

City of Scottsbluff, Nebraska

Monday, June 16, 2014

Regular Meeting

Item Subdiv.1

Council to consider a Final Plat for Block 2, Reganis Subdivision and approve the Resolution.

Staff Contact: Annie Folck, City Planner

Agenda Statement

Item No.

For meeting of: June 16, 2014

AGENDA TITLE: Final Plat for Block 2, Reganis Subdivision situated in the SE ¼ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M., Scotts Bluff County.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Council to consider a final plat of Block 2, Reganis Subdivision. Property owners, Tim & Virginia Reganis, have submitted a request to plat approximately 4.20 ± acres from their recently revised preliminary plat. This parcel is located north of 27th St., west of 12th Avenue projected south from Talisman Drive. The final platting of Block 2 includes a part of Winter Creek Drive, as well as access and utility easements. The plat meets the requirements of the C-2 zoning district. A paving district is planned in the near future for development of this area.

BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of June 9, 2014 made positive recommendation to City Council.

STAFF RECOMMENDATION: Approve final plat and resolution for filing at the Register of Deeds

EXHIBITS

Resolution X Ordinance Contract Minutes x Plan/Map x

Other (specify) ☐ _____

NOTIFICATION LIST: Yes X No ☐ Further Instructions ☐

M.C. Schaff & Associates, 818 S Beltline Hwy E, Tim Reganis, 2006 E Overland, Scottsbluff

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

RESOLUTION NO. _____

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

That the final plat of Block 9, Reganis Subdivision in the City of
Scottsbluff, Scotts Bluff County, Nebraska, situated in the Southeast
Quarter of the Southwest Quarter of Section 13, T22N, R55W of the 6th
P.M., Scotts Bluff County, Nebraska dated May 23, 2014, duly made,
acknowledged and certified, is approved. Such Plat is ordered filed and
recorded in the office of the Register of Deeds, Scotts Bluff County,
Nebraska.

Passed and approved this 16th day of June 2014.

Mayor

Attest:

City Clerk

SEAL

BLOCK 2,
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

SURVEYOR'S CERTIFICATE

I, Kelly A. Beatty, a Nebraska Registered Land Surveyor, hereby certify that I have surveyed and prepared a plat of BLOCK 2, REGANIS SUBDIVISION, in the City of Scottsbluff, Scotts Bluff County, Nebraska, situated in the Southwest 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:

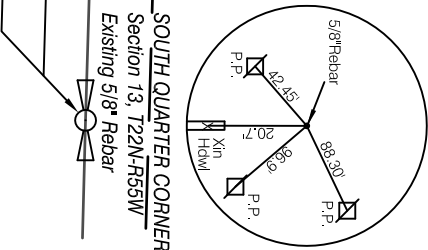
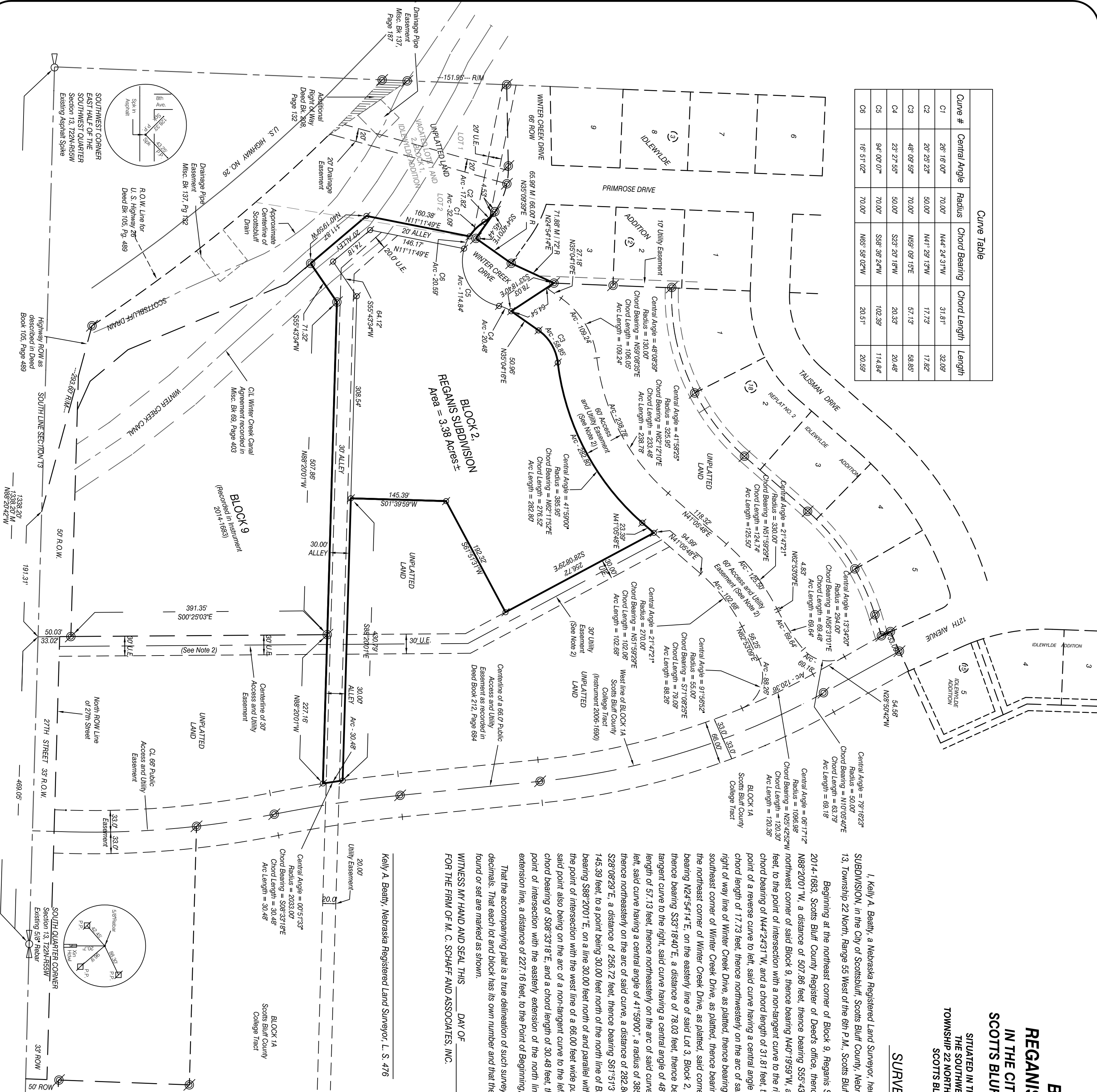
Beginning at the northeast corner of Block 9, Reganis Subdivision in the City of Scottsbluff, Nebraska, as recorded in Instrument 2014-1683, Scotts Bluff County, Register of Deeds office, thence westerly on the north line of said Block 9, on an assumed bearing of N86°20'01"W, a distance of 507.86 feet, thence bearing S55°43'34"W, on the north line of said Block 9, a distance of 71.32 feet, to the northwest corner of said Block 9, thence bearing N40°19'59"W, a distance of 111.87 feet, thence bearing N17°11'49"E, a distance of 160.38 feet, to the point of intersection with a non-tangent curve to the right, said curve having a central angle of 26°16'00", a radius of 70.00 feet, a chord bearing of N44°24'31"W, and a chord length of 31.81 feet, thence northwesterly on the arc of said curve, a distance of 32.09 feet, to the point of a reverse curve to the left, said curve having a central angle of 20°25'23", a radius of 50.00 feet, a chord bearing of N41°29'13"W, and a chord length of 117.73 feet, thence northwesterly on the arc of said curve, a distance of 17.82 feet, to the point of intersection with the south right of way line of Winter Creek Drive, as platted, thence bearing S54°40'01"E, on said south right of way line a distance of 45.44 feet, to the southeast corner of Winter Creek Drive, as platted, thence bearing N35°09'38"E, a distance of 65.99 feet as measured (66.0 feet record), to the northeast corner of Winter Creek Drive, as platted, said corner also being southeast corner of Lot 3, Block 2, Idlewyde Addition, thence bearing N24°54'14"E, on the easterly line of said Lot 3, Block 2, Idlewyde Addition, a distance of 71.88 feet, as measured (72 feet record), thence bearing S33°18'40"E, a distance of 78.03 feet, thence bearing N35°04'16"E, a distance of 50.96 feet, to the point of curvature of a tangent curve to the right, said curve having a central angle of 48°09'59", a radius of 70.00 feet, a chord bearing of N59°09'15"E, and a chord length of 57.13 feet, thence northwesterly on the arc of said curve, a distance of 56.85 feet, to the point of curvature of a reverse curve to the left, said curve having a central angle of 41°59'00", a radius of 385.95 feet, a chord bearing of N62°11'52"E, and a chord length of 276.52 feet, thence northwesterly on the arc of said curve, a distance of 282.80 feet, thence bearing N41°05'48"E, a distance of 23.39 feet, thence bearing S28°08'29"E, a distance of 256.72 feet, thence bearing S61°51'31"W, a distance of 192.32 feet, thence bearing S01°39'59"W, a distance of 145.39 feet, to a point being 30.00 feet north of the north line of Block 9, Reganis Subdivision, as measured perpendicular to said line, thence bearing S88°20'01"E, on a line 30.00 feet north of and parallel with the north line of Block 9, Reganis Subdivision, a distance of 430.79 feet, to the point of intersection with the west line of a 66.00 feet wide public access and utility easement as recorded in Deed Book 212, page 684, said point also being on the arc of a non-tangent curve to the left, said curve having a central angle of 00°51'33", a radius of 2033.00 feet, a chord bearing of S08°33'18"E, and a chord length of 30.48 feet, thence southeasterly on the arc of said curve, a distance of 30.48 feet, to the point of intersection with the easterly extension of the north line of Block 9, Reganis Subdivision, thence bearing N88°20'01"W, on said extension line, a distance of 227.16 feet, to the Point of Beginning, containing an area of 4.24 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. That all corners found or set are marked as shown.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2014.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

