

City of Scottsbluff, Nebraska

Monday, December 2, 2013

Regular Meeting

Item Pub. Hear.1

Council to conduct a public hearing as advertised for this date at 6:05 p.m. regarding the Preliminary Plat for Blocks 1, through 7, Reganis Subdivision a replat of Lots 1 & 2, Block 1, Idlewylde Addition and part of Block 1A, Scotts Bluff College Tract, and unplatted lands.

Staff Contact: Annie Urdiales

Agenda Statement

Item No.

For meeting of: December 2, 2013

AGENDA TITLE: Public Hearing for a preliminary plat of Blocks 1, through 7, Reganis Subdivision a replat of Lots 1 & 2, Block 1, Idlewylde Addition and part of Block 1A, Scotts Bluff College Tract, and unplatted lands situated in S ½ Section 13, T22N, R55W of the 6th P.M. in the City of Scottsbluff, Scotts Bluff County Nebraska.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services Department

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: M. C. Schaff and Associates, engineers, for Tim & Virginia Reganis submitted a preliminary plat for the above stated property. The property consists of approximately 25.27 acres. City Staff and the City's Consultant have reviewed the plat and the plats meet existing city codes of the Residential and Commercial zoning districts.

BOARD/COMMISSION RECOMMENDATION: At a regular meeting held on November 12, 2013 the Planning Commission approved the preliminary plat and the Developer will comply with City of Scottsbluff specifications and street standards as required by city ordinance.

STAFF RECOMMENDATION: Approval of the Preliminary Plat, with conditions as noted for the entire subdivision is recommended at this time.

EXHIBITS

Resolution Ordinance Contract Minutes x Plan/Map x

Other (specify) _____

NOTIFICATION LIST: Yes No Further Instructions
Kelly Beatty, M.C. Schaff & Associates, 818 South Beltline Hwy E

APPROVAL FOR SUBMITTAL: _____
City Manager

Planning Commission Minutes
Regular Scheduled Meeting
November 12, 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Tuesday, November 12, 2013, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on November 1, 2013. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

ITEM 1: Vice Chairman, Becky Estrada called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Henry Huber, Angie Aguallo, Dave Gompert, Dana Weber, Callan Wayman, Anita Chadwick, and Becky Estrada. Absent: Mark Westphal. City officials present: Annie Urdiales, Planning Administrator, Gary Batt, Code Administrator II, and Kent Hadenfeldt, City Attorney.

ITEM 2: Vice Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: Agenda Item # 7A - Ordinance to Vacate was withdrawn by property owner and will resubmit to Planning Commission at a later date.

ITEM 4: Business not on agenda: New commission members were introduced, David Gompert, Callan Wayman, and Mark Westphal (absent).

ITEM 5: Citizens with items not scheduled on regular agenda: None

ITEM 6: The minutes of 9/9/13 were reviewed and approved as distributed. A motion was made to accept the minutes by Zitterkopf and seconded by Weber. "YEAS": Zitterkopf, Aguallo, Chadwick, Huber, and Estrada. "NAYS": None. ABSTAIN: Gompert, and Wayman. ABSENT: Westphal. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for a preliminary plat of Blocks 1 through 7, Reganis Subdivision a replat of Lots 1 & 2, Block 1, Idlewylde Addition, and part of Block 1A, Scotts Bluff College Tract, and unplatted lands situated in the South ½ of Section 13 T22N, R55 W of the 6th P.M. The property is owned by Timothy & Virginia Reganis and they are represented by M.C. Schaff and Associates. The acreage (25.27 ± acres) is currently zoned R-1 Single Family Residential and C-2 Neighborhood Retail and Commercial. The preliminary plat was reviewed by City Staff and the City's Engineering Consultant and found to meet all City standards. The property is located on the north side of 27th Street, East of U.S. Highway 26, west of WNCC and south of Talisman Drive. A rezone request

49 adjusting zoning districts is included with the preliminary plat. The preliminary plat and proposed
50 zoning meet the future land use map in the City's Comprehensive Development Plan.

