



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
PLANNING COMMISSION AGENDA

Regular Meeting
June 10, 2024
6:00 PM

1. **Roll Call**
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 south wall of the council chambers.)
3. **Notice of changes in the agenda by the City Manager** (Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless added under Item 4 of this agenda.)
4. **Citizens with business not scheduled on the agenda** (As required by state law, no matter may be considered under this item unless council determines that the matter requires emergency action.)
5. **Approval of the Planning Commission Minutes From**
 - A. May 13, 2024
6. **Public Hearing**
 - A. Planning Commission to conduct a Public Hearing to consider a Preliminary Plat and Final Plat of Lot 1, Block 1, Blue Oak Addition, a tract of unplatted land located in Section 27, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska, commonly identified as 2410 W. Overland Drive
 - B. Planning Commission to conduct a Public Hearing to consider a Plat Vacation of Lot 2A & 2B McDonald's Subdivision a Replat of part of Lot 2, McDonald's Subdivision; Lot 2 McDonald's Subdivision; Lot 1, Masid Subdivision, a Replat of Lot A, Masid Subdivision and part of Lot 2, McDonald's Subdivision; Lot A Masid Subdivision a Subdivision of part of Tract 24, Goos Tracts; Part of Tract 23 and part of Tract 24, Goos Tracts, commonly identified as 511 & 515 W. 27th Street and 2713 Avenue F.
 - C. Planning Commission to conduct a Public Hearing to consider the Preliminary Plat and Final Plat of Block 1, QM Bluffs Subdivision, a tract of land located in Section 14,

Township 22 North, Range 55 West of the 6th PM, Scotts Bluff, County, commonly identified as 511 W. 27th Street.

7. Schedule a Meeting

A. July 8, 2024

8. Adjournment

City of Scottsbluff, Nebraska

Monday, June 10, 2024

Regular Meeting

Item 5.A

May 13, 2024

Staff Contact:

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
May 13, 2024
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, May 13, 2024 at 6:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of general circulation in the city, on April 25, 2024 and May 2, 2024. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Planning Commission can modify the agenda at the meeting if it is determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member

- 1 Chair Becky Estrada called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguillo, Jim Zitterkopf, Dave Gompert "Excused" Linda Redfern (alternate) City Officials present were Zachary Glaubius, Development Services Director, Gary Batt, Code Administrator II, Taylor Stephens, GIS Analyst, John Selzer, Deputy City Attorney, Sharaya Toof, Economic Development Director, and Chris Perales, Fire Prevention Officer.
- 2 Estrada informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the March 11, 2024 meeting were reviewed. **Conclusion:** a motion was made by Stricker and seconded by Palu to approve the minutes from March 11, 2024 meeting. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguillo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.
- 6 Estrada introduced Item 6A, Planning Commission to review and discuss Study Area #18, Blight & Substandard Determination Study, dated November 2023 by MC Schaff & Associates. Area #18 is generally described as properties and tracts of land within the general vicinity north of US Highway 26 and south of 40th Street, between 5th Avenue and Avenue D in the north—central portion of Scottsbluff, containing approximately 103.09 acres. Glaubius stated Study Area 18 was a sizeable one, and currently 28.75% of the City is blighted. Glaubius stated if Study Area 18 is approved, the percentage would increase to 31.15%, and if the following Study Area 19 is approved, the percentage would increase to 31.33%. Glaubius stated that Nebraska State Statute limits first class cities such as Scottsbluff to designate a maximum of 35% of a city as blighted and substandard. Glaubius stated the study area is predominantly undeveloped land. Wayman asked if timeframe for when the blighted and substandard designation expire. Glaubius stated the City can pass ordinances removing areas from the blighted and substandard areas. Glaubius also stated that annexations help reduce the percentage as well. Glaubius stated the recent Seth Raymond Subdivision annexation is not factored into this percentage, however the Triple Peaks Subdivision annexation is included. Stricker asked if there was a delineation between what conditions are public versus private. Glaubius stated the study distinguishes what blighted conditions are private and which are public. Weber asked if there were any of limitations in addition to the 35% maximum such as a maximum dollar amount. Glaubius stated

there were no other limitations to his knowledge. Selzer stated the only limitation is the 35% maximum. Stricker asked if there were plans by the City to repair the conditions identified as blighted. Glaubius stated public areas identified on the map were unimproved right-of-way. Glaubius stated the developer would be required to improve the right-of-way to city standards.

- 7 Estrada introduced Item 6B Planning Commission to review and discuss Study Area #19, Blight & Substandard Determination Study, dated November 2023 by MC Schaff & Associates. Area #19 is generally described properties within the vicinity east of 5th Avenue, west of Circle Drive, south of East 27th Street, and north of East 26th Street in the central portion of Scottsbluff, containing approximately 7.51 acres. Glaubius stated study area 19 is a fairly small area, and it surprised staff that it was not already included in the blighted and substandard areas of the City when the former Kmart was designated. Stricker asked about the photos on page 20 which include a stop sign in the middle of the sidewalk. Stricker asked if there was a plan to address these issues such as ADA standards. Glaubius stated he would forward the concern to Public Works. Selzer stated the intent of the designation is to incentive private developers to come and improve the property. Selzer stated one of the rules for TIF is the funds go to public improvements. Stricker stated the issues he saw were not on private property. Selzer agreed, but stated the issues are associated with the property. Wayman asked if the alley behind the former Applebee's is an actual alley or is it private. Glaubius stated he believed they were private drives, and would have to look at the plat.
- 8 Estrada introduced Item 7A, Planning Commission to consider the creation of an Agricultural Estate Dwelling Site situated on a tract of land situated in the Northwest Quarter of Section 20, Township 22 North, Range 55 West of the 6th PM, commonly identified as 180818 Highway 92.E Estrada opened the public hearing at 6:13 PM. Glaubius stated Riverview Golf Course, LLC, is requesting the creation of this AEDS. Glaubius stated the AEDS meets all requirements of code. Glaubius stated that while a golf course is not agricultural, the code allows for the creation of AEDS on a parcel of marginal usage land, and marginal usage land is defined as land with little or relatively little agricultural productivity capability. Glaubius stated staff is recommending the Planning Commission make a positive recommendation to City Council on the approval of the AEDS. Gregg Schilz, the applicant's representative, stated the owners will keep the AEDS land and lease it to their parents in order to build a house. Estrada closed the public hearing at 6:15 PM. Stricker asked if the State of Nebraska permitted an access to the highway. Schilz stated there is an existing access. Weber asked where the access easement to the AEDS and if the easement was permanent. Schilz stated the location and that is a perpetual easement.
- 9 **Conclusion:** a motion was made by Stricker and seconded by Zitterkopf to make a positive recommendation on the approval of the Agricultural Estate Dwelling Site application by Riverview Golf Course, LLC. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguallo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.
- 10 Estrada introduced Item 7B, Planning Commission to conduct a public hearing for the purpose of reviewing and obtaining comment on the Redevelopment Plan for the ELEMENT Sports Summit Project. Estrada opened the public hearing at 6:18 PM. Selzer stated the Planning Commission is to review the redevelopment plan for compliance with the Comprehensive Plan. Selzer stated the project is located in the northeast area of the Comprehensive Plan and the future land use designation is WNCC and Surrounding Area. Selzer stated the designation is for daytime activity and events in the evening, a variety of heights and setbacks, and low amount of noise and smells. Selzer stated the project property is zoned as O-P Office and Professional for which community center is a principal permitted use. Selzer stated it was the opinion of Simmons Olsen that the project does meet the standards of comprehensive plan. Kathryn Gonzalez asked

what TIF is. Gompert requested Selzer explain what TIF is. Gonzalez asked if the area would be removed from the blighted and substandard area and what effect would there be on the taxpayers of the area. Gonzalez asked if there would be a tax increase due to or from the project. Selzer stated TIF does not affect the taxes of other properties. Selzer stated the City does not have an account of TIF money, but TIF allows a developer to improve a property. Selzer stated the taxes of their property usually go to the various taxing entities. TIF allows for the additional property taxes to return to the developer instead of the taxing entities for 15 years. Selzer stated for this project, the developer is required to build 18th Avenue from 27th Street to Frontage Road, which is a significant investment in order to build on the property. Selzer stated the developer pays the increased property taxes to the County, the County send the property tax to the City who will return the difference between the original amount and new amount to the developer. Selzer stated the improvements have to be associated with the project and stated for example the funds cannot be used for an improvement across town. Gonzalez asked if the developer has to both build and maintain the new 18th Avenue. Selzer stated once the street is finished it will be dedicated to the City. Selzer stated it is typical for developers to incur the cost of the infrastructure and then dedicate the infrastructure, such as a street, to the City. Gonzalez asked about sidewalks. Selzer stated the sidewalk would be in City right-of-way but would be the property owner's responsibility to take care of it. Gonzalez thanked Selzer for his explanation. Selzer stated it is a common misconception that other people's taxes are paying for the TIF project. Estrada closed the public hearing at 6:29 PM.

- 11 **Conclusion:** a motion was made by Stricker and seconded by Weber to make a positive recommendation on the approval of the development Plan for the ELEMENT Sports Summit project. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguillo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.
- 12 Estrada introduced Item 7C, Planning Commission to conduct a Public Hearing for the purpose of obtaining comment and making a recommendation to the City Council on the question of whether Area #18 should be declared as substandard and blighted according to the Nebraska Community Development Law. Estrada opened the public hearing at 6:31 PM. Glaubius stated he did not have anything to add. Estrada closed the public hearing at 6:32 PM.
- 13 **Conclusion:** a motion was made by Weber and seconded by Stricker to approve Resolution 24-02 and recommend that City Council declare Study Area #18 as blighted and substandard. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguillo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.
- 14 Estrada introduced Item 7C, Planning Commission to conduct a Public Hearing for the purpose of obtaining comment and making a recommendation to the City Council on the question of whether Area #19 should be declared as substandard and blighted according to the Nebraska Community Development Law. Estrada opened the public hearing at 6:32 PM. Glaubius stated he did not have anything to add. Estrada closed the public hearing at 6:33 PM.
- 15 **Conclusion:** a motion was made by Weber and seconded by Stricker to approve Resolution 24-03 and recommend that City Council declare Study Area #19 as blighted and substandard. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguillo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.
- 16 Estrada introduced Item 7E, Planning Commission to conduct a Public Hearing to consider an Ordinance Text Change regarding Land Use Fees. Estrada opened the public hearing at 6:34. Glaubius stated that due to the implementation of the new permitting software, staff has realized some fees are missing and the current code is written in a way the software cannot execute. Glaubius stated code requires a \$3.00 fee per each notification letter, and that staff has been waiving the fee since implementation of the software as the software cannot calculate it.

