



SCOTTSBLUFF CITY PLANNING COMMISSION AGENDA

Monday, August 11, 2014, 6:00 PM
City Hall Council Chambers, 2525 Circle Drive

PLANNING COMMISSIONERS

BECKY ESTRADA
CHAIRPERSON

ANGIE AGUALLO
VICE CHAIRPERSON

DANA WEBER

HENRY HUBER

MARK WESTPHAL

CALLAN WAYMAN

DAVID GOMPERT

JIM ZITTERKOPF

ANITA CHADWICK

LINDA REDFERN
ALTERNATE

- 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 July 14, 2014
- 7. NEW BUSINESS:**
 - A Special Use Permit**
Special Use Permit: Cell Tower
Applicant: NE Colorado Cellular\
Owner: Scottsbluff Country Club
Address: 5014 1/2 Avenue I
Location: North of Mtne Bldg Scottsbluff Country Club
 - B Plat & Dedication R-O-W**
Plat & Dedication: Right of Way
Applicant: Tim & Virginia Reganis
Owner(s): Tim & Virginia Reganis
Location: part of Winter Creek Dr., 12th Ave & 27th St.
 - C Plat & Dedication**
Final Plat: Plat & Dedication of R-O-W
Applicant(s): Western Nebraska CC (M.C. Schaff)
Owner(s): Western Nebraska CC
Location: E side of 12 Ave from Talisman Dr. to 27th St.
- 8. UNFINISHED BUSINESS:**
 - A Unfinished Business**
Unfinished Business: Discuss Topics for proposed class on 10/11/14
- 9. ADJOURN**

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting,

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

please contact the Development Services Department at (308) 630-6243, 24-hours prior to the meeting.

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City of Scottsbluff, Nebraska
Monday, August 11, 2014
Regular Meeting

Item Appr. Min.1

Minutes

Approve Minutes of July 14, 2014

Staff Contact: Annie Urdiales

Planning Commission Minutes
Regular Scheduled Meeting
July 14, 2014
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, July 14, 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 July 4, 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, David Gompert, Dana Weber, Mark Westphal, and Becky Estrada. Absent: Henry Huber. 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 June 9, 2014 were reviewed and approved. A motion was made to accept the minutes by Gompert, and seconded by Aguallo. "YEAS": Wayman, Aguallo, Chadwick, Zitterkopf, and Estrada. "NAYS": None. ABSTAIN: Weber, and Westphal. ABSENT: Huber. Motion carried.

ITEM 7A: The Planning Commission reviewed a Redevelopment Plan submitted by Twenty-Six Twenty Seven Lodging LLC. The area of redevelopment is described at Block 2, Reganis Subdivision. This parcel is situated just south of Talisman Drive (future Winter Creek Drive) and north of Highway 26. The lot is zoned C-2 neighborhood retail and commercial and fits within the general plan for the development of the City and meets guidelines of the City's comprehensive development plan. This area was approved as a blighted and substandard area in August of 2013 and one other redevelopment is currently under construction (Reganis Auto). The proposed new development will a Hotel comprised of three stories and approximately 85 rooms. Existing infrastructure will be used; water will come off of Winter Creek Drive and an existing sewer line between on the south end of Block 2, (between Block 2 & Block 9, Reganis Subdivision), Winter Creek Drive will be extended to the east. Phase one of the project will begin this fall (footing & foundation) and should be completed in the fall of 2015, the new street will be in place before final occupancy of the new hotel.

Mike Bacon, representing Twenty-six, Twenty-seven Lodging LLC addressed and answered questions for the Planning Commission members. Mr. Bacon has been doing tax increment financing (TIF) for years

and does this for a living. He represents several communities and has seen growth in communities that use TIF. This redevelopment plan is the same as the Reganis Plan, except Mr. Reganis owned the land and he is tiling the canal. Twenty-six Twenty-seven Lodging LLC (2627 Lodging) redevelopment costs will include three areas (1) Site acquisition, (2) Site preparation, and (3) plan preparation and legal. Total costs are \$1,272,500. Proceeds of Tax Increment debt are limited to \$980,000.00. Standard requirements for property improvements of TIF include extending utilities, site preparation and acquisition, which 2627 Lodging meets. The hotel will have approximately thirteen full and part time jobs. Other impacts of the project are subject to current property taxes, personal property for the project at \$1,255,000, results in an estimated personal property tax for the first year of operations at about \$25,000. Personal property tax is not subject to TIF and will be paid to the normal taxing entities. Annual city sales taxes paid to the City of Scottsbluff is a result of hotel operations is estimated to exceed \$30,000. Local lodging taxes are estimated to exceed \$50,000 annually. Mr. Bacon also described other benefits that TIF can have on cities including increases in building permits in first class communities, if a community sticks with it long enough the redevelopment spreads and the good development will spread. Questions about the percentage of land a city can have designated as blighted and substandard, a first class city can have 35%. The area has to be within city limits and fall into the statutory standards for blighted and substandard areas.

