

# **City of Scottsbluff, Nebraska**

**Monday, February 10, 2014**

**Regular Meeting**

## **Item NewBiz1**

### **Five Oaks Final Plat**

*Final Plat: Block 9, Five Oaks Subd.*

*Applicant: C & T Holdings (Baker & Assoc.)*

*Onwers: C & T Holdings*

*Location: SE corner of Ave. I & 42nd St.*

Staff Contact: Annie Urdiales

# ***SCOTTSBLUFF CITY***

## ***PLANNING COMMISSION STAFF REPORT***

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<b>To:</b>	Planning Commission	<b>Zoning:</b>	Current      Agricultural
<b>From:</b>	Development Services Department	<b>Property Size:</b>	7.82±
<b>Date:</b>	February 10, 2014		
<b>Subject:</b>	Final Plat – Block 9, Five Oaks Subdivision		
<b>Location:</b>	North of 27 <sup>th</sup> Street and East of Hwy 26		

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### **Procedure**

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

**Public Notice:** This item was noticed in the paper and a notice was posted on the property.

### **Background**

The applicant(s), C and T Holdings, represented by Baker and Associates, have requested approval of a final plat of Block 9, Five Oaks Subdivision. The final plat will consist of one parcel of approximately 7.82± acres. The property is situated north of 42<sup>nd</sup> Street, East of Highway 7, (SE corner of Avenue I and 42<sup>nd</sup> St.).

The parcel will have access on to the lot from 42<sup>nd</sup> Street; the lot will be able to access existing water and sewer lines along Avenue I and 42<sup>nd</sup> Street. No extension of public water mains and sewer mains are planned at this time.

The plat was reviewed by the City Public Works Department and the City Consultants, M.C. Schaff and Associates.

### **Analysis**

Staff has reviewed the final plat and recommends the Planning Commission makes positive recommendation of the proposed plat to City Council.

### **RECOMMENDATION**

#### ***Approve***

**Make a POSITIVE RECOMMENDATION to the City Council to approve** the final plat of Block 9, Five Oaks Subdivision situated in the NW ¼ of Section 14, T22N, R55W of the 6<sup>th</sup> P.M, Scotts Bluff County, Nebraska subject to the following condition(s):

***Deny***

**Make a NEGATIVE RECOMMENDATION to the City Council to disapprove** the final plat of Block 9, Five Oaks Subdivision situated in the NW ¼ of Section 14, T22N, R55W of the 6<sup>th</sup> P.M, Scotts Bluff County, Nebraska for the following reason(s):

***Table***

**Make the motion to TABLE the** final plat of Block 9, Five Oaks Subdivision situated in the NW¼ of Section 14, T22N, R55W of the 6<sup>th</sup> P.M, Scotts Bluff County, Nebraska for the following reason(s):



FINAL PLAT OF  
BLOCK 9 ,FIVE OAKS SUBDIVISION,  
SCOTTS BLUFF COUNTY, NEBRASKA, AND UNPLATTED LANDS  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF  
THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

BLOCK 9 PROPERTY DESCRIPTION

A PARCEL OF LAND KNOWN AS BLOCK 9 OF THE FIVE OAKS FINAL PLAT, CONTAINING 340,728 SQ. FT.(7.82 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, BEING A FOUND 1"DIAMETER STEEL BOLT, FLUSH IN THE SURFACE OF HIGHWAY 71, STAMPED IN PART "SURVEY MARK", WHENCE THE WEST QUARTER CORNER OF SAID SECTION 14, BEING A FOUND 2"DIAMETER ALUMINUM CAP, FLUSH IN THE SURFACE OF HIGHWAY 71, NO STAMPING FOUND, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG SAID WEST LINE OF SECTION 14, SOUTH 02°03'39" WEST, A DISTANCE OF 770.84 FEET; THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT OF WAY OF STATE HIGHWAY 71 AND TO THE POINT OF BEGINNING;