Glaubius stated he reviewed the fees of other similar sized communities in Nebraska. Glaubius stated Scottsbluff has the lowest fees, which is not necessarily a bad thing, and that the fees have not been adjusted since 1995. Glaubius stated he is proposing to simplify and increase the fees. Glaubius stated subdivision related fees would increase from \$100 to \$200. Glaubius stated the City would also charge for plat vacations as these were not covered under the previous code. Glaubius stated the fee for AEDS would be \$200 and would be clarified as staff has treated them as preliminary plats. Glaubius stated the subdivision application and amended subdivision application would be combined into amended subdivision fee as they were the same thing. Glaubius stated the fee increased for amended plats as it depends on whether the plat requires Planning Commission review or can be approved administratively by staff. Glaubius stated rezone and special use permit fees would increase from \$100 to \$300. Glaubius stated the Planned Unit Development fee would remain the same, and Glaubius stated a \$150 fee will be created. Glaubius stated the Mobile Home Park fee would increase from \$100 to \$150. Glaubius stated the board of adjustment fee would increase from \$100 to \$150 to ensure people can afford to contest a zoning decision. Glaubius stated other fees created would be zoning verification letter and zoning land use map. Glaubius stated the fee for each would be \$20, and the city does not get very many of these. Glaubius stated with the code change, 21-1-28, 21-1-65, 21-1-68, and 25-17-3 would be amended. Glaubius stated these codes included references to the property owner paying the Register of Deeds fee, the per letter fee, and a section dismissing a Board of Adjust appeal if the letter fee was not paid. Glaubius stated staff recommends the Planning Commission make a positive recommendation to the City Council on the approval of the ordinance text change to Chapter 6 Article 6, Chapter 21 Article 1, and Chapter 25 Article 17 regarding land use fees. Gonzalez asked if the \$20 fee for land use maps was per page as she would need multiple pages with the 11x17" size. Stephens stated typically land use map requests are for a specific property. Glaubius stated the online maps will still be available and would remain free. Estrada closed the public hearing 6:39 PM. Weber stated Scotts Bluff County fees were not compared in the report. Glaubius stated he only reviewed cities. Weber stated he was curious as Scotts Bluff County is the closest similar comparison. Stricker inquired about the special exception from fire prevention code fee. Glaubius stated he did not know what that fee referenced and it would be removed. Stricker asked about the perimeter fence special permit fee. Glaubius stated the perimeter fence fee and code will be removed in the future. Glaubius stated the City does not receive applications for perimeter fences. Stricker asked what a perimeter fence is. Glaubius stated from his understanding a perimeter fence is a fence that enclosed.

- 17 **Conclusion:** a motion was made by Stricker and seconded by Weber. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguallo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.
- 18 Estrada introduced Item 8A, Staff Reports: Staff to update Planning Commission on Comprehensive Plan. Glaubius stated the City received to responses to the Comprehensive Plan RFP. Glaubius stated staff selected Marvin Planning Consultants and is waiting for City Council to approve the contract. Glaubius stated Marvin Planning Consultants has done work in Grand Island and North Platte. Wayman asked if tiny homes and tiny home areas would be included in the comprehensive plan. Glaubius stated there could be as there will be a housing element.
- 19 Planning Commission confirmed the next meeting date of June 10, 2024.
- 20 Item 9: Adjournment
- 21 Adjournment: Motion by Aguallo to adjourn the meeting at 6:44 PM and seconded by Stricker. "Yeas:" Becky Estrada, Jerry Stricker, Callan Wayman, Kendall Palu, Henry Huber, Dana Weber, Angie Aguallo, Jim Zitterkopf, Dave Gompert "Nays": None. The motion carried.

Becky Estrada, Chairperson

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Monday, June 10, 2024

Regular Meeting

Item 6.A

Planning Commission to conduct a Public Hearing to consider a Preliminary Plat and Final Plat of Lot 1, Block 1, Blue Oak Addition, a tract of unplatted land located in Section 27, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff County, Nebraska, commonly identified as 2410 W. Overland Drive

Staff Contact: Zachary Glaubius



City of Scottsbluff
Subdivision Application
Permit Identifier 2024-25SD

Type: Final Plat

Applicant Name Donald Brush Applicant Address 870 S-B Road Morrill,
Nebraska
Applicant Email pls@wyobraskasurveyor.com Applicant Phone 308-247-2602

Contact Name Contact Address
Conact Email Contact Phone

Subdivision Information

Proposed Name of Subdivision Blue Oak Addition

General Location/Address 2410 W OVERLAND DR

Legal Description PT LT 1, PT TL 14A, LT 8, UNPL LANDS,
27-22-55 (.*)

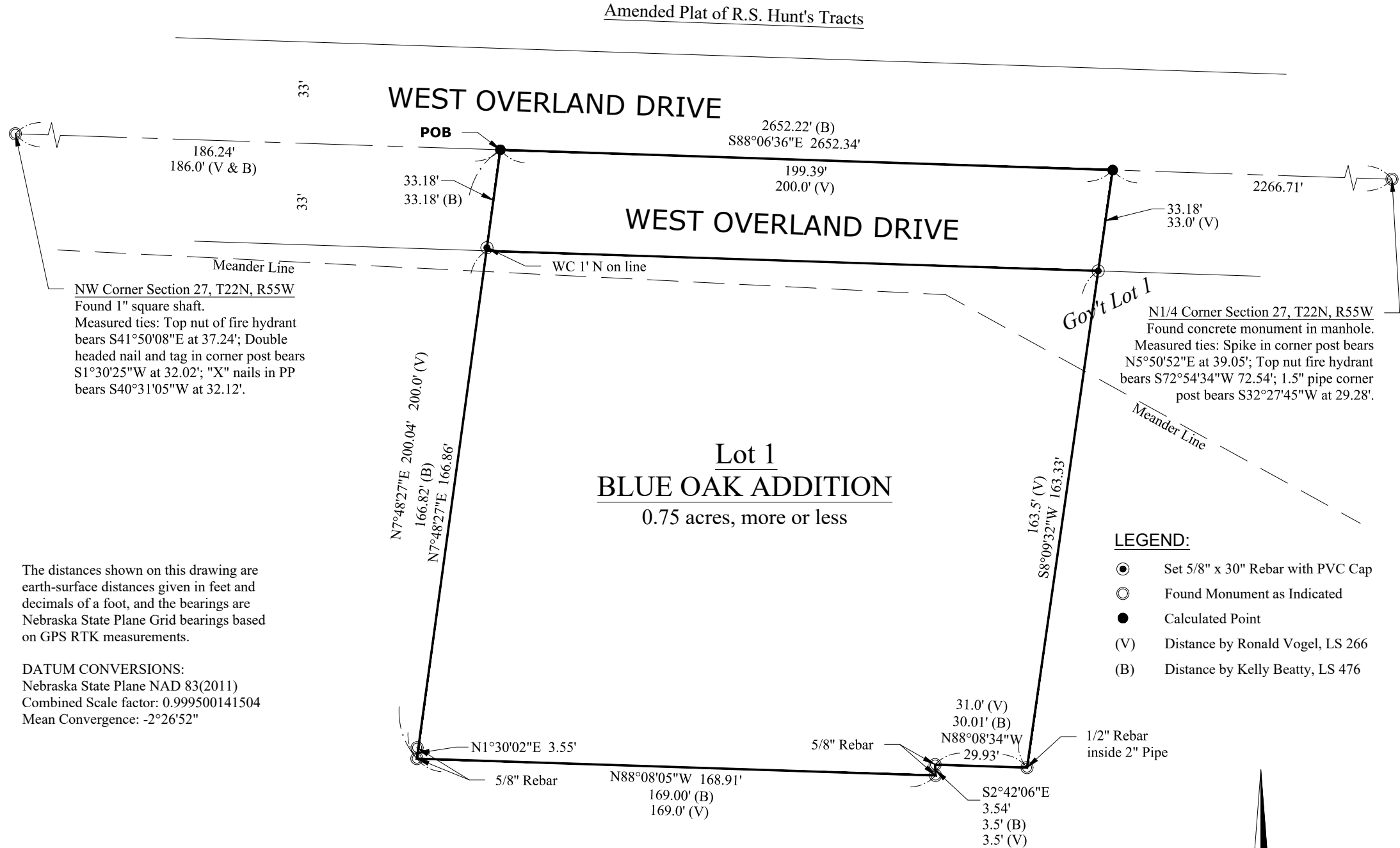
Current Zoning District(s) C-3

Total Area (square feet or acre) .75

Number of Past Replat/Plat Amendments 0

Describe the reason for the subdivision

Unplatted land.



The distances shown on this drawing are earth-surface distances given in feet and decimals of a foot, and the bearings are Nebraska State Plane Grid bearings based on GPS RTK measurements.