This type of redevelopment is consistent with the City's comprehensive development plan; the area is zoned C-2 Neighborhood and Retail Commercial. A resolution has been prepared stating that the plan is in compliance with the City's general plan and comprehensive development plan, for the Planning Commission's recommendation to City Council.

Conclusion: A motion was made by Aguallo and seconded by Chadwick to make positive recommendation for City Council to adopt the resolution for the 2627 Lodging LLC Redevelopment Plan. "YEAS": Wayman, Chadwick, Zitterkopf, Aguallo, Westphal, Gompert, Weber, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Huber. Motion carried.

ITEM 8. Unfinished Business: None

There being no further business the Planning Commission with a motion to adjourn made by Chadwick and seconded by Aguallo the meeting was adjourned at 6:30 p.m. "YEAS": Wayman, Aguallo, Gompert, Chadwick, Weber, Zitterkopf, Westphal, and Estrada. NAYS: none. ABSENT: Huber. Motion carried.

Becky Estrada, Chairperson

Attest: _____

Annie Urdiales

City of Scottsbluff, Nebraska

Monday, August 11, 2014

Regular Meeting

Item NewBiz1

Special Use Permit

Special Use Permit: Cell Tower

Applicant: NE Colorado Cellular

Owner: Scottsbluff Country Club

Address: 5014 1/2 Avenue I

Location: North of Mtne Bldg Scottsbluff Country Club

Staff Contact: Annie Urdiales



SCOTTSBLUFF PLANNING COMMISSION Staff Report

| | | | |
|------------------|---|-----------------------|-----|
| To: | Planning Commission | Zoning: | R-1 |
| From: | Development Services Department | Property Size: | N/A |
| Date: | August 11, 2014 | # Lots/Units: | 1 |
| Subject: | Special Permit Request – Viaero WCT | | |
| Location: | Scottsbluff Country Club NW Scottsbluff | | |

Background: The applicant(s), NE Colorado Cellular Inc. d/b/a Viaero Wireless has requested a (conditional) special use permit to allow for a 75' monopole type tower and supporting equipment. This type of tower is a permitted use in the agricultural zoning district with approval of a special use permit through the Planning Commission. Viaero has met with the property owners of the land in which they are placing the cell tower and have received approval from the Scottsbluff Country Club board. The cell tower will be situated on the west edge of the golf course just north of the maintenance building.

We have cell towers in other areas of the City, this one is located within the two mile extra territorial area and this is the first conditional use permit applied for under our new code for Wireless Communication Facilities.

Analysis: The property is zoned R-1 Single Family Residential. The applicant has submitted all proper paper work for the permit. The surrounding properties to the east, north, and south are zoned A-Agricultural and property directly to the south is also zoned R-1 Residential.

Plans will be submitted to Development Services and reviewed when the building permit is applied for.

Lot Sizes: The acreage for the Scotts Bluff Country Club is approximately 128 acres. A site plan showing layout of the tower is attached and will sit in an area of approximately 1,000 sq. ft. parcel.

Planner's Report:

- 1.) The use will not be injurious to neighboring uses,
- 2.) The use will not create special hazards or problems,
- 3.) The Comprehensive Plan Future Land Use Map supports the use,
- 4.) The use is in accordance with the intents and purposes of the Code, plus reasonable conditions can be included if deemed necessary and appropriate.

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 Special (Conditional Use Permit) to allow for a cell tower supporting equipment in a R-1 Residential zoning district with no additional conditions.

Special Permit, Page 1

Findings of Fact could include; the property significantly abuts Highway 71; the use fits the existing neighborhood at this location; the zoning is in accordance with the Comprehensive Plan and per 25-13.3:

- 1.) Cell Towers 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.