Kelly A. Beatty, Nebraska Registered Land Surveyor, L. S. 476

Curve Table			
Curve #	Central Angle	Radius	Chord Bearing
C1	26°16'00"	70.00'	N44°24'31"W
C2	20°25'23"	50.00'	N41°29'13"W
C3	48°09'59"	70.00'	N59°09'15"E
C4	23°27'59"	50.00'	S58°36'24"W
C5	94°00'07"	70.00'	S58°36'24"W
C6	16°51'02"	70.00'	N65°58'02"W



- LEGEND
- EXISTING QUARTER SECTION CORNER, AS NOTED
 - EXISTING SIXTEENTH SECTION CORNER, AS NOTED
 - EXISTING 5/8" REBAR, OR AS NOTED
 - SET 5/8" x 24" REBAR, OR AS NOTED
 - UTILITY EASEMENT
 - THIS 30' U.E. INCLUDES THE PREVIOUS 20' WIDE EAST-WEST UNITARY SEWER EASEMENT RECORDED IN MISC BOOK 71, PAGE 431
 - RIGHT-OF-WAY
 - BOUNDARY OF PLATTED AREA
- NOTES
- 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.
 - These Utility and Access Easements to be dedicated as alley or street right of way upon future final platting of the adjoining unplatted land.

Planning Commission Minutes
Regular Scheduled Meeting
June 9, 2014
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, June 9, 2014, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on June 6, 2014. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

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

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

ITEM 3: Acknowledgment of any changes in the agenda: None.