51
52 Clayton Neilson, representing Tim Reganis, answered questions regarding the preliminary plat. A round
53 -a- bout is part of the plan which will help with the calming of traffic and divert commercial traffic from
54 the residential area. The Scottsbluff Drain will be part of the improvements. Main access onto the
55 property will be off of 27th Street, one of commercial lots will have additional access areas onto the
56 business. The residential lots north of Wintercreek Drive will be a buffer to the commercial lots along
57 with landscaping required through the City's code.

58
59 **NOTE:** Commissioner Westphal arrived at the meeting 6:10 p.m.

60
61 Larry McCaslin, 2601 Addison, addressed the Planning Commission. Mr. McCaslin spoke in favor of the
62 development and asked that the Sheldon Heights Subdivision be included in the Developers Tax
63 Increment Financing redevelopment plan. This would help the Sheldon Heights Subdivision to pave their
64 streets, if they could get the City, the TIF Developer, & Sheldon Height's residents to share the costs, as
65 Sheldon Heights would not qualify as a standalone TIF project.

66
67 Kent Hadenfeldt, City Attorney, informed Mr. McCaslin that the Planning Commission could not take
68 any action on the TIF Redevelopment plan as the only thing on the agenda for discussion was the
69 Preliminary plat approval for the Reganis Subdivision. Mr. McCaslin can come back and address the
70 Planning Commission when the Redevelopment Study is before the Commission.

71
72 Mr. John Schafer also asked to address the Planning Commission regarding the Blight & Substandard
73 Study designation. Chairperson Estrada informed Mr. Schafer that the Planning Commission will listen
74 to his concerns at the time when the Redevelopment Study is brought before the Planning Commission.

75
76 With no further questions or comments the public hearing for the preliminary plat was closed.

77
78 **Conclusion:** A motion was made by Wayman and seconded by Chadwick to approve the preliminary
79 plat of Blocks 1 through 7, Reganis Subdivision a replat of Lots 1 & 2, Block 1, Idlewyld Addition, and
80 part of Block 1A, Scotts Bluff College Tract, and unplatted lands situated in the South ½ of Section 13
81 T22N, R55 W of the 6th P.M. "YEAS": Zitterkopf, Chadwick, Huber, Wayman, Gompert, Weber,
82 Aguillo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: None. Motion carried.

83
84 **ITEM 7B:** The Planning Commission opened a public hearing for a proposed rezone of property which
85 is located within the Reganis Subdivision. The zone change will adjust existing zoning districts lines of a
86 residential area consisting of .80 acres from commercial to residential and an area of 3.22 acres from
87 residential to commercial. The zoning districts will be divided by Wintercreek Drive.

88
89 No further comments were received and the public hearing for the proposed zone changes was closed.

90
91 **Conclusion:** A motion was made by Aguillo and seconded by Chadwick to approve and make positive
92 recommendation to City Council for the proposed rezoning of part of preliminary plat part of Block 2,
93 part of Block 3 & part of Block 4 from R-1 to C-2, and part .80 acres of Wintercreek Drive from C-2 to
94 R-1. (Map is attached) "YEAS": Zitterkopf, Chadwick, Huber, Wayman, Westphal, Gompert, Weber,
95 Aguillo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: None. Motion carried.

96

97 **Unfinished Business:** Election of officers a motion was made by Weber and seconded by Gompert to
98 Nominate Becky Estrada has Chairperson. "YEAS": Zitterkopf, Chadwick, Huber, Wayman, Westphal,
99 Gompert, Weber, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: None. Motion
100 carried.

101
102 A second motion was made by Weber and seconded by Chadwick to nominate Angie Aguallo as Vice
103 Chairperson. "YEAS": Zitterkopf, Chadwick, Huber, Wayman, Westphal, Gompert, Weber, Aguallo,
104 and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: None. Motion carried.