The Planning Commission does need to formally act on the matter.

RECOMMENDATION

Approve

Make a motion to approve the special use permit to allow for a Cell Tower and supporting equipment at 5014 ½ Avenue I (Scottsbluff Country Club) in a R-1 Single Family Residential Neighborhood zoning district subject to the following condition(s):

Deny

Make a motion to disapprove the special use permit to allow for a Cell Tower and supporting equipment at 5014 ½ Avenue I (Scottsbluff Country Club) in a R-1 Single Family Residential Neighborhood zoning district, for the following reason(s):

Table

Make a motion to TABLE the special use per for a Cell Tower and supporting equipment at 5014 ½ Avenue I (Scottsbluff Country Club) in a R-1 Single Family Residential Neighborhood zoning district for the following reason(s):





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76193

Aeronautical Study No.
2014-ACE-1841-OE

Issued Date: 05/12/2014

Kevin P. Delaney
Industrial Tower and Wireless, LLC.
40 Lone Street
Marshfield, MA 02050

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

| | |
|------------|--|
| Structure: | Antenna Tower Scottsbluff Country Club |
| Location: | Scottsbluff, NE |
| Latitude: | 41-53-58.30N NAD 83 |
| Longitude: | 103-41-06.80W |
| Heights: | 3957 feet site elevation (SE) 75 feet above ground level (AGL) 4032 feet above mean sea level (AMSL) |

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 11/12/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 321-7755. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-ACE-1841-OE.

Signature Control No: 216372978-217661202

(DNE)

Debbie Cardenas
Technician

Attachment(s)
Frequency Data

cc: FCC

Frequency Data for ASN 2014-ACE-1841-OE

| LOW FREQUENCY | HIGH FREQUENCY | FREQUENCY UNIT | ERP | ERP UNIT |
|------------------|-------------------|-------------------|------|-------------|
| 698 | 806 | MHz | 1000 | W |
| 806 | 824 | MHz | 500 | W |
| 824 | 849 | MHz | 500 | W |
| 851 | 866 | MHz | 500 | W |
| 869 | 894 | MHz | 500 | W |
| 896 | 901 | MHz | 500 | W |
| 901 | 902 | MHz | 7 | W |
| 930 | 931 | MHz | 3500 | W |
| 931 | 932 | MHz | 3500 | W |
| 932 | 932.5 | MHz | 17 | dBW |
| 935 | 940 | MHz | 1000 | W |
| 940 | 941 | MHz | 3500 | W |
| 1850 | 1910 | MHz | 1640 | W |
| 1930 | 1990 | MHz | 1640 | W |
| 2305 | 2310 | MHz | 2000 | W |
| 2345 | 2360 | MHz | 2000 | W |

City of Scottsbluff, Nebraska

Monday, August 11, 2014

Regular Meeting

Item NewBiz2

Plat & Dedication R-O-W

Plat & Dedication: Right of Way

Applicant: Tim & Virginia Reganis

Owner(s): Tim & Virginia Reganis

Location: part of Winter Creek Dr., 12th Ave & 27th St.

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

| | | | |
|------------------|--|-----------------------|-------------------|
| To: | Planning Commission | Zoning: | Current C-2 & R-1 |
| From: | Development Services Department | Property Size: | 2.26± |
| Date: | August 11, 2014 | | |
| Subject: | Plat & Dedication for Street R-O-W in Reganis Subdivision | | |
| Location: | North of 27 th St., west side of college property | | |

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), Timothy & Virginia Reganis, represented by M.C. Schaff and Associates, have requested approval of a final plat and dedication of part of Winter Creek Drive, 12th Avenue, and 27th Street, in the City of Scottsbluff, NE. These streets will serve the Reganis Subdivision to the north and east. The final plat consists of 2.26± acres. The property is situated north of 27th Street, and west of the college. A plat for the east side of 12th Avenue is also on tonight's agenda and submitted by Western Nebraska Community College.

The street right of way will extend Winter Creek Drive east to 12th Avenue, and then continue south on 12th Avenue to 27th Street. The Developers hope to create a paving district to construct the street and have them in place by the fall of 2015.

The plat was reviewed by City Staff and previously reviewed by Baker and Associates as part of the revised preliminary plat that was approved by Council in February of this year.

