



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

Regular Meeting
November 12, 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. August 12, 2024
6. **Public Hearing**
 - A. Planning Commission To Conduct A Public Hearing To Consider A Special Use Permit For Residential Use In A Commercial Building At Lot 16A, Munoz Replat, Commonly Identified As 202 E. Overland Drive.
 - B. Planning Commission To Conduct A Public Hearing To Consider A Final Plat Of Lots 3R & 4R, Block 11, Fairway Estates, Commonly Identified As 905 and 917 Flamingo Court.
 - C. Planning Commission To Conduct A Public Hearing To Consider A Rezone of Tax Lot 4B, Section 27, Township 22 North, Range 55 West of the 6th PM, Commonly Identified as the northeast corner of Avenue K and South Beltline Highway West.
7. **New Business**
 - A. Commissioner Jerry Stricker to announce his resignation from the Planning

Commission.

8. Staff Reports

- A. Staff to update Planning Commission on Comprehensive Plan
- B. Staff to update Planning Commission on Zoning Code Updates

9. Schedule a Meeting

- A. December 9, 2024

10. Adjournment

City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 5.A

August 12, 2024

Staff Contact: Zachary Glaubius

PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
August 12, 2024
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, August 12, 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 August 1, 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, Dave Gompert, Kendall Palu, Linda Redfern (alternate) "Absent" Callan Wayman, Angie Aguallo, Jim Zitterkopf, Henry Huber, Dana Weber. City Officials present were Zachary Glaubius, Development Services Director, Gary Batt, Code Administrator II, and, Chris Perales, Fire Marshal.
- 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 June 10, 2024 meeting were reviewed. **Conclusion:** a motion was made by Stricker and seconded by Redfern to approve the minutes from June 10, 2024 meeting. "Yeas:" Becky Estrada, Jerry Stricker, Dave Gompert, Kendall Palu, Linda Redfern (alternate) "Nays:" None "Absent:" Callan Wayman, Angie Aguallo, Jim Zitterkopf, Henry Huber, Dana Weber. The motion carried.
- 6 Estrada introduced Item 6A, Planning Commission to review and discuss Study Area #20, Blight & Substandard Determination Study, dated June 2024 by MC Schaff & Associates. Area #20 is generally described as properties and tracts of land within the general vicinity north of US Highway 26 and south of East 20th Street, along Delta Drive and 25th Avenue, on the east edge of Scottsbluff. The area contains approximately 43.22 acres. Glaubius stated this blight study includes the vacant Scottsbluff Inn, EconoLodge, and undeveloped land around Menards. Glaubius stated this blight study was requested by City Manager as a way to spur developed in the area. Glaubius stated due to the calculation differences the blight study will increase the total blighted and substandard area to 31.5% per MC Schaff and 32.9 MC Schaff 30.5% and 32.29% per the City of Scottsbluff GIS Department. Glaubius stated that state statutes limit the City to designating a maximum of 35% of the City as blighted and substandard. Glaubius stated the City will either need to remove some areas from the blight and substandard districts or annex addition land to lower the percentage. Glaubius stated the study found the area eligible to be considered blighted and substandard. Stricker asked how many owners are in the study area. Glaubius stated there were three different property owners. Stricker stated he would like the traffic circulation be redesigned when the area is redeveloped, specifically the intersection of 21st Avenue and Delta Drive.

- 7 Estrada introduced Item 7A, 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 #20 should be declared as substandard and blighted according to the Nebraska Community Development Law. Planning Commission to Consider and act on Resolution No. 24-04 to recommend that the City Council declare Study Area #20 as substandard and blighted. Estrada opened the public hearing at 6:06 PM. Glaubius stated staff recommends a positive recommendation to City Council on the approval of the Blight Study 20. Estrada closed the public hearing at 6:07 PM.
- 8 **Conclusion:** a motion was made by Stricker and seconded by Redfern to make a positive recommendation on the approval Blight Study #20. "Yeas:" Becky Estrada, Jerry Stricker, Dave Gompert, Kendall Palu, Linda Redfern (alternate) "Nays:" None "Absent:" Callan Wayman, Angie Aguillo, Jim Zitterkopf, Henry Huber, Dana Weber. The motion carried.
- 9 Estrada introduced Item 7B, Planning Commission to conduct a Public Hearing to consider a special use permit for auto sales and services at Lot 8, Block 1, Quindt Commercial Tracts, commonly identified as 1907 E. 20th Street. Estrada opened the public hearing at 6:07 PM. Glaubius stated the special use permit is for part of the former Pioneer Animal Clinic Building. Glaubius stated the applicant, Owen Parra, is wanting to operate a car detailing business at the location. Glaubius stated per zoning code, this use would fall under auto sales and services, which is a special permit use in the C-2 Neighborhood and Retail Commercial District. Glaubius stated Parra is only looking to do auto services. Glaubius stated the proposed use is consistent with the Comprehensive Plan. Stricker asked Owen Parra if car painting would occur at the facility. Parra stated it would only be polishing spots of a vehicle and not painting vehicles like a body shop. Parra stated he was not a mechanic and the business is only to make vehicles look better. Stricker asked if spray finishing would occur. Parra stated there would be no spraying. Stricker as if there was sufficient parking. Parra stated there is sufficient parking and there was also covered parking. Estrada closed the public hearing at 6:11 PM.
- 10 **Conclusion:** a motion was made by Gompert and seconded by Stricker to approve the special use permit to Owen Parra for auto sales and services at 1907 E. 20th Street. "Yeas:" Becky Estrada, Jerry Stricker, Dave Gompert, Kendall Palu, Linda Redfern (alternate) "Nays:" None "Absent:" Callan Wayman, Angie Aguillo, Jim Zitterkopf, Henry Huber, Dana Weber. The motion carried.
- 11 Estrada introduced Item 8 Staff Reports, Staff to update Planning Commission on Comprehensive Plan. Glaubius stated a kickoff meeting was held in July, and staff is meeting with the consultant biweekly. Glaubius stated the Comprehensive Plan website is nearing completion and the planning process will last 12-18 months. Glaubius stated there would be postcards and posters to encourage participation.
- 12 Planning Commission confirmed the next meeting date of September 9, 2024.
- 13 Item 9: Adjournment
- 14 Adjournment: Motion was made by Palu and seconded by Stricker to make a positive recommendation on the approval Blight Study #20. "Yeas:" Becky Estrada, Jerry Stricker, Dave Gompert, Kendall Palu, Linda Redfern (alternate) "Nays:" None "Absent:" Callan Wayman, Angie Aguillo, Jim Zitterkopf, Henry Huber, Dana Weber. The motion carried.

