

SCOTTSBLUFF CITY PLANNING COMMISSION AGENDA

Monday, February 10, 2014, 6:00 PM

PLANNING COMMISSIONERS

BECKY ESTRADA CHAIRPERSON

ANGIE AGUALLO VICE CHAIRPERSON

DANA WEBER

HENRY HUBER

MARK WESTPHAL

CALLAN WAYMAN

DAVID GOMPERT

JIM ZITTERKOPF

ANITA CHADWICK

1. WELCOME TO THE PLANNING COMMISSION MEETING: Chairman

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 back of the council chambers in the west corner.

3. ROLL CALL:

4. NOTICE OF CHANGES IN THE AGENDA: Additions may not be made to this agenda less than 24-hours prior to the beginning of the meeting unless added under item 5 of this agenda.

5. 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.

6. APPROVAL OF THE PLANNING COMMISSION MINUTES FROM:

A Minutes

Approve Minutes of 1/13/14

7. **NEW BUSINESS:**

A 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.

B Rezone: Proposed Block 9, Five Oaks Subdivision

Rezone: Block 9, Five Oaks Ag to C-2

Applicant: C & T Holdings Owner: C & T Holdings

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

C Rezone: Westfield Estates

Rezone: Lots 16-27, Blk 1, &Lots 4, and 5, Blk 2, Westfield Estates R

Applicant: Henry Huber Owner(s): Henry Huber

Location: West of Hwy 71, S of Hwy 26, N of 35th St

D Preliminary Plat Reganis Revision # 1

Preliminary Plat: Reganis Sub. Revision # 1 Applicant: Tim Reganis/M.C. Schaff & Associates

Owner(s) Tim & Virginia Reganis

Location: N of 27th, E of Hwy 26,& S of Talisman Dr.

E Final Plat Reganis

Final Plat: Block 9, Reganis Subdivision

Applicant: Tim & Virginia Reganis/M.C. Schaff & Assoc.

Owner(s): Tim & Virginia Reganis

Location: North of E. 27th St., & East of Highway 26

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

F Redevelopment Study Reganis

Redevelopment Study: Reganis TIF Plan

Applicant: Tim Reganis Owner: Tim Reganis

Location: E Hwhy 26, N of 27th St.

G Special Use Permit

Special Use Permit: Car Sales in C-2 zone

Applicant: Tim Reganis Owner: Tim Reganis

Location: 1117 E. 27th St., (Block 9, Reganis Subd)

8. Unfinished Business:

A Unfinished Business

Unfinished Business: Reminder NPZA Conference in March

9. ADJOURN

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the Development Services Department at (308) 630-6243, 24-hours prior to the meeting.

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

Monday, February 10, 2014 Regular Meeting

Item Appr. Min.1

Minutes

Approve Minutes of 1/13/14

1	Planning Commission Minutes
2	Regular Scheduled Meeting
3	January 13, 2014
4	Scottsbluff, Nebraska
5	
6	The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on
7	Monday, January 13, 2014, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff,
8	Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general
9	circulation in the City, on January 3, 2014. The notice stated the date, hour and place of the meeting, that
10	the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation
11	to attend the Planning Commission meeting should contact the Development Services Department, and
12	that an agenda of the meeting kept continuously current was available for public inspection at
13	Development Services Department office; provided, the City Planning Commission could modify the
14	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
15	agenda kept continuously current was available for public inspection at the office of the Development
16	Services Department at all times from publication to the time of the meeting.
17	Services Department at an times from publication to the time of the meeting.
18	ITEM 1. Chairman Darlas Fatarda adladda martina ta andan Dallas II annistada Cala Callanina
19	ITEM 1: Chairman, Becky Estrada called the meeting to order. Roll call consisted of the following
20	members: Jim Zitterkopf, Angie Aguallo, Callan Wayman, Mark Westphal, and Becky Estrada. Absent:
21	Dave Gompert, Anita Chadwick, Henry Huber, and Dana Weber. City officials present: Annie Urdiales,
22	Planning Administrator, Annie Folck, City Planner, and Gary Batt, Code Administrator II.
23	ITEM 2. Chairman Fatur la informat la llaboration de Cala Naharala Consu Martines Actual de ta
24	ITEM 2: Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a
25	copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those
26	interested parties.
27	TTEM 2. A day and day at a Court day at a court day No.
28	ITEM 3: Acknowledgment of any changes in the agenda: None.
29	ITEM 4. Desirons not an accorda. None
30 31	ITEM 4: Business not on agenda: None
	ITEM 5: Citizana with items not schoduled on regular agenda: None
32	ITEM 5: Citizens with items not scheduled on regular agenda: None
33	ITEM 6. The minutes of 12/0/12 were reviewed and arranged A matien was made to accept the minutes
	ITEM 6: The minutes of 12/9/13 were reviewed and approved. A motion was made to accept the minutes
35	by Westphal, and seconded by Zitterkopf. "YEAS": Zitterkopf, Aguallo, Wayman, Westphal, and
36	Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Gompert, Chadwick, Huber and Weber. Motion carried.
37	Carried.
38	ITEM 74. The Planning Commission enemed a public bearing on a zone change request of a percel
39	ITEM 7A: The Planning Commission opened a public hearing on a zone change request of a parcel
40	located in the City's extra territorial jurisdiction. The parcel is situated in the northeast corner of the two mile jurisdiction south of Eagle Road and east of County Road 24. The property owners, Ron & Kay
41	
42	Miller have requested a rezone as part of a final plat by director to allow them to build a storage building
43	on their farm. The request is to change the zoning from Agricultural to R-1B Rural Residential. The
44	replat will realign property between two parcels belonging to the Millers adding approximately 3.10 acres
45	to their existing property which is described at Block 1, Merrigan Subdivision. This property is zoned
46	Rural Residential with the replat of the additional 3± acres the zone change will complete the new parcel
47	and allow for the construction of the storage building, which will then be compliant with the existing
48	building and zoning codes. Surrounding property owners and Scotts Bluff County were notified
49	regarding the request, we heard from one property owner and the Scotts Bluff County office and they had
50	no opposition to the change.

51

Kelly Beatty of M.C. Schaff & Associates, representing the Miller's addressed the Planning Commission 53 and answered questions about the proposed plat and rezone. 54 **Conclusion**: A motion was made by Westphal and seconded by Wayman to make positive 55 recommendation to City Council to approve the proposed rezone of part of Block 1A, Merrigan 56 Subdivision from Agricultural to R-1B Rural Residential. "YEAS": Zitterkopf, Wayman, Westphal, 57 58 Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Chadwick, Gompert, Huber, and Weber. Motion carried. 59 60 **Agenda Item 7B:** The Planning Commission opened a public hearing for the 2014 One and Six Year Street Plan. Mark Bohl director of public works addressed the Planning Commission describing the 62 projects on the list. The twenty-four (24) projects that are listed include work that is being projected for this construction season as well as other street improvement projects that go out to the next six years. 64 65 Number one on the list this year mill and overlay Avenue I from South Beltline north to 27th Street, this 66 project will start in the spring of this year, there has been some preliminary work done on this section of Avenue I, removing signs out of the right of way back on to private property and no parking will be allowed on the east side from West Overland to 20th Street this will allow for a center turning lane. Number two on the list is commercial development in the Reganis Subdivision north of Highway 26 and 71 E 27th Street. Number three on the list is 27th Street and 2nd Avenue; install left turn lanes, parking along 27th Street (south side) from park to water tower will be removed, hoping to have this project done in the 72 summer months. These three projects are on the one year list. The rest of the list consists of a mixture of commercial and residential development, which may be moved up or down on the list according to 75 development. Projects that were completed in 2013 include Broadway from 14th Street north to 27th Street. 76 77 Conclusion: A motion was made by Westphal and seconded by Aguallo to approve the 2014 One and 79 Six Year Street Plan to City Council. "YEAS": Zitterkopf, Westphal, Aguallo, Wayman, and Estrada. 80 "NAYS": None. ABSTAIN: None. ABSENT: Huber, Gompert, Chadwick, and Weber. Motion carried. 81 ITEM 8. Unfinished Business: Annie Folck was introduced as the new Planner and the Planning 82 Commission was reminded about the annual Planning and Zoning Conference which will be held in 84 March of this year. 85 There being no further business the Planning Commission with a motion to adjourn made by Aguallo and 86 seconded by Wayman the meeting was adjourned at 6:20 p.m. "YEAS": Wayman, Westphal, Aguallo, Zitterkopf, and Estrada. NAYS: none. ABSENT: Huber, Gompert, Chadwick, and Weber. Motion 89 carried. 90

Scottsbluff

91 92

93 94

Attest:

Annie Urdiales

Becky Estrada, Chairperson

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.

SCOTTSBLUFF CITY PLANNING COMMISSION STAFF REPORT

To: Planning Commission

From: Development Services Department Zoning: Current Agricultural

Date: February 10, 2014 **Property Size:** 7.82±

Subject: Final Plat – Block 9, Five Oaks Subdivision **Location:** North of 27th Street and East of Hwy 26

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 $7.82\pm$ acres. The property is situated north of 42^{nd} Street, East of Highway 7, (SE corner of Avenue I and 42^{nd} St.).

The parcel will have access on to the lot from 42nd Street; the lot will be able to access existing water and sewer lines along Avenue I and 42nd 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 6th P.M, Scotts Bluff County, Nebraska subject to the following condition(s):

Final Plat Request, Page 1

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 6th 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 6th P.M, Scotts Bluff County, Nebraska for the following reason(s):

Final Plat Request, Page 2

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 UNTY, NEBRASKA

THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF CO	J
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

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

Land Survey & Final Plat of Five Oaks Block 9 Title Sheet

Baker Project Number: 023-005-13

roject Location: Scottsbluff, Scotts Bluff County Nebraska Owners: C & T Holdings, L.L.C.

Project Code Last Mod. Date
023 01-30-2014

PROJECT VICINTY MAP



BAKER SET 1 5/16" ORANGE PLASTIC CAP ON A 5/8" REBAR, STAMPED BAKER AND ASSOCIATES LS 73

MEASURED BY BAKER & ASSOCIATES INC.

