City of Scottsbluff, Nebraska Monday, April 13, 2015 Regular Meeting

Item NewBiz2

Final Plat with Ordinance to Vacate

Final Plat: Lots 3A & 9A, River Run Estates Applicant(s): Jason Zitterkopf /Baker & Associates Owner(s): Jason Zitterkopf Location: W of County Rd 19 South of River Golf Course

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY PLANNING COMMISSION STAFF REPORT

To:	Planning Commission		
From:	Development Services Department	Zoning:	R-1B
Date:	April 13, 2015	Property Size:	7.84± acres
Subject:	Final Plat Lots 3A & 9A, of Amended River Run Estates with Vacate Plat & Ordinance to Vacate	# Lots/Units:	Two
Location:	W County Road 19 & N of Pleasant Drive		

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), Jason Zitterkopf, represented by Baker & Associates has requested a final plat of Lots 3A & 9A, amended River Run Estates Subdivision a replat of lots 3 and 4, Block 1 River run Estates Subdivision and Lot 9, Block 1, River Run Estates, and lot 10, amended River Run Estates and unplatted lands situated in the NE ¼ of Section 17, T22N, R55W of the 6th P.M., Scotts Bluff County. These parcels are located in our extra territorial jurisdiction. The properties are situated north of Pleasant Drive, West of County Road 19, and East of Mallard Drive. This final plat includes a vacation plat with an ordinance to vacate Lot 4, Block 2, River Run Estates and part of Mallard Drive. Surrounding properties are zoned R-1B, east of County Road 19 the area is zoned A - agricultural.

The lots are currently vacant, Mr. Zitterkopf is creating two lots out of four, lot 3A (3.7 acres) will be accessed of off County Road 19 and Lot 3A will be accessed from Mallard Road on the south end. The area that is being vacated is to the north end of Mallard Drive. Lot 4, Block 2, is owned by the City of Gering which owns approximately 55± acres to the west Lot 4 is approximately 1 acre, this area owned by Gering will not be developed as this is their well site. Properties platted to the north are accessed off of County Road 19 to the east and Woodland Road to the north. Lot 9A (4.14 acres) includes a turnaround at their access off of Mallard Drive. Scotts Bluff County, City of Gering, along with City staff reviewed the final plat with ordinance to vacate and agreed on access off of County Road 19, and portion of Mallard Road to be vacated, the final plat meets the zoning requirements of the R-1B zoning district.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve final plat of Lots 3A, and 9A, of amended River Run Estates Subdivision and Lot 9, Block 1, River Run Estates, and lot 10, amended River Run Estates and unplatted lands situated in the NE ¼ of Section 17, T22N,

Final Plat with ordinance to vacate, Page 1

R55W of the 6th P.M., Scotts Bluff County, with vacation plat and ordinance to vacate subject to the following condition(s): 1.

