

# **City of Scottsbluff, Nebraska**

**Monday, February 5, 2024**

**Regular Meeting**

## **Item Resolut.2**

**Council to consider action on the first reading of the Ordinance dealing with the Rezone of Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office and Professional.**

**Staff Contact: Thomas Schingle, Fire Chief**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT LOTS 1, 2, 3, AND 4, BLOCK 1, TRIPLE PEAKS SUBDIVISION 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 6<sup>th</sup> PRINCIPAL MERIDIAN SCOTTS BLUFF COUNTY, NEBRASKA WHICH WAS PREVIOUSLY ZONED AS AGRICULTURAL RESIDENTIAL (AR) TO OFFICE AND PROFESSIONAL (O-P), REPEALING PRIOR SECTION 25-1-4, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Section 25-1-4 of the Municipal Code is amended to provide as follows:

“25-1-4. Zones; location; maps. The boundaries of the zoning districts created in this chapter are shown on the zoning district map which is made a part of this municipal code. The zoning district map and all information shown thereon shall have the same force and effect as if fully set forth and described herein. The official zoning district map shall be identified by the signature of the Mayor, attested by the City Clerk under the following statement:

This is to certify that this is the official zoning district map described in §25-1-4 of the Scottsbluff Municipal Code, passed this \_\_\_\_ day of \_\_\_\_\_, 2024.”

Section 2. Previously existing Section 25-1-4 and all other Ordinances and parts of Ordinances in conflict with this Ordinance, are repealed. Provided, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval and publication shall be in pamphlet form.

PASSED AND APPROVED on \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

Approved as to form:

\_\_\_\_\_  
City Attorney



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

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

Property Information

General Location/Address

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

Current Zoning District(s) Ag

Proposed Zoning District: Office and Professional

Does the proposed zoning district abut the property: Yes

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

Required Information (§25-15-2)

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

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

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

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

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

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

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

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

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

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

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

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

Why should the rezone request be granted?

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

Issued By

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# PRELIMINARY PLAT

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

## Sheet Revisions

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

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 www.baker-eng.com  
 Engineers \* Architects \* Surveyors  
 COPYRIGHT