- **BOUNDARY EVIDENCE (PROPERTY CORNERS)**
- SECTION CORNER SYMBOL
- QUARTER AND SIXTEENTH SECTION MONUMENTS
- NDOR CONCRETE RIGHT OF WAY MONUMENT 0 ROW RECORD PER PREVIOUSLY FILED SURVEYS

SURVEY NOTES

1. THIS SURVEY RELIES ON WESTERN PRAIRE TITLE & ESCROW CO. LLC, ORDER NO.: 13121653. 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

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

HE 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 DAY OF

BY:		
RANDY MEININGER, MAYOR		_
ATTESTED:	SEAL	
CITY CLERK		_

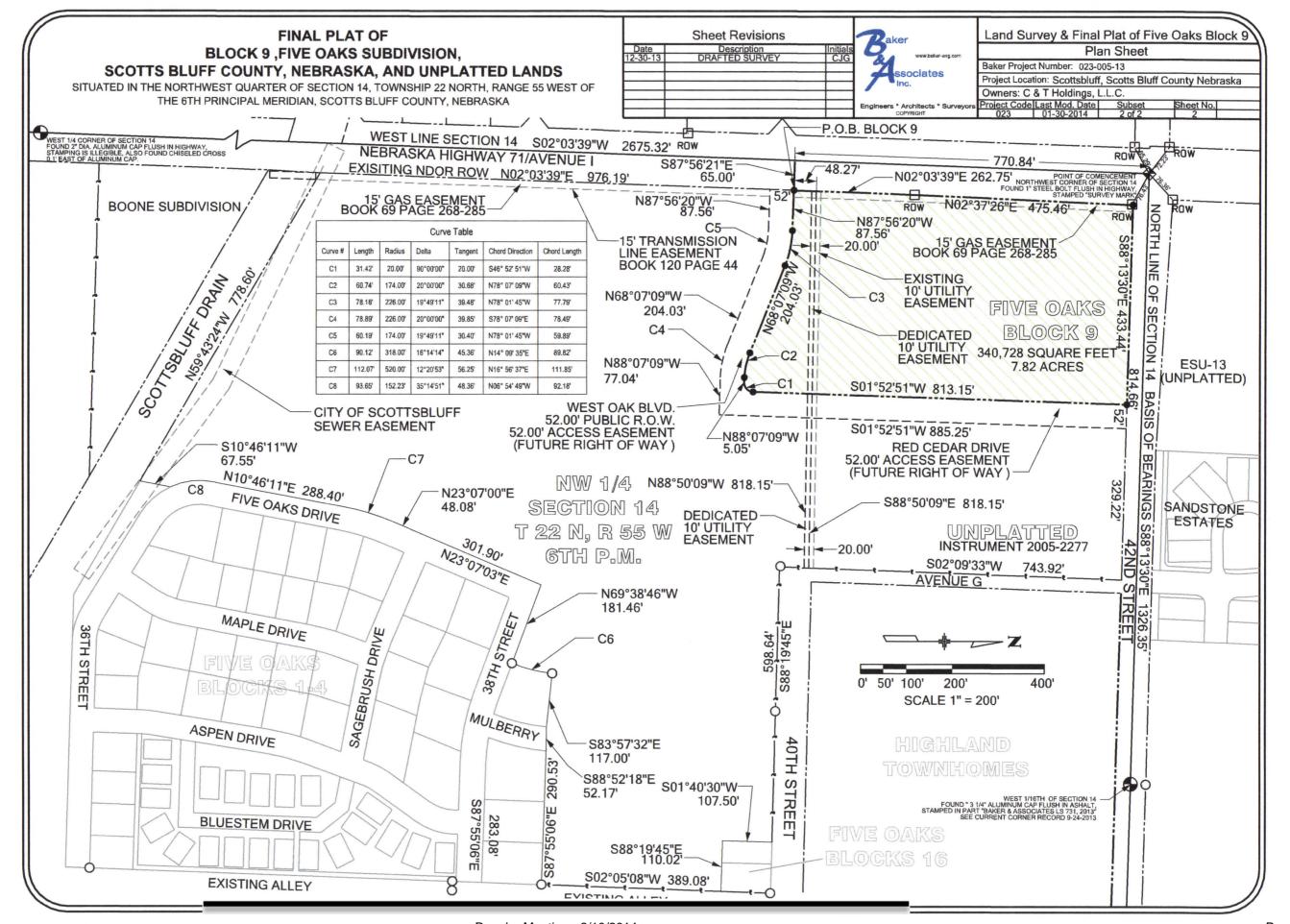
OWNER'S STATEMENT

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:
REPRESENTIVE 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

Scottsbluff Regular Meeting - 2/10/2014 Page 9 / 55



Monday, February 10, 2014 Regular Meeting

Item NewBiz2

Rezone: Proposed Block 9, Five Oaks Subdivision

Rezone: Block 9, Five Oaks Ag to C-2

Applicant: C & T Holdings

Owner: C & T Holdings

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

SCOTTSBLUFF CITY PLANNING COMMISSION STAFF REPORT

To: Planning Commission

From: Development Services Department Zoning: Ag currently

Date: February 10, 2014 Property Size: 7.9 acres ±

Subject: Rezone parcel from Ag to C-2 # Lots/Units:

Location: East of Hwy 71(Ave. I) & South of 42nd St.

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& T Holdings, has requested a rezone for proposed Block 9, Five Oaks Subdivision Replat situated in part of the NW¼ of Section 14 T22N, R55W of the 6th P.M., Scotts Bluff County Nebraska. The parcel is situated on the southeast corner of Highway 71(Avenue I) and 42nd Street. The applicant is requesting a change from Agricultural to C-2 Neighborhood & Retail Commercial. Surrounding property is zoned Ag, & C-3 to the south, Ag and R-4 to the east, R-4 to the north, and) O & P (office & professional) to the west.

When the preliminary plat for Five Oaks was revised in 2008 part of the change was to rezone the lots along the Highway 71 corridor to commercial lots.

Staff has reviewed and makes positive recommendation of the rezone of Block 9, Five Oaks Subdivision from Ag to C-2 with the approval of the final plat with modification to lots by City Council.

Findings of fact includes commercial is a logical transition since property to the east has been developed as Heavy Commercial.

RECOMMENDATION

<u>Approve</u>

Make a POSITIVE RECOMMENDATION to the City Council to rezone Block 9, Five Oaks Subdivision (7.9 acres±) from A- Agricultural to C-2 Neighborhood & Retail Commercial subject to the following condition(s): Approval of final plat with lot modification.

Deny

Rezone Request, Page 1

Make a NEGATIVE RECOMMENDATION to the City Council to rezone Block 9, Five Oaks Subdivision (7.9 acres±) from A- Agricultural to C-2 Neighborhood & Retail Commercial for the following reason(s):

<u>Table</u>

Make the motion to TABLE the rezone request to rezone Block 9, Five Oaks Subdivision (7.9 acres±) from A- Agricultural to C-2 Neighborhood & Retail Commercial for the following reason(s):

Rezone Request, Page 2

REZONING MAP **BLOCK 9 , FIVE OAKS SUBDIVISION,** SCOTTS BLUFF COUNTY, NEBRASKA,

SITUATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

	Sheet Revisions		P aker	Proposed Zoning of Five Oaks Block 9	
te	Description	Initials CJG		Title Sheet	
0-13	DRAFTED SURVEY	CJG	04	Baker Project Number: 023-005-13	
			ssociates	Project Location: Scottsbluff, Scotts Bluff County Nebr	aska
_			,	Owners: C & T Holdings, L.L.C.	
			Engineers * Architects * Surveyors	s Project Code Last Mod. Date Subset Sheet No.	
			COPYRIGHT	023 01-24-2014 1 of 2 1	

PROPOSED REZONING

THE PROPOSE OF THE FOLLOWING REZONING MAP IS TO REZONE BLOCK 9 OF FIVE OAKS SUBDIVISION, AS SHOWN HEREON. THE CURRENT ZONING WILL BE CHANGED FROM AGRICULTURAL (A) TO NEIGHBORHOOD COMMERCIAL (C-2).

BLOCK 9 PROPERTY DESCRIPTION FOR REZONING

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

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,

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.

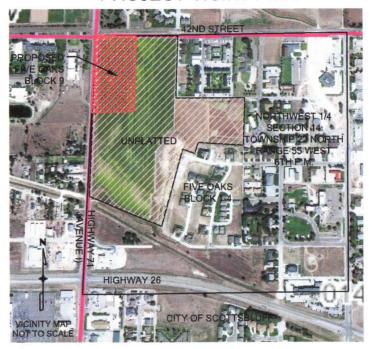
THENCE CONTINUING THE FOLLOWING (5) FIVE COURSES ALONG THE SAID

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.

PROJECT VICINTY MAP



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 REZONING MAP, 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 1:100,000 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

I ATTEST THE ABOVE ON THIS 29 DAY OF JANUAY, 2014.

PHONE: 308-632-3123

NEBRASKA PROFESSIONAL LAND SURVEYOR NO. 731 FOR AND ON BEHALF OF BAKER AND ASSOCIATES INC.

SURVEY NOTES

1. 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.

2. ALL DIMENSIONS SHOWN HEREON ARE U.S. SURVEY FEET.

PLANNING AND ZONING CERTIFICATE

CITY OF SCOTTSBLUFF CITY COUNCIL HAS REVIEWED THE PROPOSED CHANGES HEREON AND HEREBY APPROVES THE PROPOSED BLOCK 9 FINAL PLAT OF FIVE OAKS SUBDIVISION.

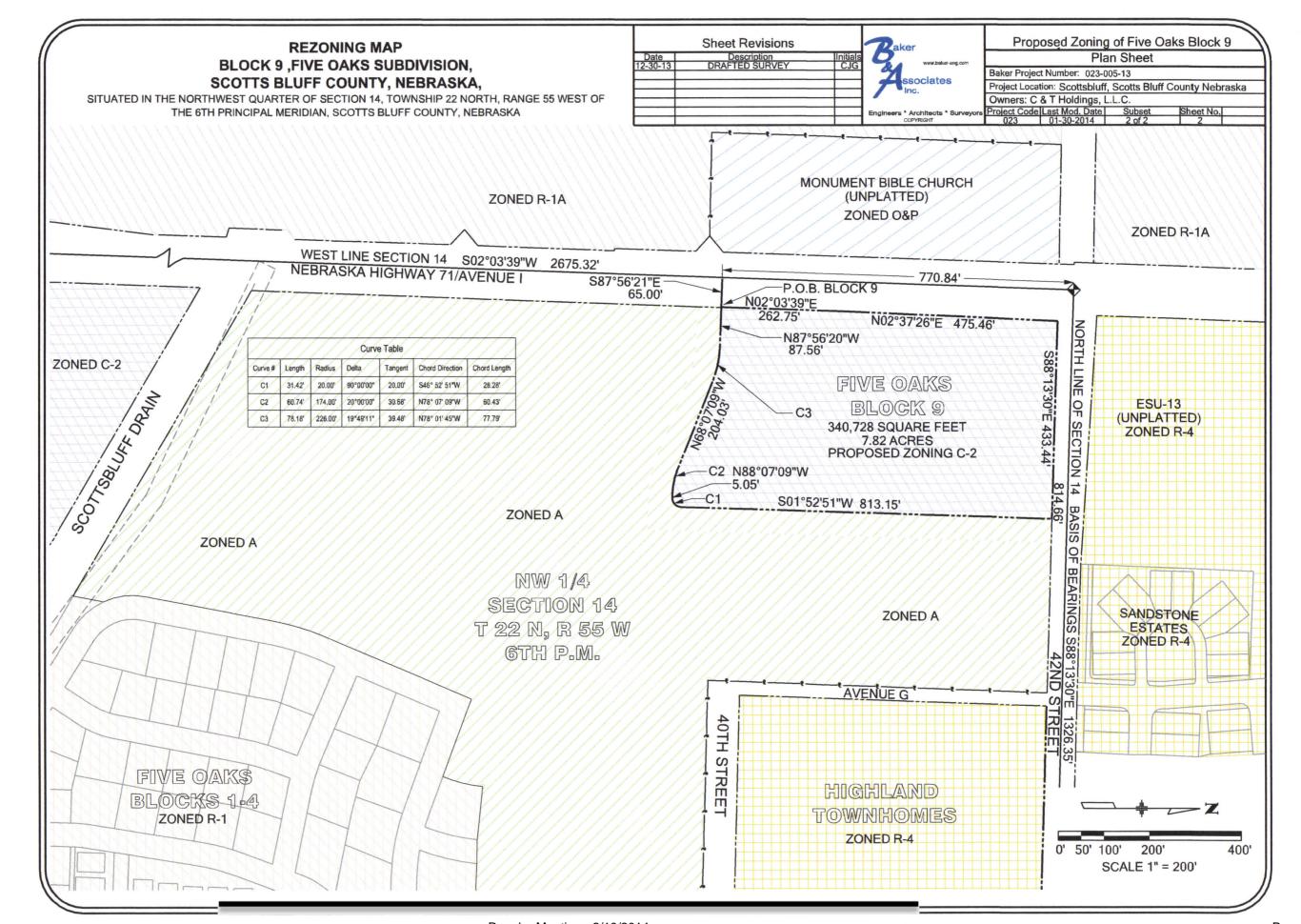
SCOTTS BLUFF CITY COUNCIL

REZONING STATEMENT

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 CURRENT ZONING BE CHANGED FROM AGRICULTURAL (A) TO NEIGHBORHOOD COMMERCIAL (C-2).