105
106 There being no further business the Planning Commission with a motion to adjourn made by Huber and
107 seconded by Aguallo the meeting was adjourned at 6:35 p.m. "YEAS": Huber, Wayman, Weber,
108 Aguallo, Estrada, Chadwick, Zitterkopf, Westphal, and Estrada. NAYS: none. ABSENT: None. Motion
109 carried.

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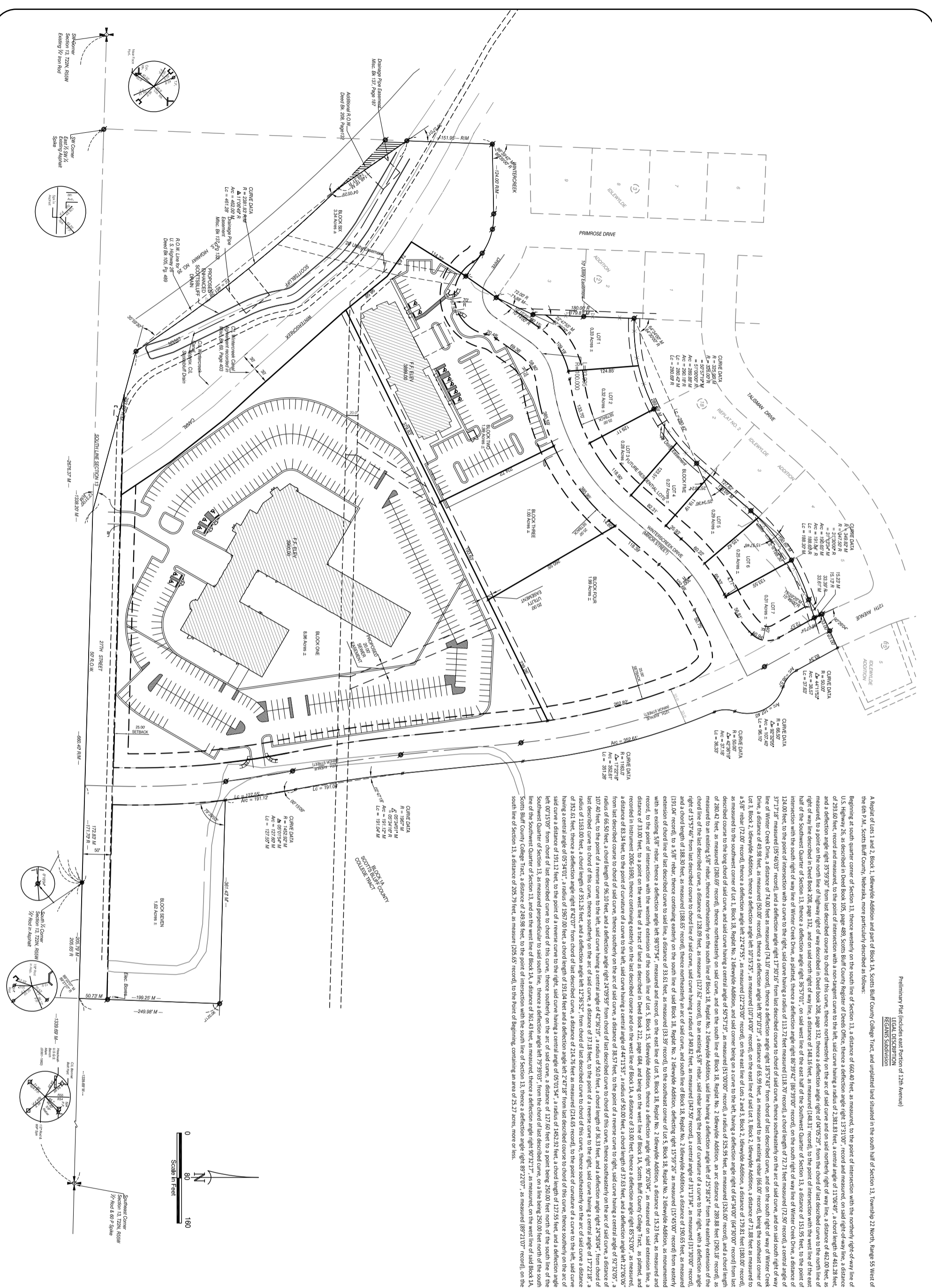
111