## PRELIMINARY PLAT SURVEY

### UTILITY 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		5 of 7	5



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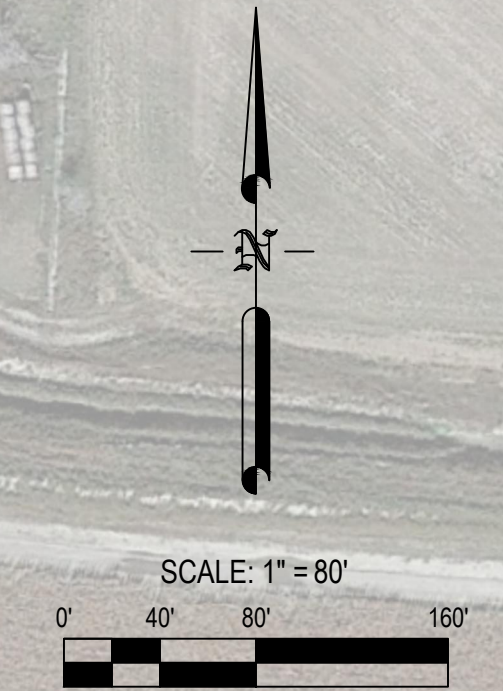
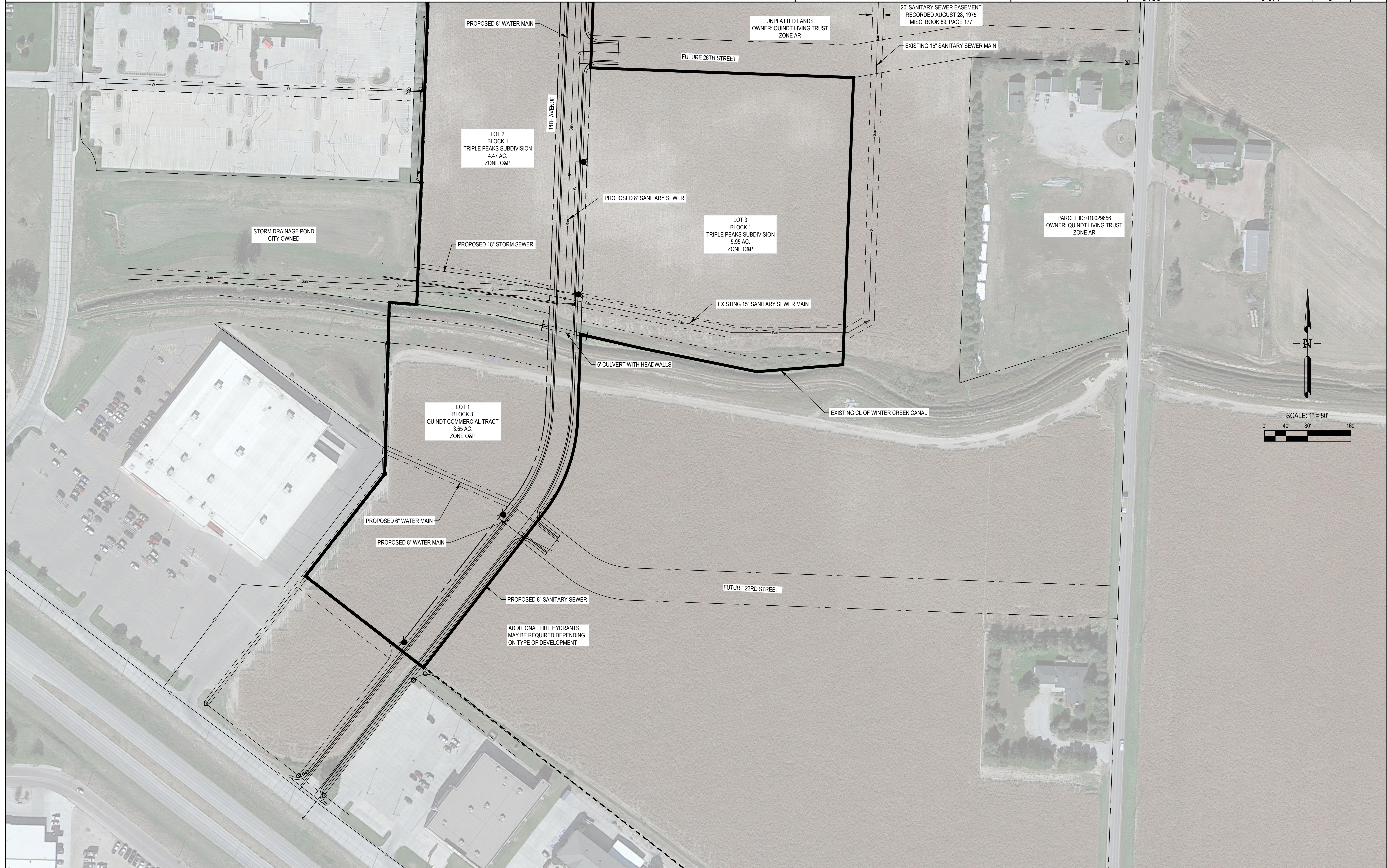
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October 5, 2023

3302 Verbena Pl  
Scottsbluff, NE 69361

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

Dear Planning Commission/City Council Members:

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

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

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

### **Project Definition and Mission**

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

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

### **Unique facility environment**

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

### **Community benefits**

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

### **Community amenities & future plans**

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



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

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

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

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

November 20, 1996- our first date

November 20, 2021- our last day together

Twenty-five years together. Exactly.