REPRESENTIVE OF C & T HOLDINGS L.L.C.
STATE OF NEBRASKA)) SS COUNTY OF SCOTTS BLUFF)
ACKNOWLEDGED BEFORE ME THIS DAY OF, 2014,
BYWITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES:

NOTARY PUBLIC



Monday, February 10, 2014 Regular Meeting

Item NewBiz3

Rezone: Westfield Estates

Rezone: Lots 16-27, Blk 1, &Lots 4, and 5, Blk 2, Westfield Estates R

Applicant: Henry Huber

Owner(s): Henry Huber

Location: West of Hwy 71, S of Hwy 26, N of 35th St

SCOTTSBLUFF CITY PLANNING COMMISSION STAFF REPORT

To: Planning Commission

From: Development Services Department Zoning: R-1A currently

Date: February 10, 2014 Property Size: 5.42 acres ±

Subject: Rezone parcel from R-1A & C-2 to C-3 # Lots/Units:

Location: Rezone parcel from R-1A & C-2 to C-3 # Lots/Units:

West of CR 20 (Hwy 71) & South of Hwy 26

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), Henry Huber, has requested a rezone for Lots 16 through 27 (R-1A), (lots 26 & 27 - C-2), Block 1, Westfield Estates Replat, and Lots 4 (R-1A) and 5 (C-2) Block 2, Westfield Estates Replat all lots are situated in part of the NE ¼ of Section 16 T22N, R55W of the 6th P.M., Scotts Bluff County Nebraska. These parcels are located in the City's extra territorial jurisdiction and situated on the east side of County Road 20 and south of Highway 26. The applicant is requesting a change from Residential & Neighborhood Commercial to C-3 Heavy Commercial. Surrounding properties are zoned C-3 to the east and Residential to the south. The majority of the lots are north of Burlington Boulevard and bordered by the Railroad to the north.

The Comprehensive Plan Future Land Use Map designates this area as Single Family Residential. The Planning Commission has previously rezoned lots to Heavy Commercial to allow the existing building on the north side of Burlington Boulevard to be used as a Commercial Business.

Findings of fact includes commercial is a logical transition since property to the east is zoned Heavy Commercial and the majority of the parcels border the railroad tracks to the north. With the building of the overpass access to these lots was changed and the developer does not anticipate heavy traffic to the businesses which may develop along this corridor.

Staff recommends approval of the rezone of parcels Westfield Estates to C-3 or C-2.

RECOMMENDATION

Rezone Request, Page 1

Approve

Make a POSITIVE RECOMMENDATION to the City Council to rezone lots in Westfield Estates Replat to C-3 Heavy Commercial from R-1A & C-2 subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to rezone lots in Westfield Estates Replat to C-3 Heavy Commercial from R-1A & C-2 for the following reason(s):

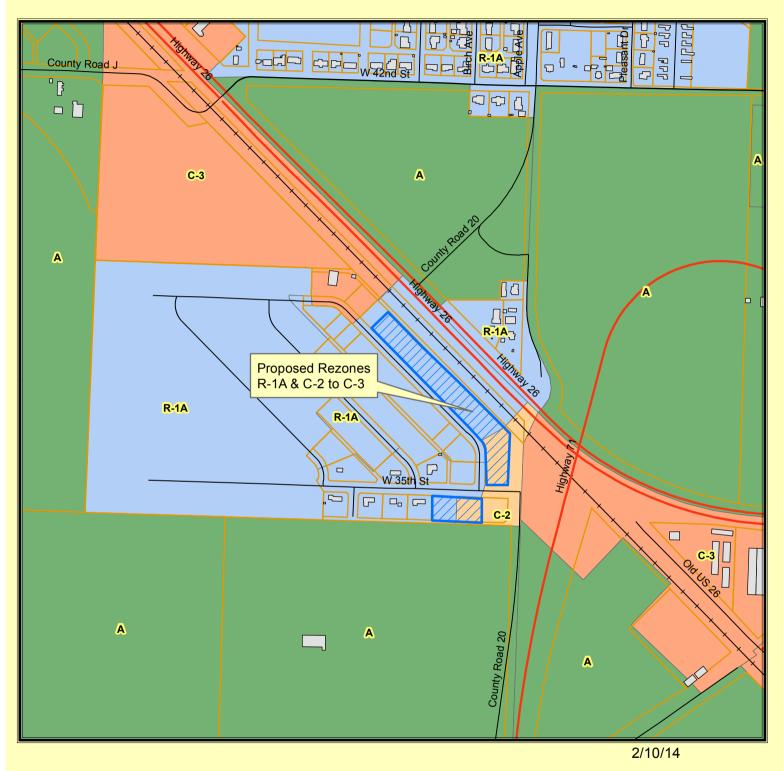
<u>Tab</u>le

Make the motion to TABLE the rezone request to rezone lots in Westfield Estates Replat to C-3 Heavy Commercial from R-1A & C-2 for the following reason(s):

Rezone Request, Page 2

Westfield Estates Rezone

R-1A & C-2 to C-3



N

Map by A. Urdiales: City of Scottsbluff Coordinate System: NAD 1983 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.

Monday, February 10, 2014 Regular Meeting

Item NewBiz4

Preliminary Plat Reganis Revision #1

Preliminary Plat: Reganis Sub. Revision # 1

Applicant: Tim Reganis/M.C. Schaff & Associates

Owner(s) Tim & Virginia Reganis

Location: N of 27th, E of Hwy 26,& S of Talisman Dr.

SCOTTSBLUFF CITY PLANNING COMMISSION STAFF REPORT

To: Planning Commission

From: Development Services Department Zoning: R-1 & C-2

Date: February 10, 2014 **Property Size:** 25.27 acres

Subject: Revised Preliminary Plat Reganis Subdivision **Location:** North of 27th Street, East of Highway 26

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), Tim & Virginia Reganis, represented by M.C. Schaff and Associates have requested approval of a revised Preliminary Plat of the Reganis Subdivision. The property is situated directly north of 27th Street, south of US Highway 26, west of WNCC and south of Talisman Drive.

Analysis – Preliminary Plat

City staff and Baker and Associates have reviewed the preliminary plat and proposed infrastructure to the property. The revised preliminary plat has been scaled back quite a bit from the previous preliminary plat approved by the Planning Commission and City Council last year in November. The Developer has also submitted a final plat request of Block 9 of this revised preliminary plat. The preliminary plat meets the subdivision codes and city standards. Staff has met with the Engineer and discussed a few corrections and concerns of the preliminary plat and those changes have been addressed..

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve revised preliminary plat #1 of the Reganis Subdivision subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove revised preliminary plat #1 of the Reganis Subdivision for the following reason(s):

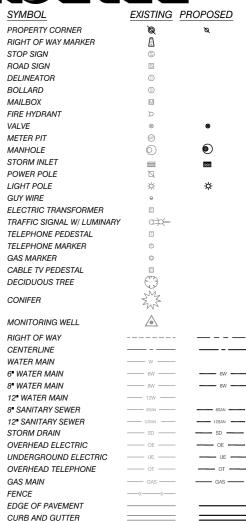
Table

Make the motion to TABLE the revised preliminary plat #1 of the Reganis Subdivision for the following reason(s):

Preliminary/Final Plat Request, Page 1

COVER SHEET PRELIMINARY PLAT REGANIS SUBDIVISION REVISION NO. 1 SCOTTSBLUFF, NEBRASKA





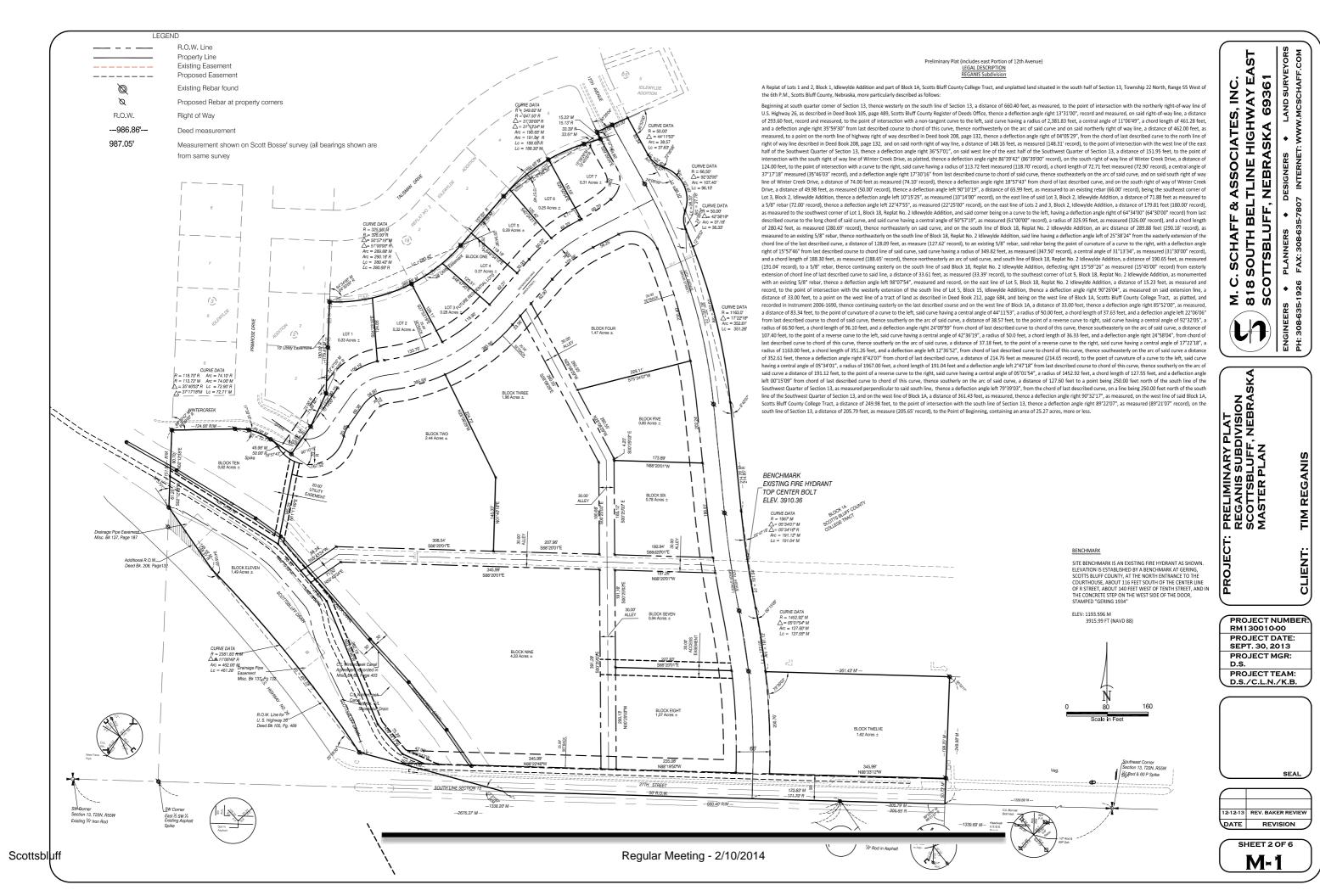
DEVELOPER: REGANIS AUTO CENTER 2006 EAST OVERLAND DRIVE SCOTTSBLUFF, NEBRASKA 69361