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 plat and dedication of part of Winter Creek Drive, 12th Avenue and 27th Street in the City of Scottsbluff, Scotts Bluff County, Nebraska situated in the SE ¼ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M, Scotts Bluff County, Nebraska subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the plat and dedication of part of Winter Creek Drive, 12th Avenue and 27th Street in the City of Scottsbluff, Scotts Bluff County situated in the SE ¼ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M, Scotts Bluff County, Nebraska for the following reason(s):

Table

Make the motion to TABLE the plat and dedication of part of Winter Creek Drive, 12th Avenue and 27th Street in the City of Scottsbluff, Scotts Bluff County, Nebraska in the SE ¼ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M, Scotts Bluff County, Nebraska for the following reason(s):

**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**

I, Kelly A. Beatty, a Nebraska Registered Land Surveyor, hereby certify that I have surveyed and prepared a PLAT AND DEDICATION OF PART OF WINTER CREEK DRIVE, 12TH AVENUE AND 27TH STREET 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., in the City of Scottsbluff, Scotts Bluff County, Nebraska, more particularly described as follows:

Commencing at the South Quarter corner of said Section 13, thence westerly on the south line of said Section 13, on an assumed bearing of N88°20'42"W, a distance of 139.90 feet, to the Point of Beginning, thence continuing westerly on the said south line, bearing N88°20'42"W, a distance of 66.00 feet, thence bearing N01°39'18"E, on a line perpendicular to the south line of Section 13, a distance of 33.00 feet, to the point of intersection with the north right-of-way line of 27th Street, said point also being the point of curvature of a curve to the left, said curve having a central angle of 13°39'03", a radius of 1386.92 feet, a chord which bears N04°27'20"W, and a chord distance of 329.66 feet; thence 330.44 feet, on the arc of said curve, to the point of a reverse curve to the right, said curve having a central angle of 5°34'00", a radius of 2033.00 feet, a chord which bears N08°30'47"W, and a chord distance of 197.44 feet; thence 197.52 feet, on the arc of said reverse curve, thence bearing N05°43'29"W, a distance of 214.75 feet, to a point of curvature of a curve to the left, said curve having a central angle of 16°49'51", a radius of 1097.00 feet, a chord which bears N14°09'24"W, and a chord distance of 321.09 feet; thence 322.25 feet, on the arc of said curve, to a point of curvature of a curve to the left, said curve having a central angle of 91°56'52", a radius of 55.00 feet, a chord which bears N71°08'25"W, and a chord distance of 79.09 feet; thence 88.26 feet, on the arc of said curve, thence bearing S62°53'09"W, a distance of 56.25 feet, to a point of curvature of a curve to the left, said curve having a central angle of 21°47'21", a radius of 270.00 feet, a chord bearing of S51°59'29"W, and a chord length of 102.06 feet; thence 102.68 feet, on the arc of said curve, thence bearing S41°05'48"W, a distance of 94.99 feet, to the point of intersection with the northeast corner of Block 2, Reganis Subdivision, as platted, thence continuing southwesterly on the last described course, bearing S41°05'48"W, and on the north line of said Block 2, Reganis Subdivision, a distance of 23.39 feet, to a point of curvature of a curve to the right, said curve having a central angle of 41°59'00", a radius of 385.95 feet, a chord that bears S62°11'52"W, and a chord length of 276.52 feet; thence 282.80 feet, on the arc of said curve, and on the north line of said Block 2, to a point of curvature of a reverse curve to the left, said curve having a central angle of 48°09'59", a radius of 70.00 feet, a chord that bears S59°09'15"W, and a chord length of 57.13 feet; thence 58.85 feet, on the arc of a curve, and on the north line of said Block 2, thence bearing S35°04'16"W, on the north line of said Block 2, a distance of 50.96 feet, to the point of intersection with the east right-of-way line of Winter Creek Drive, as platted, thence bearing N33°18'40"W, on the said east right-of-way line, a distance of 64.54 feet, thence bearing N35°04'16"E, a distance of 27.18 feet, to a point of curvature of a curve to the right, said curve having a central angle of 48°08'39", a radius of 130.00 feet, a chord that bears N59°08'35"E, and a chord length of 106.05 feet; thence 109.24 feet, on the arc of said curve, to a point of reverse curve to the left, said