ITEM 4: Business not on agenda: None

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

ITEM 6: The minutes of May 12, 2014 were reviewed and approved. A motion was made to accept the minutes by Wayman, and seconded by Chadwick. "YEAS": Wayman, Aguallo, Chadwick, and Estrada. "NAYS": None. ABSTAIN: Zitterkopf. ABSENT: Weber, Westphal, Huber and Gompert. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for a request from property owners, Tim and Virginia Reganis, to vacate Lots 1 and 2, Block 1, Idlewylde Addition. These parcels are situated just south of the Reganis Subdivision and north of Highway 26. The lots are zoned C-2 neighborhood retail and commercial and basically unbuildable with different easements dividing the lots. The land will be considered as unplatted lands until the owners replat possibly as part of Reganis Subdivision and/or may consider the area for a green space or extra parking for their business.

Conclusion: A motion was made by Wayman and seconded by Zitterkopf to make positive recommendation to City Council to approve the ordinance to vacate Lots 1, and 2, Block 1, Idlewylde Addition. "YEAS": Wayman, Chadwick, Zitterkopf, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Westphal, Huber, Weber and Gompert. Motion carried.

Agenda Item 7B: The Planning Commission opened a public hearing on a Final plat of Block 2, Reganis Subdivision situated in the SE quarter of the SW quarter of Section 13, T22N, R55W of the 6th Principal Meridian City of Scottsbluff, Scotts Bluff County, NE.

The property owners, Tim and Virginia Reganis, represented by M.C. Schaff and Associates have submitted a final plat of Block 2, Reganis Subdivision. This lot is located north of 27th Street, west of 12th Avenue and south of Talisman Drive. *Block 2 has been modified from the preliminary plat* which was recently approved with an addition of approximately .94 acres to the lot, which makes the parcel 3.38 acres in size. *The City Council will approve this modification for approval of the final plat.* The final plat has access to existing infrastructure sewer on the south side and water to the west. The approval of the final plat will allow for commercial development on the parcel. The developers are also working with WNCC in the creation of a Paving District for 12th Avenue and Winter Creek Drive the streets will be completed before final occupancy of any buildings are completed. The final plat was reviewed by City Staff and Baker & Associates reviewed the preliminary plat which was approved by City Council, the plat meets all the subdivision codes and City standards of our subdivision code for final plats.

NOTE: Planning Commission member David Gompert arrived at the meeting at 6:09 p.m.

Conclusion: A motion was made by Aguillo and seconded by Wayman to approve the final plat of Block 2, Reganis Subdivision with the modification on the parcel size. **“YEAS”:** Aguillo, Chadwick, Wayman, Zitterkopf, and Estrada. **“NAYS”:** None. **ABSTAIN:** Gompert. **ABSENT:** Huber, Weber, and Westphal. Motion carried.

Item 7C: The Planning Commission reviewed a draft ordinance for proposed changes and additions to the City’s Gateway Greenway Overlay zoning district (GGO).

Annie Folck, City Planner, addressed the Planning Commission, about the proposed changes and additions. A draft ordinance was included for review. Since we’ve had the GGO zoning district it has been a work in progress as new development in the overlay zone have different needs, when reviewing the landscape plan for the Reganis development some of the existing requirements didn’t work and the City is looking for some flexibility in what is required for new development and redevelopment of existing parcels in the GGO zoning district (25-3-22.1). Listed below are the changes and additions Annie F. has worked on and researched.

Sections to amend: D. Parking Lot Design

- Reference our requirement in landscaping ordinance of interior landscaped area equal to no less than five percent of the total paving area
- Require each island to have a minimum of 100 square feet of open ground and at least 300 cubic feet of good soil rooting volume per tree.
- Landscaped islands shall be evenly distributed to the maximum extent feasible
- One half of all required islands must include a large canopy tree
- 10’ landscape strip is currently required- change to *minimum* of 10’ landscape strip required
- Shade trees to be planted *at a rate of* one per 40’ of linear frontage or evergreen trees at a rate of one per 20’ of linear frontage rather than requiring that they be spaced exactly 40’ or 20’ apart. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as

consistent with larger overall planting patterns and organization. Trees shall be spaced a minimum of 15' apart for large shade trees and evergreens, and a minimum of 10' apart for small ornamentals (list is provided). Groupings of trees may be no more than 150' apart.