Becky Estrada, Chairperson

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 6.A

Planning Commission To Conduct A Public Hearing To Consider A Special Use Permit For Residential Use In A Commercial Building At Lot 16A, Munoz Replat, Commonly Identified As 202 E. Overland Drive.

Staff Contact: Zachary Glaubius



City of Scottsbluff
Special Use Application
Permit Identifier 2024-12CUP

Type:

Applicant Name	ADELA CASILLAS	Applicant Address	912 E 10TH STREET Scottsbluff, Nebraska
Applicant Email	chavira_adela@yahoo.com	Applicant Phone	3086725328

Contact Name	Contact Address
Contact Email	Contact Phone

Property Information

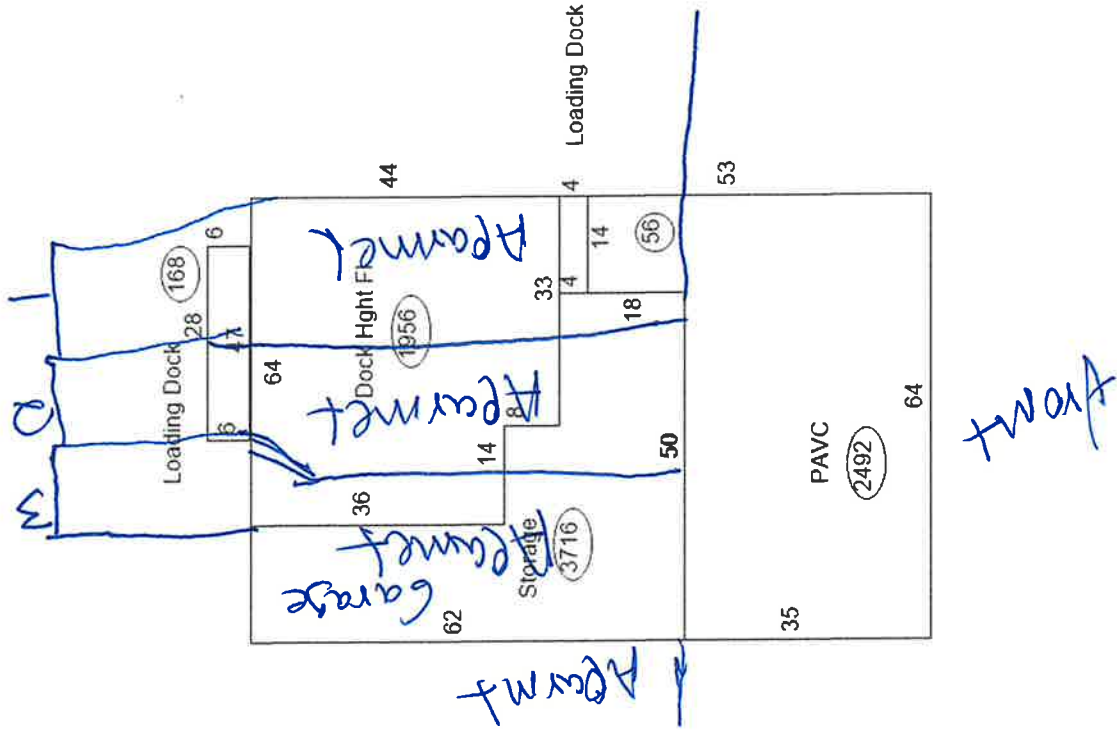
General Location/Address	202 E OVERLAND DR
Legal Description	LT 1, CONTINENTAL REPLAT
Present Use of Property:	Storage
Desired Use of Property:	Storage and Apartment