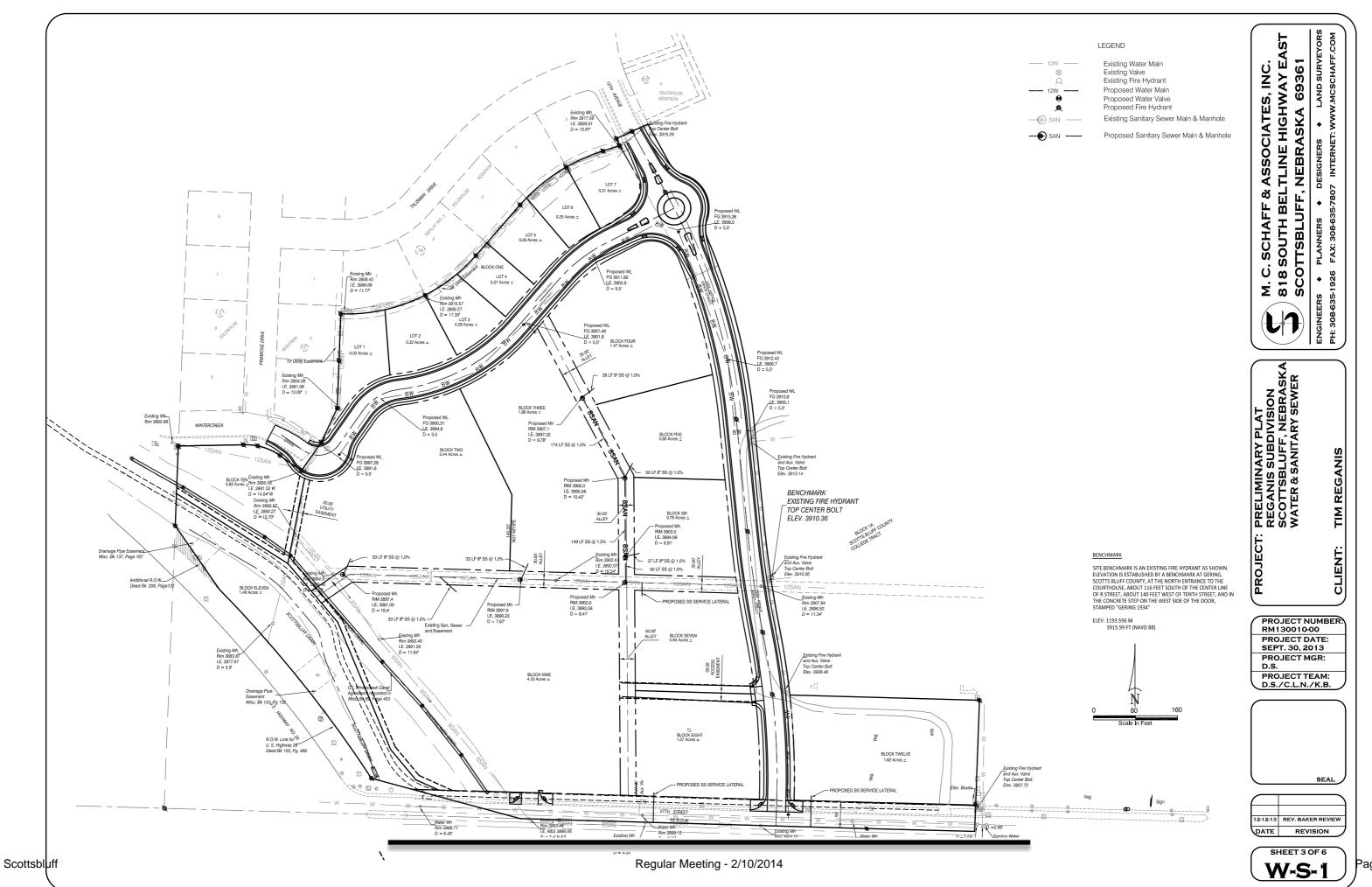
ESIGNED BY

F AND ASSOCIATES, INC. 818 SOUTH BELTLINE HIGHWAY EAST SCOTTSBLUFF, NEBRASKA 69361

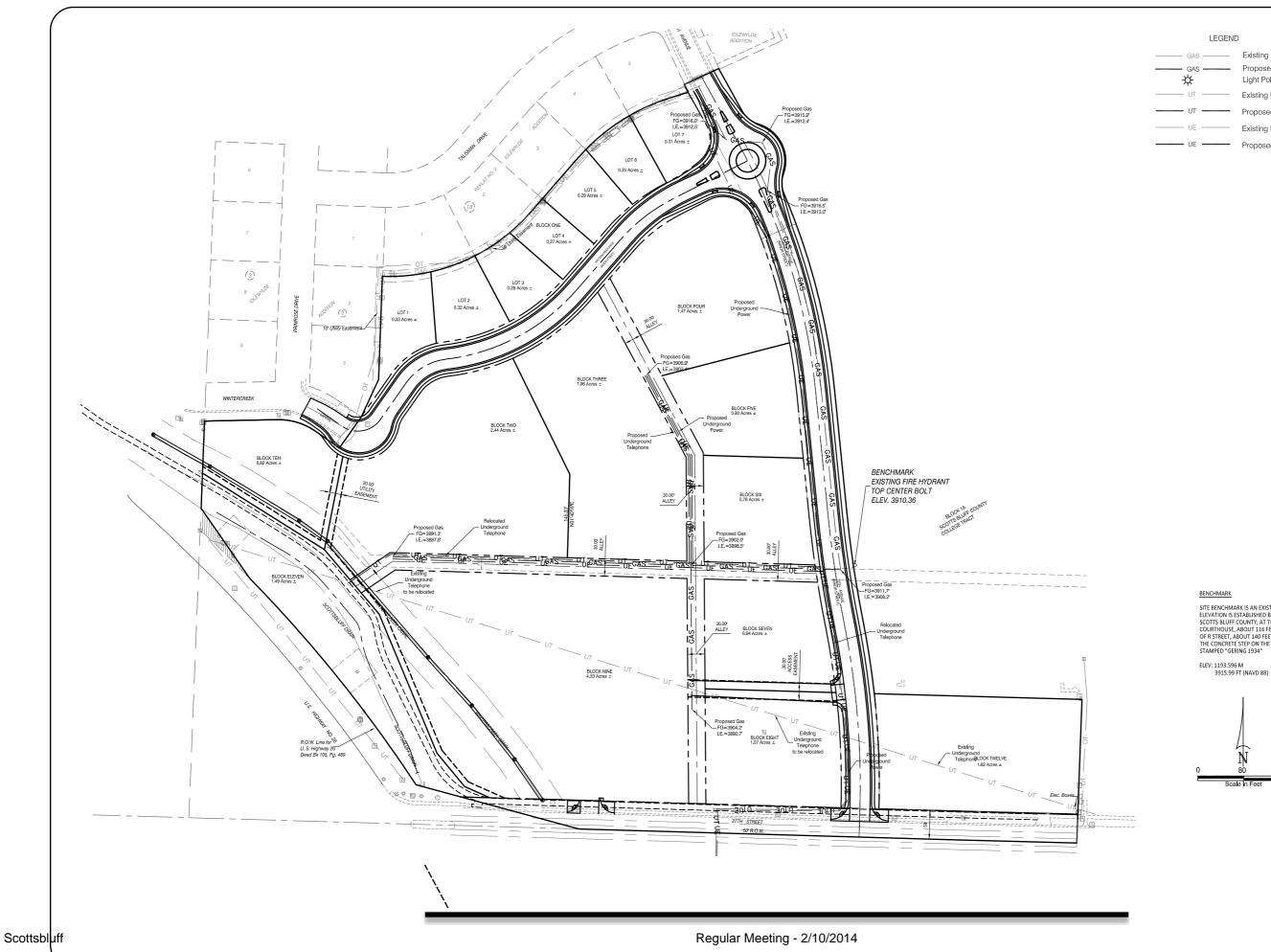
JANUARY 10, 2014

M. C. SCHAFF AND ASSOCIATES, INC 818 SOUTH BELTLINE HIGHWAY EAS





Page 24 / 55



Existing Gas Line Proposed Gas Line Light Pole Existing Underground Telephone Proposed Underground Telephone Existing Underground Power Proposed Underground Power



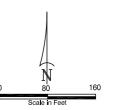
DESIGNERS + LAND SURVEYORS
7 INTERNET: WWW.MCSCHAFF.COM

: PRELIMINARY PLAT REGANIS SUBDIVISION SCOTTSBLUFF, NEBRASKA DRY UTILTIES

TIM REGANIS

CLIENT:

SITE BENCHMARK IS AN EXISTING FIRE HYDRANT AS SHOWN. ELEVATION IS ESTABLISHED BY A BENCHMARK AT GERING, SCOTTS BLUFF COUNTY, AT THE NORTH ENTRANCE TO THE COURTHOUSE, ABOUT 116 FEET SOUTH OF THE CENTER LINE OF R STREET, ABOUT 140 FEET WEST OF TENTH STREET, AND IN THE CONCRETE SITE ON THE WEST SIDE OF THE DOOR, STAMPED "GERING 1934"



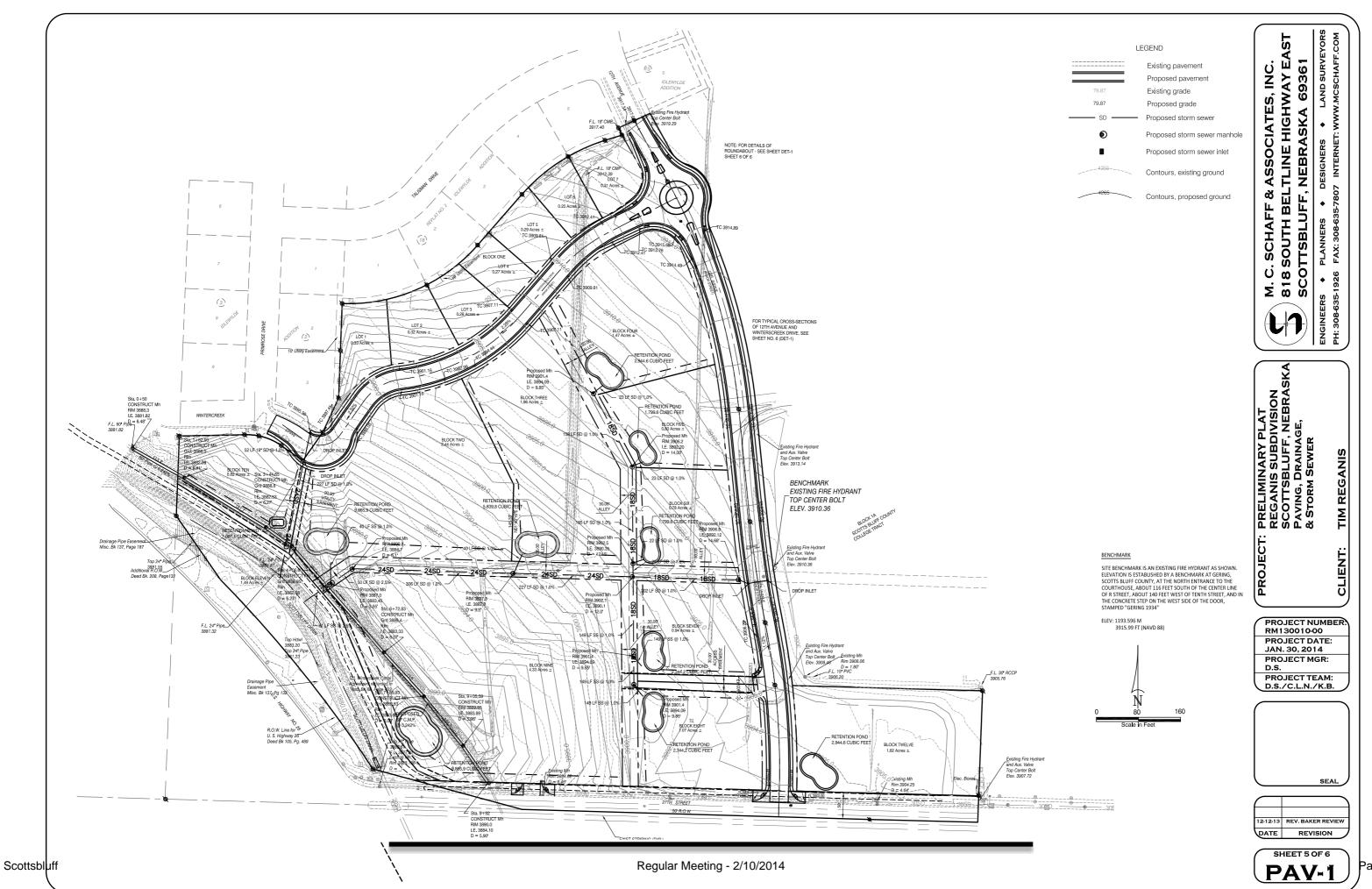
PROJECT NUMBER: RM130010-00 PROJECT DATE: SEPT. 30, 2013 PROJECT MGR: PROJECT TEAM: D.S./C.L.N./K.B.



