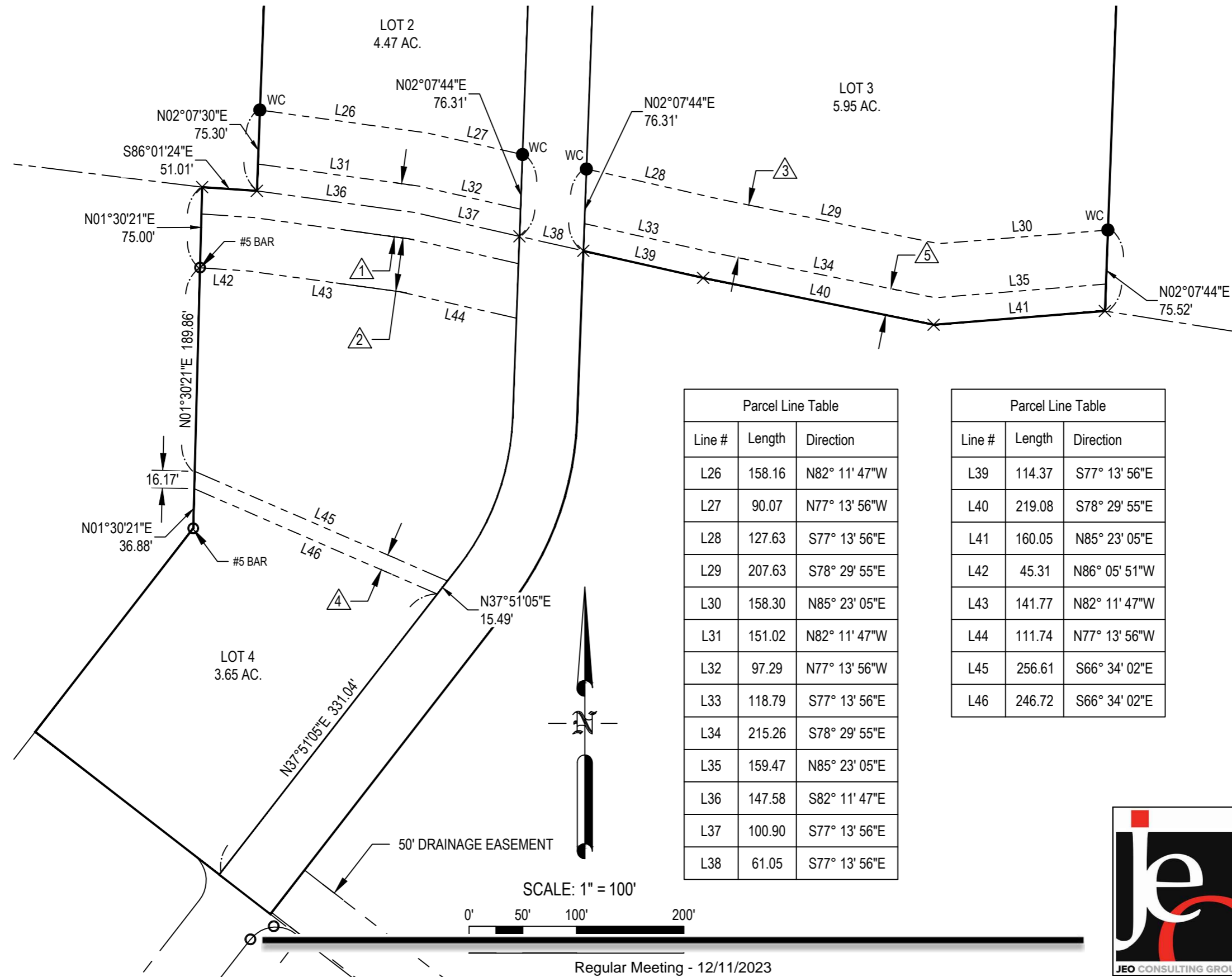
120 EAST 16TH STREET, SUITE 'A'  
SCOTTSBLUFF, NEBRASKA 69361

PHONE: (308) 632-3123

DECEMBER 1, 2023

SHEET 2 OF 3

**LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION**  
**AN ADDITION TO THE CITY OF SCOTTSBLUFF,**  
**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



**EASEMENT LEGEND**

- 50' CANAL EASEMENT (NEW PER THIS PLAT)
- 50' ROAD & UTILITY EASEMENT (PLAT 197-2264)
- 50' ROAD & UTILITY EASEMENT (NEW PER THIS PLAT)
- 15' UTILITY EASEMENT (NEW PER THIS PLAT)
- 25' CANAL EASEMENT (PAGE 322, DEED BOOK 'A')
- 20' SANITARY SEWER EASEMENT (MISC. BOOK 89, PAGE 177)

**SURVEY LEGEND**

- (M) = MEASURED DISTANCE
- = FOUND PROPERTY CORNER (AS NOTED)
- = SET PROPERTY CORNER 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED "BORCHERS 766"
- = SET WITNESS CORNER 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED "BORCHERS 766"
- = TEMPORARY POINT

Parcel Line Table		
Line #	Length	Direction
L26	158.16	N82° 11' 47"W
L27	90.07	N77° 13' 56"W
L28	127.63	S77° 13' 56"E
L29	207.63	S78° 29' 55"E
L30	158.30	N85° 23' 05"E
L31	151.02	N82° 11' 47"W
L32	97.29	N77° 13' 56"W
L33	118.79	S77° 13' 56"E
L34	215.26	S78° 29' 55"E
L35	159.47	N85° 23' 05"E
L36	147.58	S82° 11' 47"E
L37	100.90	S77° 13' 56"E
L38	61.05	S77° 13' 56"E

Parcel Line Table		
Line #	Length	Direction
L39	114.37	S77° 13' 56"E
L40	219.08	S78° 29' 55"E
L41	160.05	N85° 23' 05"E
L42	45.31	N86° 05' 51"W
L43	141.77	N82° 11' 47"W
L44	111.74	N77° 13' 56"W
L45	256.61	S66° 34' 02"E
L46	246.72	S66° 34' 02"E



120 EAST 16TH STREET, SUITE 'A'  
 SCOTTSBLUFF, NEBRASKA 69361

PHONE: (308) 632-3123

DECEMBER 1, 2023



**LEGAL DESCRIPTION - TRIPLE PEAKS SUBDIVISION**

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

REFERRING TO THE NORTHWEST 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 27<sup>TH</sup> 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.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA; THAT THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE LAND SURVEYORS REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY; THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
JOSHUA D. BORCHERS, LS 766

**OWNER'S STATEMENT AND DEDICATION**

I, THE UNDERSIGNED, BEING THE OWNER OF THE PROPERTY TO BE PLATTED AS LOTS 1, 2 AND 3, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNER AND THAT THE UTILITY AND ACCESS EASEMENTS ARE HEREBY DEDICATED FOR THE USE AND BENEFIT OF THE PUBLIC AS SHOWN ON THE FOREGOING PLAT.