Required Information

Which section of the Municipal Code authorizes the proposed use?
25-3-15

Why should the special use permit be granted?
Utilize building for both commercial and residential use

Issued By *Taylor
Stephens*





City of Scottsbluff, Nebraska
Special Use Permit Application

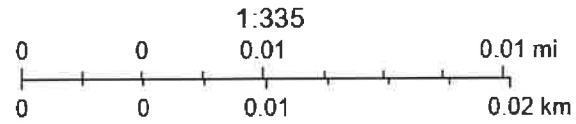
Date: 9-25-24		DO NOT WRITE IN THIS BLOCK		
Address (location) of requested Special Use: 202 E Overland		Permit Number:		
Applicant's Name Adela Cassillas		Special Use Permit Approved ☐ Denied ☐		
Applicant's Address: 412 E 10th St		Date Issued:		
City: Scottsbluff	State: NE	Zip: 69361	Comp. Plan Land Use: Zone:	
Telephone: 308-672-5328	Mobile:	Email: Orinradela@gmail.com	Attached: Plot Plan ☐ Legal Description (in word) ☐ \$100.00 filing fee ☐ \$250.00 for PUD (planned unit dev) ☐ \$3.00 per property owner within 300-feet ☐ Receipt # _____	
Property Owner: Adela Cassillas		Email: Valnec.com		
Property Owner's Address: 412 E 10th St				
City: Scottsbluff	State: NE	Zip: 69361		
Telephone:	Mobile: 308-672-5328	Email: Orinradela@gmail.com		
Description of the nature of the use for which the Special Use Permit is requested (Why and What): Commercial to Residation				
Legal Description: Lot 14A, Muniz rep1cat				
Zoning Ordinance Section pertaining to Special Use Permit:				
Please attach the following: ☐ Copy of Plot Plan (showing property lines, dimensions, existing structures, proposed structures, easements, etc..) ☐ Legal Description on a CD/Disk (in Word) ☐ \$100.00 filing fee				
I, the undersigned, hereby certify that I agree to be bound by all requirements of the ordinances of the City of Scottsbluff and any other conditions that may be place concerning the use for which a Special Permit is requested. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.				
Property Owner(s) of Record: Adela Cassillas		Date: 9-25-24		
Applicant's Signature: Orinradela		Date: 9-25-24		
Remarks: (Insert here any information not covered above)				

City of Scottsbluff Webmap



11/1/2024, 3:21:03 PM

- | | | | |
|------------------------------|----------------|--------------------|--------------------|
| Address Novotx | Sewer Laterals | ALL OTHERS | Stormwater Line |
| Parcels | Sewer Lines | Water Lines | Street Centerlines |
| Corporate and ETJ Boundaries | Water Features | Stormwater Manhole | Main Road |
| Scottsbluff Corporate Limits | CURBBOX | Stormwater Inlet | Residential/Rural |
| Sewer Manhole | VALVE | | |



Maxar, Microsoft

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: 11/1/2024

For Hearing of: November 12, 2024



I. GENERAL INFORMATION

- A. Applicant:** Adela Casillas
912 E. 10th Street
Scottsbluff, Nebraska 69361
- B. Property**
Owner: Same as Applicant
- C. Proposal:** Special Use Permit for residential dwelling units in C-3 Heavy Commercial District
- D. Legal Description:** Lot 16A, Munoz Replat
- E. Location:** 202 E. Overland
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial
- G. Size of Site:** Approximately 8,400 sq ft

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	East Overland	C-3 Heavy Commercial	Commercial Buildings
East	East Overland	C-3 Heavy Commercial	Commercial Buildings
South	East Overland	C-3 Heavy Commercial	Truck Parking
West	East Overland	C-3 Heavy Commercial	Commercial Buildings

B. Relevant Case History

1. The property was replatted in August 2022.

III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as East Overland.

1. Appropriate zones for East Overland are C-1, C-2, and R-1a.

B. Traffic & Access:

1. Access to the property would be via the existing curbs on East Overland Drive and 2nd Avenue.
 - i. Primary access to the apartment will be via 2nd Avenue.

C. Utilities

1. Water, Sewer, and Stormwater are located in the E. Overland Drive
2. Water and Stormwater are also located in 2nd Avenue

D. Zoning

1. Per 25-3-14 C, residential use is a special permit use in the C-3 Heavy Commercial District.
 - i. Residential use is only permitted within the confines of a building in which a permitted use is conducted.