112 _____
Becky Estrada, Vice Chairperson

113


114 Attest: _____

115 Annie Urdiales



A replat of Lots 1 and 2, Block 1, Idlewilde Addition and part of Block 14, Scotts Bluff County College Tract, and unplatted land situated in the south half of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at south quarter corner of Section 13, thence westerly on the south line of Section 13, a distance of 660.40 feet, as measured, to the point of intersection with the northern right-of-way line of U.S. Highway 26, as described in Deed Book 105, Page 489, Scotts Bluff County Register of Deeds Office, thence a deflection angle right 133.100°, record and measured, on said right-of-way line, a distance of 233.60 feet, record and measured, to the point of intersection with a non-tangent curve to the left, said curve having a radius of 2,381.83 feet, a central angle of 110.9549°, a chord length of 461.28 feet, and a deflection angle right 35.9307°, from last described curve to the point of beginning, thence northeasterly on the arc of said curve and on said northern right-of-way line, a distance of 462.00 feet, as measured, to a point on the south line of highway right-of-way described in Deed Book 208, Page 132, thence a deflection angle right 60.0000°, from the point of last described curve to the south line of right-of-way line of the Southwest Quarter of Section 13, thence a deflection angle right 96.9701°, on said west line of the east half of the Southwest Quarter of Section 13, a distance of 151.55 feet, to the point of intersection with the south right-of-way line of Winter Creek Drive, a distance of 124.00 feet, to the point of intersection with a curve to the right, said curve having a radius of 113.72 feet measured (118.70 record), a chord length of 72.71 feet measured (72.90 record), a central angle of 37.1718°, measured (38.4603° record), and a deflection angle right 17.3016°, from last described curve to chord of said curve, thence southeasterly on the arc of said curve, and on said south right-of-way line of Winter Creek Drive, a distance of 49.98 feet, as measured (50.00 record), thence a deflection angle left 10.1525°, as measured (10.1400° record), on the east line of said Lot 3, Block 2, Idlewilde Addition, a distance of 71.88 feet as measured to a 5/8" rebar (72.00 record), thence a deflection angle left 22.2755°, as measured (22.2500° record), on the east line of Lot 3, Block 2, Idlewilde Addition, a distance of 79.81 feet (180.00 record), as measured to the southwest corner of Lot 1, Block 18, Replat No. 2, Idlewilde Addition, and said curve being on a curve to the left, having a deflection angle right of 64.3400° (64.3000° record), from last described curve to the long chord of said curve, and said curve having a central angle of 50.9719°, as measured (51.0000° record), a radius of 325.95 feet, as measured (326.00 record), and a chord length of 280.42 feet, as measured (280.69 record), thence northeasterly on said curve, and on the south line of Block 18, Replat No. 2, Idlewilde Addition, an arc distance of 289.88 feet (290.18° record), as measured to an existing 5/8" rebar, thence northeasterly on the south line of Block 18, Replat No. 2, Idlewilde Addition, said line having a deflection angle left of 25.38274°, from the point of curvature of the chord line of the last described curve, a distance of 128.09 feet, as measured (127.67 record), to an existing 5/8" rebar, said rebar being the point of curvature of a curve to the right, with a deflection angle right of 15.5746°, from last described curve to chord line of said curve, said curve having a radius of 348.82 feet, as measured (347.50 record), a central angle of 31.1334°, as measured (31.3000° record), said a chord length of 188.30 feet, as measured (188.65 record), thence northeasterly arc of said curve, and south line of Block 18, Replat No. 2, Idlewilde Addition, a distance of 120.65 feet, as measured (119.10 record), to a 5/8" rebar, thence continuing easterly on the south line of Block 18, Replat