DATE REVISION

SHEET 4 OF 6

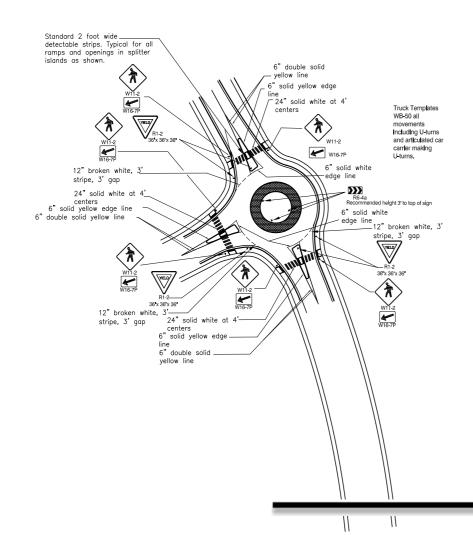
Page 25 / 55

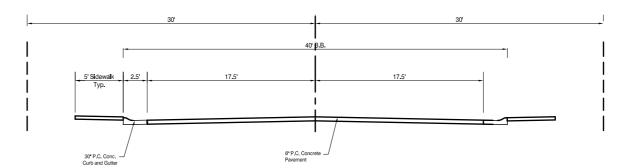


IMPORTANT DESIGN/CONSTRUCTION NOTES

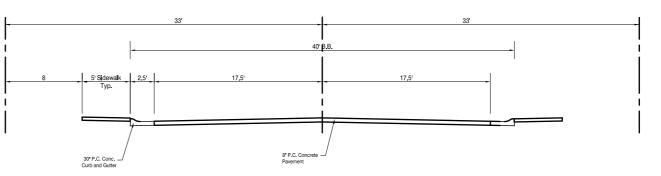
Following are some general notes that apply to most roundabouts; several individual notes may not apply.

- Vertical face curbing is recommended for the whole roundabout to assist in controlling vehicle speeds
- The edge of the truck apron is a three-inch high vertical face curb with a half-inch fillet on the top edge without a gutter. If a gutter must be used the gutter should
- The truck apron has a typical negative 2 to 3 percent outward cross fall and should be load bearing and capable of supporting the design vehicle.
- The truck apron is separated from the landscaping area in the central island by a six-inch high vertical face curb.
- Any truck apron or decorative strip that is used should be constructed from a contrasting color to the road pavement, i.e. white (concrete) or red, orange colored
- The standard cross fall across the circulating roadway is a negative two percent cross fall outwards. It can be varied from a plus 4 percent to a negative 4 percent
- 8. A large tree, several trees, a ring of trees, or other significant vertical feature must be located in the central island to increase the long-range visibility of the roundabout,
- The concrete splitter islands are offset from the painted triangle splitter island to provide drivers with forgiving space
- 10. Splinter islands should be set out as a single island after which the pedestrian opening is created
- The interior of the splitter islands can be solid concrete, concrete curb lined with pavers or low height landscaping no taller than 18 inches.
- Splitter islands are typically designed with curb only because drainage is typically away from the center of the road and therefore no gutter is required. No inlets are typically provided along the splitter islands so there is nowhere for any gutter to deposit any water collected, Finally, the use of vertical curb only around the splitter islands is recommended as it maximizes the pedestrian storage and provides more space for landscaping the islands. In this case, trees should be added to the splitter islands if medians are not to be used.
- The sidewalks should be set back from the circulating roadway curb line at least 6 feet. Where physical separation is not possible because of right-of-way constraints, then the planter strip should be two feet wide. Failing that a chain fence should be provided as per A.D.A. requirements to guide visually impaired people around the roundabout. Curb return ramps are provided to meet A.D.A. standards because they provide wider and smoother ramps absent of any curbing that could cause people to trip and to provide visually impaired people with better directional information than flared ramps. They are the specified A.D.A. ramp when grass, or other non-traversable area, is next to the ramp.
- The one-way signs in the central island must be located in line with approaching drivers, square to these drivers, and to the right of the Yield signs, and clear of the truck apron to provide clear direction. The recommended height to the top of the sign is three feet.
- 15. The yleid lines and yleid signs as shown are essential to define the entry point and driver responsibility. The Yleid signs in the splitter Islands on the side streets may be omitted.
- 16. The compound curves are specifically designed to minimize vehicle speeds and to match vehicle swept paths. Any change to simple radii is not recommended.
- 17. Adequate street lighting is necessary. Up lighting of the landscaping within the central island is recommended because of enhances conspicuity and the ability to create a more attractive night time feature.
- 19. Bike lanes are to be marked and signed in accordance with local standards.
- 20 Construction engineers should be notified that they should not make changes to the layout without contacting the design engineer and they should "eyeball" curb and gutter forms before the concrete curb is poured.

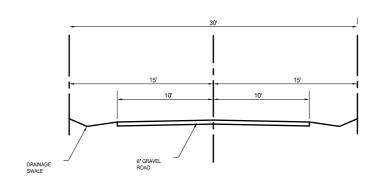




TYPICAL CROSS-SECTION WINTERCREEK DRIVE



TYPICAL CROSS-SECTION 12TH AVENUE



TYPICAL CROSS-SECTION 30' ALLEY



& ASSOCIATES, INC. LTLINE HIGHWAY EA. , NEBRASKA 69361

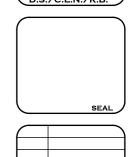
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SIGNERS ♦ LAND SURVE: INTERNET: WWW.MCSCHAFF.

PRELIMINARY PLAT REGANIS SUBDIVISION SCOTTSBLUFF, NEBRASKA DETAIL SHEET

TIM REGANIS

PROJECT NUMBER: RM130010-00 PROJECT DATE: SEPT. 30, 2013 PROJECT MGR: PROJECT TEAM: D.S./C.L.N./K.B.



SHEET 6 OF 6 DET-1

DATE REVISION

Monday, February 10, 2014 Regular Meeting

Item NewBiz5

Final Plat Reganis

Final Plat: Block 9, Reganis Subdivision

Applicant: Tim & Virginia Reganis/M.C. Schaff & Assoc.

Owner(s): Tim & Virginia Reganis

Location: North of E. 27th St., & East of Highway 26

SCOTTSBLUFF CITY PLANNING COMMISSION STAFF REPORT

To: **Planning Commission**

From: **Development Services Department Zoning:** Current Agricultural

February 10, 2014 **Property Size:** $4.67 \pm$ Date:

Final Plat - Block 9, Reganis Subdivision **Subject:** North of 27th Street and East of Hwy 26 **Location:**

Procedure

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

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

Background

The applicant(s), Timothy & Virginia Reganis, represented by M.C. Schaff and Associates, have requested approval of a final plat of Block 9, Reganis Subdivision. The final plat will consist of one parcel of approximately 4.67± acres. The property is situated north of 27th Street, East of Highway 26, and west of Western Nebraska Community College.

The parcel will have access on to the lot from 27th Street; the plat dedicates 50' additional right of way for 27th Street. The lot will be able to access existing water and sewer lines, 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 also reviewed by Baker and Associates.

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, Reganis Subdivision situated in the SE 1/4 of the SW 1/4 of Section 13, T22N, R55W of the 6th P.M, City of Scottsbluff, Scotts Bluff County, Nebraska subject to the following condition(s):

Final Plat Request, Page 1

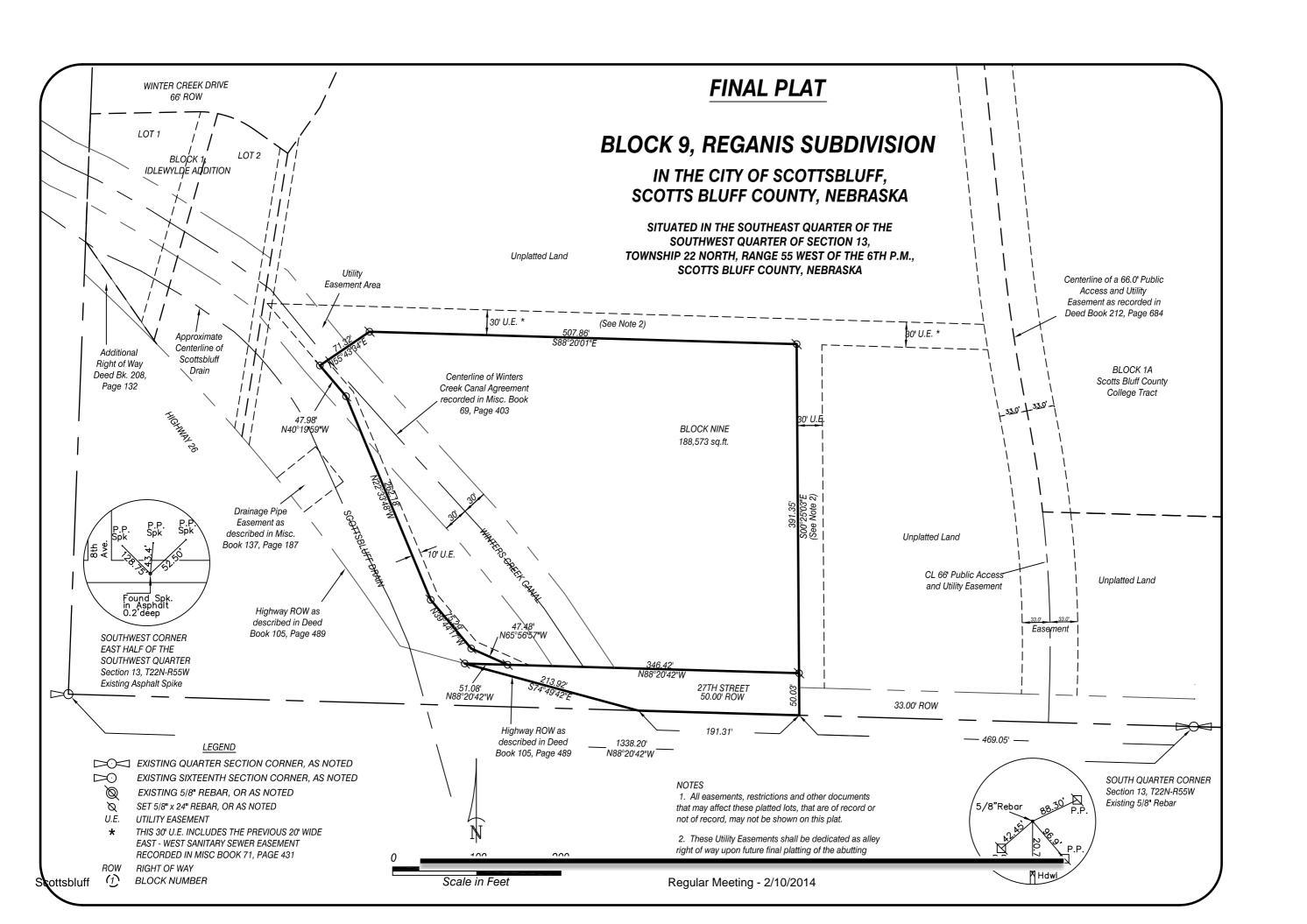
Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the final plat of Block 9, Reganis Subdivision situated in the SE ½ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M, City of Scottsbluff, Scotts Bluff County, Nebraska for the following reason(s):