THENCE ALONG THE SAID EXISTING EAST RIGHT OF WAY LINE, NORTH 02°03'39" EAST, A DISTANCE OF 262.75 FEET;  
THENCE CONTINUING ALONG SAID EXISTING EAST RIGHT OF WAY LINE NORTH 02°37'26" EAST, A DISTANCE OF 475.46 FEET;  
THENCE ALONG THE EXISTING SOUTH RIGHT OF WAY LINE OF 42ND STREET, SOUTH 88°13'30" EAST, A DISTANCE OF 433.44 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RED CEDAR DRIVE;  
THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 01°52'51" WEST, A DISTANCE OF 813.15 FEET;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, (A CHORD BEARING SOUTH 46°52'51" WEST, A DISTANCE OF 28.28 FEET) TO A POINT ON NORTH RIGHT OF WAY LINE OF WEST OAK BLVD.;  
THENCE CONTINUING THE FOLLOWING (5) FIVE COURSES ALONG THE SAID NORTH RIGHT OF WAY LINE:

1. NORTH 88°07'09" WEST, A DISTANCE OF 5.05 FEET;
2. THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF 20°00'00", A DISTANCE OF 60.74 FEET, (A CHORD BEARING NORTH 78°07'09" WEST, A DISTANCE OF 60.43 FEET);
3. THENCE NORTH 68°07'09" WEST, A DISTANCE OF 204.03 FEET;
4. THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 226.00 FEET, A CENTRAL ANGLE OF 19°49'11", A DISTANCE OF 78.18 FEET, (A CHORD BEARING NORTH 78°01'45" WEST, A DISTANCE OF 77.79 FEET);
5. THENCE NORTH 87°56'20" WEST, A DISTANCE OF 87.56 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY LINE OF STATE HIGHWAY 71 AND TO THE POINT OF BEGINNING.

RED CEDAR DRIVE AND WEST OAK BLVD. ACCESS EASEMENT

A STREET RIGHT OF WAY KNOW AS RED CEDAR DRIVE AND WEST OAK BLVD. OF THE FIVE OAKS FINAL PLAT, CONTAINING 69,809 SQ. FT.(1.60 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, BEING A FOUND 1"DIAMETER STEEL BOLT, FLUSH IN THE SURFACE OF HIGHWAY 71, STAMPED IN PART "SURVEY MARK", WHENCE THE WEST QUARTER CORNER OF SAID SECTION 14, BEING A FOUND 2"DIAMETER ALUMINUM CAP, FLUSH IN THE SURFACE OF HIGHWAY 71, NO STAMPING FOUND, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG SAID WEST LINE OF SECTION 14, SOUTH 02°03'39" WEST, A DISTANCE OF 770.84 FEET; THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT OF WAY OF STATE HIGHWAY 71 AND TO THE POINT OF BEGINNING;