IV. STAFF COMMENTS

- A. A special permit is assigned to the business owner and not the land itself.
- B. Per 25-13-3, the Planning Commission may issue a special permit for the use of a lot, tract of land, building, or structure in circumstances and a manner authorized by other articles of this chapter if the Commission finds the proposed use:
 - a. Provides a service required by the neighborhood or community and is consistent with sound principles of land use;
 - b. Will not be injurious to the use of neighboring lots, tracts of land, buildings, or structures;
 - c. Will not create special hazards or problems for the area in which it is located;
 - d. Is related to and harmonious with the general plan for the area in which it is located, as indicated by this chapter
 - e. Otherwise, is in accordance with the intents and purposes of this chapter. The Commission may make the use which is authorized in the special permit subject to reasonable conditions which in the discretion of the Planning Commission are necessary to carry out the intents and purposes of this chapter.
- C. The applicant will use the northern part of the building for business uses and the southern part for three (3) apartments.
- D. Off-Street Parking Requirements for Multi-Family Dwellings is 1.5 spaces per dwelling unit.
 - a. 4.5 spaces are required for the 3 apartments, which is rounded up to 5 as fractions of one-half or more require an additional space.
 - b. There is not enough space for the 26' required maneuvering width on the property.
 - c. There is space for six 90° parking stalls south of the building. There should be sufficient parking to the north of the building for the business use.
- E. Regarding the lack of maneuvering width, staff contacted Sal Munoz, owner of Lot 15A, where the de facto maneuvering width currently is. While there is not a formal access easement, the maneuvering width serves as a driveway to his fenced construction yard.
 - a. Mr. Munoz stated the 2022 replat moved the parking area to Lot 16A, but not the maneuvering width as it lines up with the gate of the fenced construction yard.
 - b. Mr. Munoz did not have an issue with Ms. Casillas using that part of his property to access the off-street parking, so long as his gate is not blocked.

- c. Staff recommended Ms. Casillas work with Mr. Munoz to dedicate a formal access easement.

F. Staff recommends the following conditions be assigned to this special use permit.

V. FINDINGS OF FACT

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

- 1. The Comprehensive Plan identifies the area as East Overland which includes a mix of commercial and residential uses.
- 2. Apartments represent services that are required by the community and the use is consistent with the surrounding zonings and uses.
- 3. The use will not be injurious to neighboring uses.
- 4. The use will not create special hazards or problems.
 - i. If the verbal agreement for crossing Munoz's property to access the off-street parking is honored or an access easement is dedicated in the future.
- 5. The Comprehensive Plan Future Land Use Map supports the use.
- 6. The use is in accordance with the intents and purposes of the Code.

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

- 1. There is not sufficient maneuvering width for the required off-street parking to the south of the building on the applicant's property.

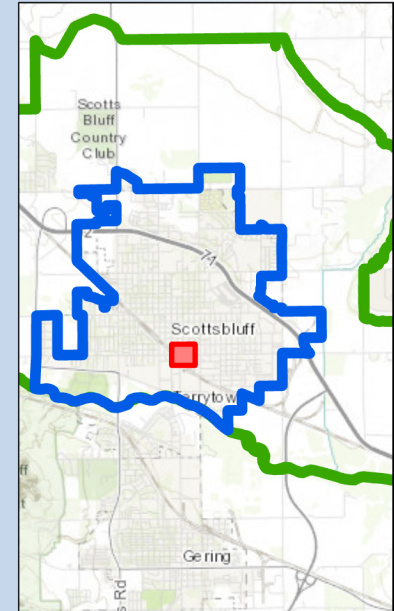
VI. STAFF RECCOMENDATION

- A.** Staff recommends Planning Commission issue the special use permit to Adela Casillas for residential uses at Lot 16A, Munoz Replat, commonly identified as 202 E. Overland Dr, on the following conditions:
- i. Occupants and users of Lot 16A, Munoz Replat, shall not park vehicles and cause materials and personal property to remain on Lot 15A, Munoz Replat.
 - ii. Occupants and users of Lot 16A shall not block access to the Lot 15A, Munoz Replat, especially the gate to the fenced construction yard.