BY: \_\_\_\_\_  
DEIDRA BRUNER

**ACKNOWLEDGEMENT:**

STATE OF NEBRASKA                    )  
                                                  )SS  
COUNTY OF SCOTTS BLUFF         )

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME DEIDRA BRUNER, KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

**LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION  
AN ADDITION TO THE CITY OF SCOTTSBLUFF,  
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**

**OWNER'S STATEMENT AND DEDICATION**

I, THE UNDERSIGNED, BEING THE OWNER OF THE PROPERTY TO BE PLATTED AS LOT 4, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNER AND THAT THE UTILITY AND ACCESS EASEMENTS ARE HEREBY DEDICATED FOR THE USE AND BENEFIT OF THE PUBLIC AS SHOWN ON THE FOREGOING PLAT.

BY: \_\_\_\_\_  
WILBER L. QUINDT

**ACKNOWLEDGEMENT:**

STATE OF NEBRASKA                    )  
                                                  )SS  
COUNTY OF SCOTTS BLUFF         )

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME WILBER L. QUINDT, KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

**APPROVAL AND ACCEPTANCE**

THE FOREGOING PLAT OF LOTS 1-4, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

BY: \_\_\_\_\_  
JEANNE MCKERRIGAN, MAYOR

ATTESTED: \_\_\_\_\_  
CITY CLERK

	120 EAST 16TH STREET, SUITE 'A' SCOTTSBLUFF, NEBRASKA 69361
	PHONE: (308) 632-3123
	DECEMBER 1, 2023

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: December 5, 2023

For Hearing of: December 11, 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 and Final, Lots 1-4, Block 1, Triple Peaks Subdivision
  
- D. Legal Description:** See Preliminary Plat
  
- E. Location:** Tract of land south of E. 27<sup>th</sup> 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. Planning Commission made a positive recommendation on Approval of Rezone to O-P District on November 13, 2023

2. Planning Commission tabled the preliminary plat on November 13, 2023 in order for staff to further review stormwater drainage in the subdivision (south of the canal)

### 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 27<sup>th</sup> Street and the newly proposed 18<sup>th</sup> Avenue.
2. Intersections for 26<sup>th</sup> Street and 23<sup>rd</sup> Street are shown.
3. A cross-section of 18<sup>th</sup> Avenue is included in the plat.

**C. Utilities:**

1. Water mains will be located in 18<sup>th</sup> Avenue Right-of-Way and Utility Easements on Lot 2 and Lot 4.
2. Sewer mains will be/ is located in 18<sup>th</sup> 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 18<sup>th</sup> Avenue (north of the canal) into the City-owned retention pond south of the SWBC building.
4. A stormwater easement will be dedicated on the unplatted land northeast of Staples which 18<sup>th</sup> Avenue (south of the canal) will drain into.

### IV. **STAFF COMMENTS**

- A. A Developer's Agreement/Contract for Public Improvements will be necessary as part of the Final Plat. Staff and the Applicant are currently working on this
- 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 18<sup>th</sup> 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 18<sup>th</sup> Avenue. The City requested the street be named 18<sup>th</sup> Avenue.
- F. The subdivision will be annexed into the City of Scottsbluff.

### V. **FINDINGS OF FACT**

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

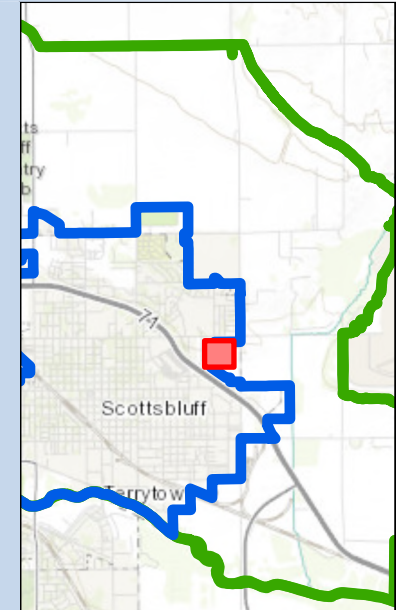
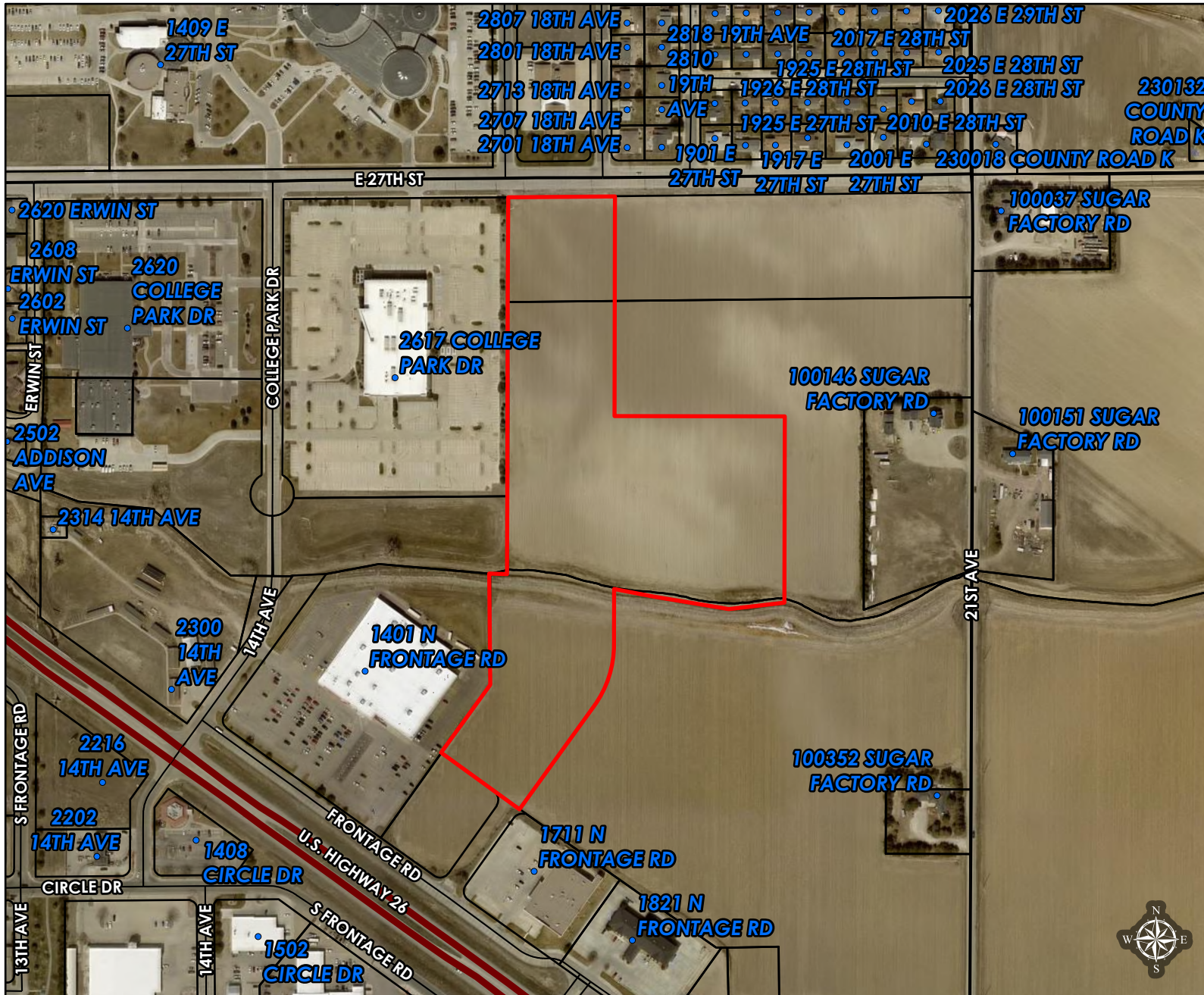
1. The Comprehensive Plan identifies the area as WNCC and Surrounding Areas and the proposed subdivision is intended to be commercial which aligns with the future land use map.
2. The minimum lot size requirement for the O-P zoning district is 7,000 square feet, and the smallest proposed lot is 1.69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