DATUM CONVERSIONS:
Nebraska State Plane NAD 83(2011)
Combined Scale factor: 0.999500141504
Mean Convergence: -2°26'52"

SURVEYOR'S CERTIFICATE:

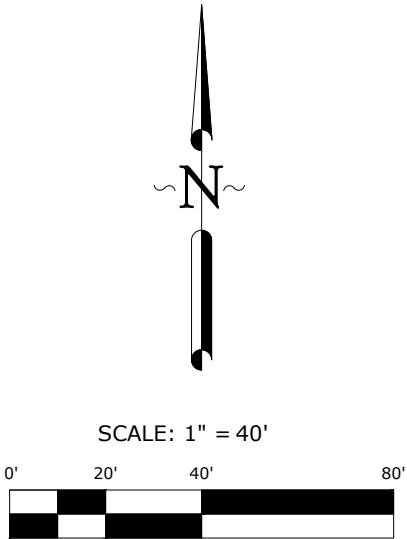
I, Donald A. Brush, Nebraska Registered Land Surveyor Number 511, duly registered under the Land Surveyor's Regulation Act, do hereby certify that, between March 20, 2024, and April 19, 2024, I have performed a survey of the land depicted on the accompanying drawing; that said drawing is a correct delineation of said survey performed by me or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown, and to the best of my knowledge and belief is true, correct and in accordance with the Minimum Standards for Surveys in Nebraska in effect at the time of this survey.

WITNESS MY HAND AND SEAL this 22nd day of April, 2024.
Donald A. Brush
Nebraska Registered Land Surveyor Number 511



See Sheet 2 of 2 for
Legal Description,
Owners Statement
and Approvals.

Prepared for:
Darwin Adams
A E Services LLC
2410 W Overland
Scottsbluff, NE 69361



Sheet No.: 1 of 2

Date: APRIL 2024

John Adams

Client Name:

Drawn by: NAB / Checked by: DAB

Job No.: 2024-14

Plat of
Lot 1, BLUE OAK ADDITION
to the City of Scotts Bluff,
Scotts Bluff County, Nebraska.

Panhandle Land Surveying
Donald A. Brush, Professional Land Surveyor
870 SB Road, Morrill, Nebraska, 69358
Phone: (308) 247-2602

Copyright 2024

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: June 3, 2024 For Hearing of: June 10, 2024



I. GENERAL INFORMATION

- A. Applicant:** Darwin Adams
2410 W Overland Drive
Scottsbluff, NE 69361
- B. Property Owner:** Same as applicant
- C. Proposal:** Preliminary Plat and Final Plat, Lot 1, Block 1, Blue Oak Addition
- D. Legal Description:** Lot 1, Block 1, Blue Oak Addition
- E. Location:** 2410 W Overland Drive
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial & Floodplain – Electrician Shop
- G. Size of Site:** Approximately 0.75 acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Residential	R-6 Mobile Home Residential	Mobile Homes
East	Automobile Commercial	C-3 Heavy Commercial	Saddle Club
South	Automobile Commercial	C-3 Heavy Commercial	Trucking Business
West	Automobile Commercial	C-3 Heavy Commercial	Trucking Business

III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Automobile Commercial and according to Comprehensive Plan this area suggests the appropriate zones C-2, C-3, PBC, and R-4. This property will remain commercial.
- B. Traffic & Access:**

1. Access is via W Overland Drive.
2. No sidewalk is present.
3. 33' feet of W. Overland Drive right-of-way will be dedicated with this plat.

C. Utilities:

1. Lot 1 has access to water and sewer.
2. No stormwater infrastructure is in the vicinity of the subdivision.

IV. STAFF COMMENTS

- A. The property owner is seeking to add onto the building. Per §4-1-23, land must be subdivided in accordance of state law and city subdivision regulations. Therefore, the land must be platted in order to issue a building permit for a building expansion.
- B. As the property is unplatted, a preliminary and final plat are needed.
- C. The property is located in the floodplain.

V. FINDINGS OF FACT

A. Findings of Fact to Recommend Its Approval May Include:

1. The Comprehensive Plan identifies the area as Automobile Commercial, and the subdivision continue to comply with the plan.
2. There is no minimum lot size.
3. The block has the minimum 20' of public road frontage.

B. Findings of Fact to Not Recommend Approval May Include:

1. None

VI. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission make a positive recommendation to City Council to approve of the preliminary plat and final plat for Lot 1, Block 1, Blue Oak Addition.

BLUE OAK ADDITION PLAT

2410 W OVERLAND DR

Zoning Overview



- Property Location(s)
- Street Centerlines
 - Highway
 - Main Road
 - Residential/Rural
- Official City Zoning
 - (A) Agriculture
 - (AR) Agriculture Residential
 - (C-1) Central Business District
 - (C-2) Neighborhood Commercial
 - (C-3) Heavy Commercial
 - (M-1) Light Manufacturing & Industrial
 - (M-2) Heavy Manufacturing and Industrial
 - (O-P) Office and Professional
 - (PBC) Planned Business Center
 - (R-1) Single Family
 - (R-1A) Single Family Medium Density
 - (R-1B) Rural Residential Estate
 - (R-4) Heavy Density Multiple Family
 - (R-6) Mobile Home
- Parcels
- Corporate and ETJ Boundaries
 - Scottsbluff Corporate Limits
 - Scottsbluff ETJ
 - Terrytown Corporate Limits
 - Terrytown ETJ

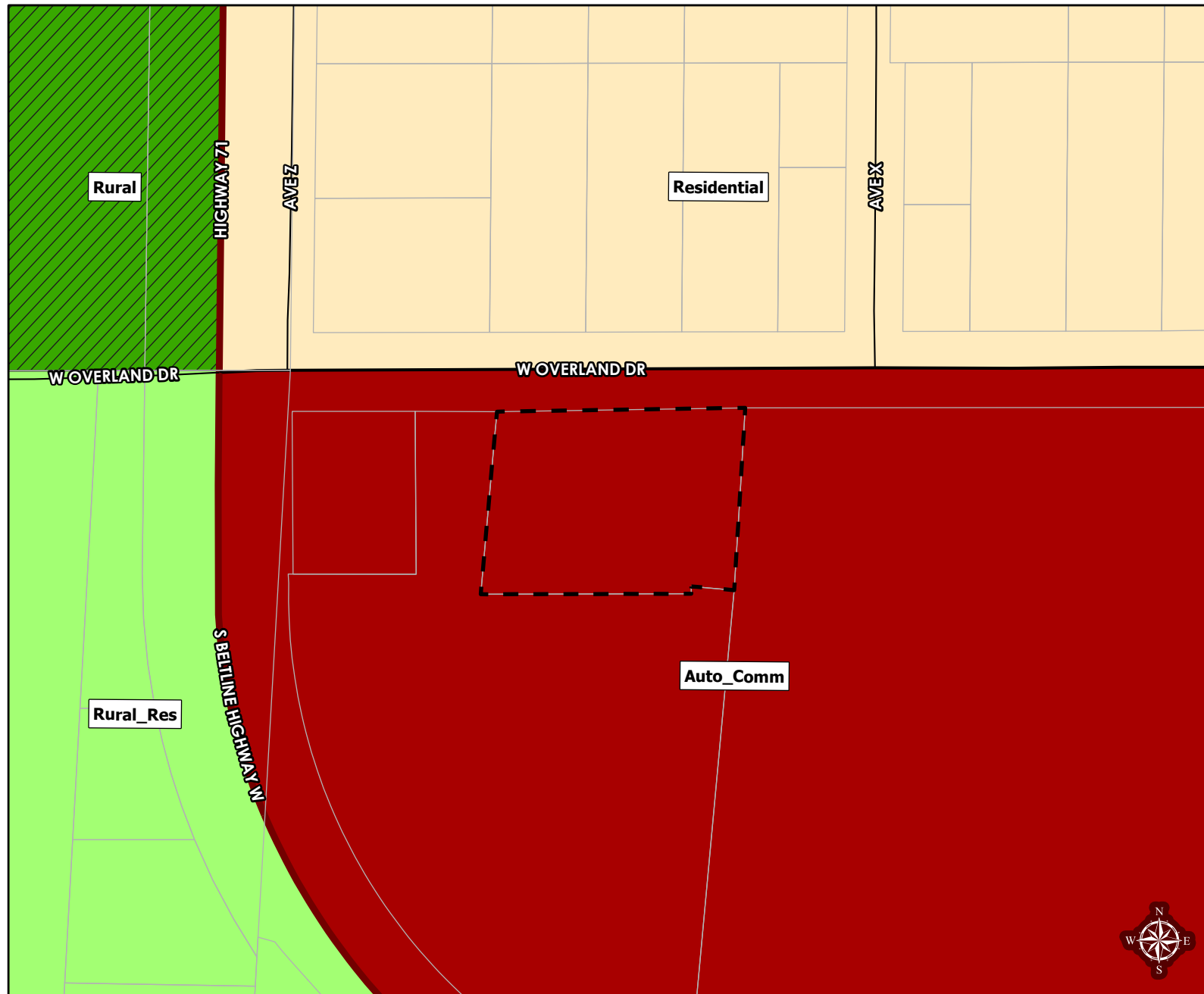
Taylor Stephens
City of Scottsbluff GIS
Created on 5/23/2024
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

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.