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

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

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

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

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

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

Sincerely,



Deidra K. Bruner

September 19, 2023

Scottsbluff City  
2525 Circle Drive  
Scottsbluff, NE 69361

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

To Whom It May Concern:

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

Sincerely,

*Wilbert L. Quindt Trustee Wilbert L. Quindt Living Trust*

Wilbert L. Quindt Living Trust  
Living Trust

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

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

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 31, 2023

For Hearing of: November 13, 2023



## I. GENERAL INFORMATION

- A. Applicant:** Deidra Bruner  
3302 Verbena Place  
Scottsbluff, NE 69361
  
- B. Property**
  - Owner:** Wilbert Quindt Living Trust & Vicki Quindt Trust  
429 W Lakeshore Drive  
Lincoln, NE 68528
  
- C. Proposal:** Rezone Proposed Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office & Professional
  
- D. Legal Description:** See Preliminary Plat
  
- E. Location:** Tract of land south of E. 27<sup>th</sup> Street and east of SWBC building
  
- F. Existing Zoning & Land Use:** AR Agricultural Residential - Farmland
  
- G. Size of Site:** 18.22 Acres

## II. BACKGROUND INFORMATION

### A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Residential	R-1A Single Family Residential	Church and Single-Family Dwellings
East	Residential	A - Agricultural	Famland
South	Highway 26 Commercial	AR – Agricultural Residential	Farmland
West	WNCC and Surrounding Area	O-P Office and Professional / C-2 Neighborhood and Retail Commercial	Commercial Buildings (SWBC Building and Target)