curve having a central angle of 41°58'25", a radius of 325.95 feet, a chord that bears N62°12'10"E, and a chord length of 233.48 feet; thence 238.78 feet, on the arc of said reverse curve, thence N41°05'48"E, a distance of 118.32 feet, to the point of curvature of a curve to the right, said curve having a central angle of 21°47'21", a radius of 330.00 feet, a chord that bears N51°59'29"E, and a chord length of 124.74 feet; thence 125.50 feet, on the arc of said curve, thence bearing N62°53'09"E, a distance of 4.83 feet, to a point of curvature of a curve to the left, said curve having a central angle of 13°34'20", a radius of 294.00 feet, a chord that bears N56°31'01"E, and a chord length of 69.48 feet; thence 69.64 feet, on the arc of said curve, to a point of curvature of a compound curve to the left, said curve having a central angle of 79°16'23", a radius of 50.00 feet, a chord that bears N10°05'40"E, and a chord length of 63.79 feet; thence 69.18 feet, on the arc of said curve, thence bearing N29°32'32"W, a distance of 64.60 feet, to the point of intersection with the southeast corner of Lot 5, Block 18, Replat No. 2, Idelwylde Addition, as platted, thence bearing N25°08'46"W, on the east line of said Lot 5, a distance of 15.23 feet, to the point of intersection with the westerly extension of the south line of Lot 5, Block 15, Idelwylde Addition, as platted, thence bearing N65°17'18"E, on said westerly extension of the south line of said Lot 5, Block 15, Idelwylde Addition, a distance of 32.92 feet, as measured to the point of intersection with the northwest corner of Block 1A, Scotts Bluff County College Tract, as recorded in Instrument 2006-1690, thence bearing S28°50'42"E, on the west line of said Block 1A, a distance of 132.58 feet, as measured, (132.45 feet record) to the point of curvature of a curve to the right, said curve having a central angle of 23°06'58", as measured, (23°07'12" record) a radius of 1130.00 feet, measured and record, a chord which bears S17°17'56"E, and a chord length of 452.82 feet as measured (452.89 record), thence southeasterly on arc of said curve, and on the west line of said Block 1A, a distance of 455.90 feet, as measured (455.97 record), thence bearing S05°43'29"E, on the west line of said Block 1A, distance of 214.75 feet, as measured (214.65" record), to the point of curvature of a curve to the left, said curve having a central angle of 05°34'01" as measured (5°34'16" record), a radius of 2000.00 feet, record and measured, a chord which bears S08°30'47"E, and a chord length of 194.25 feet as measured (194.39" record); thence 194.32 feet as measured (194.39" record), on the arc of said curve, and on the west line of said Block 1A, to the point of a reverse curve to the right, said curve having a central angle of 04°50'53", as measured (04°44'58" record), a radius of 1419.92 feet, record and measured, a chord which bears S08°51'25"E, and a chord length of 120.11 feet as measured (120.06" record); thence 120.15 feet, as measured (117.0 feet record), southeasterly on arc of said reverse curve, and on the west line of said Block 1A, to a point being 250.00 feet north of the south line of the Southwest Quarter of Section 13, as measured perpendicular to said south line, thence bearing S88°24'59"E, on a line being 250.00 feet north of the south line of the Southwest Quarter of Section 13, and on the west line of said Block 1A, a distance of 33.32 feet, to the point of intersection with a non-tangent curve to the right, said curve having a central angle of 08°35'13", a radius of 1452.92 feet, a chord which bears N01°57'22"E, and a chord length of 217.55 feet; thence 217.75 feet, southerly on the arc of said curve, to the point of intersection with a line being 33.00 feet north of the south line of the Southwest Quarter of Section 13, thence bearing S01°39'18"W, a distance of 33.00 feet, to the Point of Beginning, containing 2.26 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 11th DAY OF June, 2014.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

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

| | |
|-----------------------------|--------------------------|
| Curve Data (Measured) | |
| Central Angle = 5°34'01" | |
| Radius = 2000.00' | Curve Data (Record) |
| Chord Bearing = S08°30'47"E | Central Angle = 5°34'16" |
| Chord Length = 194.25' | Chord Length = 194.39' |
| Arc Length = 194.32' | |

Curve Data (Record)
Central Angle = $5^{\circ}34'16''$
Chord Length = 194.39'

Curve Data (Record)
Central Angle = $4^{\circ}44'58''$
Chord Length = 120.06'
Arc Length = 117.00'