BLUE OAK ADDITION PLAT

2410 W OVERLAND DR

2016 Comp. Plan Future Land Use Overview



Proposed Changes

Parcel Boundaries

2016 Comp. Plan Land Use

Automobile Commercial

Avenue B and Hospital Campus

Central Business District

East Overland

Highway 26 Commercial

Northwest Commercial

Residential

Rural

Rural Residential

SE Industrial and Commercial

South Broadway

WNCC and Surrounding Area

Street Centerlines

Highway

Main Road

Residential/Rural

2016 Comp. Plan Development

LTD (10 - 20 yrs)

NTD (Less than 5 yrs)

STD (5 - 10 yrs)

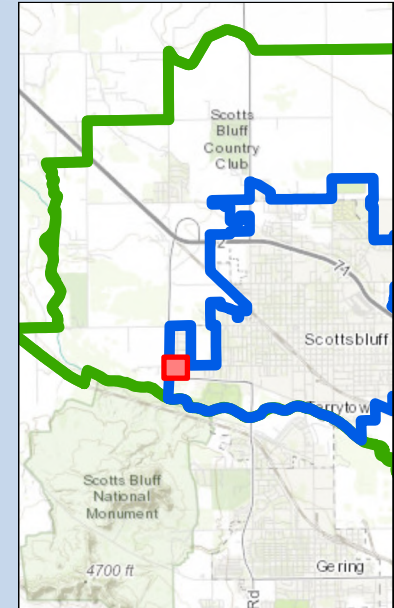
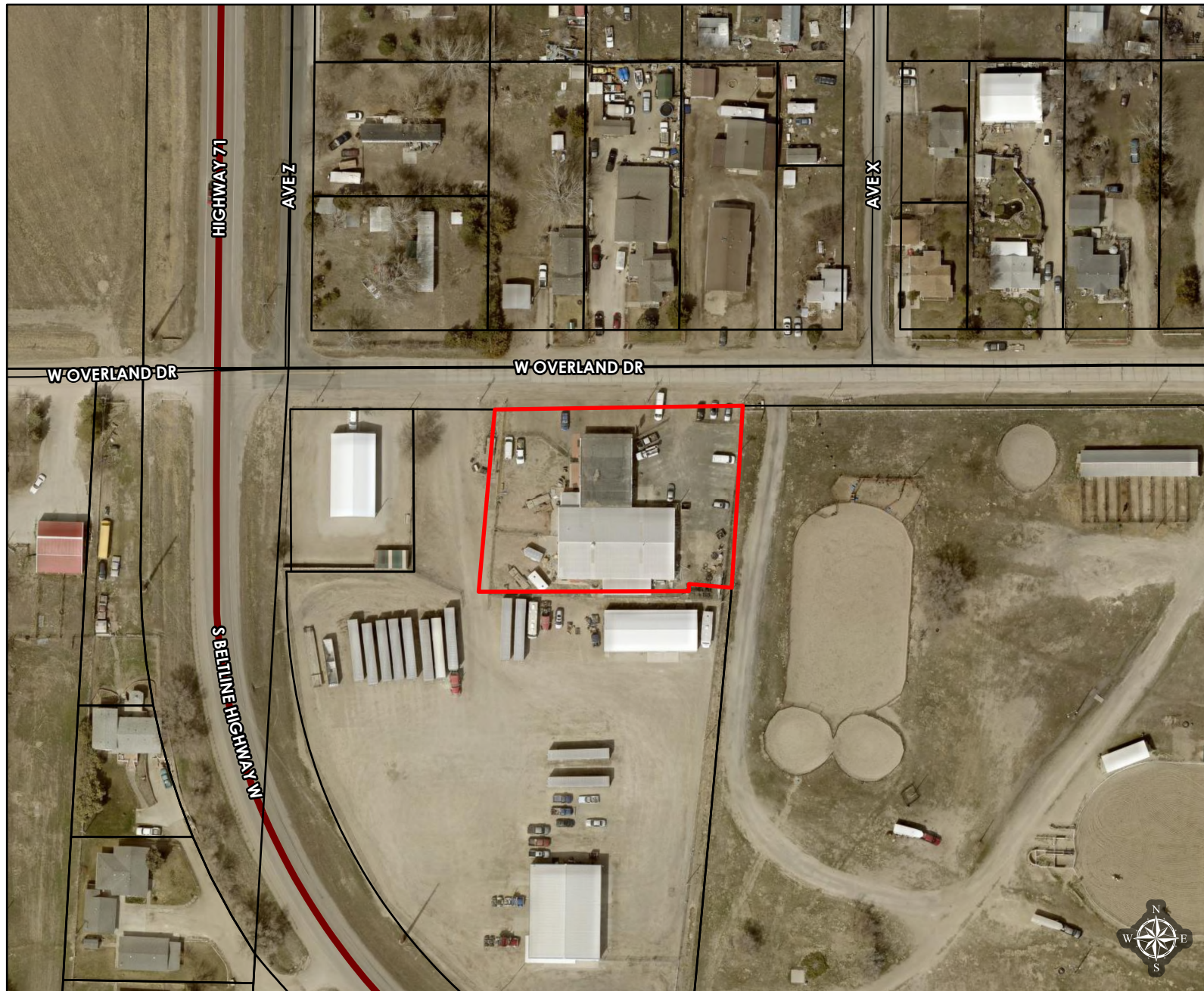
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BLUE OAK ADDITION PLAT

2410 W OVERLAND DR

Aerial Overview



Proposed Changes

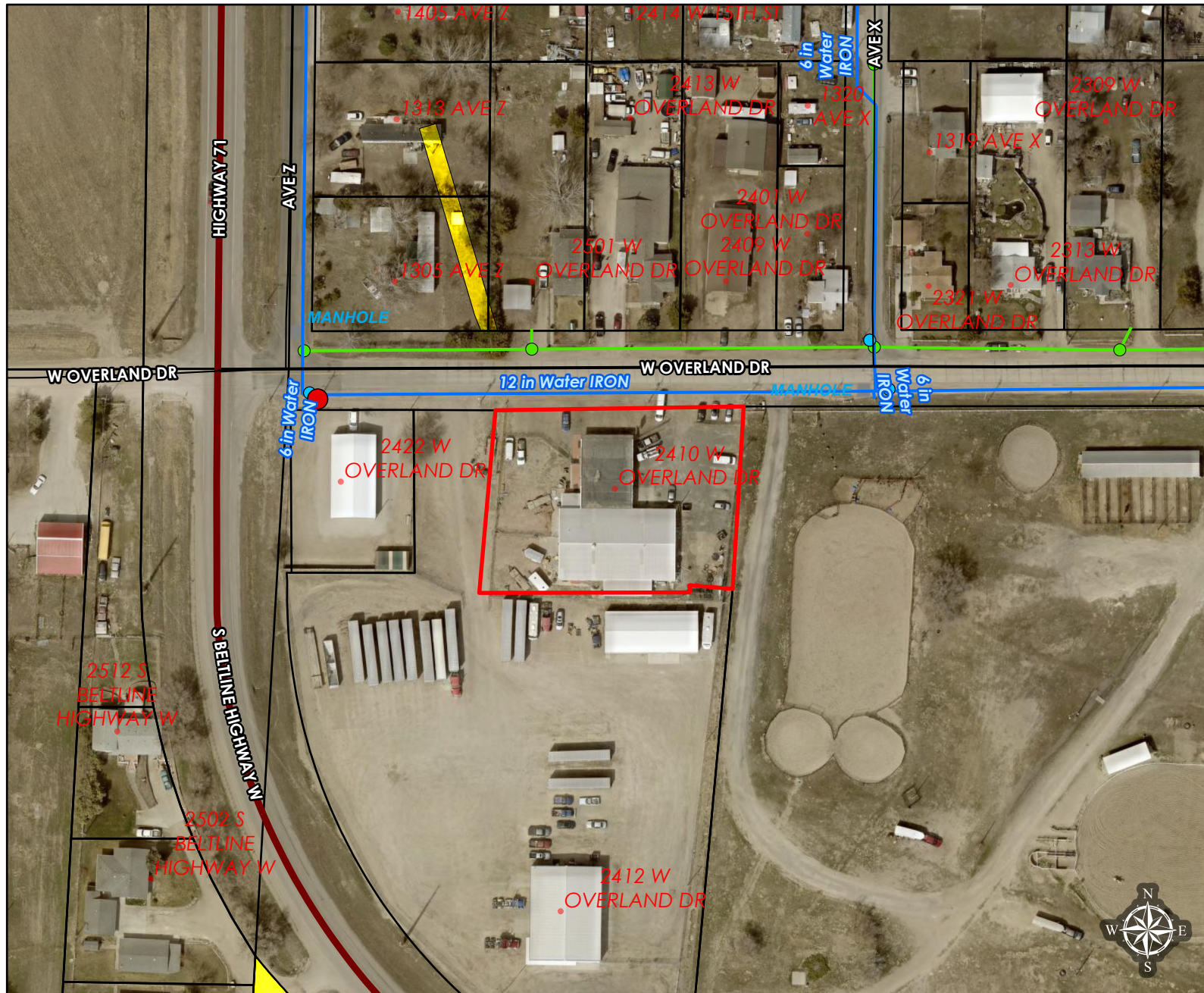
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Parcels

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City of Scottsbluff GIS
Created on 5/23/2024
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
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-  Highway
-  Main Road
-  Residential/Rural
-  Water Curbstop
-  Wastewater MH
-  Wastewater Lines
-  Outfall
-  Stormwater Inlet
-  Stormwater Manhole
-  Stormwater Arc
-  Concerning Parcel(s)
-  Assumed SID Boundaries
-  Parcels
-  Water_Lines
-  Easements
-  Address

Taylor Stephens
City of Scottsbluff GIS
Created on 5/23/2024
Coordinate System: NAD 1983 (2011)
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.

City of Scottsbluff, Nebraska

Monday, June 10, 2024

Regular Meeting

Item 6.B

Planning Commission to conduct a Public Hearing to consider a Plat Vacation of Lot 2A & 2B McDonald's Subdivision a Replat of part of Lot 2, McDonald's Subdivision; Lot 2 McDonald's Subdivision; Lot 1, Masid Subdivision, a Replat of Lot A, Masid Subdivision and part of Lot 2, McDonald's Subdivision; Lot A Masid Subdivision a Subdivision of part of Tract 24, Goos Tracts; Part of Tract 23 and part of Tract 24, Goos Tracts, commonly identified as 511 & 515 W. 27th Street and 2713 Avenue F.

Staff Contact: Zachary Glaubius

April 3, 2024

Zachary Glaubius
City of Scottsbluff, NE

RE: Vacation of Lots in McDonald's Subdivision and Masid Subdivision for future Arby's Subdivision

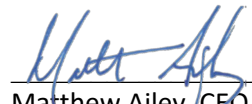
Dear Mr. Glaubius;

I, Matthew Ailey, as CEO/Owner of QM SCOTTSBLUFF LLC, am requesting that Lot 2A & 2B McDonald's Subdivision a Replat of part of Lot 2, McDonald's Subdivision; Lot 2 McDonald's Subdivision; Lot 1, Masid Subdivision, a Replat of Lot A, Masid Subdivision and part of Lot 2, McDonald's Subdivision; Lot A Masid Subdivision a Subdivision of part of Tract 24, Goos Tracts; Part of Tract 23 and part of Tract 24, Goos Tracts, all being Additions to the City of Scottsbluff, NE., be vacated.