Special Use Permit

Apartments in C-3

Aerial Overview



Proposed Changes

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Parcels

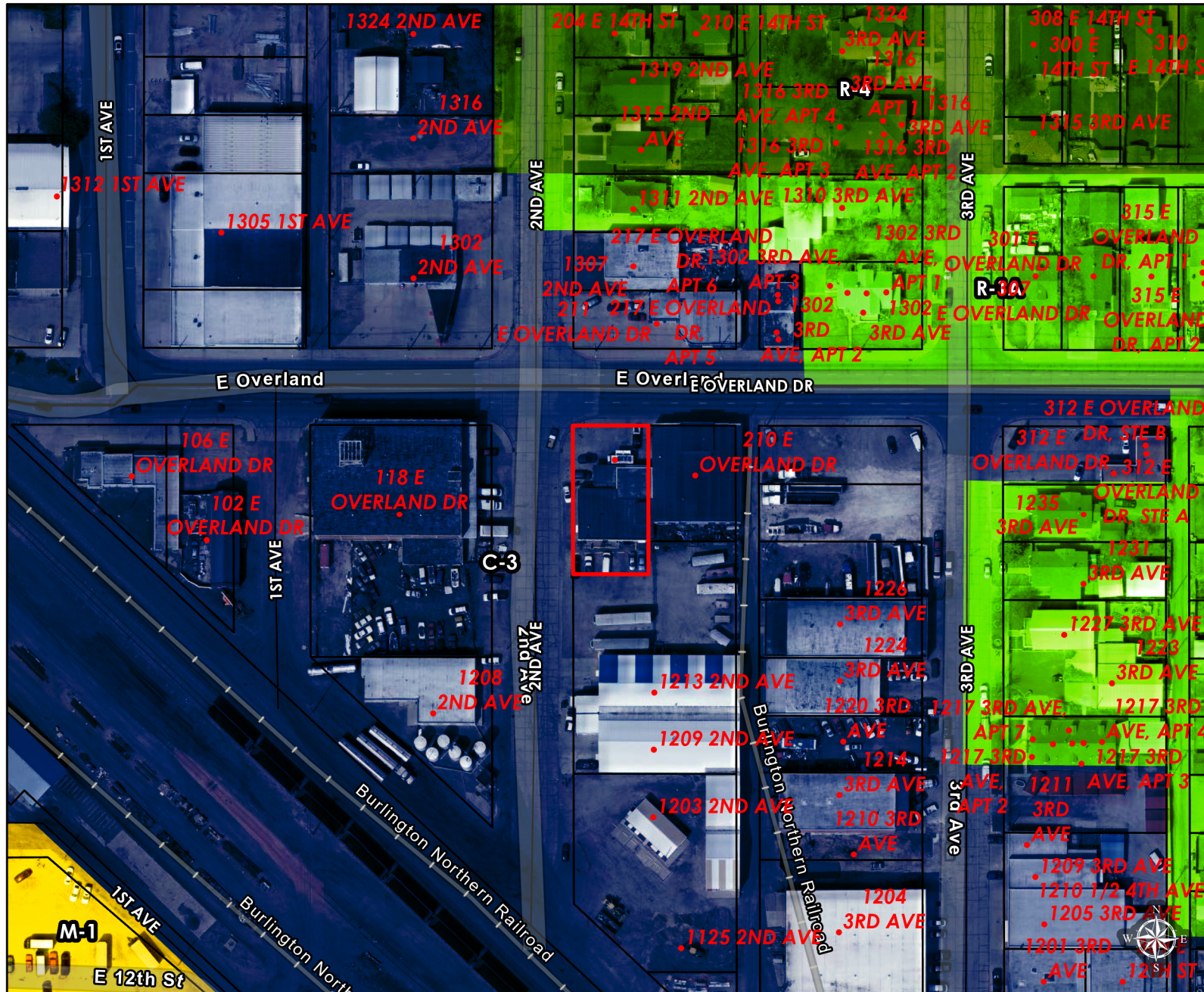
Taylor Stephens
City of Scottsbluff GIS
Created on 10/24/2024
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

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.

Special Use Permit

Apartments in C-3

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
 - Address

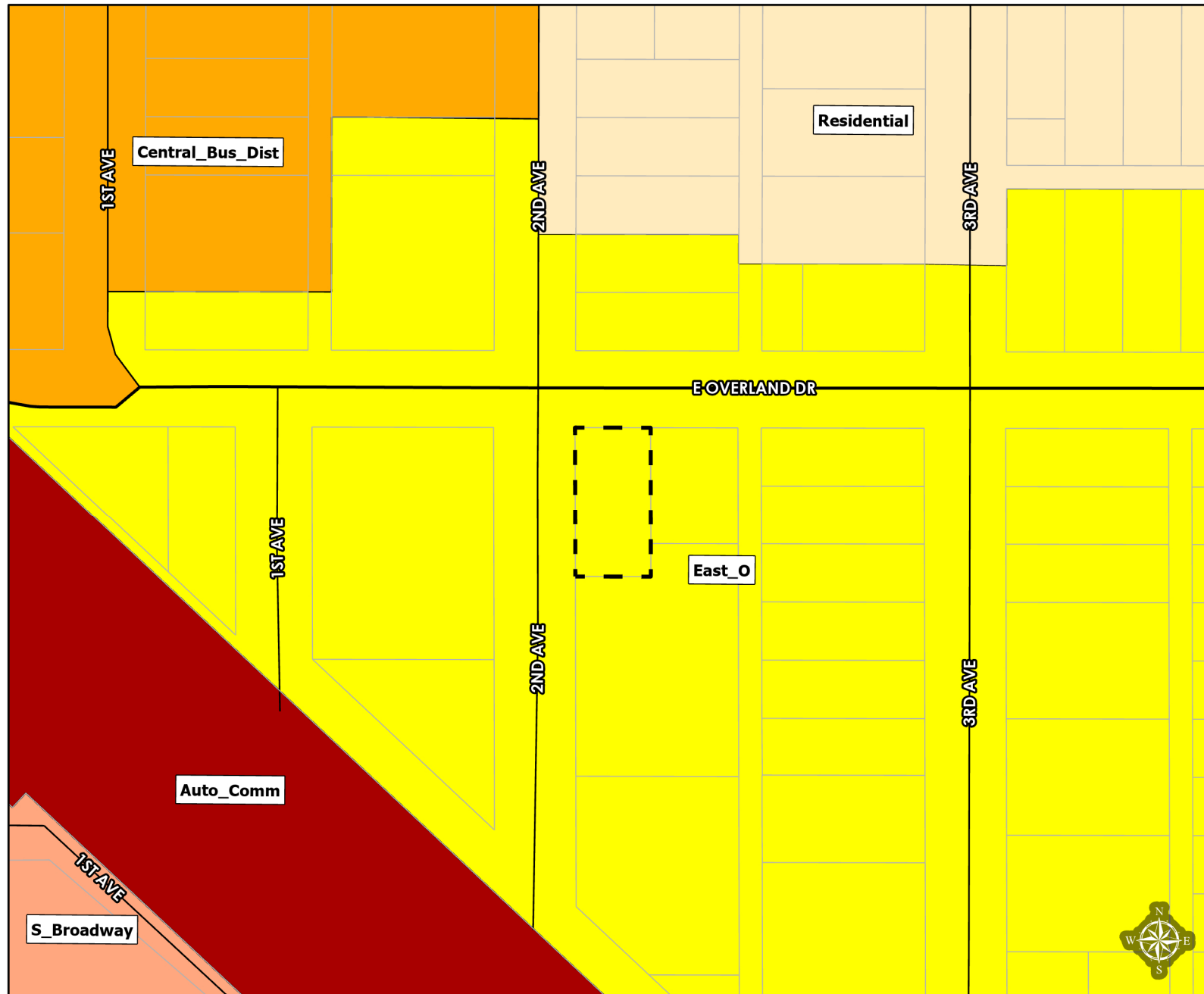
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Special Use Permit