Deny

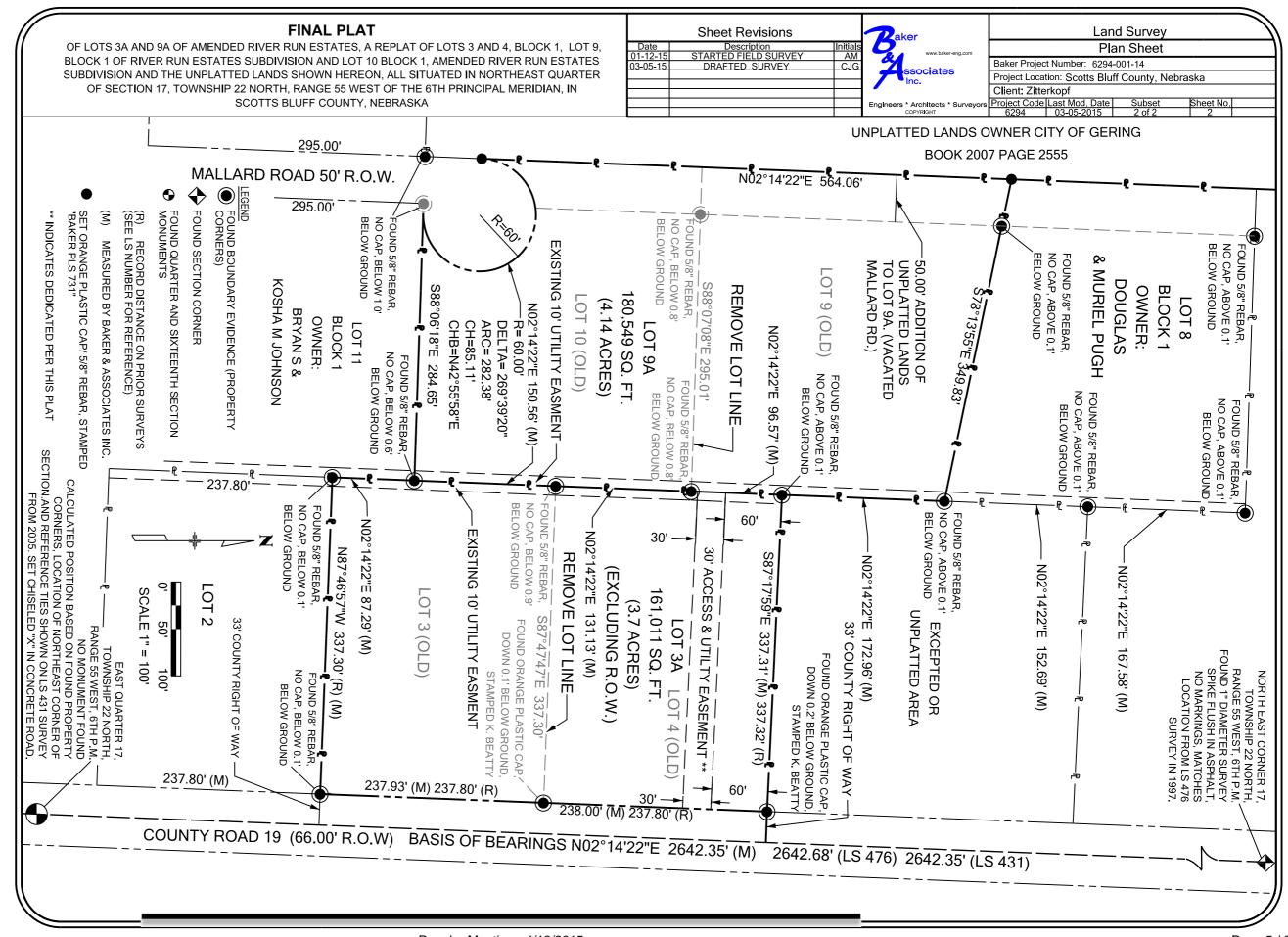
Make a NEGATIVE RECOMMENDATION to the City Council to disapprove final plat of Lots 3A, and 9A, of amended River Run Estates Subdivision and Lot 9, Block 1, River Run Estates, and lot 10, amended River Run Estates and unplatted lands situated in the NE ¼ of Section 17, T22N, R55W of the 6th P.M., Scotts Bluff County, with vacation plat and ordinance to vacate for the following reason(s):

Table

Make the motion to TABLE the request for final plat of Lots 3A, and 9A, of amended River Run Estates Subdivision and Lot 9, Block 1, River Run Estates, and lot 10, amended River Run Estates and unplatted lands situated in the NE ¼ of Section 17, T22N, R55W of the 6th P.M., Scotts Bluff County, with vacation plat and ordinance to vacate for the following reason(s):