AND said vacation to include a 20-foot utility easement as platted in Deed Book 139, Page 148

AND EXCEPT for a permanent easement as described in Misc. Book 135, Page 521-528

Respectfully submitted,



Matthew Ailey, CEO/Owner
QM SCOTTSBLUFF LLC.

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: June 3, 2024 For Hearing of: June 10, 2024



I. GENERAL INFORMATION

- A. Applicant:** QM Scottsbluff, LLC
214 Brazilian Avenue Suite 212
Palm Beach, FL 33480
- B. Property**
Owner: same as applicant
- C. Proposal:** Vacate Lot 2A and 2B, McDonalds Subdivision and Lot 1 Masid Subdivision and previous subdivisions.
- D. Legal Description:** see letter
- E. Location:** 511 and 515 W. 27th Street / 2715 Avenue F
- F. Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial – vacant
- G. Size of Site:** Approximately 41,804 square feet

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Driveway to McDonalds
East	Northwest Commercial	C-2 Neighborhood and Retail Commercial	McDonalds
South	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Gas Station and Medical Equipment Store
West	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Arbys

B. Relevant Case History

1. Per 21-1-68, a subdivision may only be replatted twice. Therefore, a vacation of the current subdivision is required to subdivide the property.

III. **ANALYSIS**

A. Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan currently shows the site as Northwest Commercial and according to Comprehensive Plan this area suggests the appropriate zones C-2. This property will remain commercial.

B. Traffic & Access:

1. Access is via W 27th Street and Avenue F

C. Utilities:

1. The property has access to water, sewer, and stormwater.
2. Part of the NPPD utility easement will remain.
 - i. The City has received written confirmation from NPPD approving the partial utility easement vacation.

IV. **STAFF COMMENTS**

- A. §21-1-68 requires a plat vacation in order to replat a third time.
- B. The land is being vacated back to unplatted land.
- C. A preliminary plat and final plat are the following agenda items.

V. **FINDINGS OF FACT**

A. Findings of Fact to Recommend Its Approval May Include:

1. §21-1-68 requires a plat vacation in order to replat a third time.
2. The property has all public improvements necessary at this time.

B. Findings of Fact to Not Recommend Approval May Include:

1. None

VI. **STAFF RECCOMENDATION**

A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve vacation of Lot 2A & 2B McDonald's Subdivision a Replat of part of Lot 2, McDonald's Subdivision; Lot 2 McDonald's Subdivision; Lot 1, Masid Subdivision, a Replat of Lot A, Masid Subdivision and part of Lot 2, McDonald's Subdivision; Lot A Masid Subdivision a Subdivision of part of Tract 24, Goos Tracts; Part of Tract 23 and part of Tract 24, Goos Tracts, commonly identified as 511 & 515 W. 27th Street and 2713 Avenue F.

City of Scottsbluff, Nebraska

Monday, June 10, 2024

Regular Meeting

Item 6.C

Planning Commission to conduct a Public Hearing to consider the Preliminary Plat and Final Plat of Block 1, QM Bluffs Subdivision, a tract of land located in Section 14, Township 22 North, Range 55 West of the 6th PM, Scotts Bluff, County, commonly identified as 511 W. 27th Street.

Staff Contact: Zachary Glaubius



City of Scottsbluff
Subdivision Application
Permit Identifier 2024-26SD

Type:	Preliminary Plat		
Applicant Name	Survey Dept MC Schaff	Applicant Address	818 S BELTLINE HWY E SCOTTSBLUFF, Nebraska
Applicant Email	survey@mcschaff.com	Applicant Phone	3086351926
Contact Name	Matthew Ailey	Contact Address	214 Brazilian Avenue Suite 212 Palm Beach, FL 33480
Conact Email	mailey@genrock.com	Contact Phone	423-736-0909

Subdivision Information

Proposed Name of Subdivision Block1, QM Bluffs Subdivision

General Location/Address 511 W 27TH ST

Legal Description LT 2B, MC DONALD'S SUB

Current Zoning District(s) C2

Total Area (square feet or acre) 41804 sf

Number of Past Replat/Plat Amendments 3+

Describe the reason for the subdivision

New Arby's Restaurant building location. Need to vacate back to section, township, and range for the new subdivision



City of Scottsbluff
Subdivision Application
Permit Identifier 2024-27SD

Type: Final Plat

Applicant Name	Survey Dept MC Schaff	Applicant Address	818 S BELTLINE HWY E SCOTTSBLUFF, Nebraska
Applicant Email	survey@mcschaff.com	Applicant Phone	3086351926
Contact Name	Matthew Ailey	Contact Address	214 Brazilian Avenue Suite 212 Palm Beach, FL 33480
Conact Email	mailey@genrock.com	Contact Phone	423-736-0909

Subdivision Information

Proposed Name of Subdivision Block1, QM Bluffs Subdivision

General Location/Address 511 W 27TH ST

Legal Description LT 2B, MC DONALD'S SUB

Current Zoning District(s) C2

Total Area (square feet or acre) 41804 sf

Number of Past Replat/Plat Amendments 3+

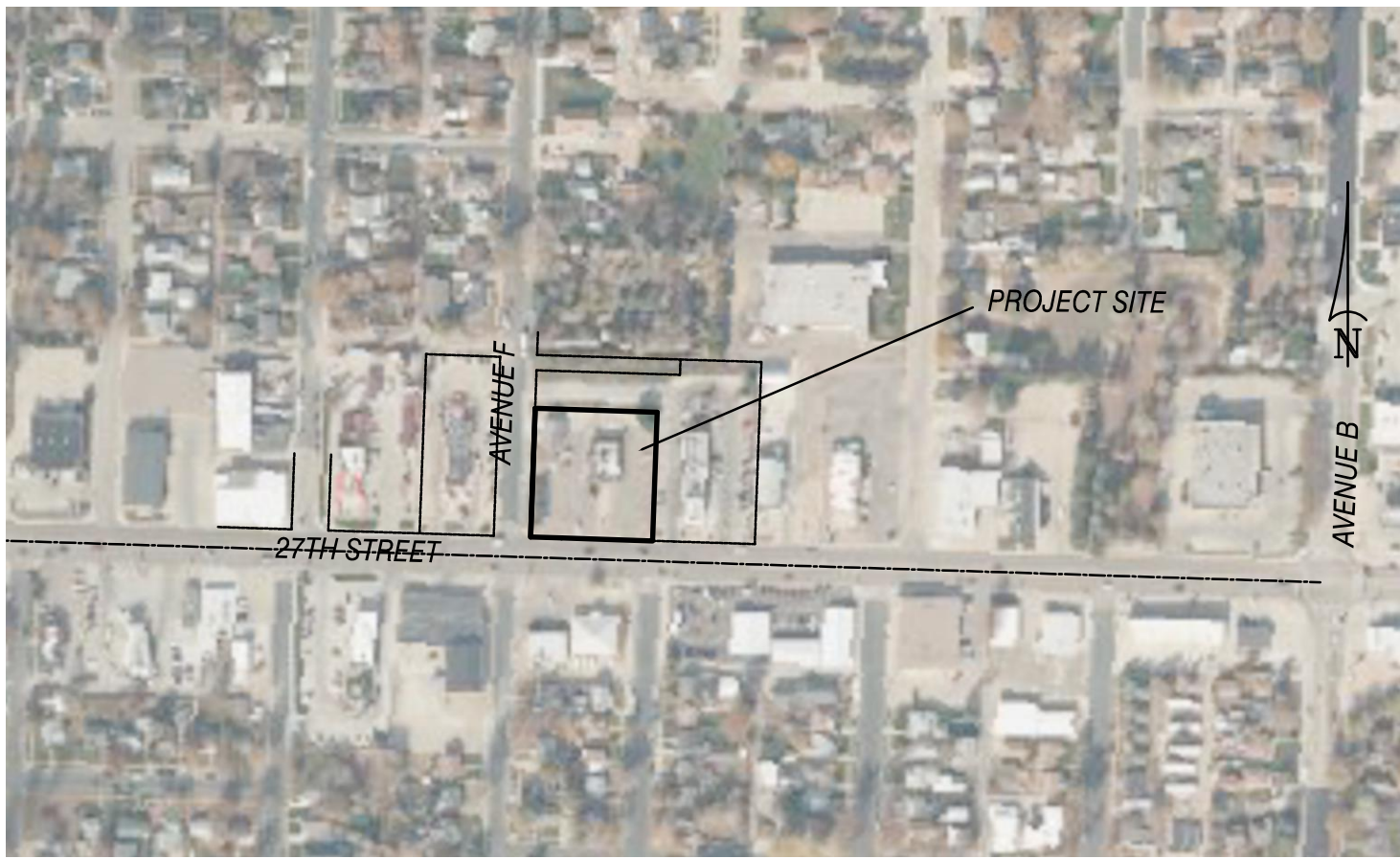
Describe the reason for the subdivision

New Arby's Restaurant building location

PRELIMINARY PLAT

BLOCK 1, QM BLUFFS SUBDIVISION
an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska

SITUATED IN THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 14,
TOWNSHIP 22 NORTH, RANGE 55 WEST
OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