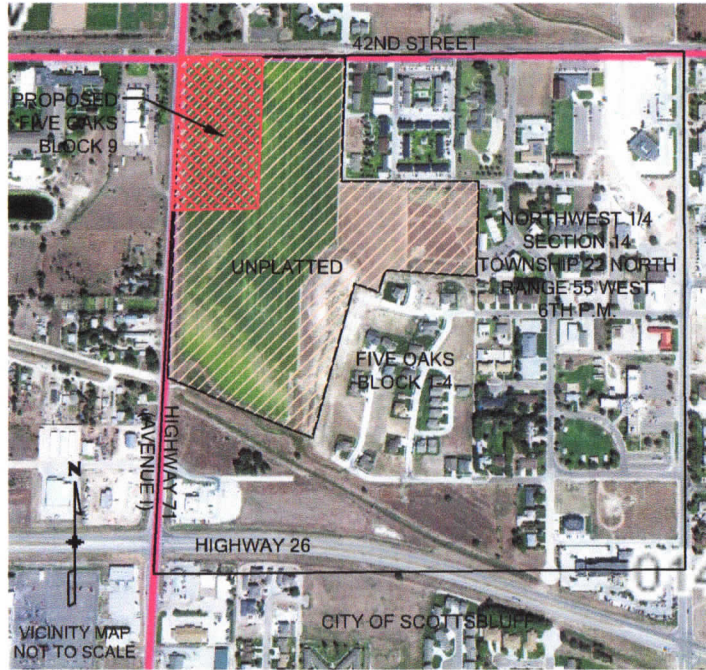
THENCE SOUTH 87°56'20" EAST, A DISTANCE OF 87.56 FEET;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 226.00 FEET, A CENTRAL ANGLE OF 19°49'11", A DISTANCE OF 78.18 FEET, (A CHORD BEARING SOUTH 78°01'45" EAST, A DISTANCE OF 77.79 FEET);  
THENCE SOUTH 68°07'09.09" EAST, A DISTANCE OF 204.03 FEET;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF 20°00'00", A DISTANCE OF 60.74 FEET, (A CHORD BEARING SOUTH 78°07'09" EAST, A DISTANCE OF 60.43 FEET);  
THENCE SOUTH 88°07'09" EAST, A DISTANCE OF 5.04 FEET;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, (A CHORD BEARING NORTH 46°52'51" EAST, A DISTANCE OF 28.28 FEET);  
THENCE NORTH 01°52'51" EAST, A DISTANCE OF 813.15 FEET;  
THENCE SOUTH 88°13'30" EAST, A DISTANCE OF 52.00 FEET;  
THENCE SOUTH 01°52'51" WEST, A DISTANCE OF 885.25 FEET;  
THENCE NORTH 88°07'09" WEST, A DISTANCE OF 77.04 FEET;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 226.00 FEET, A CENTRAL ANGLE OF 20°00'00", A DISTANCE OF 78.89 FEET, (A CHORD BEARING NORTH 78°07'09" WEST, A DISTANCE OF 78.49 FEET);  
THENCE NORTH 68°07'09" WEST, A DISTANCE OF 204.03 FEET;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF 19°49'11", A DISTANCE OF 60.19 FEET, (A CHORD BEARING NORTH 78°01'45" WEST, A DISTANCE OF 59.89 FEET);  
THENCE NORTH 87°56'20" WEST, A DISTANCE OF 87.56 FEET;  
THENCE NORTH 02°03'39" EAST, A DISTANCE OF 52.00 FEET, POINT OF BEGINNING.

Sheet Revisions		
Date	Description	Initials
12-30-13	DRAFTED SURVEY	CJG

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www.baker-eng.com  
Engineers \* Architects \* Surveyors  
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Land Survey & Final Plat of Five Oaks Block 9			
Title Sheet			
Baker Project Number: 023-005-13			
Project Location: Scottsbluff, Scotts Bluff County Nebraska			
Owners: C & T Holdings, L.L.C.			
Project Code	Last Mod. Date	Subset	Sheet No.
023	01-30-2014	1 of 2	1

PROJECT VICINTY MAP



LEGEND

- BAKER SET 1 5/16" ORANGE PLASTIC CAP ON A 5/8" REBAR, STAMPED BAKER AND ASSOCIATES LS 731
- BOUNDARY EVIDENCE (PROPERTY CORNERS)
- ◆ SECTION CORNER SYMBOL
- ⊕ QUARTER AND SIXTEENTH SECTION MONUMENTS
- NDOR CONCRETE RIGHT OF WAY MONUMENT
- ROW (R) RECORD PER PREVIOUSLY FILED SURVEYS
- (M) MEASURED BY BAKER & ASSOCIATES INC.