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

1. None

**VI. STAFF RECCOMENDATION**

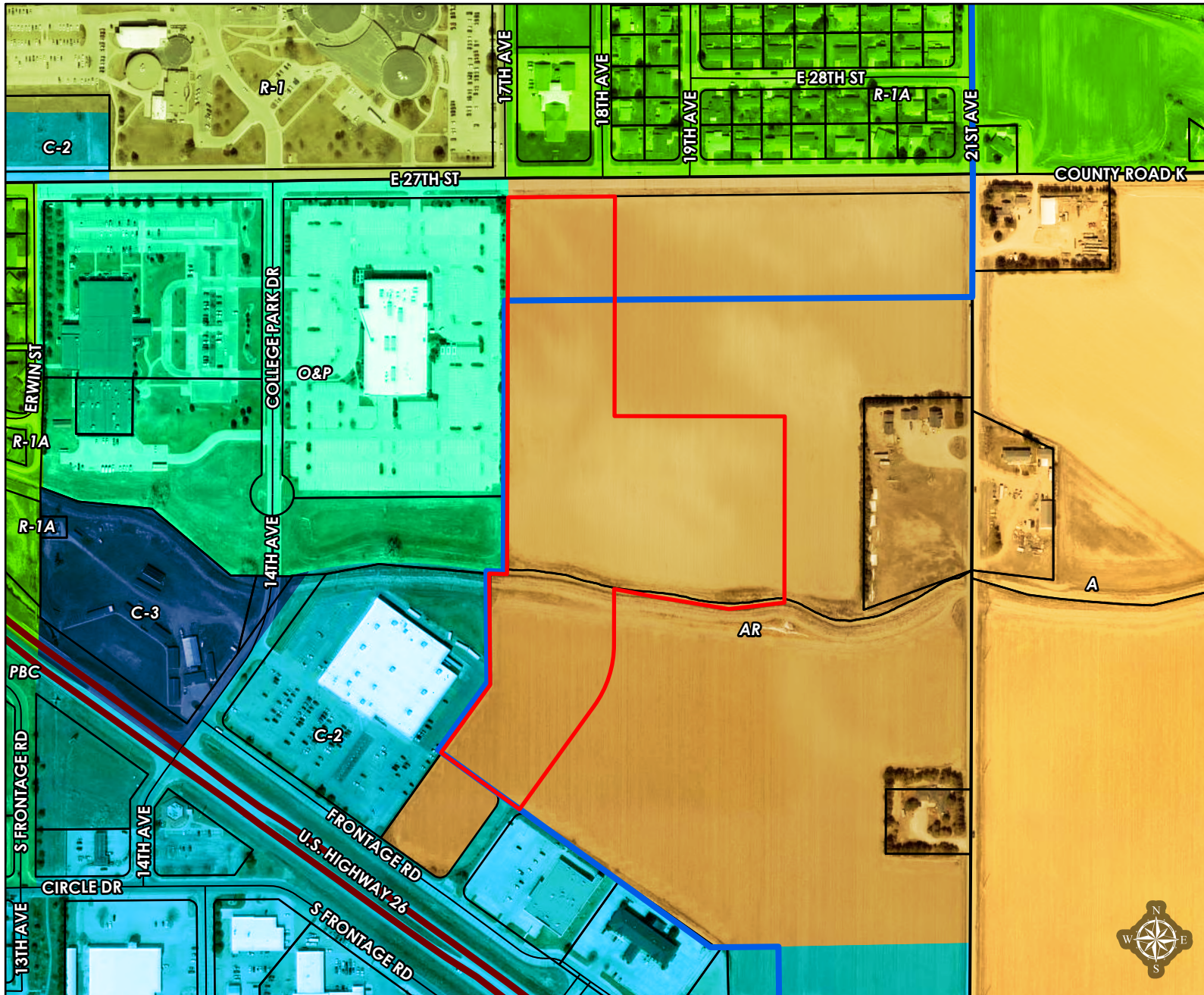
- A.** Staff recommends Planning Commission make a positive recommendation on approval of the preliminary plat and final plat for Lots 1-4, Block 1, Triple Peaks Subdivision, on the condition the City Council finds the contract for public improvements acceptable.



- 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.