No. 2, Idlewilde Addition, deflecting right 15.97528°, as measured (15.9450° record) from easterly extension of chord line of last described curve to said line, a distance of 33.61 feet, as measured (33.59 record), on the east line of Lot 3, Block 18, Replat No. 2, Idlewilde Addition, as mentioned with an existing 5/8" rebar, thence a deflection angle left 98.0754°, measured and record, on the east line of Lot 3, Block 18, Replat No. 2, Idlewilde Addition, a distance of 15.23 feet, as measured and record, to the point of intersection with the westerly extension of the south line of Lot 5, Block 15, Idlewilde Addition, thence a deflection angle right 90.7804°, as measured, and a distance of 33.00 feet, to a point on the west line of a tract of land as described in Deed Book 212, Page 684, and being on the west line of Block 14, Scotts Bluff County College Tract, as platted, and a distance of 83.34 feet to the point of curvature of a curve to the left, said curve having a central angle of 44.1153°, a radius of 50.00 feet, a chord length of 37.63 feet, and a deflection angle left 22.0650°, from last described curve to chord of said curve, thence southerly on the arc of said curve, a distance of 44.1153°, to the point of a reverse curve to right, said curve having a central angle of 107.40 feet, to the point of a reverse curve to the left, said curve having a central angle of 42.3619°, a radius of 50.0 feet, a chord length of 36.33 feet, and a deflection angle right 24.9804°, from chord of last described curve to chord of this curve, thence southerly on the arc of said curve, a distance of 37.18 feet, to the point of a reverse curve to the right, said curve having a central angle of 17.2218°, a radius of 116.00 feet, a chord length of 35.12 feet, and a deflection angle left 12.36527°, from chord of last described curve to chord of this curve, thence southeasterly on the arc of said curve a distance of 35.61 feet, thence a deflection angle right 8.4207°, from chord of last described curve, a distance of 224.26 feet, as measured (214.65 record), to the point of curvature of a curve to the left, said curve having a central angle of 05.3401°, a radius of 191.04 feet and a deflection angle left 2.4718°, from last described curve to chord of this curve, thence southerly on the arc of said curve a distance of 191.13 feet, to the point of a reverse curve to the right, said curve having a central angle of 65.0154°, a radius of 145.92 feet, a chord length of 127.55 feet, and a deflection angle left 00.7150°, from chord of last described curve to chord of this curve, thence southerly on the arc of said curve, thence a deflection angle left 9.3903°, from the chord of last described curve to the south line of the Southwest Quarter of Section 13, as measured perpendicular to said south line, thence a deflection angle left 9.3903°, from the chord of last described curve to a line being 250.00 feet north of the south line of the Southwest Quarter of Section 13, and on the west line of Block 14, a distance of 351.43 feet, as measured, thence a deflection angle right 97.2127°, as measured, on the west line of said Block 14, Scotts Bluff County College Tract, a distance of 205.98 feet, to the point of intersection with the south line of Section 13, thence a deflection angle right 89.2207°, as measured (89.2100° record), on the south line of Section 13, a distance of 205.73 feet, as measured (205.63 record), to the point of beginning, containing an area of 15.27 acres, more or less.

	<p>M. C. SCHAFF & ASSOCIATES, INC. 818 SOUTH BELTLINE HIGHWAY EAST SCOTTSBLUFF, NEBRASKA 69361</p> <p>ENGINEERS ♦ PLANNERS ♦ DESIGNERS ♦ LAND SURVEYORS PH: 308-635-1926 FAX: 308-635-7807 INTERNET: WWW.MCSCHAFF.COM</p>
<p>PROJECT: PRELIMINARY PLAT REGANIS SUBDIVISION SCOTTSBLUFF, NEBRASKA MASTER PLAN</p>	<p>CLIENT: TIM REGANIS</p>
<p>PROJECT NUMBER: RM13001000 PROJECT DATE: SEPT. 30, 2013 PROJECT MGR: D.S. PROJECT TEAM: D.S./C.L.N./K.B.</p>	
<p>DATE</p>	
<p>REVISION</p>	
<p>SHEET 2 OF 6</p>	
<p>M-1</p>	