Final Plat with ordinance to vacate, Page 2

FINAL PLAT OF LOTS 3A AND 9A OF AMENDED RIVER RUN ESTATES, A REPLAT OF LOTS 3 AND 4, BLOCK 1, LOT 9, BLOCK 1 OF RIVER RUN ESTATES SUBDIVISION AND LOT 10 BLOCK 1, AMENDED RIVER RUN ESTATES SUBDIVISION AND THE UNPLATTED LANDS SHOWN HEREON, ALL SITUATED IN NORTHEAST QUARTER			Sheet Revision Description STARTED FIELD SU DRAFTED SURV	Initials JRVEY AM	Baker www.baker-eng.com	Land Survey Title Sheet Baker Project Number: 6294-001-14 Project Location: Scotts Bluff County, Nebraska
OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA					Inc. Engineers * Architects * Surveyors	Client: Zitterkopf Subset Sheet No. 6294 03-05-2015 1 of 2 1
ROPERTY DESCRIPTION			TS.	OWNER'S STATE	EMENT:	
PARCEL OF LAND KNOWN AS LOTS 3A AND 9A OF AMENDED RIVER RUN ESTATES, A REPLAT OF DTS 3 AND 4, BLOCK 1, LOT 9, BLOCK 1 OF RIVER RUN ESTATES SUBDIVISION AND LOT 10 BLOCK AMENDED RIVER RUN ESTATES SUBDIVISION, AND THE PORTION OF UNPLATTED LANDS SHOWN EREON, ALL SITUATED IN NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 5 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA. JRVEY NOTES	PAGE 1 PAGE 2	TIT	LE SHEET AN SHEET	FOREGOING "PF HAVE CAUSED S FINAL PLAT OF	COPERTY DESCRIPTION" SUCH REAL ESTATE TO B LOTS 3A AND 9A OF AME	R OF THE REAL ESTATE DESCRIBED IN THE AND SHOWN ON THE ACCOMPANYING PLAT, E PLATTED AS: ENDED RIVER RUN ESTATES, A REPLAT OF LOTS VER RUN ESTATES SUBDIVISION AND LOT 10
1. BAKER AND ASSOCIATES, INC., PERFORMED ALL NECESSARY RESEARCH TO ESTABLISH CURRENT OWNERSHIP OF THE SUBJECT PROPERTY SHOWN HERE ON, UTLITZING CURRENT VESTING DOCUMENTS FROM PUBLIC RECORDS, HOWEVER NO TITLE COMPANY OR PROFESSIONAL TITLE SEARCH WAS PERFORMED ON THE SUBJECT PROPERTY.				BLOCK 1 AMENDED RIVER RUN ESTATES SUBDIVISION, AND THE PORTION OF UNPLATTED LANDS SHOWN HEREON, ALL SITUATED IN NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA.		
THE MONUMENTATION RECOVERED WAS LOCATED BY A COMBINATION OF GLOBAL DSITIONING SYSTEM (GPS) FAST STATIC, RTK AND RTK DATA LOGGING TECHNIQUES. DNVENTIONAL SURVEY METHODS WERE APPLIED WHEN REQUIRED.					DING PLAT IS MADE WITH F THE UNDERSIGNED OV	MY FREE CONSENT AND IN ACCORDANCE WITH VNERS.
BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE LINE CONNECTING THE NORTHEAST ORNER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL ERIDIAN AND THE EAST QUARTER OF SAID SECTION 17, BEING A GRID BEARING OF ORTH 02°14'22" EAST A DISTANCE OF 2642.35 FEET AS OBTAINED FROM A GLOBAL POSITIONING YSTEM (GPS) SURVEY BASED ON THE NEBRASKA HIGH ACCURACY REFERENCE NETWORK HARN). SAID GRID BEARING IS NAD 83 (2011) NEBRASKA STATE PLANE ZONE 2600.				DATE:		
ALL DIMENSIONS SHOWN HEREON ARE U.S. SURVEY FEET.				ACKNOWLEDG		
COTTSBLUFF CITY COUNCIL APPROVAL STATEMENT:				STATE OF NEBRA) ss.	
INAL OF LOTS 3A AND 9A OF AMENDED RIVER RUN ESTATES, A REPLAT OF LOTS 3 AND 4, BLOCK 1, LOT 9, BLOCK 1 OF RIVER RUN ESTATES SUBDIVISION AND LOT 10 BLOCK 1 AMENDED RIVER RUN ESTATES SUBDIVISION, AND THE PORTION OF UNPLATTED LANDS SHOWN HEREON, ALL SITUATED IN NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 IORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, IEBRASKA, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS DAY OF 2015.				BEFORE ME, A PERSONALLY CA PERSON WHO SIN THE EXECUTION	A NOTARY PUBLIC, QUALI ME JASON A ZITTERKOP GNED THE FOREGOING "	FIED AND ACTING IN SAID COUNTY, F, KNOWN TO ME TO BE THE IDENTICAL OWNER'S STATEMENT" AND ACKNOWLEDGED /OLUNTARY ACT AND DEED. THIS DAY OF, 2015.
RANDY MEININGER, MAYOR (SEAL)				NOTARY PUBLIC	EXPIRES:	
				SURVEYOR'S CER	RTIFICATE	
NTTESTED: CITY CLERK COTTS BLUFF COUNTY APPROVAL: NAL PLAT OF LOTS 3A AND 9A OF AMENDED RIVER RUN ESTATES, A REPLAT OF LOTS				OF NEBRASKA, D REPRESENTS TH	O HEREBY CERTIFY THA	RED PROFESSIONAL LAND SURVEYOR IN THE STATE T THIS DOCUMENT TRULY AND CORRECTLY Y MADE IN JANUARY 2015, BY ME OR UNDER MY NUMENTS EXIST AS SHOWN HEREON; THAT
3 AND 4, BLOCK 1, LOT 9, BLOCK 1 OF RIVER RUN ESTATES SUBDIVISION AND LOT 10 BLOCK 1 AMENDED RIVER RUN ESTATES SUBDIVISION, AND THE PORTION OF UNPLATTED LANDS SHOWN HEREON, ALL SITUATED IN NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY ADMINISTRATIVE REVIEW BY THE SCOTTS BLUFF COUNTY ROADS DEPARTMENT FOR THE ROAD ACCESS FOR COUNTY ROAD 19, AS DEPICITED BY THE 30' ACCESS EASEMENT SHOWN HEREON.				MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 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 DAY OF, 2015.		
HIS DAY OF, 2015.						
OBERT BENNETT (SCOTTS BLUFF COUNTY ROADS)				CARL JOHN GILB	ERT	
ITEST:					ESSIONAL LAND SURVE HALF OF BAKER AND ASS 3123	
						/



ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING LOT 4, BLOCK 2 OF RIVER RUN ESTATES SUBDIVISION AND A PORTION OF MALLARD ROAD, SITUATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., IN SCOTTS BLUFF COUNTY, NEBRASKA.

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

Section 1. The owners of the property involved have requested the City of Scottsbluff vacate the following property to allow for a replat:

Lot 4, Block 2 of River Run Estates Subdivision and a portion of Mallard Road, all situated in Northeast Quarter of Section 17, Township 22 North, Range 55 West of the 6th Principal Meridian, in Scotts Bluff County, Nebraska. The portion of Mallard Road being more particularly described as follows: Commencing at the East Quarter of Section 17, Township 22 North, Range 55 West, of the 6th Principal Meridian, whence the Northeast corner of said Section 17, bears North 02°14'22" East, a distance of 2642.35 feet, thence North 35°45'14" West, a distance of 1161.64 feet to a point on the West right of way line of Mallard Road, said point also being the point of beginning; thence along said west right of way line of Mallard Road, North 02°14'22" East, a distance of 1,202.67 feet to a point on the South right of way line of Woodline Road; thence along said South right of way line of Woodline Road, South 89°23'19" East a distance of 50.02 feet to a point on the East right of way line of Mallard Road; thence continuing along said East right of way line of Mallard Road; South 02°14'22" West, a distance of 1,203.80 feet; thence North 88°05'35" West, a distance of 50.00 feet, more or less, to the point of beginning. The above described parcel contains 60,162 sq. ft. (1.38 acres), more or less.

As more fully set forth in the vacation plat, marked as Exhibit "A", to this Ordinance and incorporated by this reference.

Section 2. The City Council finds that the requesting parties are the Owners and that it is in the best interest of the City that the property be vacated as requested.

Section 3. Lot 4, Block 2 of River Run Estates Subdivision and a portion of Mallard Road, all situated in the Northeast Quarter of Section 17, Township 22 North, Range 55 West of the 6th p.m., in Scotts Bluff County, Nebraska, are hereby vacated to allow for a replat of the property.

Section 4. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on _____, 2015.

ATTEST:

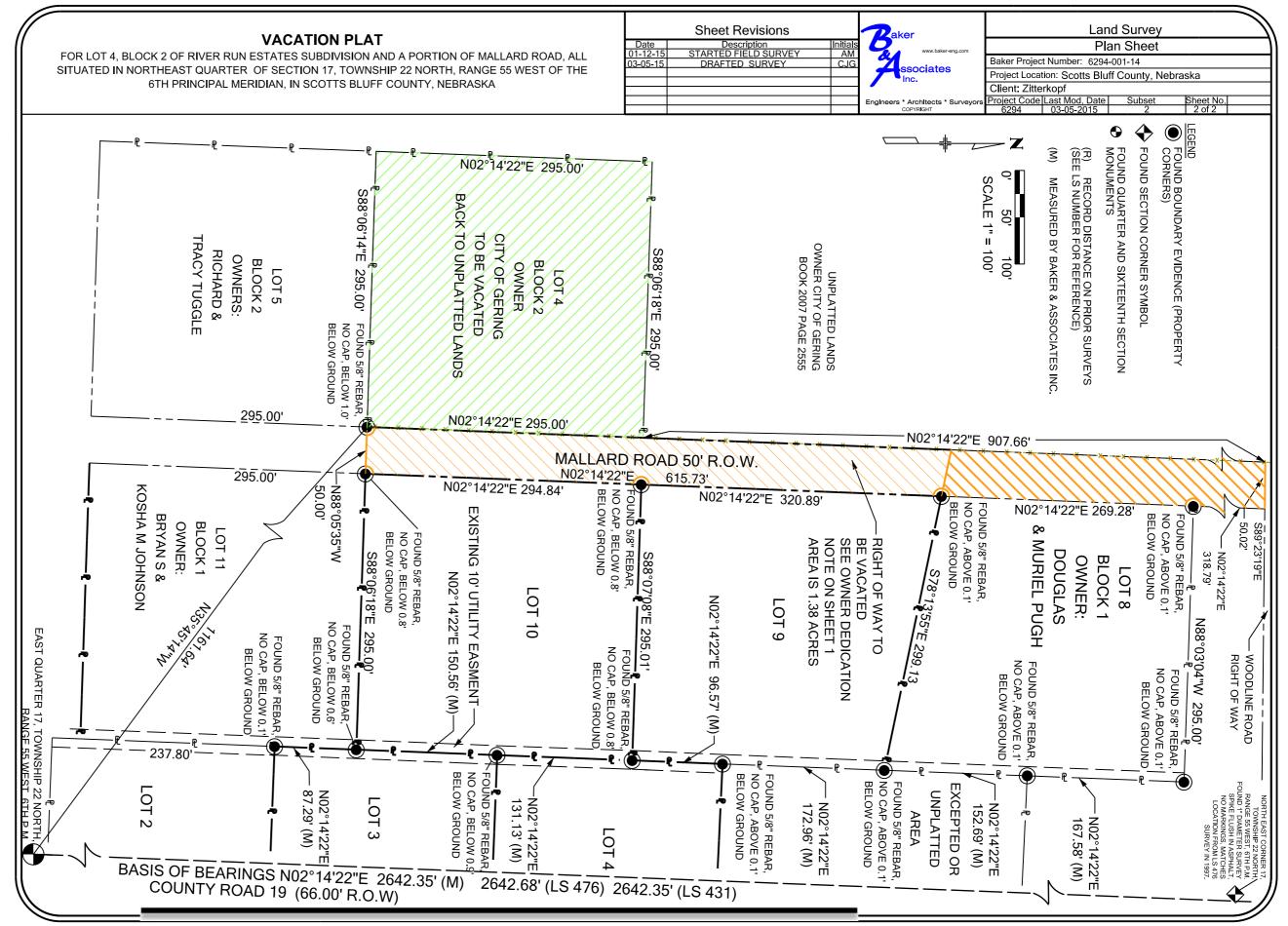
Mayor

City Clerk (Seal)

APPROVED TO FORM:

City Attorney

VACATION PLAT		evisions	Land Survey Title Sheet			
FOR LOT 4, BLOCK 2 OF RIVER RUN ESTATES SUBDIVISION AND A PORTION OF MALLAR	D ROAD, ALL 01-12-15 STARTED F	ELD SURVEY AM	Baker Project Number 6294-001-14			
SITUATED IN NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 V	VEST OF THE		Project Location: Scotts Bluff County, Nebraska			
6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA			Client: Zitterkopf			
		Engineers * Architects * 3 COPYRIGHT	6294 03-05-2015 1 of 2 1			
INDEX OF SHEETS		OWNER'S STATEMENT FOR RIGHT	<u>OF WAY VACATION:</u> WNER OF SAID LOT 4. BLOCK 2 OF RIVER RUN			
PAGE 1 TITLE SHEET	Mar 2		ACATES SAID LOT BACK TO UNPLATTED LANDS. THE			
	TEAL OF		THE WEST HALF (25') OF THE MALLARD ROAD RIGHT RIBED HEREON TO THE ADJOINING LOTS ALONG THE			
PAGE 2 PLAN SHEET	C.R.J.		T IS TO BE VACATED. THIS DEDICATION WAS			
		APPROVED BY THE CITY ADMINIST NEBRASKA.	RATOR AND MAYOR OF THE CITY OF GERING,			
		NEBRASIA.				
	PROJECT					
0.03	AREA 220X 55XV	LANE DANIELZUK				
	SECTION 17	CITY OF GERING ADMINISTRATOR				
		ATTEST:				
	1000 mar -	CLERK				
SCOTTSBLUFF CITY COUNCIL APPROVAL STATEMENT:		TONY KAUFMAN CITY OF GERING MAYOR				
PROJE	CT VICINITY MAP					
VACATION PLAT FOR LOT 4, BLOCK 2 OF RIVER RUN ESTATES SUBDIVISION AND A PORTION OF MALLARD ROAD AS DESCRIBED, ALL SITUATED IN NORTHEAST QUARTER OF		ATTEST: CLERK				
SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN						
SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, BY RESOLUTION DULY PASSED THIS		SURVEY NOTES	SURVEY NOTES			
DAY OF, 2015.		1. BAKER AND ASSOCIATES, INC., P	1. BAKER AND ASSOCIATES, INC., PERFORMED ALL NECESSARY RESEARCH TO ESTABLISH			
		CURRENT OWNERSHIP OF THE SUBJECT PROPERTY SHOWN HERE ON, UTLITZING CURRENT VESTING DOCUMENTS FROM PUBLIC RECORDS, HOWEVER NO TITLE COMPANY OR				
		PROFESSIONAL TITLE SEARCH WAS PERFORMED ON THE SUBJECT PROPERTY.				
BY <u>:</u>	2. THE MONUMENTATION RECOVER	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.				
RANDY MEININGER, CITY OF SCOTTSBLUFF MAYOR (SEAL)						
			IGS ARE BASED ON THE LINE CONNECTING THE NORTHEAST IP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL			
		MERIDIAN AND THE EAST QUARTER	R OF SAID SECTION 17, BEING A GRID BEARING OF			
ATTESTED: CITY CLERK		OF 2642.35 FEET AS OBTAINED FROM A GLOBAL POSITIONING THE NEBRASKA HIGH ACCURACY REFERENCE NETWORK				
		(NHARN). SAID GRID BEARING IS NA	(NHARN). SAID GRID BEARING IS NAD 83 (2011) NEBRASKA STATE PLANE ZONE 2600.			
		4. ALL DIMENSIONS SHOWN HEREC	N ARE U.S. SURVEY FEET.			
PROPERTY DESCRIPTION		SURVEYOR'S CERTIFICATE				
LOT 4, BLOCK 2 OF RIVER RUN ESTATES SUBDIVISION AND A PORTION OF MALLARD ROAD, ALL SITUATED IN NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE			GISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE			
6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA.		OF NEBRASKA, DO HEREBY CERTIF	Y THAT THIS DOCUMENT TRULY AND CORRECTLY			
THE PORTION OF MALLARD ROAD BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:			SURVEY MADE IN JANUARY 2015, BY ME OR UNDER MY LL MONUMENTS EXIST AS SHOWN HEREON: THAT			
COMMENCING AT THE EAST QUARTER OF SECTION17, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THI	=	MATHEMATICAL CLOSURE ERRORS	S ARE LESS THAN 1:50,000 AND THAT SAID PLAT HAS BEEN			
6TH PRINCIPAL MERIDIAN, WHENCE THE NORTHEAST CORNER OF SAID SECTION17, BEARS NORTH		VITH ALL APPLICABLE LAWS OF THE STATE OF NEBRASKA DIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE				
02°14'22" EAST, A DISTANCE OF 2642.35 FEET, THENCE NORTH 35°45'14" WEST, A DISTANCE OF 1161.6 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MALLARD ROAD, SAID POINT ALSO BEING THE		PROVISIONS OF THE SCOTTS BLUF REGULATIONS.	F COUNTY AND THE CITY OF SCOTTSBLUFF SUBDIVISION			
POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF MALLARD ROAD.						
NORTH 02°14'22" EAST, A DISTANCE OF 1,202.67 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE	I ATTEST THE ABOVE ON THIS DAY OF, 2015.					
OF WOODLINE ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF WOODLINE ROAD.						
SOUTH 89°23'19" EAST, A DISTANCE OF 50.02 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF						
MALLARD ROAD; THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE OF MALLARD ROAD; SOUTH 02°14'22"						
WEST, A DISTANCE OF 1,203,80 FEET; THENCE NORTH 88°05'35" WEST, A DISTANCE OF 50.00 FEET, MORE OR LESS, TO THE POINT OF		CARL JOHN GILBERT				
BEGINNING.			NEBRASKA PROFESSIONAL LAND SURVEYOR NO. 731 FOR AND ON BEHALF OF BAKER AND ASSOCIATES INC.			
THE ABOVE DESCRIBED PARCEL CONTAINS 60.162 SQ. FT. (1.38 ACRES). MORE OR LESS.		-3123				



Regular Meeting - 4/13/2015