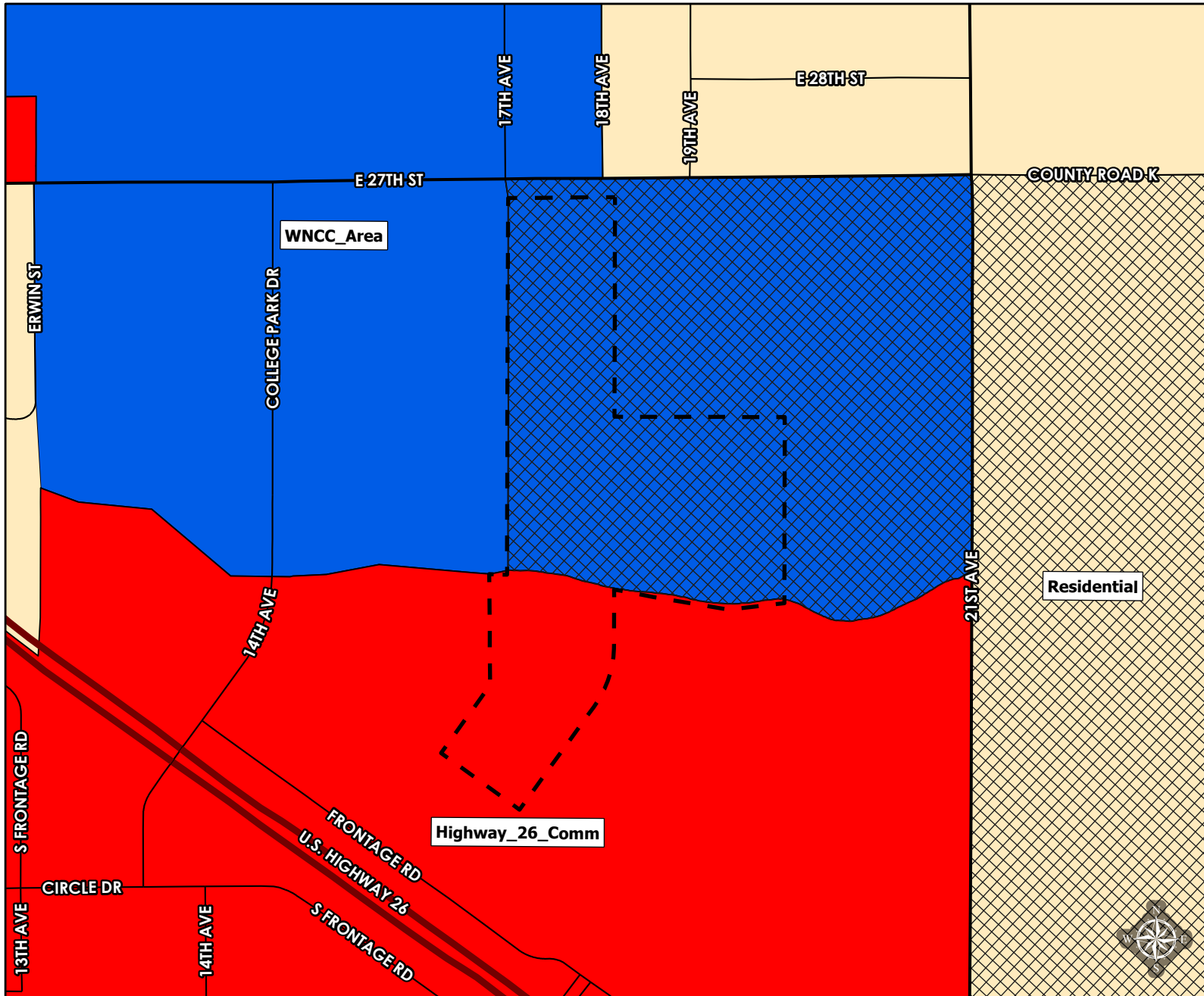
- Property Location(s)
  - Corporate Limits
  - Extended Jurisdiction
- City Zoning**
- (A)Agriculture
  - (AR)Ag Residential
  - (C-1)Central Business District
  - (C-2)Neighborhood Com
  - (C-3)Heavy Com
  - (M-1)Light Man & Ind
  - (M-2)Heavy Man & Ind
  - (O-P)Office and Professional
  - (PBC) Planned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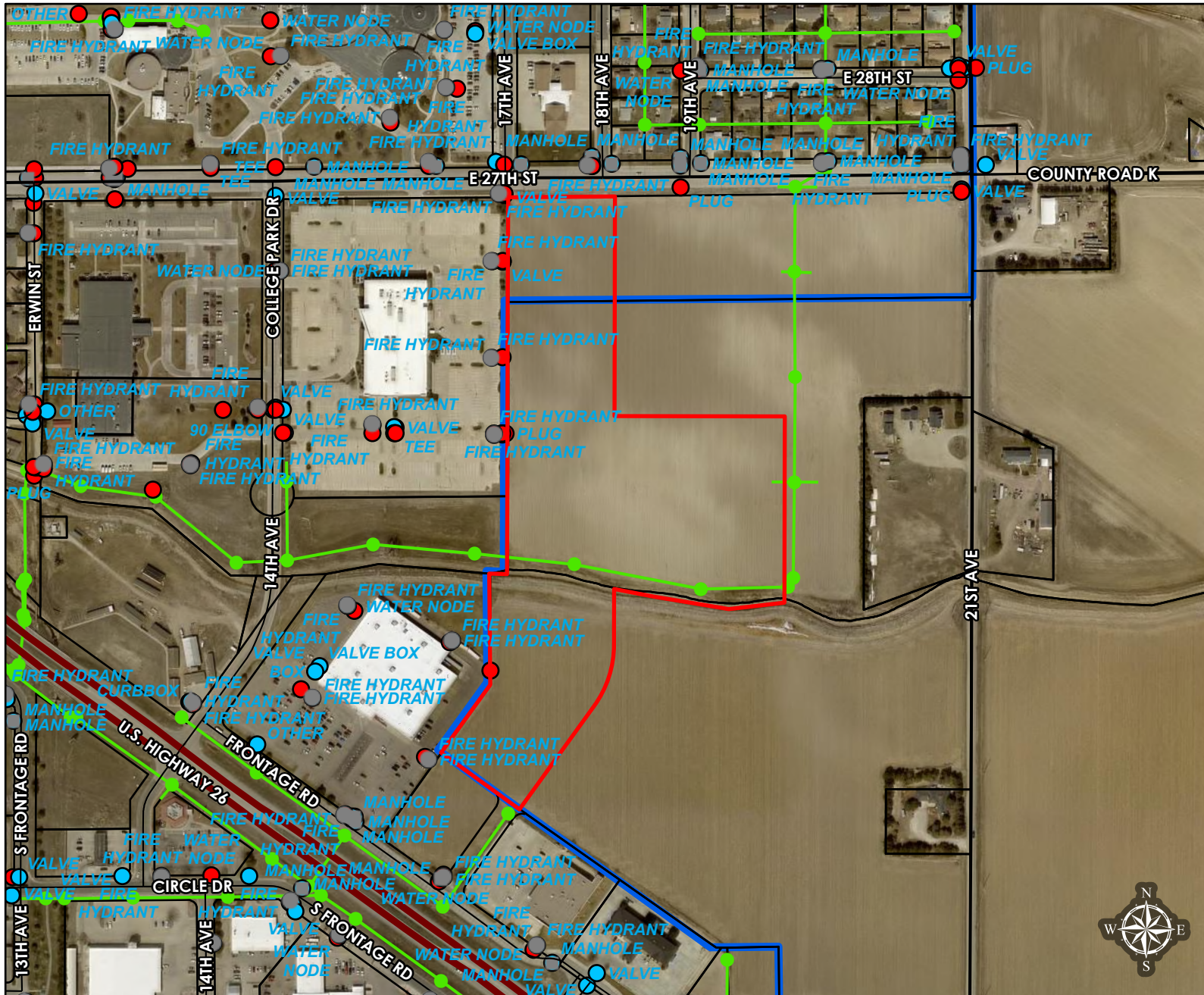
# Proposed Rezone from AG to O&P



- 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, December 11, 2023**

**Regular Meeting**

## **Item Pub Hear2**

**3. Planning Commission to conduct a Public Hearing to consider a Final Plat of Lot 1A, Block 1, Platte Valley Addition and Easement, Platte Valley Drive, and part of 13th Avenue Vacation, commonly identified as 1212 Circle Drive**

**Staff Contact:**



**City of Scottsbluff**  
**Subdivision Application**  
Permit Identifier 2023-6SD

---

Type: Final Plat

Applicant Name Brad Gross Applicant Address 120 16th Street, Suite  
A, Scottsbluff, NE  
69361 Scottsbluff,  
Nebraska  
Applicant Email bgross@baker-eng.com Applicant Phone 13086316063

Contact Name Contact Address  
Conact Email Contact Phone

Subdivision Information

Proposed Name of Subdivision Platte Valley Addition

General Location/Address 1212 CIRCLE DR

Legal Description LT 2, BLK 1, PLATTE VALLEY ADD

Current Zoning District(s) C-3

Total Area (square feet or acre) 7.627 Acres

Number of Past Replat/Plat Amendments

Describe the reason for the subdivision

Replatting the property owned by Platte Valley Bank, to modify easements and rights of way

---

**LOT 1A, BLOCK 1, PLATTE VALLEY ADDITION**  
 A REPLAT OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION,  
 AND  
 A REPLAT OF LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY  
 ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA

SURVEY LEGEND

- (M) = MEASURED DISTANCE
- (P) = PLATTED DISTANCE
- = FOUND PROPERTY CORNER
- = SET PROPERTY CORNER  
5/8" X 24" REBAR WITH PINK PVC  
 CAP STAMPED "ACCUSTAR BOSSE"  
 LS 603"