Table

Make the motion to TABLE the final plat of Block 9, Reganis Subdivision situated in the SE ½ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M, City of Scottsbluff, Scotts Bluff County, Nebraska for the following reason(s):

Final Plat Request, Page 2



BLOCK 9, REGANIS SUBDIVISION SCOTTSBLUFF, NEBRASKA SHEET 2 OF 3

SURVEYOR'S CERTIFICATE

I, Kelly A. Beatty, a Nebraska Registered Land Surveyor, hereby certify I have surveyed and prepared a plat of Block Nine, Reganis Subdivision in the City of Scottsbluff, Scotts Bluff County, Nebraska, situated in the Southeast Quarter of the Southwest Quarter of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Commencing at the South Quarter corner of Section 13, thence westerly on the south line of the Southwest Quarter of Section 13, on an assumed bearing of N88°20'42"W, a distance of 469.05 feet, to the Point of Beginning, thence continuing westerly on said south line of the Southwest Quarter of Section 13, bearing N88°20'42"W, a distance of 191.31 feet, to the point of intersection with the northerly right of way line of U.S. Highway 26, as described in Deed Book 105, page 489, thence bearing N74°49' 42"W, on said northerly right of way line, a distance of 213.92 feet, to a point being 50.00 feet north of the south line of the Southwest Quarter of Section 13, as measured perpendicular to said south line of Section 13, thence bearing S88°20'42"E, on a line being 50.00 feet north of and parallel with said south line of Section 13, a distance of 51.08 feet, thence bearing N65°56'57"W, a distance of 47.48 feet, thence bearing N39°44'17"W, a distance of 75.29 feet, thence bearing N22°33'48"W, a distance of 262.18 feet, thence bearing N40°19'59"W, a distance of 47.98 feet, thence bearing N55°43'34"E, a distance of 71.32 feet, thence bearing S88°20'01"E, a distance 507.86 feet, thence bearing S00°25'03"E, a distance of 391.35 feet, to a point being 50.00 feet north of the south line of Section 13, as measured perpendicular to said south line of Section 13, thence continuing southerly on last described course, bearing S00°25'03"E, a distance of 50.03 feet, to the Point of Beginning, containing an area of 4.67 acres, more or less.

That the accompanying plat is a true delineation of such survey drawn to a scale of 100 feet to the inch. That all dimensions are in feet and decimals. That each lot and block has its own number and that the boundary of the plat is shown with a heavy solid line with dashed lines being for orientation purposes only. That all corners found or set are marked as shown.

WITNESS MY HAND AND SEAL THIS DAY OF FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATE		, 2014.
Kelly A. Beatty, Nebraska Registered Land Surveyo	r I S 476	<u></u>
	, _ .	
OWN	IER'S S	STATEMENT
Section 13, Township 22 North, Range 55 West of `Surveyor's Certificate' and shown on the accomp REGANIS SUBDIVISION IN THE CITY OF SCOTTS	the 6th P.I anying plat BBLUFF, St	nd situated in the Southeast Quarter of the Southwest Quarter of .M., Scotts Bluff County, Nebraska, as described in the foregoing at have caused such real estate to be platted as BLOCK NINE, SCOTTS BLUFF COUNTY, NEBRASKA, situated in the Southeast 22 North, Range 55 West of the 6th P.M., Scotts Bluff County,
	nts shown d	d in accordance with the desires of the undersigned owners. We on the accompanying plat for the use and benefit of the public.
Owners:		
By: Timothy G. Reganis, Husband	By: \	Virginia S. Reganis, Wife

BLOCK 9, REGANIS SUBDIVISION SCOTTSBLUFF, NEBRASKA SHEET 3 OF 3

ACKNOWLEDGEMENT
STATE OF NEBRASKA) COUNTY OF SCOTTS BLUFF)
Before me, a Notary Public, qualified and acting in said County, personally came Timothy G. Reganis and Virginia S. Reganis, Husband and Wife, to me known to be the identical persons whose signatures are affixed to the foregoing `Owner's Statement' and acknowledged the execution thereof to be their voluntary act and deed.
WITNESS MY HAND AND SEAL THIS DAY OF, 2014.
Notary Public
My Commission Expires
APPROVAL AND ACCEPTANCE
The foregoing plat of BLOCK NINE, REGANIS SUBDIVISION IN THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, situated in the Southeast Quarter of the Southwest Quarter of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, is hereby approved by the Mayor and City Council of the City of Scottsbluff, Scotts Bluff County, Nebraska, by resolution duly passed this day of, 2014.
Randy Meininger, Mayor
ATTEST:
City Clerk

Monday, February 10, 2014 Regular Meeting

Item NewBiz6

Redevelopment Study Reganis

Redevelopment Study: Reganis TIF Plan

Applicant: Tim Reganis

Owner: Tim Reganis

Location: E Hwhy 26, N of 27th St.



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission

From: Annie Urdiales, Planning Administrator

Date: February 10, 2014

Subject: Redevelopment Plan – Reganis Auto Sales **Location:** 1121 E. 27th St. (Blk. 9, Reganis Subdivision)

Tim Reganis is proposing to redevelop commercial property in the 1100 block of East 27th Street. Mr. Reganis has previously submitted a preliminary plat, a revised preliminary plat, and a final plat of Block 9, Reganis Subdivision. This redevelopment plan impacts only the Reganis project, and not the rest of the area that was declared blighted and substandard.

The major improvements funded from the TIF will be site preparation (removal of existing buried foundations and pipes) and tiling and re-sloping of Winters Creek Canal. They will need City water and sewer for the project. It is my understanding that the developer may be requesting that paving, water, and sewer districts be formed.

Mr. Reganis is applying for Tax Increment Financing and is asking that the Planning Commission review and make recommendation to City Council of this redevelopment plan. The area is part of Study Area # 7 which was designated as a blighted and substandard area in the fall of last year. Other property owners may benefit and take advantage of this study area with their own redevelopment plan.

The developer intends to use Block 9, Reganis Subdivision for auto sales and is also applying for a special use permit from the Planning Commission as the area is located in a C-2 Neighborhood Retail and Commercial Zoning District.

The redevelopment plan is attached for your review.

Staff Report Page 1

CITY OF SCOTTSBLUFF REDEVELOPMENT PLAN FOR THE HIGHWAY 26/EAST 27TH STREET CORRIDOR

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. Therefore, the City has initiated a program of revitalization whose goal is to enhance the City of Scottsbluff as the center of government in the county-wide region; as the center of retail, business, industry, office, financial and entertainment activities, and of communication for the community, and as a center of tourism and meetings for the region. To reach this goal of maintaining the City of Scottsbluff as a multi-use center of the region, it will be necessary that the Highway 26/East 27th Street Corridor be strengthened by capturing a share of the anticipated private market activity within the region. This area constitutes a critical portion of the community located on a major thoroughfare. This plan seeks to enhance the Highway 26/East 27th Street corridor by assisting in the site preparation including the tiling of Winters Creek allowing for the development of a premium branded auto dealership. The level of investment to finance the needed site preparation and infrastructure will require the combined efforts of the public and private sectors.

This Redevelopment Plan covers an area consisting of 188,573 square feet located north of and adjacent to East 27th Street and east of U.S. Highway 26 which is legally described and shown on Exhibit "A", 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. All available evidence suggests that the area has not had the private investment necessary to contribute to the well-being of the community, nor would the area be reasonably anticipated to be developed without public action.

To encourage private investment in the Community Redevelopment Area, this Redevelopment Plan has been prepared to set forth the Highway 26/East 27th Street Corridor 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.

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. <u>Existing Land Use</u>. The Community Redevelopment Area contains un-platted and undeveloped land consisting of approximately 188,573 square feet in addition to the adjacent Highway 26 and East 27th Street right-of-way. The Redevelopment Area is impacted by Winters Creek Canal. This use is shown on Exhibit "B".
- Existing Zoning. The Community Redevelopment Area is zoned C-2. The intent of the Neighborhood Commercial District is to provide a zone consisting of retail stores and service establishments. The C-2 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 hotels/motels, hospitals/clinics. banks. restaurants/bars/taverns, and convenience stores. Special permits can be obtained for other uses, including auto sales and service establishments, hardware stores, and multi-family dwellings.

C. Existing Public Improvements.

- 1. <u>Street System</u>. There is no internal street network or system constructed within the Community Redevelopment Area. U.S. Highway 26 forms the western boundary of the Community Redevelopment Area and is constructed as a four-lane divided roadway. East 27th Street forms the southern boundary of the Community Redevelopment Area and is constructed as a four-lane roadway.
- 2. <u>Utilities</u>. The existing public utilities are available adjacent to the Redevelopment Area.
- D. Existing Building Conditions/Blighting Influences. Charles K. Bunger, 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
- H. Procedure for Changes in the Approved Redevelopment Plan

A. Proposed Land Use Plan. No changes are contemplated in the current Land Use Plan for the area. However, the use of this site will go from undeveloped to developed. This plan contemplates demolition and removal of buried concrete foundations, pipes and other structures. The Redevelopment Project will primarily provide for site preparation and infrastructure for the tiling of Winters Creek for the development of a premium-branded automobile dealership The proposed site plan for the area after completion of a Redevelopment Project is shown on attached Exhibit "C" which is attached hereto and incorporated herein by this reference. The land use plan shows a proposed Redevelopment Project including approximately 23,007 square feet of new construction for the auto dealership and approximately Most of the balance of the site will be paved. The specific site plan, land uses, open space, buildings, parking lots, are shown on Exhibit "C".

The City of Scottsbluff, will negotiate a specific redevelopment agreement with the redeveloper outlining the proposed Redevelopment Project, 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 redeveloper to implement the Redevelopment Project.

B. <u>Conformance with the Comprehensive Plan; Conformance with the Community Development Law Declarations</u>. 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 2004 ("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. <u>Relationship to Local Objectives</u>. 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 Highway 26/East 27th Street corridor. General goals, policies and actions relating to the community as a whole and for the Highway 26/East 27th Street corridor are contained in the Comp Plan.
- D. <u>Building Requirements and Redevelopment Standards</u>. The redevelopment of the Community Redevelopment Area should generally achieve the following requirements and standards:
 - 1. <u>Population Density</u>. 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 with initial development of an automobile dealership may help incent 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. <u>Land Coverage and Building Density</u>. There are no existing buildings located within the Community Redevelopment Area. After redevelopment project completion, building coverage will be approximately 23,007 square feet on the ground floor. Paved parking lots are shown on <u>Exhibit "C"</u>.
- 3. <u>General Environment</u>. This plan will redevelop a former dairy site, improve the Winters Creek canal and provide for the creation of premium auto dealership. 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 the establishment of a vibrant regionally recognized auto sales and service facility. This activity is intended to increase the amount and variety of activity in the Highway 26/East 27th Street corridor 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 improvement to Winters Creek.