VICINITY MAP

LEGAL DESCRIPTION

BLOCK 1, QM BLUFFS SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

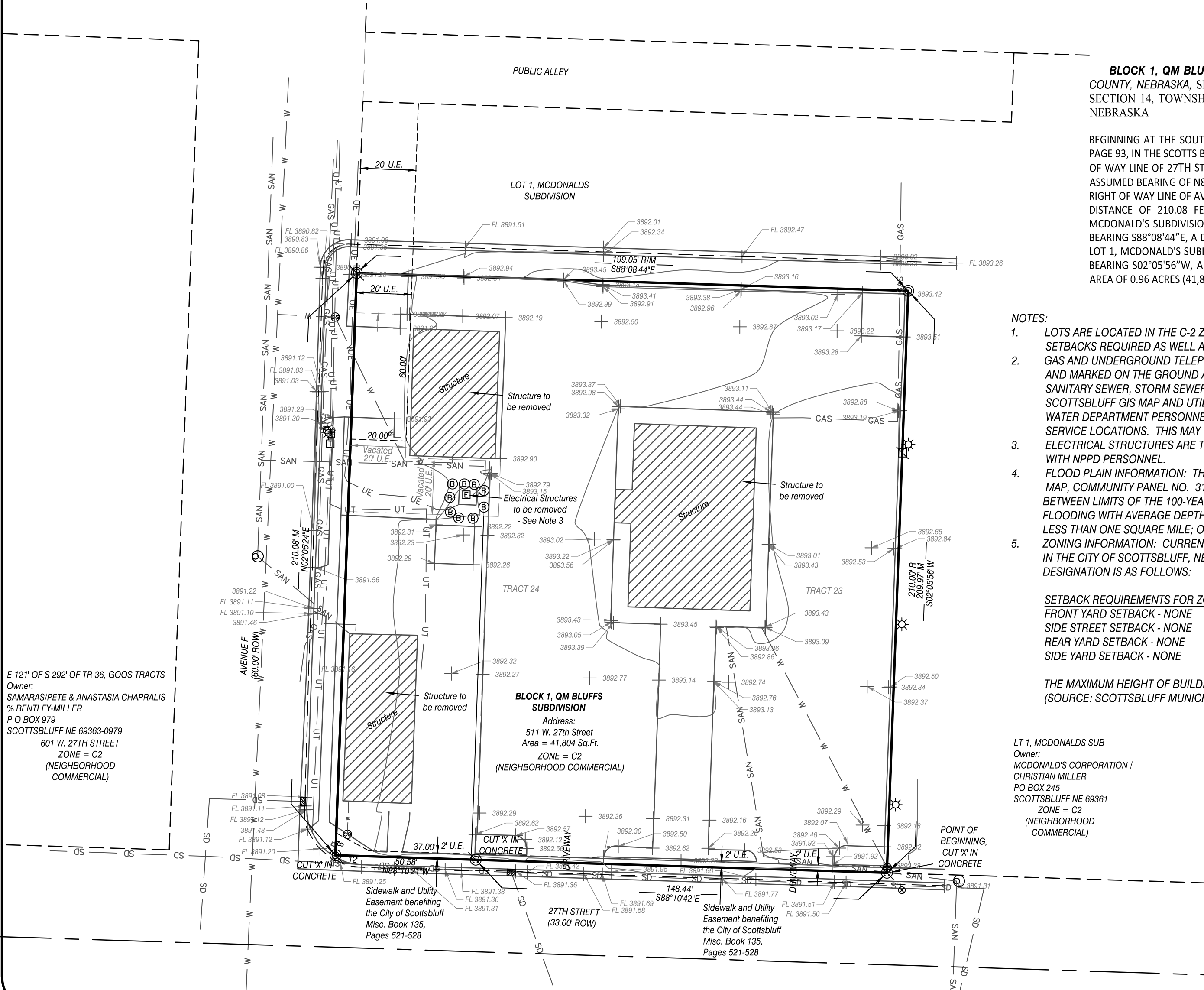
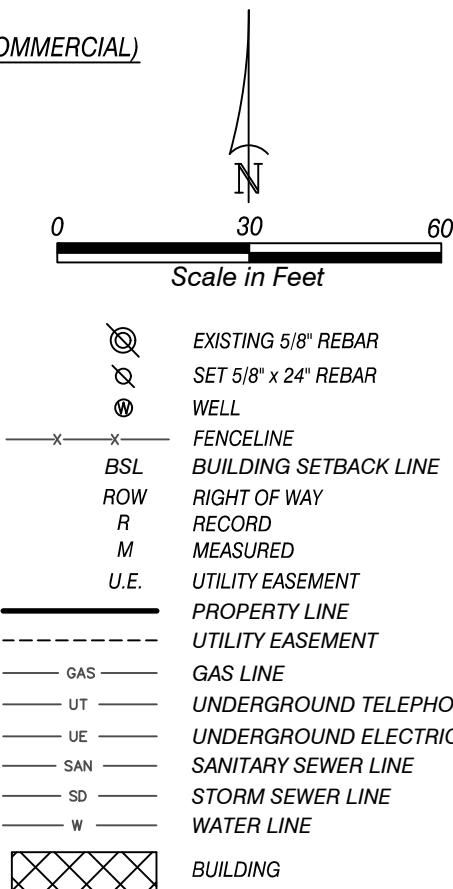
BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, MCDONALD'S SUBDIVISION, AS PLATTED IN DEED BOOK 219, PAGE 93, IN THE SCOTTS BLUFF COUNTY REGISTER OF DEEDS OFFICE, SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF 27TH STREET, THENCE WESTERLY, ON SAID NORTH RIGHT OF WAY LINE OF 27TH STREET, ON AN ASSUMED BEARING OF N88°10'37"W, A DISTANCE OF 199.03 FEET, TO THE POINT OF INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF AVENUE F, THENCE NORTHERLY ON SAID EAST RIGHT OF WAY LINE, BEARING N02°05'24"E, A DISTANCE OF 210.08 FEET, TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF SAID LOT 1, MCDONALD'S SUBDIVISION, THENCE EASTERLY ON SAID SOUTH LINE OF SAID LOT 1, MCDONALD'S SUBDIVISION, BEARING S88°08'44"E, A DISTANCE OF 199.05 FEET, TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 1, MCDONALD'S SUBDIVISION, THENCE SOUTHERLY ON SAID WEST LINE OF LOT 1, MCDONALD'S SUBDIVISION, BEARING S02°05'56"W, A DISTANCE OF 209.97 FEET, TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 0.96 ACRES (41,803.73 SQUARE FEET) MORE OR LESS

NOTES:

1. LOTS ARE LOCATED IN THE C-2 ZONE, NEIGHBORHOOD AND RETAIL COMMERCIAL. THERE ARE NO BUILDING SETBACKS REQUIRED AS WELL AS NO MINIMUM LOT SIZE.
2. GAS AND UNDERGROUND TELEPHONE UTILITIES WERE LOCATED BY CALLING NEBRASKA ONE CALL SYSTEM AND MARKED ON THE GROUND AS SHOWN ON SURVEY. SANITARY SEWER, STORM SEWER AND WATER LINE LOCATIONS WERE TAKEN FROM THE SCOTTSBLUFF GIS MAP AND UTILITY MAPS PROVIDED BY THE CITY OF SCOTTSBLUFF WATER DEPARTMENT PERSONNEL AND OWNERS KNOWLEDGE OF WATER AND SEWER SERVICE LOCATIONS. THIS MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF EXISTING UTILITIES. ELECTRICAL STRUCTURES ARE TO BE REMOVED AND UTILITY EASEMENT TO BE VACATED AS PER CONVERSATION WITH NPPD PERSONNEL.
3. FLOOD PLAIN INFORMATION: THIS PROPERTY IS LOCATED IN THE FLOOD PLAIN ZONE B, AS SHOWN ON FIRM MAP, COMMUNITY PANEL NO. 310206-0005-C, EFFECTIVE DATE JUNE 15, 1979, ZONE B REFERS TO AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
4. ZONING INFORMATION: CURRENT ZONING FOR C-2 (NEIGHBORHOOD AND RETAIL COMMERCIAL) IN THE CITY OF SCOTTSBLUFF, NEBRASKA. THE BUILDING SETBACK REQUIREMENTS AS PER ZONING DESIGNATION IS AS FOLLOWS:

SETBACK REQUIREMENTS FOR ZONE C-2 (NEIGHBORHOOD AND RETAIL COMMERCIAL)
FRONT YARD SETBACK - NONE
SIDE STREET SETBACK - NONE
REAR YARD SETBACK - NONE
SIDE YARD SETBACK - NONE
5. THE MAXIMUM HEIGHT OF BUILDING ALLOWED - 35 FEET
(SOURCE: SCOTTSBLUFF MUNICIPAL CODE SECTION 25-3-14)

LT 1, MCDONALDS SUB
Owner:
MCDONALD'S CORPORATION /
CHRISTIAN MILLER
PO BOX 245
SCOTTSBLUFF NE 69361
ZONE = C2
(NEIGHBORHOOD COMMERCIAL)



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



ENGINEERS ♦ PLANNERS ♦ DESIGNERS ♦ LAND SURVEYORS
PH: 308-635-1926 FAX: 308-635-7807 INTERNET: WWW.MCSCHAFF.COM

PROJECT: PRELIMINARY BLOCK 1,
QM BLUFFS SUBDIVISION
SCOTTSBLUFF, NEBRASKA

CLIENT: JON BENTLEY,
QM SCOTTSBLUFF LLC.