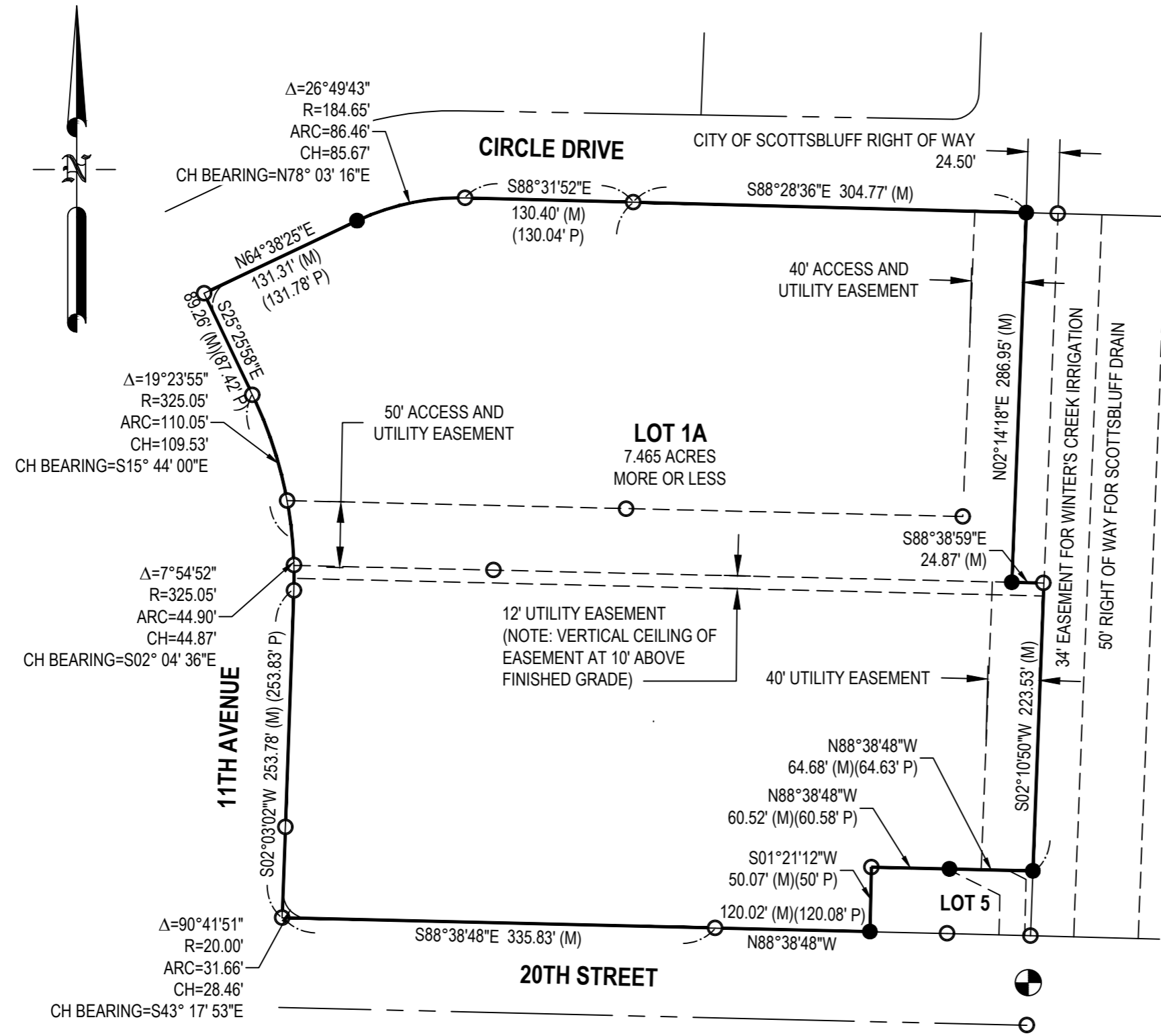
SURVEYOR'S CERTIFICATE:

I, SCOTT M. BOSSE', NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED

LOT 1A, BLOCK 1, PLATTE VALLEY ADDITION, A REPLAT OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION AND A REPLAT OF LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, ; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 100 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED AND THE BOUNDARY IS DEPICTED BY A THICKENED SOLID LINE.

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
 Scott M. Bosse'  
 NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603



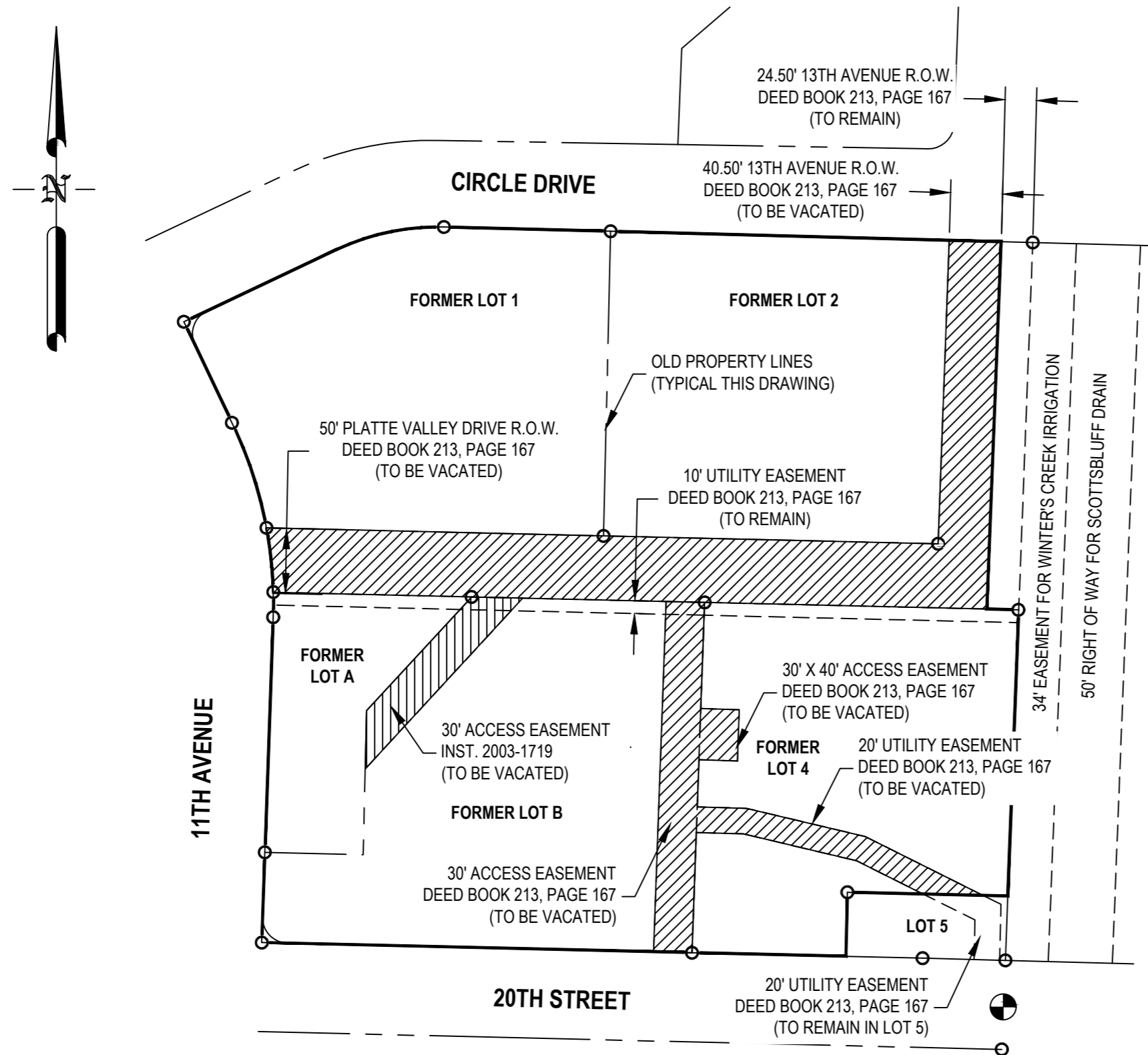
SCALE: 1" = 100'