### B. Relevant Case History

- 1. None

## III. ANALYSIS

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

**IV. STAFF COMMENTS**

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

**V. FINDINGS OF FACT**

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

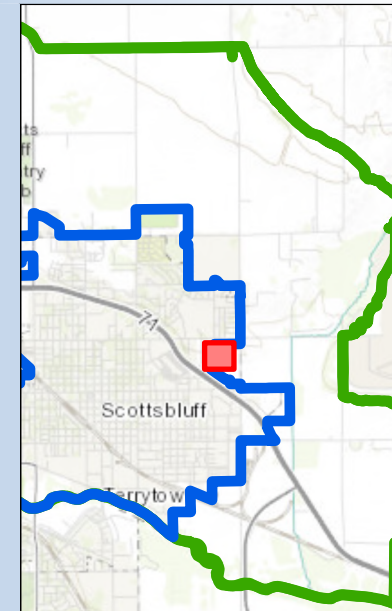
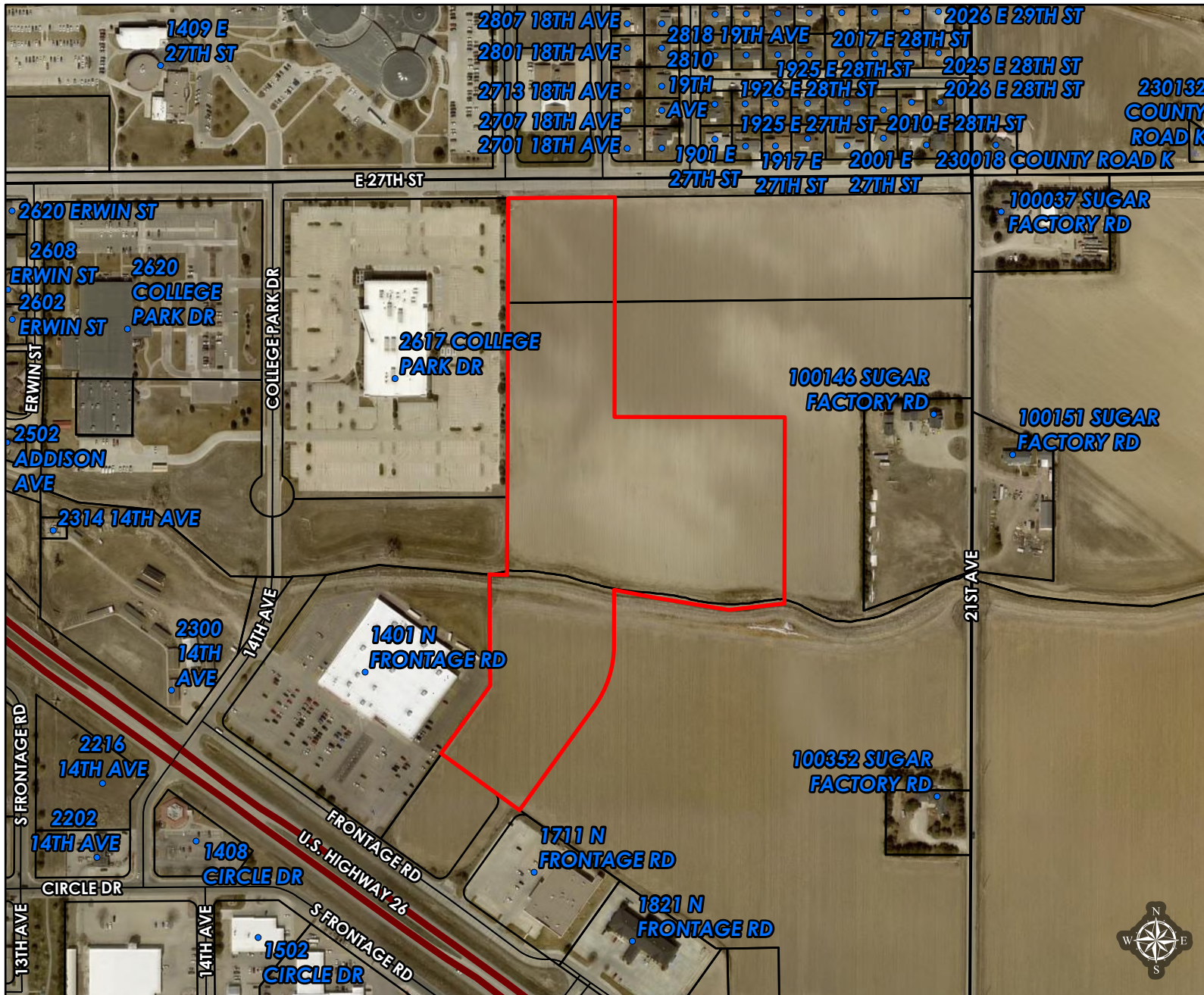
- 1. The Comprehensive Plan identifies the area as WNCC and Surrounding Areas and the proposed rezone to O-P aligns with the future land use map.
- 2. The rezone would not be injurious to adjacent properties as the lot will remain a commercial zone.
- 3. No special hazards or problems will be created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