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

- 5. <u>Building Heights and Massing</u>. Building heights and massing for the proposed project will comply with the C-2 zone.
- 6. <u>Circulation, Access and Parking</u>. 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. <u>Off-Street Loading, Service and Emergency Facilities</u>. 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. <u>Proposed Changes and Actions</u>. The Community Redevelopment Area is anticipated to function as an automobile sales and service business. See <u>Exhibit "C"</u> for an example of a conceptual land use and site plan for the Community Redevelopment Area. 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. A substantial portion of the Community Redevelopment Area is zoned C-2 Neighborhood Commercial. No additional changes to the City's Zoning Ordinances, Building Codes, or other local ordinances are contemplated to implement this Redevelopment Plan. A special use permit will be required for the auto sales and service development.
 - 2. <u>Traffic Flow, Street Layout and Street Grades.</u> The only street providing access to the Community Redevelopment Area is East 27th Street. A driveway access into the Community Redevelopment Area from East 27th Street will be utilized to access 27th Street.
 - 3. <u>Public Redevelopments, Improvements, Facilities, Utilities and Rehabilitations</u>. 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:

- (i) Improvements to Winters Creek Canal. Installation of tiling and landscaping;
- 4. <u>Site Preparation and Demolition</u>. Site preparation will consist of removal of buried foundations and pipes. Subject to City approval, Winters Creek will be tiled and re-sloped.
- 5. <u>Private Redevelopment, Improvements, Facilities and Rehabilitation</u>. The private improvements anticipated within the Community Redevelopment Area include, site preparation and the construction of a new automobile sales and service facility.
- 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. <u>Cost-Benefit Analysis</u>. A City of Scottsbluff Redevelopment Project TIF Statutory Cost Benefit Analysis is incorporated herein by this reference ("Cost-Benefit Analysis") and is shown on <u>Exhibit "D"</u>. 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. <u>Proposed Costs and Financing; Statements</u>. 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 redeveloper owner of the Community Redevelopment. The written redevelopment agreement will include a site plan consistent with this Redevelopment Plan, development descriptions, specific funding arrangements, and specific covenants and responsibilities of the City and the redeveloper to implement the Redevelopment Project.

Estimated Redevelopment Project costs, including site preparation, and tiling of Winters Creek are broken down as follows:

POTENTIAL PUBLIC AND ELIGIBLE PRIVATE IMPROVEMENTS*

Winters Creek tiling	\$244,777.50
Site preparation	\$246,642.11
Plan preparation and legal	\$ 25,000.00
Total	\$516,419.61

The figures above 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 elect to issue.

This Plan proposes that TIF revenues, purchased by the developer fund Winters Creek tiling and site preparation for the auto dealership. TIF funding will also provide for onsite foundation removal, and any improvements in the public right of way for driveway access for the auto dealership, to the extent of available TIF funds. The balance of private improvements shall be paid by the developer

The amount of the available proceeds for tax-increment financing is estimated at approximately \$408,000.00 assuming the auto dealership a will generate an estimated property valuation of \$2,100,000.00 over the present property valuation base.

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 redevelopment contract to be executed by the Redeveloper and the Community Development Agency. 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.
- H. Procedure for Changes in the Approved Redevelopment Plan. If the City of Scottsbluff desires to modify this Redevelopment Plan, it may do so after holding a public hearing on the proposed change in accordance with applicable state and local laws. A redevelopment plan which has not been approved by the governing body when recommended by the authority may again be recommended to it with any modifications deemed advisable. A redevelopment plan may be modified at any time by the authority, provided, that if modified after the lease or sale of real property in the Redevelopment Project Area, the modification must be consented to by the redeveloper or redevelopers of such property or his successor, or their successors, in interest affected by the proposed modification. Where the proposed modification will substantially change the redevelopment plan as previously approved by the governing body the modification must similarly be approved by the governing body.

EXHIBIT "A"

Legal Description

The redevelopment area shall consist of:

Block Nine, Reganis Subdivision in the City of Scottsbluff, Scotts Bluff County, Nebraska, situated in the Southeast Quarter of the Southwest Quarter of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Commencing at the South Quarter corner of Section 13, thence westerly on the south line of the Southwest Quarter of Section 13, on an assumed bearing of N88°20'42"W, a distance of 469.05 feet, to the Point of Beginning, thence continuing westerly on said south line of the Southwest Quarter of Section 13, bearing N88°20'42"W, a distance of 191.31 feet, to the point of intersection with the northerly right of way line of U.S. Highway 26, as described in Deed Book 105, page 489, thence bearing N74°49′ 42″W, on said northerly right of way line, a distance of 213.92 feet, to a point being 50.00 feet north of the south line of the Southwest Quarter of Section 13, as measured perpendicular to said south line of Section 13, thence bearing S88°20'42"E, on a line being 50.00 feet north of and parallel with said south line of Section 13, a distance of 51.08 feet, thence bearing N65°56′57"W, a distance of 47.48 feet, thence bearing N39°44'17"W, a distance of 75.29 feet, thence bearing N22°33'48"W, a distance of 262.18 feet, thence bearing N40°19′59"W, a distance of 47.98 feet, thence bearing N55°43′34"E, a distance of 71.32 feet, thence bearing S88°20'01"E, a distance 507.86 feet, thence bearing S00°25'03"E, a distance of 391.35 feet, to a point being 50.00 feet north of the south line of Section 13, as measured perpendicular to said south line of Section 13, thence continuing southerly on last described course, bearing S00°25'03"E, a distance of 50.03 feet, to the Point of Beginning, containing an area of 4.67 acres, more or less.

Also, an area within the easement of Winters Creek Irrigation commencing at the northwest corner of Block Nine to a length of approximately 460 feet to the northwest along the centerline of the existing irrigation lateral.

G:\Jobs\RM130010-00 - Reganis Auto Center Site Work\Redevelopment Plan Legal description Exibit A.docx

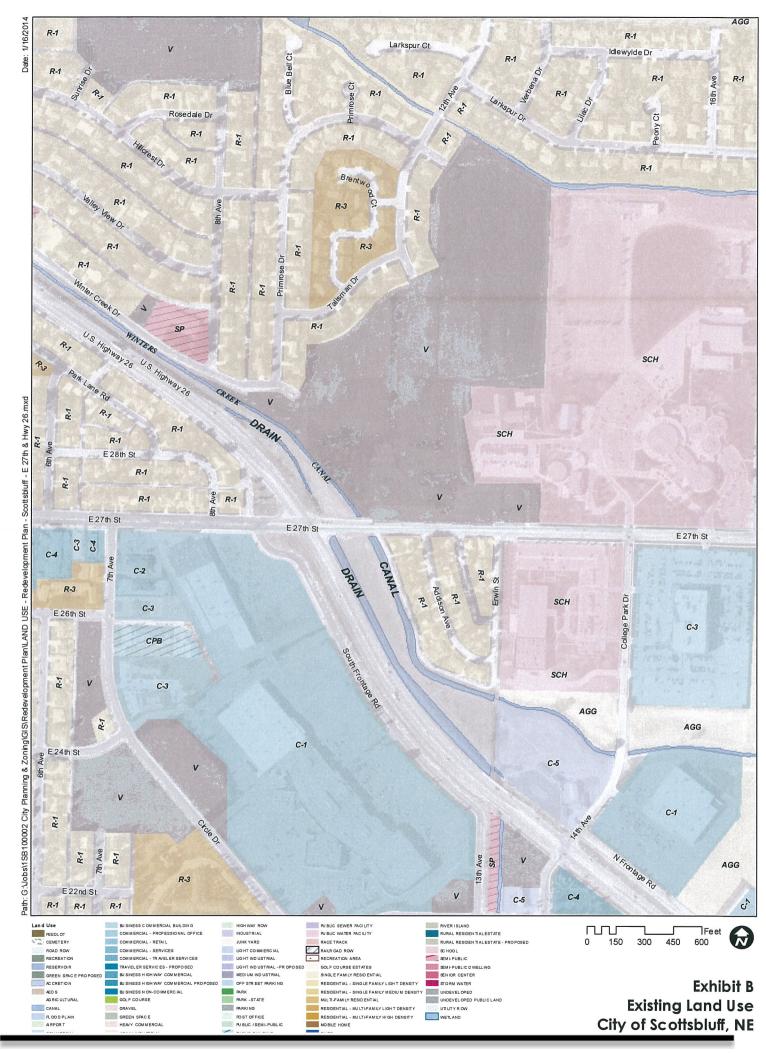




EXHIBIT "D" STATUTORY COST BENEFIT ANALYSIS REGANIS REDEVELOPMENT PROJECT

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 Reganis Redevelopment Project, including:

Project Sources and Uses. Approximately \$505,000.00 in public funds from tax increment financing provided by the City of Scottsbluff will be required to complete the project. This investment by the city will leverage \$2,113,581.00 in private sector financing; a private investment of \$4.18 for every city dollar investment.

Use of Funds.

Description	TIF Funds		Private Fu	nds	Total
Winters Creek tiling	\$ 244,777.50	\$	0.00	\$	244,777.50
Site preparation	\$ 246,642.11	\$	0.00	\$	246,642.11
Legal and Plan	\$ 11,419.00	\$	13,581.00	\$	25,000.00
Building		\$2,	,100,000.00	\$	2,100,000.00

Tax Revenue. The property to be redeveloped [combined with other land not currently to be redeveloped] is anticipated to have a January 1, 2014, valuation of \$1,442,852. Based on the 2013 levy this would result in a real property tax of less than \$30,000.00. It is anticipated that the assessed value will increase by \$2,581,418.00 as a result of the site redevelopment. This development will result in an estimated tax increase of over \$52,000.00 annually. The tax increment gained from this Redevelopment Project area would not be available for use as city general tax revenues, but would be used for eligible public and private improvements to enable this project to be realized.

Estimated 2014 assessed value[includes other land]	\$ 1,442,852.00
Estimated value after completion [includes other land]	\$ 4,024,270.00
Increment value	\$ 2,581.418.00
Annual TIF generated (estimated)	\$ 52,000.00
TIF bond issue	\$ 505,000.00

Public Infrastructure and Community Public Service Needs. The Project is not currently served by sanitary sewer and potable water by the city; therefore, those utilities will need to be extended to the development. A portion of the TIF funds may be used for drive ways in the public right-of-way.

Employment Within the Project Area. Employment within the Project Area is expected to increase to fully staff the auto dealership. Temporary construction employment will increase during the construction. The construction period is expected to exceed nine months. Current project employment is zero.

Employment in the City Outside the Project Area. The latest available labor statistics show that the Scotts Bluff County labor pool is 19,591, with a 4.3% unemployment rate.

Other Impacts. No other impacts are contemplated.

Tax shifts. No shift of taxes or other negative impact is expected.

City of Scottsbluff, Nebraska

Monday, February 10, 2014 Regular Meeting

Item NewBiz7

Special Use Permit

Special Use Permit: Car Sales in C-2 zone

Applicant: Tim Reganis

Owner: Tim Reganis

Location: 1117 E. 27th St., (Block 9, Reganis Subd)

Staff Contact: Annie Urdiales



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: **Planning Commission**

Development Services Department From: Zoning: C-2

Date: February 10, 2014 **Property Size:** 4.67 acres

Subject: Special Permit Request – Reganis Auto # Lots/Units:

East 27th Street **Location:**

Background: The applicant(s), Tim Reganis, is requesting a special permit to allow for auto sales in a C-2 Neighborhood and Retail Commercial zoning district. Mr. Reganis is also the property owner of said property, which is situated on the Northeast corner of 27th Street and Highway 26, legal description in Block 9, Reganis Subdivision.

Auto sales are a permitted use in a C-2 zone with a special permit from the Planning Commission. There are several pre-existing auto sales businesses in the C-2 zoning districts throughout the City.

We have previously approved other requests for this type of special permits, 2417 Avenue I, 2419 Avenue I, 112 West 27th St. and Wolf Auto on 14th Avenue and Hwy 26.

Analysis: The property is zoned C-2 Neighborhood & Retail Commercial. The applicant submitted all proper paper work for the permit. The surrounding properties to the east, north, are zoned residential, to the south across the Highway is residential and PBC (planned business district, mall area).

The property is situated in the Gateway Overlay Zone and the proposed plan meets the general requirements of the GGO zone. Landscaping plans will be submitted at the time the building permit is submitted for review.

Lot Sizes: The lot is approximately 4.67 acres. A site plan showing layout of building along with landscaping is attached.

Planner's Report:

SPECIAL USE PERMIT REQUEST - To allow auto sales and service in a C-2 Neighborhood and Retail Commercial District

Tim Reganis (Reganis Auto) desires to obtain a Conditional Use Permit for auto sales and service on the east side of Highway 26, north of 27th Street and between 12th Avenue and Primrose Drive. The property will be accessed from 27th Street.