Apartments in C-3

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)

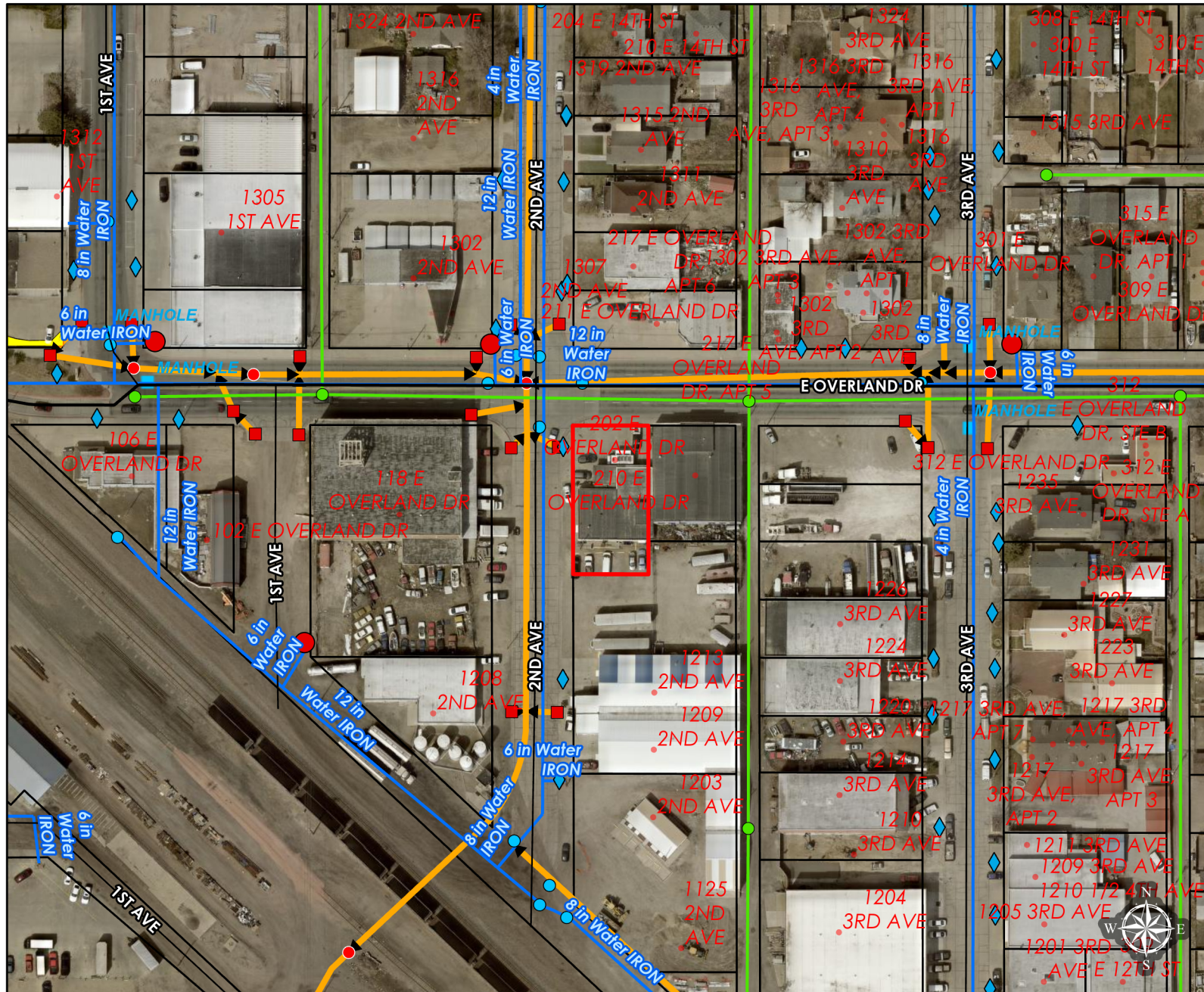
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Special Use Permit