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

- 1. None

**VI. STAFF RECCOMENDATION**

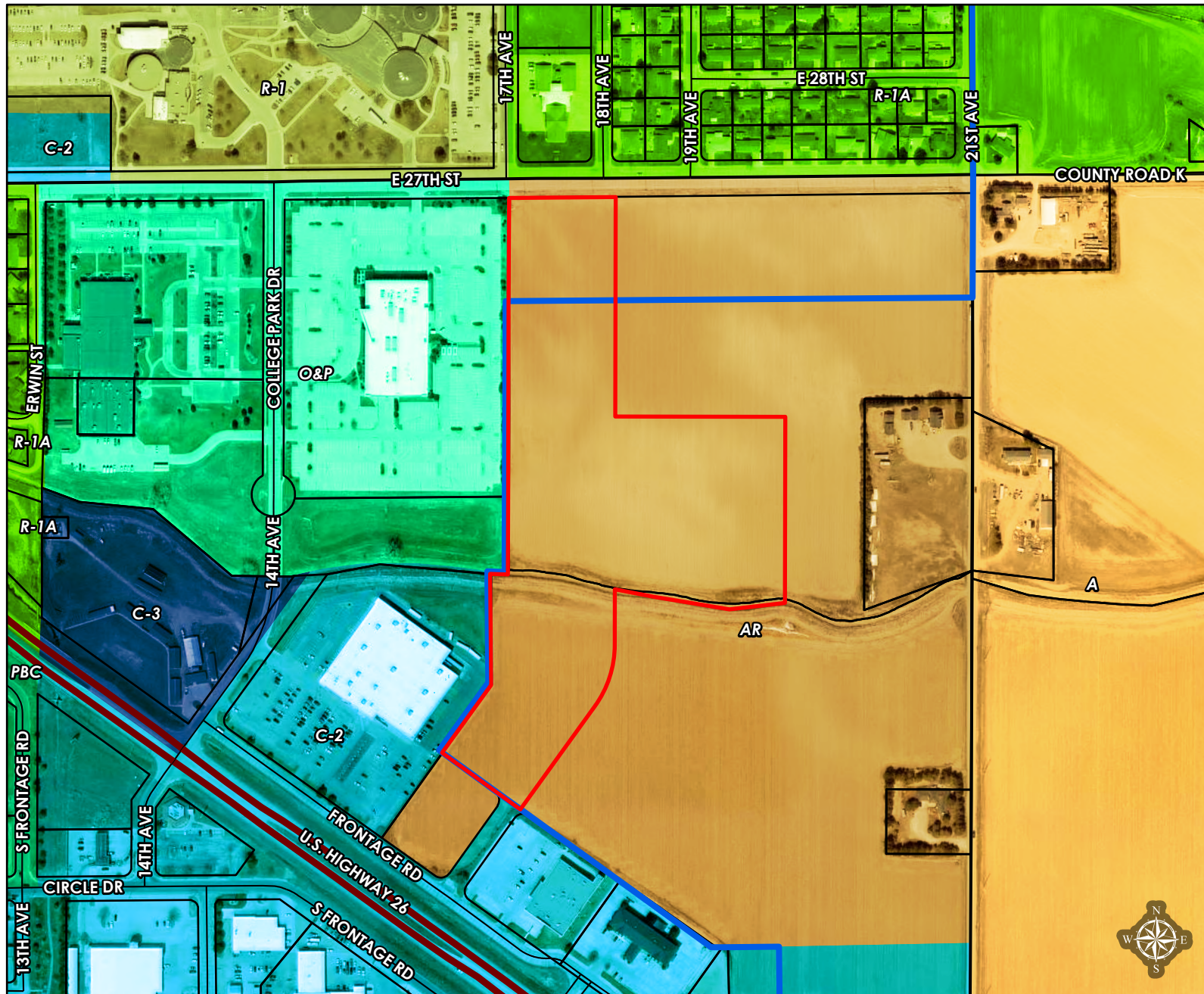
- A. Staff recommends Planning Commission make a positive recommendation on approval of the rezone of the proposed Lots 1-4, Block 1, Triple Peaks Subdivision by City Council.



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

Taylor Stephens  
 City of Scottsbluff GIS  
 Created on 10/25/2023  
 Coordinate System: NAD 1983 (2011)  
 StatePlane Nebraska FIPS 2600 Feet  
 Lambert Conformal Conic