Curve Data (Measured)
Central Angle = $4^{\circ}50'53''$
Radius = 1419.92'
Chord Bearing = $S08^{\circ}51'25''E$
Chord Length = 120.11'
Arc Length = 120.15'

Central Angle = $08^{\circ}35'13''$
Radius = 1452.92'
Chord Bearing = $S01^{\circ}57'22''E$
Chord Length = 217.55'
Arc Length = 217.75'

SOUTH QUARTER CORNER
Section 13, T22N-R55W

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 SANITARY SEWER EASEMENT
RECORDED IN MISC BOOK 71, PAGE 431

RIGHT OF WAY

BLOCK NUMBER

BOUNDARY OF PLATTED AREA

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, August 11, 2014

Regular Meeting

Item NewBiz3

Plat & Dedication

Final Plat: Plat & Dedication of R-O-W

Applicant(s): Western Nebraska CC (M.C. Schaff)

Owner(s): Western Nebraska CC

Location: E side of 12 Ave from Talisman Dr. to 27th St.

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

| | | | |
|------------------|---|-----------------------|-------------------|
| To: | Planning Commission | Zoning: | Current C-2 & R-1 |
| From: | Development Services Department | Property Size: | .92± |
| Date: | August 11, 2014 | | |
| Subject: | Plat & Dedication of part of 12 th Avenue | | |
| Location: | N of 27 th St., east side of WNCC property | | |

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), Western Community College, represented by M.C. Schaff and Associates, have requested approval of a plat and dedication of part of 12th Avenue a replat of part of Block 1A, Scotts Bluff County College Tract, in the City of Scottsbluff, NE. This street will serve the Reganis Subdivision to the west and college to the east, this portion of 12th Avenue will extend the street from Talisman Drive south to 27th Street. The final plat consists of approximately .92± acres. The property is situated north of 27th Street, and south of Talisman Drive. This plat is done in conjunction with the previous plat for Winter Creek Drive and the west side of 12th Avenue.

This east side of 12th Avenue will be included in the proposed paving district.

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 plat and dedication of part of 12th Avenue a replat of Block 1A, Scotts Bluff County College Tract in the City of Scottsbluff, Scotts Bluff County, Nebraska situated in the SE ¼ of the SW ¼ of Section 13, T22N, R55W of the 6th P.M, Scotts Bluff County, Nebraska subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the plat and dedication of part 12th Avenue a replat of Block 1A, Scotts Bluff County College Tract in the City of

Scottsbluff, Scotts Bluff County situated in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, T22N, R55W of the 6th P.M, Scotts Bluff County, Nebraska for the following reason(s):