A rezone to C-3 would allow the proposed use without a CUP, but would be a more lengthy process, even though C-3 zoning would make sense for this property. The Comprehensive Plan

Special Permit, Page 1

Future Land Use Map designates this property as Light Commercial, but the location on Highway 26 is also appropriate for Heavy Commercial.

The property is in the Gateway Green Overlay Zone and development plans will require approval of the Planning Commission. Those plans are included in the packet and seem to generally meet the requirements with the exceptions noted by the applicant's representative.

The Planning Commission may issue a special permit for a Conditional Use subject to 25-13-3. and 25-13-6. Per the five required findings:

- 1.) Auto mobile sales and service represent services that are required by the community and the use is consistent with the surrounding zonings and uses,
- 2.) The use will not be injurious to neighboring uses,
- 3.) The use will not create special hazards or problems,
- 4.) The Comprehensive Plan Future Land Use Map supports the use,
- 5.) The use is in accordance with the intents and purposes of the Code, plus reasonable conditions can be included if deemed necessary and appropriate.

There has been no comment received from the public.

Please note that per 25-13-9 that a building permit must be issued within one year of approval of the Conditional Use Permit or the Permit expires and per 25-13-11 that the Permit may not be transferred with change of ownership of the land.

Staff Recommendation: Approve a Conditional Use Permit to allow auto sales and service in a C-2 Neighborhood and Retail Commercial District with no additional conditions

Findings of Fact could include; the property significantly abuts Highway 26 and could be positively considered for rezone to C-3 Heavy Commercial; the use fits C-2 Neighborhood and Retail Commercial District in this location; the Industrial Zoning is in accordance with the Comprehensive Plan and per 25-13.3:

- 1.) Auto mobile sales and service represent services that are required by the community and the use is consistent with the surrounding zonings and uses,
- 2.) The use will not be injurious to neighboring uses,
- 3.) The use will not create special hazards or problems,
- 4.) The Comprehensive Plan Future Land Use Map supports the use.
- 5.) The use is in accordance with the intents and purposes of the Code.

Special Permit, Page 2

In addition, the Planning Commission should consider approval of the development plan in relation to the Gateway Green Overlay Zone. Staff feels that the plans generally comply with the exceptions noted by the applicant. The Planning Commission does need to formally act on the matter.

RECOMMENDATION

Approve

Make a motion to approve the special permit to allow for Auto Sales at Lot 2, Block 2, Cannon Subdivision to Dave Wolf in a C-2 Neighborhood & Retail zoning district subject to the following condition(s):

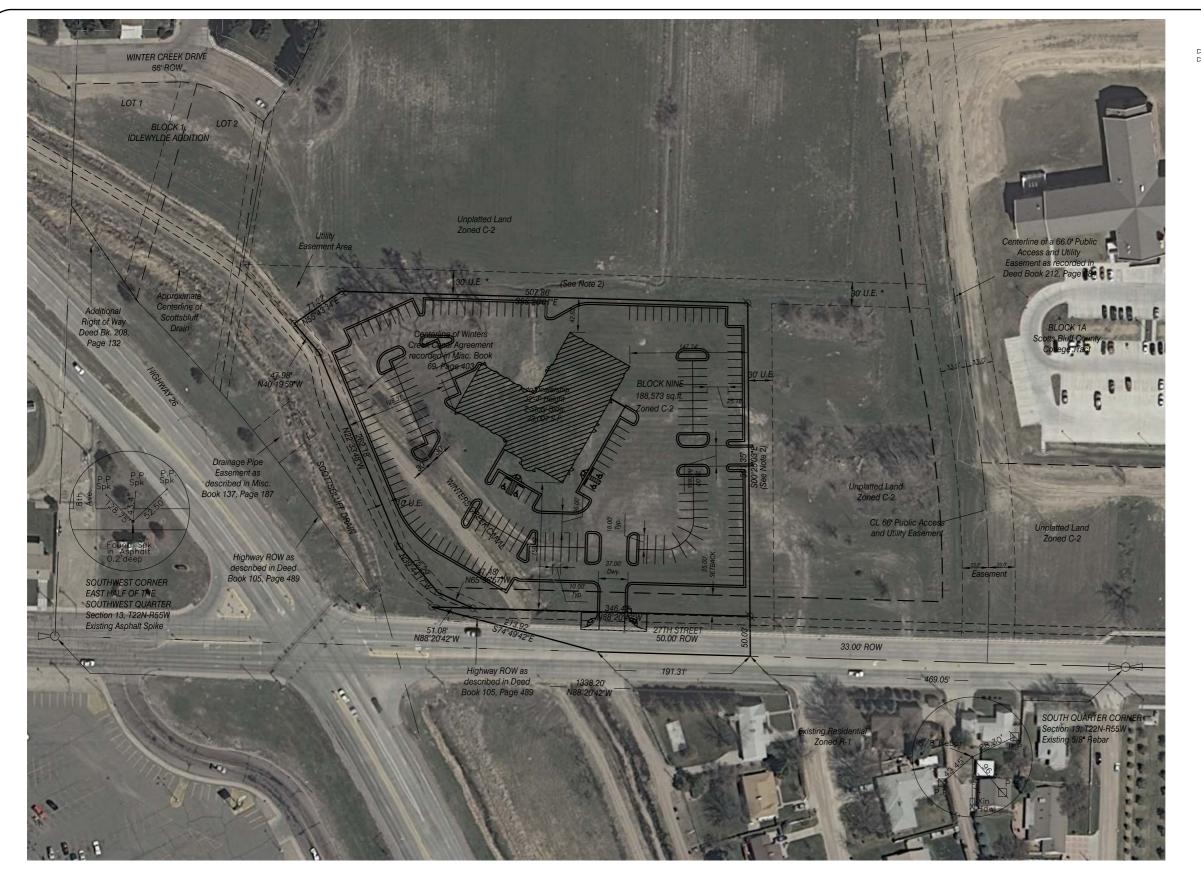
Deny

Make a motion to disapprove the special permit for Auto Sales at Lot 2, Block 2, Cannon Subdivision to Dave Wolf in a C-2 Neighborhood and Retail Commercial zoning district, for the following reason(s):

Table

Make a motion to TABLE the Special permit request of Dave Wolf for property located at lot 2, Block 2, Cannon Subdivision for the following reason(s):

Special Permit, Page 3



Scottsbluff

LEGEND

□O□ EXISTING QUARTER SECTION CORNER, AS NOTED
□O EXISTING SXTEENTH SECTION CORNER, AS NOTED
□ EXISTING SIS™ REBAR, OR AS NOTED

EXISTING SKITEENTH SECTION CORNER, AS N

EXISTING 5/8" REBAR, OR AS NOTED

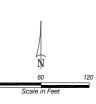
SET 5/8" x 2" REBAR, OR AS NOTED

U.E. UTILITY EASEMENT

* THIS 30 U.E. INCLIDES THE PREVIOUS 20 MIDE
EAST. WEST SAWTARY SEWER EASEMENT
ROORDED IN MISC BOOK 71, PAGE 431

ROW RIGHT OF WAY

1 BLOCK NUMBER



M. C. SCHAFF & ASSOCIATES, INC. 818 SOUTH BELTLINE HIGHWAY EA SCOTTSBLUFF, NEBRASKA 69361

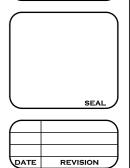
DESIGNERS ♦ LAND SURVEYORS
7 INTERNET: WWW.MCSCHAFF.COM

ECANIS SUBDIVISION SCOTTSBLUFF, NEBRASKA SPECIAL USE PERMIT

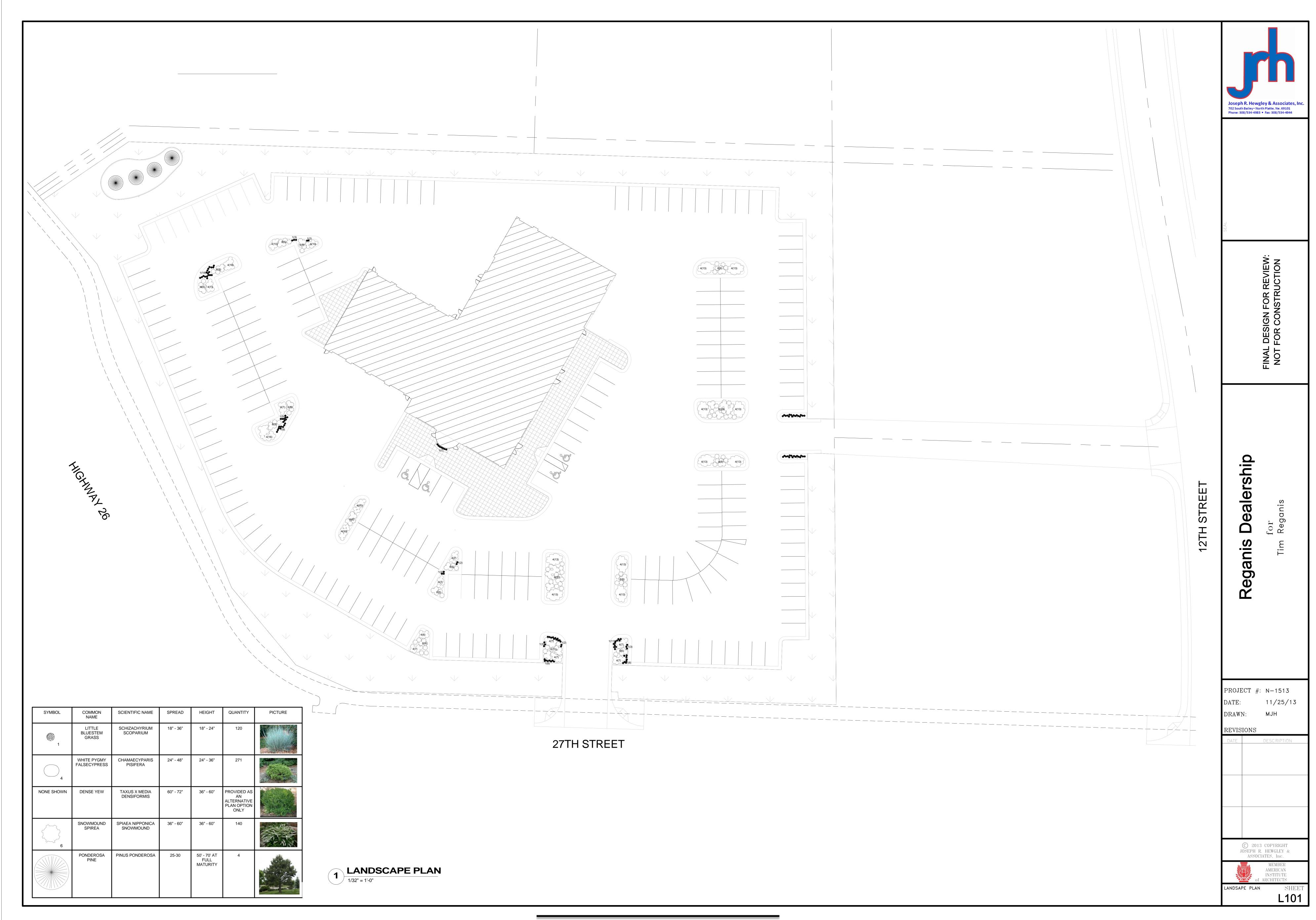
TIM REGANIS CLIENT:

PROJECT NUMBER: RM140018-00 PROJECT DATE: JAN. 10, 2014 PROJECT MGR: C.L.N.

PROJECT TEAM: D.S./C.L.N./K.B.



NOTES
1. All easements, restrictions and other documents that may affect these platted lots, that are of record or not of record, may not be shown on this plat.



City of Scottsbluff, Nebraska

Monday, February 10, 2014 Regular Meeting

Item Unfin. Biz1

Unfinished Business

Unfinished Business: Reminder NPZA Conference in March

Staff Contact: Annie Urdiales