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

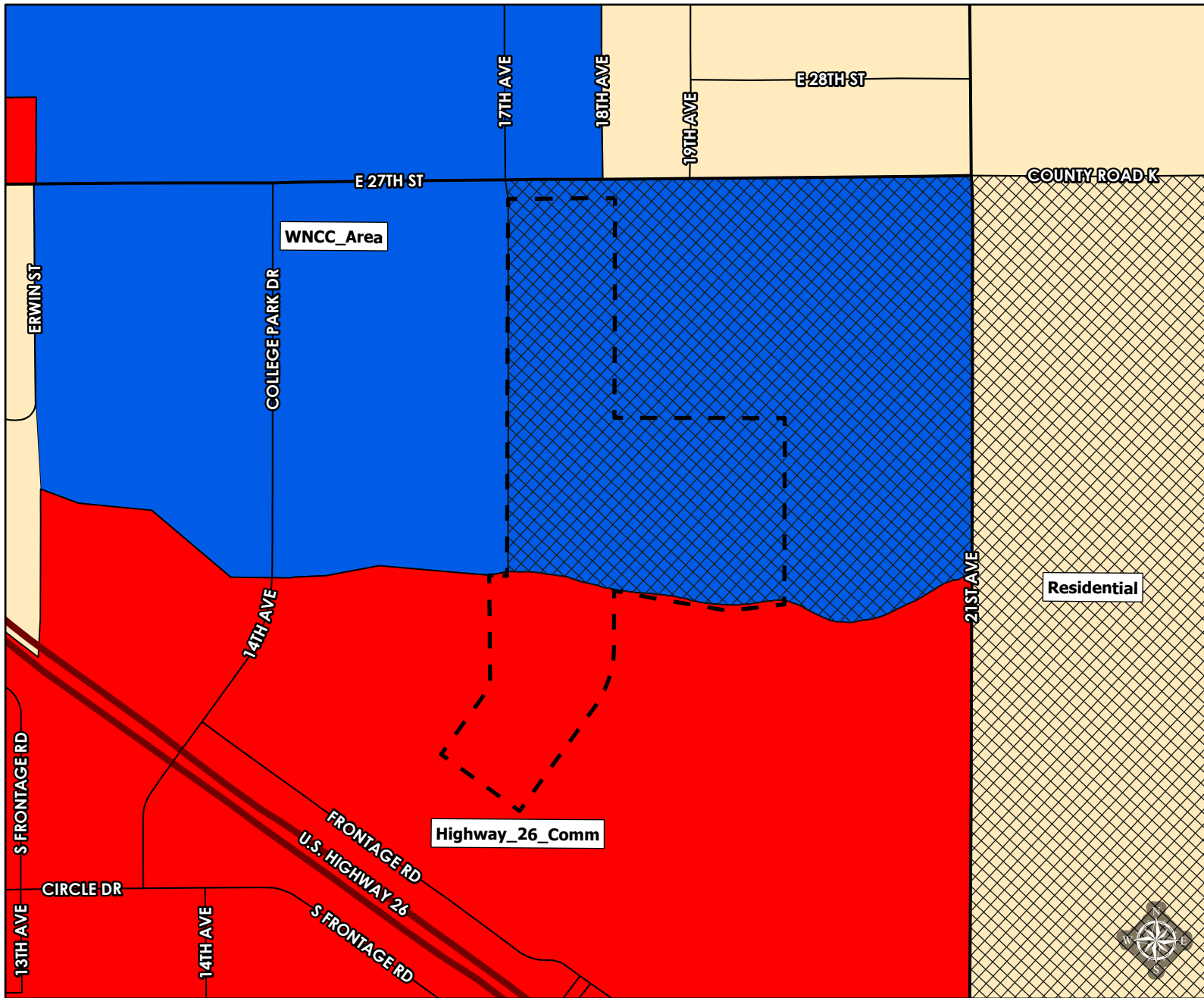


- Property Location(s)
  - Corporate Limits
  - Extended Jurisdiction
- City Zoning**
- (A)Agriculture
  - (AR)Ag Residential
  - (C-1)Central Business District
  - (C-2)Neighborhood Com
  - (C-3)Heavy Com
  - (M-1)Light Man & Ind
  - (M-2)Heavy Man & Ind
  - (O-P)Office and Professional
  - (PBC) Planned Bussiness
  - (R-1)Single Family
  - (R-1A)Single Family Med Dens
  - (R-1B)Rural Residential