PROJECT NUMBER:
RM240087-00
PROJECT DATE:
03-29-2024
PROJECT MGR:
DPS
PROJECT TEAM:
GS-TD

SEAL

DATE REVISION

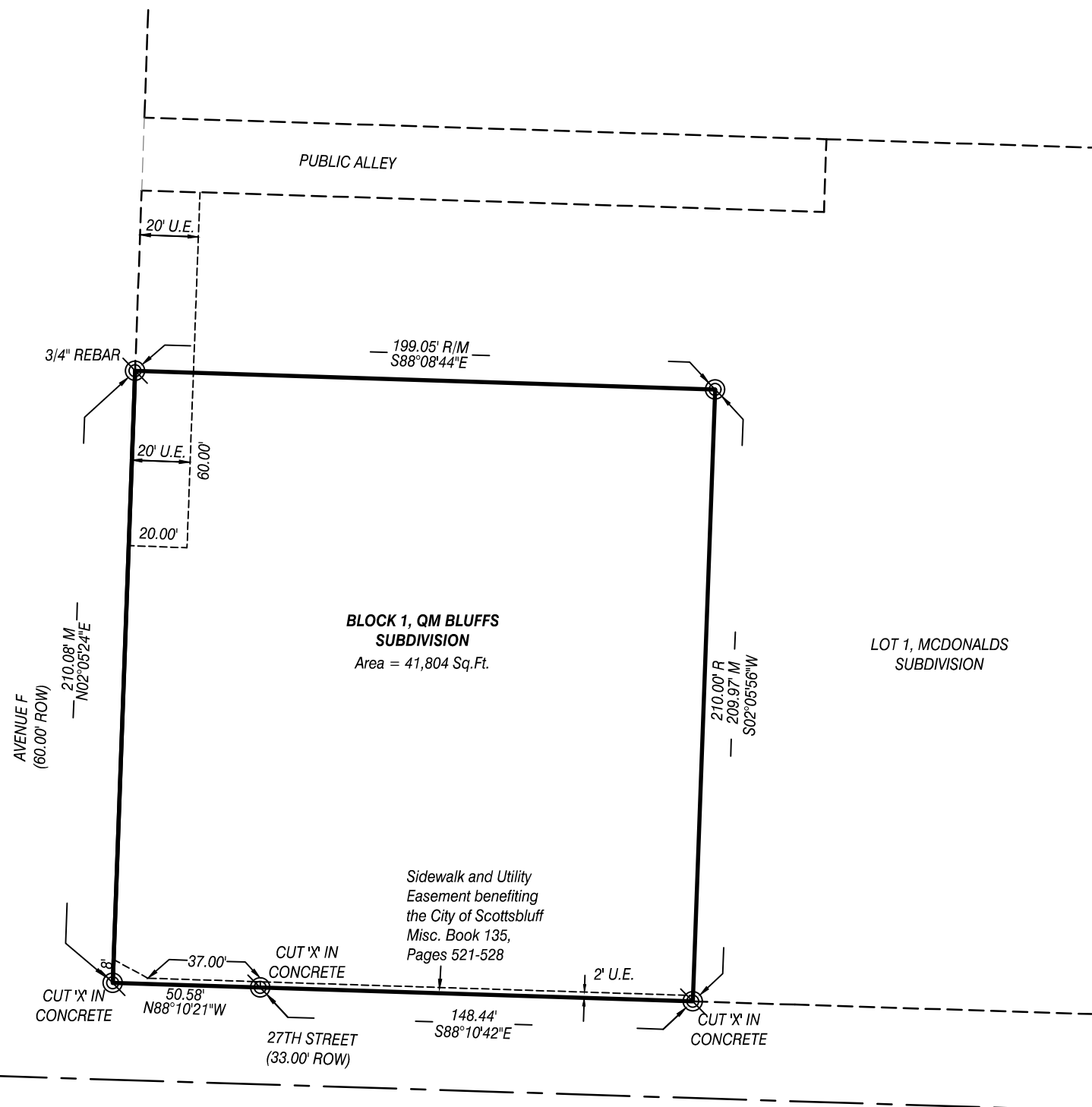
SHEET 1 OF 1

P.1

FINAL PLAT

BLOCK 1, QM BLUFFS SUBDIVISION

an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska
SITUATED IN THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 14,
TOWNSHIP 22 NORTH, RANGE 55 WEST
OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



LEGEND

⊗ EXISTING 5/8" REBAR, OR AS NOTED

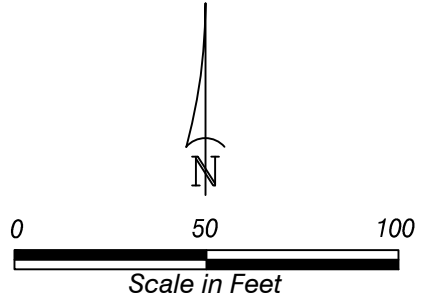
M MEASURED

R RECORD

ROW RIGHT OF WAY

① BLOCK NUMBER

JOB# RM240087-00



NOTE: 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 Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: June 3, 2024 For Hearing of: June 10, 2024



I. GENERAL INFORMATION

- A. Applicant:** QM Scottsbluff, LLC
214 Brazilian Avenue Suite 212
Palm Beach, FL 33480
- B. Property**
Owner: Same as applicant
- C. Proposal:** Preliminary Plat and Final Plat, Block 1, QM Bluffs Subdivision
- D. Legal Description:** Block 1, QM Bluff Subdivision
- E. Location:** 511 W. 27th Street
- F. Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial - Vacant
- G. Size of Site:** Approximately 41,804 square feet

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Driveway to McDonalds
East	Northwest Commercial	C-2 Neighborhood and Retail Commercial	McDonalds
South	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Gas Station and Medical Equipment Store
West	Northwest Commercial	C-2 Neighborhood and Retail Commercial	Arbys

B. Relevant Case History

1. Land will be vacated prior to new platting.

III. ANALYSIS

A. Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan currently shows the site as Northwest Commercial and according to Comprehensive Plan this area suggests the appropriate zones C-2. This property will remain commercial.

B. Traffic & Access:

1. Access is via W 27th Street and Avenue F

C. Utilities:

1. Block 1 has access to water, sewer, and stormwater.
2. Part of the NPPD utility easement will remain.
 - i. The City has received written confirmation from NPPD approving the partial utility easement vacation.

IV. STAFF COMMENTS

A. As the previous plats are being vacated to unplatted land, a new preliminary plat and final plat are needed.

V. FINDINGS OF FACT

A. Findings of Fact to Recommend Its Approval May Include:

1. The Comprehensive Plan identifies the area as Northwest Commercial, and the subdivision continue to comply with the plan.
2. There is no minimum lot size.
3. The block has the minimum 20' of public road frontage.

B. Findings of Fact to Not Recommend Approval May Include:

1. None

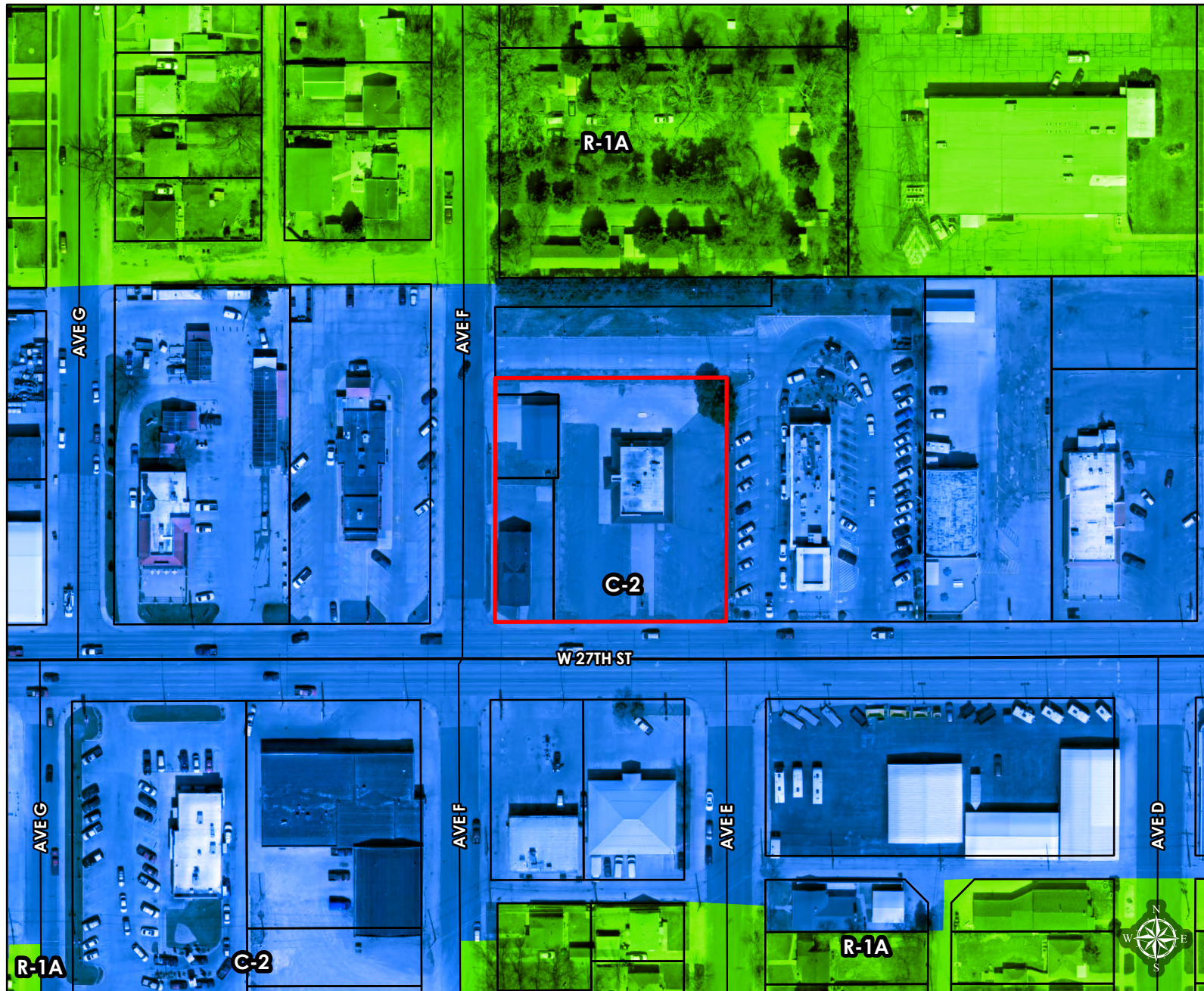
VI. STAFF RECCOMENDATION

A. Staff recommends Planning Commission make a positive recommendation to City Council to approve of the preliminary plat and final plat for Block 1, QM Bluffs Subdivision.