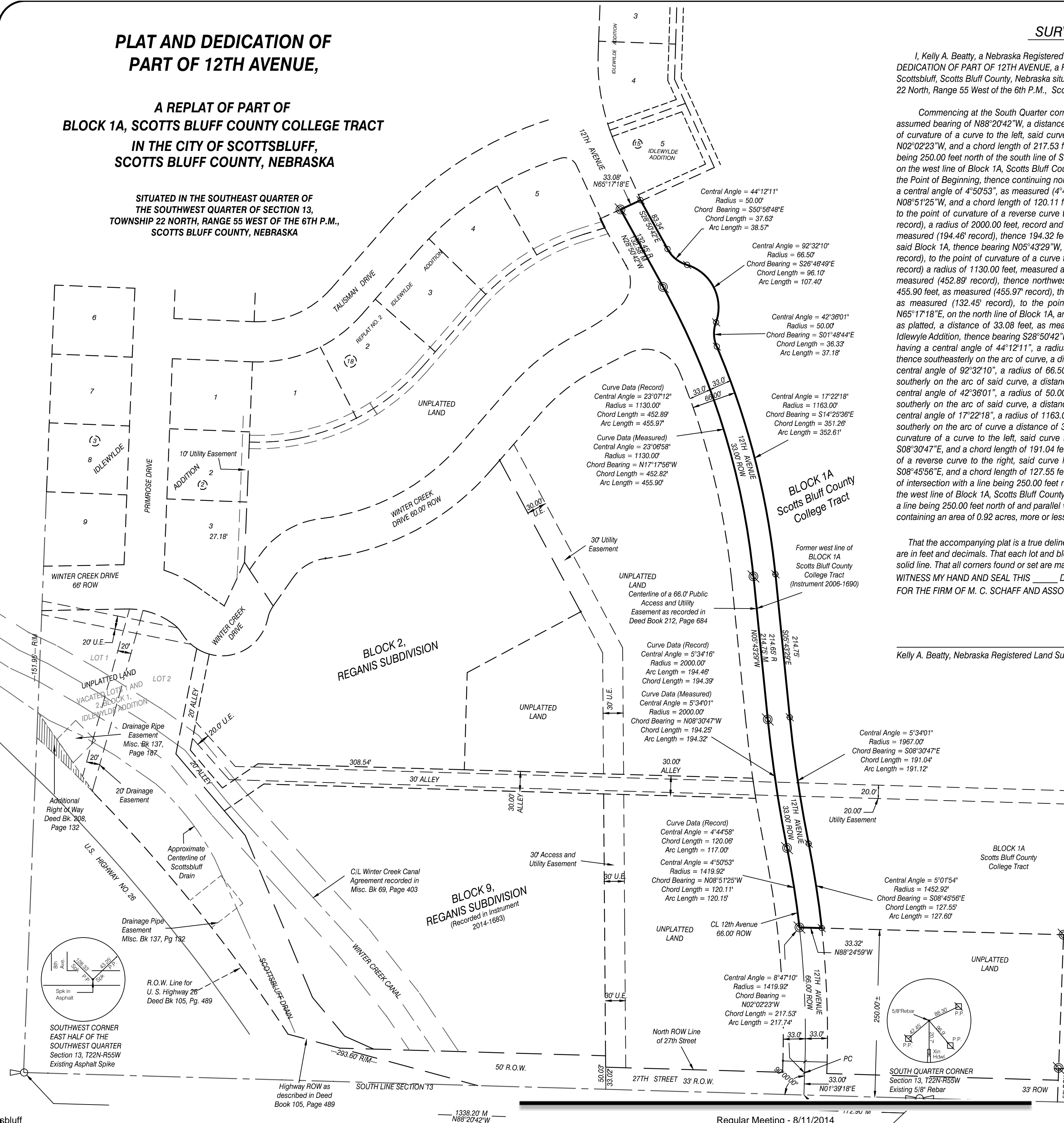
Table

Make the motion to TABLE the plat and dedication of part of 12th Avenue in the a replat of Block 1A, Scotts Bluff County College Tract City of Scottsbluff, Scotts Bluff County, Nebraska in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, T22N, R55W of the 6th P.M, Scotts Bluff County, Nebraska for the following reason(s):