Apartments in C-3

Utilities Overview



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

Taylor Stephens
City of Scottsbluff GIS
Created on 10/24/2024
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

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City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 6.B

**Planning Commission To Conduct A Public Hearing To Consider A Final Plat
Of Lots 3R & 4R, Block 11, Fairway Estates, Commonly Identified As 905
and 917 Flamingo Court.**

Staff Contact:



City of Scottsbluff
Subdivision Application
Permit Identifier 2024-34SD

Type: Amended Plat (Standard Process)

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

Contact Name Paul Adams Contact Address 917 Flamingo Court
Conact Email Contact Phone 3086315687

Subdivision Information

Proposed Name of Subdivision Lots 3R and 4R, Block 11, Fairway Estates

General Location/Address 917 FLAMINGO CT

Legal Description See Plat

Current Zoning District(s) R-1A

Total Area (square feet or acre) 31211 sq ft

Number of Past Replat/Plat Amendments 1

Describe the reason for the subdivision

Expand Lot 4R



City of Scottsbluff, Nebraska Application for an Amended Plat

Date:			DO NOT WRITE IN THIS BLOCK	
Address (Location): 905 & 917 Flamingo Court			Permit Number:	
Applicant's Name: Paul Adams			Plat Approved _____ Denied _____	
Applicant's Address: 917 Flamingo Court			Date Issued:	
City: Scottsbluff	State: NE	Zip: 69361	Comp. Plan Land Use:	Zone:
Telephone:	Mobile: 308-631-5687	Email:	Attached: Copy of Amended Plat Legal Description (in Word) \$ 50.00 filing fee Letter of transmittal Receipt # _____	
Property Owner: SEE ATTACHED				
Property Owner's Address:				
City:	State:	Zip:		
Telephone:	Mobile:	Email:		
Engineer or Surveyor: Donald A. Brush			Total Acreage: 0.716	
Engineer or Surveyor Address: 870 SB Road			Proposed number of lots: 2	
City: Morrill	State: NE	Zip: 69358	Present Use of Property: Residential	
Telephone: 308-247-2602	Mobile: 308-631-9177	Email: pls@wyobraskasurveyor.com	Proposed Use of Property: Residential	
Location of property: SEE ATTACHED			Present Zoning: R-1A	
Please provide the following: Copy of Amended Plat (3.5" diskette or CD-ROM in AutoCAD format) Copy of Preliminary Plat (showing future & current property lines, fence lines, irrigation canals, future street widths, dimensions, existing structures, proposed structures, easements, etc..) Legal Description on a CD/Disk (in Word) \$ 50.00 filing fee (if not submitted with approval of Preliminary Plat) Letter of transmittal				
The undersigned, hereby certify that he/she is familiar with all the requirements of Ordinance No. 3410 and amendments thereto, establishing minimum subdivision design standards to be installed by the subdivision and that he/she has caused said preliminary plat and plan to be prepared. He/she certifies that all requirements of Ordinance No. 3410 and amendments there to have been met and submits this application for approval subject to the requirements of said ordinance. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.				
Applicant's Signature: X Paul Adams			Date:	
Remarks: (Insert here any information not covered above)				

Property Owners:

Block 14, Fairway Estates, Scotts Bluff County, NE

Tax PID: 010243208

Scott's Bluff Country Club, a Corporation

Attn: Board of Directors

P.O. Box 2515

Scottsbluff, NE 69363-2515

Lots 3A & 4B, Block 11, Fairway Estates, Scotts Bluff County, NE

Tax PID: 010243186 & 010326855

Darrell P. Smith & Michelle E. Smith, husband and wife

905 Flamingo Court

Scottsbluff, NE 69361

Lot 4A, Block 11, Fairway Estates, Scotts Bluff County, NE

Tax PID: 010243194

Paul Adam & Pamela Adams, husband and wife

917 Flamingo court

Scottsbluff, NE 69361

308-631-5687

Location of Property:

Part of Block 14 AND Lots 3A, 4A, & 4B, Block 11, Fairway Estates, Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the intersection of the west line of Lot 3B in said Block 11 with the north Right-of-Way (ROW) line of Flamingo Court, said point being the POINT OF BEGINNING of this description; thence on said ROW line S87°17'29"W (basis of bearing) a distance of 80.71 feet; thence continuing on said ROW line on a tangent curve to the left, a distance of 134.01 feet, said curve having a radius of 52.433 feet, an included angle of 146°26'09", and a long chord bearing of S11°09'25"W for a distance of 100.40 feet; thence non-tangent to foresaid curve N77°26'00"W a distance of 156.46 feet; thence N13°57'50"E a distance 143.22 feet; thence N70°53'32"E a distance 86.91 feet; thence S8°38'49"E a distance 23.68 feet to a point on the north line of said Block 11; thence on said north line N72°41'39"E a distance of 59.99 feet; thence continuing on said north line N72°20'21"E a distance of 52.99 feet; thence continuing on said north line N85°55'37"E a distance of 19.53 feet to the intersection of said north line with said west line of said Lot 3B; thence on said west line S2°42'53"E a distance of 111.19 feet to the point of beginning, containing 0.716 acres, more or less.