0' 50' 100' 200'



Regular Meeting - 12/11/2023

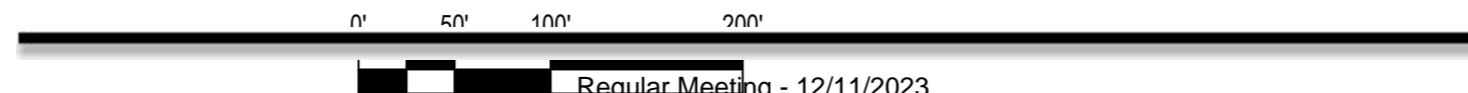
**LOT 1A, BLOCK 1, PLATTE VALLEY ADDITION**  
A REPLAT OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION,  
AND  
A REPLAT OF LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY  
ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA



 INDICATES EASEMENTS / R.O.W. TO BE VACATED

**VACATION OF EASEMENTS & RIGHTS OF WAY**

SCALE: 1" = 100'



Regular Meeting - 12/11/2023

**Baker & Associates Inc.**

Scottsbluff, Nebraska  
11/20/2023

**SURVEY NOTES**

1. ALL DIMENSIONS SHOWN HEREON ARE PLATTED DISTANCES.
2. THIS TRACT MAY BE SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD OR APPARENT.
3. ONLY THE RECORD DOCUMENTS NOTED HEREON WERE PROVIDED TO OR DISCOVERED BY SURVEYOR. NO ABSTRACT, CURRENT TITLE COMMITMENT NOR OTHER RECORD TITLE DOCUMENTATION WAS PROVIDED FOR THIS SURVEY.
4. NOTICE YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION, BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

**OWNER'S STATEMENT AND DEDICATION**

I, THE UNDERSIGNED, BEING THE OWNER OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION AND LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, HEREBY DEDICATES THE ABOVE DESCRIBED REAL ESTATE TO BE REPLATTED AS:

LOT 1A, BLOCK 1, PLATTE VALLEY ADDITION, A REPLAT OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION AND A REPLAT OF LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.

I ALSO APPROVE OF THE RIGHT-OF-WAY AND EASEMENT VACATIONS AS DEPICTED ON SHEET 2 OF THIS PLAT.

THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNER AND THAT THE UTILITY AND ACCESS EASEMENTS ARE HEREBY DEDICATED FOR THE USE AND BENEFIT OF THE PUBLIC AS SHOWN ON THE FOREGOING PLAT.

BY: \_\_\_\_\_  
REPRESENTATIVE OF KOSMAN, INC.

**ACKNOWLEDGEMENT:**

STATE OF NEBRASKA                    )  
                                                  ) SS  
COUNTY OF SCOTTS BLUFF        )

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME \_\_\_\_\_, A REPRESENTATIVE OF KOSMAN, INC., KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

**LOT 1A, BLOCK 1, PLATTE VALLEY ADDITION  
A REPLAT OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION,  
AND  
A REPLAT OF LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY  
ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**

**APPROVAL AND ACCEPTANCE**

THE FOREGOING PLAT OF LOT 1A, BLOCK 1, PLATTE VALLEY ADDITION, A REPLAT OF LOTS 1, 2 AND 4, BLOCK 1, PLATTE VALLEY ADDITION AND A REPLAT OF LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

THE CITY OF SCOTTSBLUFF ALSO APPROVES OF THE RIGHT-OF-WAY AND EASEMENT VACATIONS AS DEPICTED ON SHEET 2 OF THIS PLAT.

BY: \_\_\_\_\_  
JEANNE MCKERRIGAN, MAYOR

ATTESTED: \_\_\_\_\_  
CITY CLERK



Scottsbluff, Nebraska  
11/20/2023

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: December 4, 2023

For Hearing of: December 11, 2023



## I. GENERAL INFORMATION

- A. Applicant:** Brad Gross  
120 16<sup>th</sup> Street, Suite A  
Scottsbluff, NE 69361
  
- B. Property**  
**Owner:** Platte Valley Bank  
1212 Circle Drive  
Scottsbluff, NE 69361
  
- C. Proposal:** Final Plat of Lt 1A, Block 1, Platte Valley Addition & Request to Vacate Platte Valley Drive, part of 13<sup>th</sup> Avenue, Utility Easements, and Access Easements
  
- D. Legal Description:** Lot 1A, Block 1, Platte Valley Addition, a replat of Lots 1, 2, and 4, Block 1, Platte Valley Addition and a replat of Lots A & B, subdivision of Lot 3, Block 1, Platte Valley Addition
  
- E. Location:** 1212 Circle Drive
  
- F. Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial

**Size of Site:** Approximately 7.465 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	PBC Planned Business Center	Mall
East	Highway 26 Commercial	C-2 Neighborhood and Retail Commercial	Carr-Trumbull Lumber
South	Residential	R-1A Single-Family Residential	Single-Family Dwellings
West	Highway 26 Commercial	R-4 Heavy Density Multiple Family	The Residency

**B. Relevant Case History**

1. Lots 1-5, Block 1, Platte Valley Addition was platted in May 1997
2. Lot 3, Block 1, Platte Valley Addition was replatted in January 2003

**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. Access to the property will be via Circle Drive, 11<sup>th</sup> Avenue, and 20<sup>th</sup> Street.
2. Platte Valley Drive and part 13<sup>th</sup> Avenue (western 40.5') will be vacated and rededicated as access & utility easements.

**C. Utilities:**

1. Water is located in the right-of-way of Circle Drive, 11<sup>th</sup> Avenue, and 20<sup>th</sup> Street
2. Water is also located in the current 13<sup>th</sup> Avenue. The street will be vacated and rededicated as an access and utility easement
3. A new utility easement will be dedicated for the portion of water main crossing the property not currently in an easement.
4. Sewer is located in the right-of-way of Circle Drive and Circle Avenue.
5. Stormwater is located in the right-of-way of Circle Drive
6. Stormwater retention will also be located on the site.

**IV. STAFF COMMENTS**

- A. The City has agreed to vacated Platte Valley Drive and the paved portion of 13<sup>th</sup> Avenue right-of-way.
- B. The City will retain the unpaved portion of the 13<sup>th</sup> Avenue to provide additional space for when the Scotts Bluff Drain is eventually daylighted.
- C. As the multiple properties are being consolidated, the need for the various access easements is gone. Therefore, they will be vacated.
- D. The portion of the utility easement outside of Lot 5 will be vacated.
- E. Off-Street Parking Calculations will be simplified by having a single lot campus instead of a 5-lot campus.