-Currently requires intermittent hedge not less than 4' in height- change to reference screening requirements in landscaping ordinance- 25-22-7 and 25-22-8

-Add requirement: The space between the trees should be planted and maintained to aid the health/growth of the trees. Thus there must be a maintained, non-turf grass landscape bed under and around the trees, to be a minimum of 40 sq. ft. per large canopy tree or evergreen and 30 sq. ft. per small/medium tree. The landscape zone must be planted to appropriate and compatible shrubs or herbaceous grasses/perennials to cover at least 50% of the bed. The remainder may be mulch. Organic mulch should be used if possible.

Sections to add:

Water conservation

To the extent reasonably feasible, all landscape plans shall be designed to incorporate water conservation materials and techniques in order to comply with each of the Xeriscape landscaping principles listed below. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed covered or infested surfaces or any landscaping that does not comply with the standards of this section.

(a) Xeriscape landscaping principles are as follows:

1. Design. Identify zones of different water requirements and group plants together that have similar water needs;
2. Appropriate Use of Turf. Limit high-irrigation turf and plantings to appropriate high-use areas with high visibility and functional needs;
3. Low-Water-Using Plants. Choose low-water-demanding plants and turf where practicable;
4. Irrigation. Design, operate and maintain an efficient irrigation system;
5. Soil Preparation. Incorporate soil amendments before planting;
6. Mulch. Add mulch to planting beds to a minimum depth of three (3) inches around trees and shrubs and 1" around perennials and ornamental grasses;
7. Maintenance. Provide regular and attentive maintenance.

Minimum Species Diversity

To prevent uniform insect or disease susceptibility and eventual uniform senescence on a development site or in the adjacent area or the district, species diversity is required and extensive monocultures are prohibited. The following minimum requirements shall apply to any development plan.

Number of trees on site

Maximum percentage of any one species

10-19: 33%

20-39: 25%

138 40 or more: 15%

139
140 Use of Approved Species

141 Regionally native plants should be used when possible to help aid biodiversity and convey a sense of
142 place with the natural context of our community. Any required planting should include at least 50%
143 regionally native plants suitable for the purpose (we will include a recommended list).

144
145 Redevelopment

146 Any properties located within the GGO overlay zone will be required to spend X% (still working with
147 local landscapers and architects to determine what this number should be) of any remodel or
148 redevelopment project on bringing their landscaping up to code. Once the landscaping meets the
149 requirements of this ordinance, they no longer have to make improvements to it.

150
151 This a first draft of the ordinance and there are several changes that staff will continue to research, and
152 have more discussion on how to handle properties that are unable to conform with the redevelopment
153 requirements without undue hardship and/or expense.

154
155 The Planning Commission discussed different options on what to require for redevelopment properties
156 and what would be fair. They asked that staff to keep working on different options and they would also
157 think on it to for the next meeting.

158
159 Signage in the GGO zone was also discussed and for now we will leave the existing language for signage
160 with directional signage considered exempt as they are not advertising signs.

161
162 **Conclusion:** Recommended more research on percentage of landscaping required for redevelopment in
163 the GGO zoning district.

164
165 **ITEM 8. Unfinished Business:** None

166
167 There being no further business the Planning Commission with a motion to adjourn made by Zitterkopf
168 and seconded by Wayman the meeting was adjourned at 6:35 p.m. "YEAS": Wayman, Aguallo,
169 Gompert, Chadwick, Weber, and Estrada. NAYS: none. ABSENT: Zitterkopf and Westphal. Motion
170 carried.

171
172 _____
173 Becky Estrada, Chairperson

174
175 Attest: _____
176 Annie Urdiales