**PLAT AND DEDICATION OF
PART OF 12TH AVENUE,**

**A REPLAT OF PART OF
BLOCK 1A, SCOTTS BLUFF COUNTY COLLEGE TRACT
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

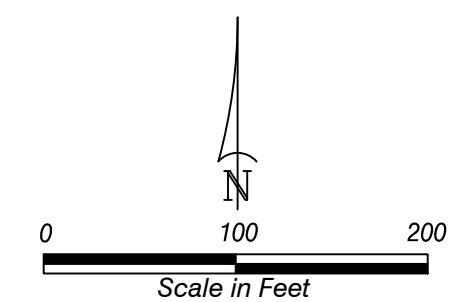
I, Kelly A. Beatty, a Nebraska Registered Land Surveyor, hereby certify that I have surveyed and prepared a PLAT AND DEDICATION OF PART OF 12TH AVENUE, a Replat of part of Block 1A, Scotts Bluff County College Tract in the City of Scottsbluff, Scotts Bluff County, Nebraska situated in the Southeast Quarter 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 said Section 13, thence westerly on the south line of said Section 13, on an assumed bearing of N88°20'42\"W, a distance of 172.90 feet, thence bearing N01°39'18\"E, a distance of 33.00 feet, to the point of curvature of a curve to the left, said curve having a central angle of 8°47'10\", a radius of 1419.92 feet, a chord bearing of N02°02'23\"W, and a chord length of 217.53 feet, thence northerly on the arc of said curve, a distance of 217.74 feet, to a point being 250.00 feet north of the south line of Section 13, as measured perpendicular to said south line, and said point also being on the west line of Block 1A, Scotts Bluff County College Tract, as recorded in Instrument 2006-1690, and said point also being the Point of Beginning, thence continuing northerly on the arc of said curve, and on the west line of Block 1A, said curve having a central angle of 4°50'53\", as measured (4°44'58\" record), a radius of 1419.92 feet, record and measured, a chord bearing of N08°51'25\"W, and a chord length of 120.11 feet, as measured (120.06' record), an arc distance of 120.15 feet (117.00' record), to the point of curvature of a reverse curve to the right, said curve having a central angle of 5°34'01\", as measured, (5°34'16\" record), a radius of 2000.00 feet, record and measured, a chord bearing of N08°30'47\"W, and a chord length of 194.25 feet, as measured (194.46' record), thence 194.32 feet, as measured (194.39' record), on the arc of said curve, and on the west line of said Block 1A, thence bearing N05°43'29\"W, on the west line of said Block 1A, a distance of 214.75 feet, as measured (214.65' record), to the point of curvature of a curve to the left, said curve having a central angle of 23°06'58\", as measured, (23°07'12\" record) a radius of 1130.00 feet, measured and record, a chord bearing of N17°17'56\"W, and a chord length of 452.82 feet, as measured (452.89' record), thence northwesterly on the arc of said curve, and on the west line of Block 1A, a distance of 455.90 feet, as measured (455.97' record), thence bearing N28°50'42\"W, on the west line of Block 1A, a distance of 132.58 feet, as measured (132.45' record), to the point of intersection with the northwest corner of said Block 1A, thence bearing N65°17'18\"E, on the north line of Block 1A, and on the westerly extension of the south line of Lot 5, Block 15, Idlewyde Addition, as platted, a distance of 33.08 feet, as measured, to the point of intersection with the southwest corner of Lot 5, Block 15, Idlewyde Addition, thence bearing S28°50'42\"E, a distance of 83.34 feet, to the point of curvature of a curve to the left, said curve having a central angle of 44°12'11\", a radius of 50.00 feet, a chord bearing of S50°56'48\"E, and chord length of 37.63 feet, thence southeasterly on the arc of curve, a distance of 38.57 feet, to the point of a reverse curve to the right, said curve having a central angle of 92°32'10\", a radius of 66.50 feet, a chord bearing of S26°46'49\"E, and a chord length of 96.10 feet, thence southerly on the arc of said curve, a distance of 107.40 feet, to the point of a reverse curve to the left, said curve having a central angle of 42°36'01\", a radius of 50.00 feet, a chord bearing of S01°48'44\"E, and a chord length of 36.33 feet, thence southerly on the arc of said curve, a distance of 37.18 feet, to the point of a reverse curve to the right, said curve having a central angle of 17°22'18\", a radius of 1163.00 feet, a chord bearing of S14°25'36\"E, and a chord length of 351.26 feet, thence southerly on the arc of curve a distance of 352.61 feet, thence bearing S05°43'29\"E, a distance of 214.75 feet, to the point of curvature of a curve to the left, said curve having a central angle of 5°34'01\", a radius of 1967.00 feet, a chord bearing of S08°30'47\"E, and a chord length of 191.04 feet, thence southerly on the arc of said curve, a distance of 191.12 feet, to the point of a reverse curve to the right, said curve having a central angle of 5°01'54\", a radius of 1452.92 feet, a chord bearing of S08°45'56\"E, and a chord length of 127.55 feet, thence southerly on the arc of said curve, a distance of 127.60 feet, to the point of intersection with a line being 250.00 feet north of and parallel with the south line of Section 13, and said point also being on the west line of Block 1A, Scotts Bluff County College Tract, thence bearing N88°24'59\"W, on said west line of Block 1A, and on a line being 250.00 feet north of and parallel with the south line of Section 13, a distance of 33.32 feet, to the Point of Beginning, containing an area of 0.92 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



- 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
 - U.E.
 - * THIS 30' U.E. INCLUDES THE PREVIOUS 20' WIDE EAST - WEST SANITARY SEWER EASEMENT RECORDED IN MISC BOOK 71, PAGE 431
 - ROW
 - BLOCK NUMBER
 - BOUNDARY OF PLATTED AREA

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.
2. These Utility and Access Easements to be dedicated as alley or street right of way upon future final platting of the abutting unplatted land.

City of Scottsbluff, Nebraska

Monday, August 11, 2014

Regular Meeting

Item Unfin. Biz1

Unfinished Business

Unfinished Business: Discuss Topics for proposed class on 10/11/14

Staff Contact: Annie Urdiales