**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 City has agreed to vacate Platte Valley Drive and the paved portion of 13<sup>th</sup> Avenue in the subdivision.
3. The vacated street right-of-way will be rededicated as access and utility easements.
4. There is no need for minor access easements due to the property being consolidated into a single lot.
5. 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 final plat of Lot 1A, Block 1, Platte Valley Addition and vacation requests for Platte Valley Drive, the western 40.5' feet of 13<sup>th</sup> Avenue between Circle Drive and Platte Valley Drive, 20' utility easement crossing the former Lot 4, and 30' access easements on the former Lot B and former Lot 4 by City Council.

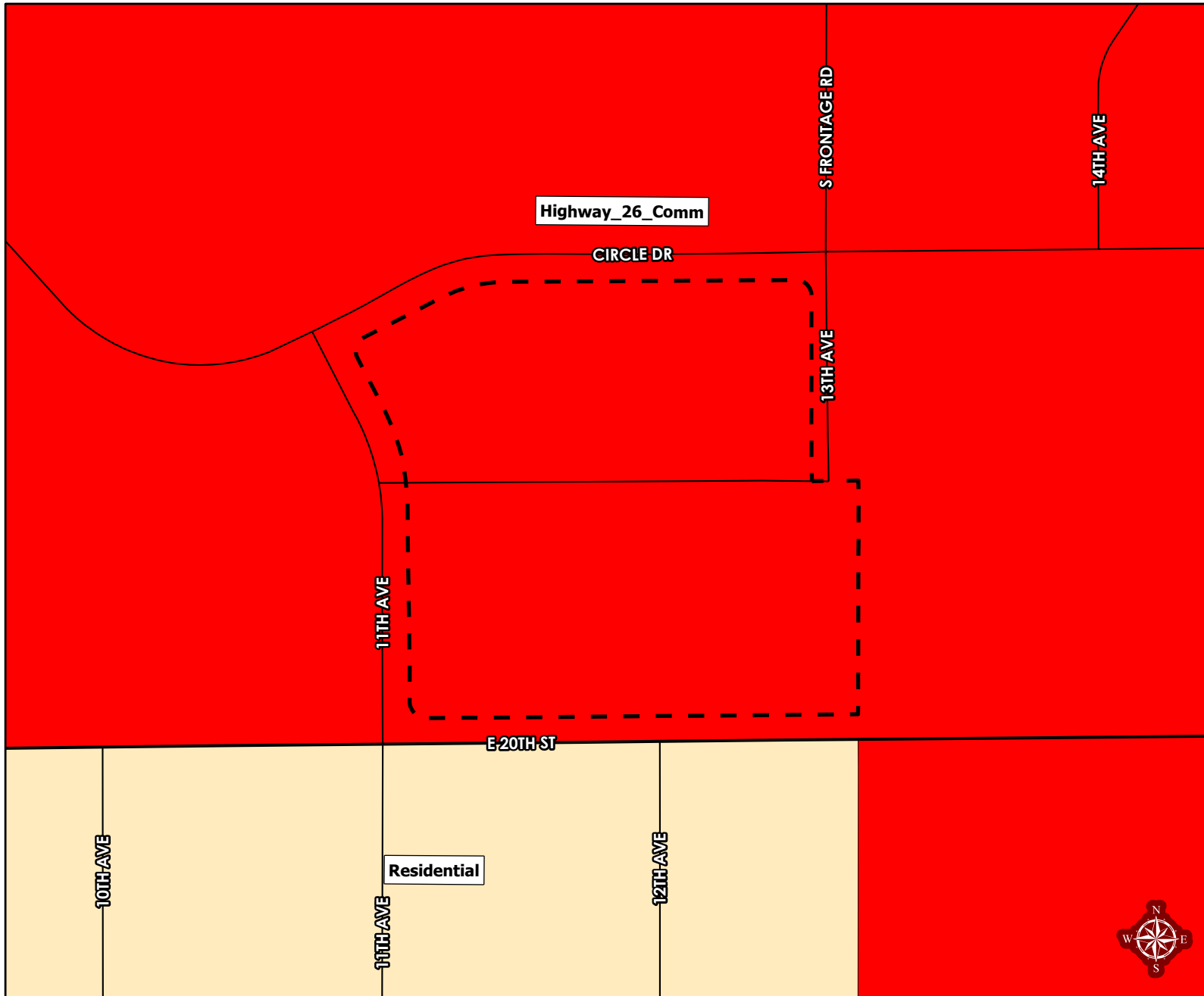




- Property Location(s)
  - Corporate Limits
  - Extended Jurisdiction
- City Zoning**
- (A)Agriculture
  - (AR)Ag Residential
  - (C-1)Central Business District
  - (C-2)Neighborhood Com
  - (C-3)Heavy Com
  - (M-1)Light Man & Ind
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  - (PBC) Planned 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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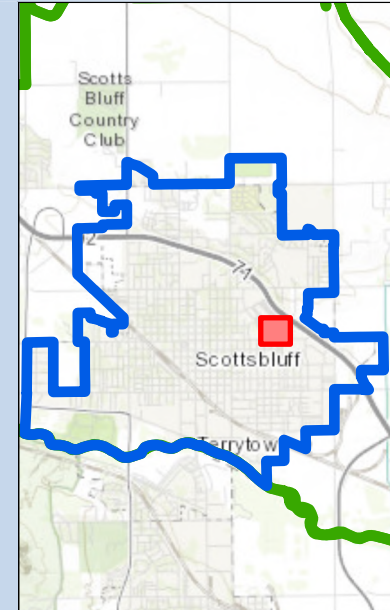
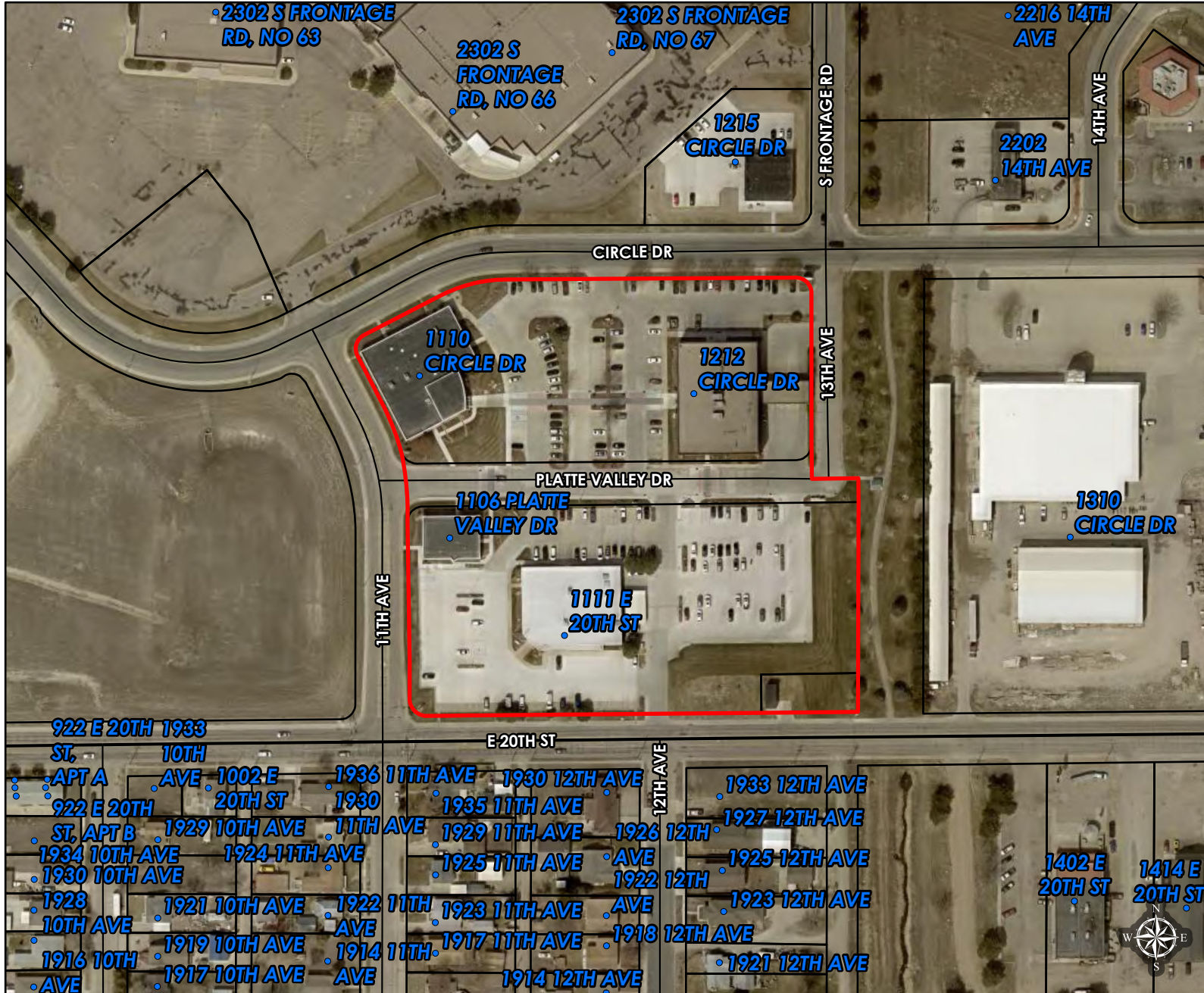
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- Proposed Changes
- 2016 Comp. Plan Land Use**
- Automobile Commercial
- Avenue B and Hospital Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural
- Rural Residential
- SE Industrial and Commercial
- South Broadway
- WNCC and Surrounding Area
- Street Centerlines**
- Highway
- Main Road
- Residential/Rural
- 2016 Comp. Plan Development**
- LTD (10 - 20 yrs)
- NTD (Less than 5 yrs)
- STD (5 - 10 yrs)