  - (R-4)Heavy Dens Multiple
  - (R-6)Mobile Home
- Street Centerlines**
- Highway
  - Main Road
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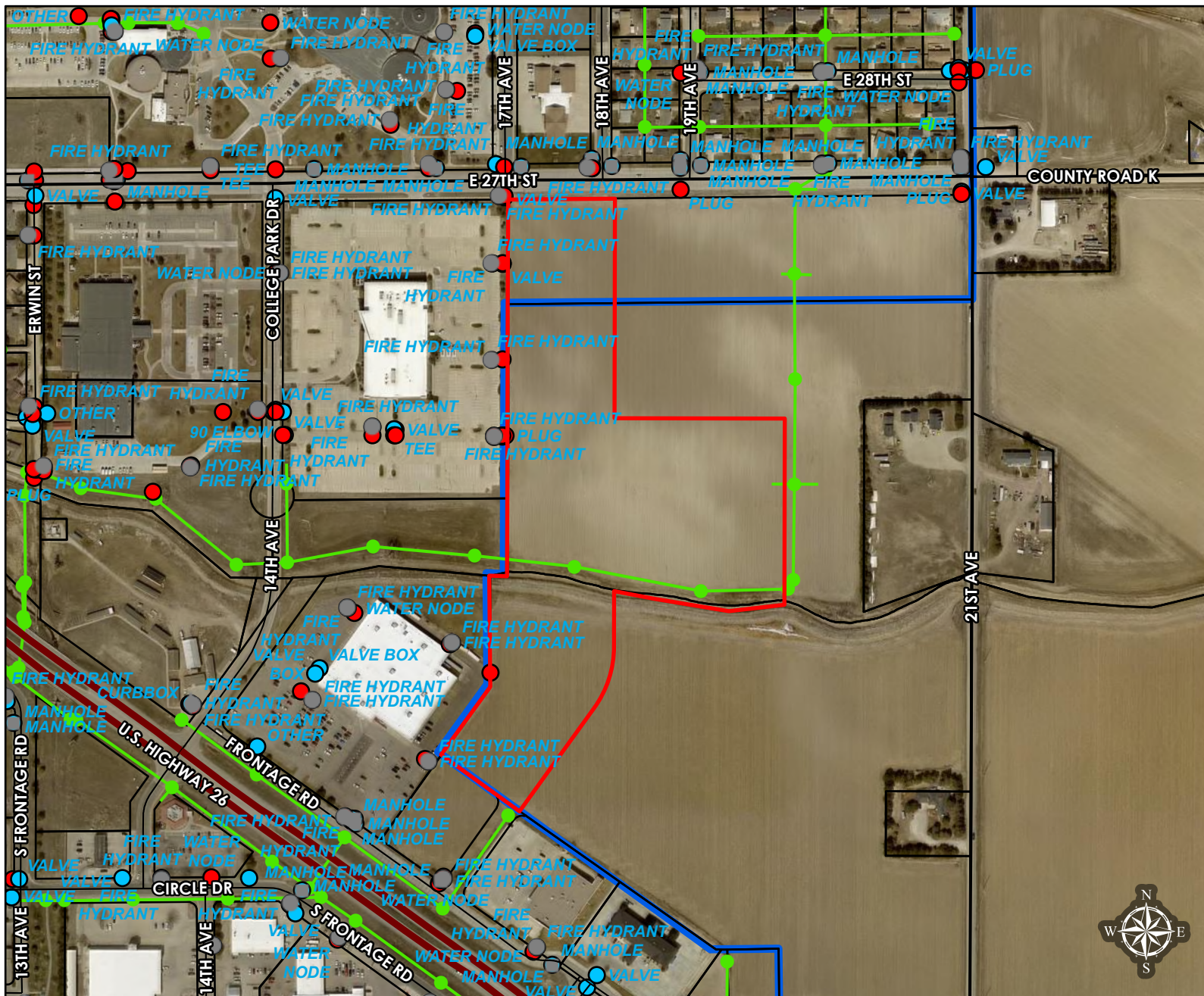




- Proposed Changes
- 2016 Comp. Plan Land Use**
- Automobile Commercial
- Avenue B and Hospital Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural
- Rural Residential
- SE Industrial and Commercial
- South Broadway
- WNCC and Surrounding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