QM BLUFFS ADDITION PLAT

511 W 27TH ST

Zoning Overview



- Property Location(s)
- Street Centerlines
 - Highway
 - Main Road
 - Residential/Rural
- Official City Zoning
 - (A) Agriculture
 - (AR) Agriculture Residential
 - (C-1) Central Business District
 - (C-2) Neighborhood Commercial
 - (C-3) Heavy Commercial
 - (M-1) Light Manufacturing & Industrial
 - (M-2) Heavy Manufacturing and Industrial
 - (O-P) Office and Professional
 - (PBC) Planned Business Center
 - (R-1) Single Family
 - (R-1A) Single Family Medium Density
 - (R-1B) Rural Residential Estate
 - (R-4) Heavy Density Multiple Family
 - (R-6) Mobile Home
- Parcels
- Corporate and ETJ Boundaries
 - Scottsbluff Corporate Limits
 - Scottsbluff ETJ
 - Terrytown Corporate Limits
 - Terrytown ETJ

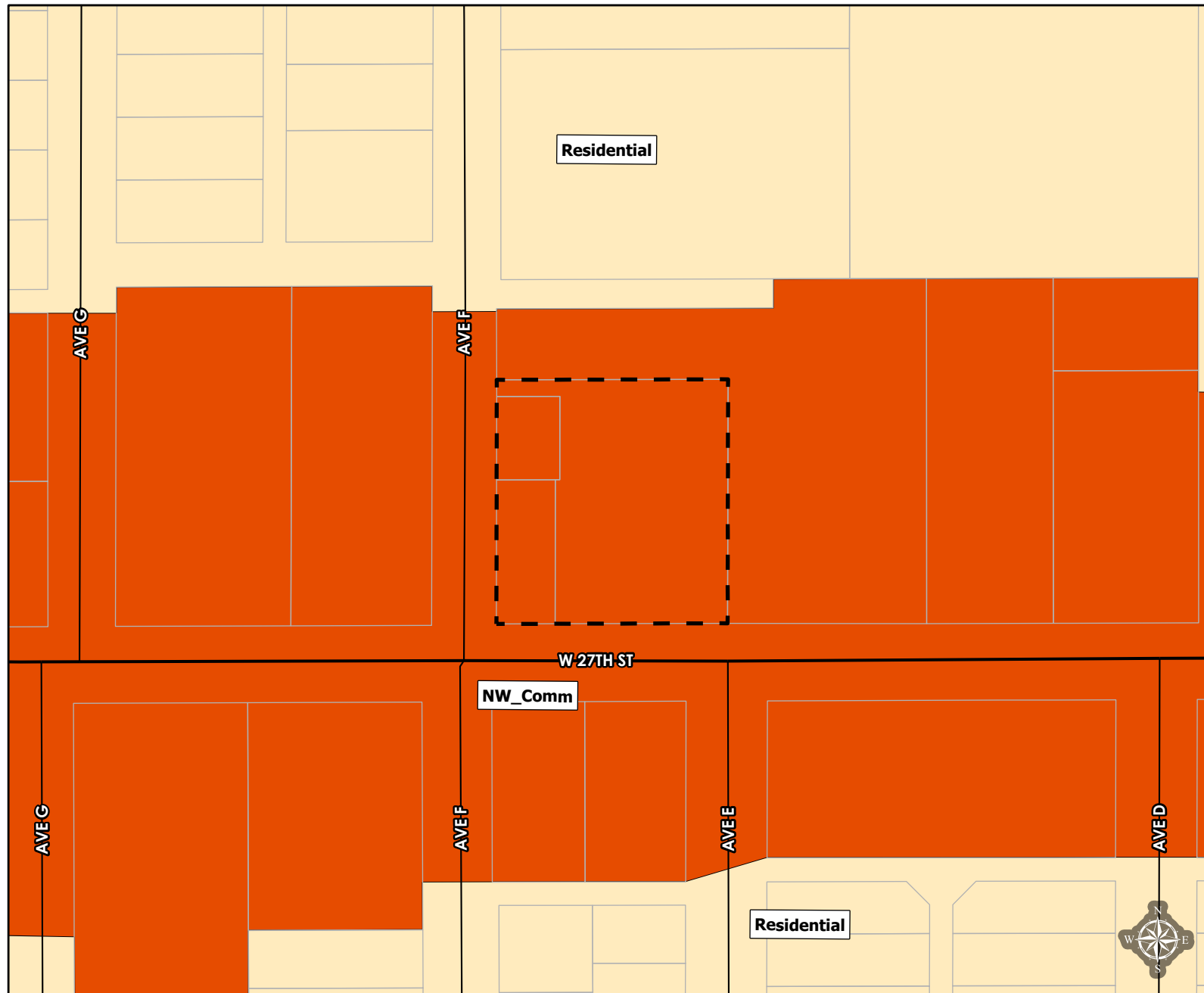
Taylor Stephens
City of Scottsbluff GIS
Created on 5/23/2024
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

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.

QM BLUFFS ADDITION PLAT

511 W 27TH ST

2016 Comp. Plan Future Land Use Overview



Proposed Changes

Parcel Boundaries

2016 Comp. Plan Land Use

Automobile Commercial

Avenue B and Hospital Campus

Central Business District

East Overland

Highway 26 Commercial

Northwest Commercial

Residential

Rural

Rural Residential

SE Industrial and Commercial

South Broadway

WNCC and Surrounding Area

Street Centerlines

Highway

Main Road

Residential/Rural

2016 Comp. Plan Development

LTD (10 - 20 yrs)

NTD (Less than 5 yrs)

STD (5 - 10 yrs)

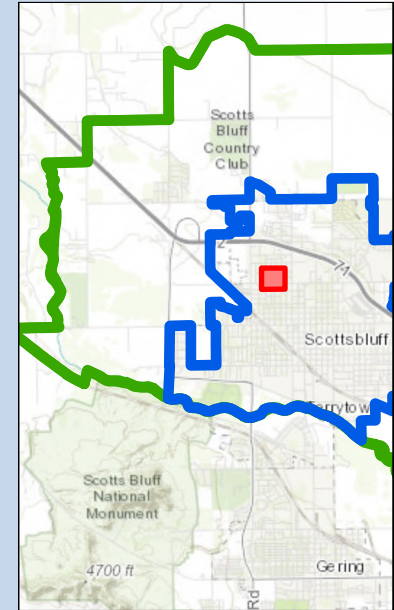
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QM BLUFFS ADDITION PLAT

511 W 27TH ST

Aerial Overview



Proposed Changes

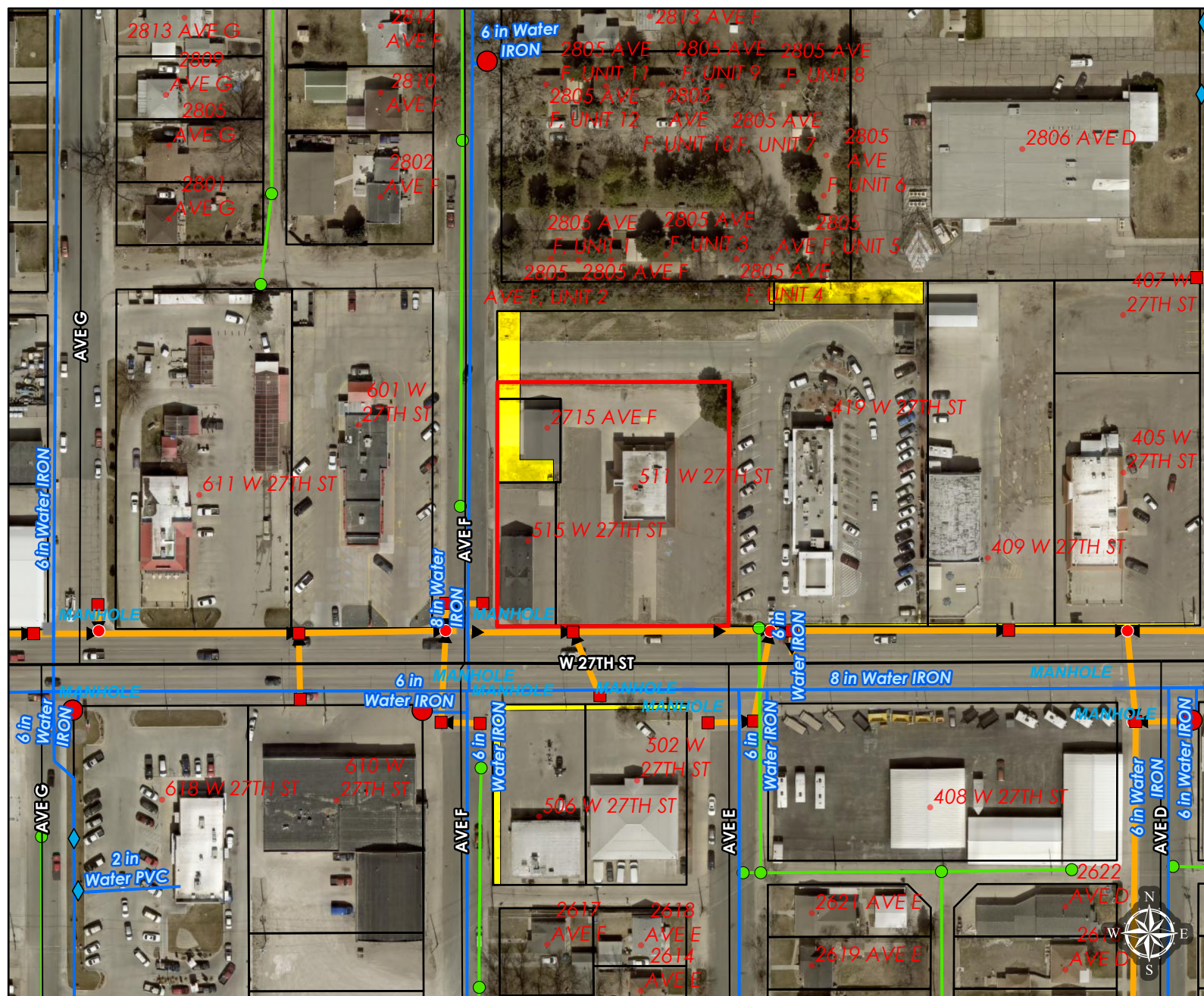
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Parcels

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-  Highway
-  Main Road
-  Residential/Rural
-  Water Curbstop
-  Wastewater MH
-  Wastewater Lines
-  Outfall
-  Stormwater Inlet
-  Stormwater Manhole
-  Stormwater Arc
-  Concerning Parcel(s)
-  Assumed SID Boundaries
-  Parcels
-  Water_Lines
-  Easements
-  Address

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