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 Proposed Changes

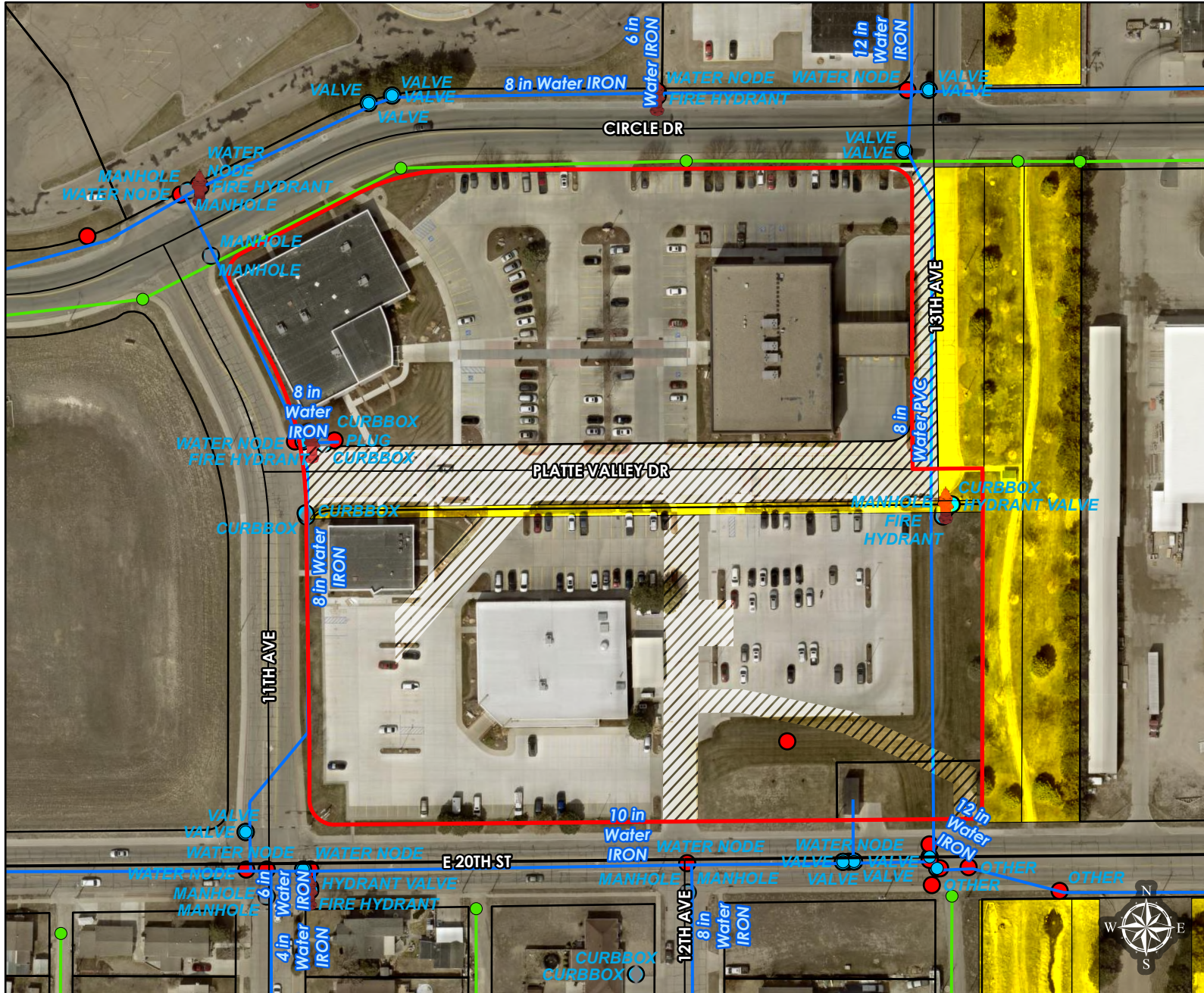
Street Centerlines

CLASS

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

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- Highway
- Main Road
- Residential/Rural
- Wastewater MH
- Wastewater Lines
- Proposed Property
- Parcels
- GEODATA.GISMGR.Corporate\_Limits
- Water\_Lines
- Active
- TO BE VACATED
- ACTIVE

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# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item Election1**

**Planning Commission to remove from the table Officer Elections  
for the October 2023- September 2022 term**

**Staff Contact:**

# **City of Scottsbluff, Nebraska**

**Monday, December 11, 2023**

**Regular Meeting**

## **Item Election2**

### **October 2023-September 2024 Officer Elections**

**Staff Contact:**

**City of Scottsbluff, Nebraska**  
**Monday, December 11, 2023**  
**Regular Meeting**

**Item Meet1**

**January 8, 2024**

**Staff Contact:**