SURVEY NOTES

1. THIS SURVEY RELIES ON WESTERN PRAIRE TITLE & ESCROW CO. LLC, ORDER NO.: 13121653, EFFECTIVE DATE OF \_\_\_\_\_ AT 4:30 P.M. NO TITLE SEARCH WAS MADE BY BAKER AND ASSOCIATES, INC., TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. ALL TAX INFORMATION, LIENS, LEASES, ASSIGNMENTS, AGREEMENTS, MOTIONS, DECLARATIONS, PROVISIONS, CONDITIONS, RESERVATIONS, RESTRICTIONS, ZONING, COVENANTS, WATER AND MINERAL RIGHTS AND OBLIGATIONS FOR THE PROPERTY SHOWN HEREON ARE REFLECTED IN SAID TITLE COMMITMENT. BAKER AND ASSOCIATES INC. OBTAINED ADDITIONAL RIGHT OF WAY INFORMATION AND DOCUMENTS IN THE COURSE OF THE PLAT PREPARATION THAT ARE SHOWN HEREON AND ARE NOT REFLECTED ON SAID TITLE COMMITMENT
2. THE MONUMENTATION RECOVERED WAS LOCATED BY A COMBINATION OF GLOBAL POSITIONING SYSTEM (GPS) FAST STATIC, RTK AND RTK DATA LOGGING TECHNIQUES. CONVENTIONAL SURVEY METHODS WERE APPLIED WHEN REQUIRED.
3. BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN AND THE WEST SIXTEENTH CORNER OF SAID SECTION 14, BEING A GRID BEARING OF SOUTH 88°13'30" EAST A DISTANCE OF 1326.35' FEET AS OBTAINED FROM A GLOBAL POSITIONING SYSTEM (GPS) SURVEY BASED ON THE NEBRASKA HIGH ACCURACY REFERENCE NETWORK (NHARN). SAID GRID BEARING IS NAD 83 (2011) NEBRASKA STATE PLANE ZONE 2600.
4. ALL DIMENSIONS SHOWN HEREON ARE U.S. SURVEY FEET.
5. 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 FIVE YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.

INDEX OF SHEETS

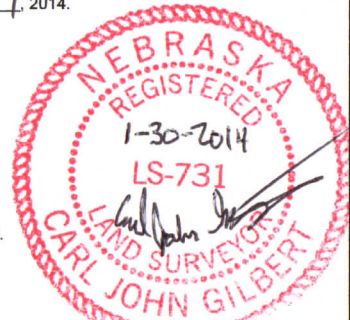
- PAGE 1 TITLE SHEET  
PAGE 2 PLAN SHEET

SURVEYOR'S CERTIFICATE

I, CARL JOHN GILBERT, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE IN JANUARY 2014, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000 AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF NEBRASKA DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE SCOTTS BLUFF COUNTY AND THE CITY OF SCOTTSBLUFF SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS 30th DAY OF JANUARY, 2014.

CARL JOHN GILBERT  
NEBRASKA PROFESSIONAL LAND SURVEYOR NO. 731  
FOR AND ON BEHALF OF BAKER AND ASSOCIATES INC.  
PHONE : 308-632-3123



APPROVAL AND ACCEPTANCE

THE FOREGOING PLAT OF LOTS 1-3, BLOCK 4 & BLOCK 5, COPPOM SUBDIVISION, AN 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 \_\_\_\_\_, 2014.

BY:

RANDY MEININGER, MAYOR

ATTESTED:

SEAL

CITY CLERK

OWNER'S STATEMENT

WE, THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO BLOCK 9 OF FIVE OAKS, AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF FIVE OAKS BLOCK 9 THE ACCESS EASEMENTS OF WEST OAKS BLVD. AND RED CEDER DRIVE AND THE 10' UTILITYEASEMENT, SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC USE. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE RIGHT OF WAYS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES.

BY: \_\_\_\_\_  
REPRESENTATIVE OF C & T HOLDINGS L.L.C.

STATE OF NEBRASKA )  
                                  ) SS  
COUNTY OF SCOTTS BLUFF )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014,

BY \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL

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

NOTARY PUBLIC



**FINAL PLAT OF  
BLOCK 9, FIVE OAKS SUBDIVISION,  
SCOTTS BLUFF COUNTY, NEBRASKA, AND UNPLATTED LANDS**  
SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF  
THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

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