Agreement

This Agreement is made as of October 8, 2024,, by and between Paul Adams and Pamela Adams, Husband and Wife ("Adamses"), Darrell P. Smith and Michelle E. Smith, Husband and Wife ("Smiths") and Scotts Bluff Country Club, a Nebraska Corporation ("SBCC").

RECITALS:

A. Adamses are the owners of the following described property:

Lot 4A, Block 11, Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska ("Adams Property").

B. Smiths are the owners of the following described property:

Lots 3A and 4B, Block 11, Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska ("Smith Property").

C. SBCC is the owner of the following described property:

Block 14, Fairway Estates, Scotts Bluff County, Nebraska ("SBCC Property").

For good and valuable consideration, the parties agree as follows.

1. **Replatting.** Upon execution of this Agreement, the parties shall proceed to have the Adams Property, the Smith Property and part of the SBCC Property replatted as shown on the attachment hereto as "*Lots 3R and 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.*" The parties agree to sign all documents necessary to have Properties replatted as herein provided. Adamses shall pay for the cost of replatting, including, without limitation, survey costs and the costs of obtaining governmental approval for the replat. If the Properties cannot be replatted as herein provided, this Agreement shall be null and void.

2. **Consideration to Smiths.** Upon the Closing, as hereinafter provided, Adamses will pay to Smiths the sum of \$10,000.00.

3. **Deeds.** The following deeds will be executed and delivered at Closing:

A. SBCC will convey to Adamses by quitclaim deed "*that part of Block 14, Fairway Estates, Scotts Bluff County, Nebraska now platted as part of Lot 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.*" There is no monetary consideration for this deed and the value of the property for purposes of the calculation of the documentary stamp tax will be shown as \$1,000.00.

B. Smiths will convey to Adamses by quitclaim deed “ *that part of Lot 4B, Block 11, Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska now platted as part of Lot 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.* The monetary consideration for this deed and the value of the property for purposes of the calculation of the documentary stamp tax will be shown as \$10,000.00.

C. Adamses, Smiths and SBBC will execute a quitclaim deed quitclaiming to Adamses the property described as “*Lot 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.*” There is no additional consideration for this deed and it is intended to be exempt from the documentary stamp tax as a deed which confirms and supplements deeds previously recorded but does not extend or limit existing title or interest.

D. Adamses, Smiths and SBBC will execute a quitclaim deed quitclaiming to Smiths the property described as “*Lot 3R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.*” There is no additional consideration for this deed and it is intended to be exempt from the documentary stamp tax as a deed which confirms and supplements deeds previously recorded but does not extend or limit existing title or interest.

E. Adamses, Smiths and SBBC will execute a quitclaim deed quitclaiming to SBCC the property described as “*Block 14, Fairway Estates, Scotts Bluff County, Nebraska EXCEPT that part platted as part of Lots 3R and 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.*” There is no additional consideration for this deed and it is intended to be exempt from the documentary stamp tax as a deed which confirms and supplements deeds previously recorded but does not extend or limit existing title or interest.

4. **Closing.** The “Closing” shall take place within 10 days after the replat of has been completed, approved and recorded.

5. **Real Estate Taxes.** Each of the parties shall pay the real estate taxes assessed against the Property presently owned by them for 2024 and prior years. It is contemplated that the 2025 real estate taxes will be assessed against the Properties based on the Replat. Adamses will be responsible for the 2025 real estate taxes assessed against *Lot 4R, Block 11*; Smiths will be responsible for the 2025 real estate taxes assessed against *Lot 3R, Block 11*; and SBCC will be responsible for the 2025 real estate taxes assessed against *Block 14 except that part platted as part of Lots 3R and 4R, Block 11.*

6. **Expenses of Sale.** The attorney's fees incurred in connection with the preparation of this Agreement, deed and other closing documents shall be paid by Adamses. Adamses shall pay any documentary stamp tax necessary to record the deeds. Adamses shall pay for the cost of the survey and replatting.

7. **General Provisions.**

a. The parties agree to execute and deliver any and all documents which may be reasonably necessary to effectuate the intent and purposes of this Agreement.

c. This Agreement may be executed in one or more counterparts, each of which may be considered as an original. Once all parties have signed a counterpart of this Agreement, this Agreement shall be binding on all parties the same as if one Agreement had been signed by all parties. A photocopy, facsimile copy or email transmission copy of this document shall be enforceable as an original.



Paul Adams



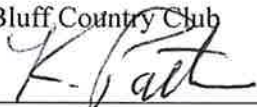
Pamela Adams



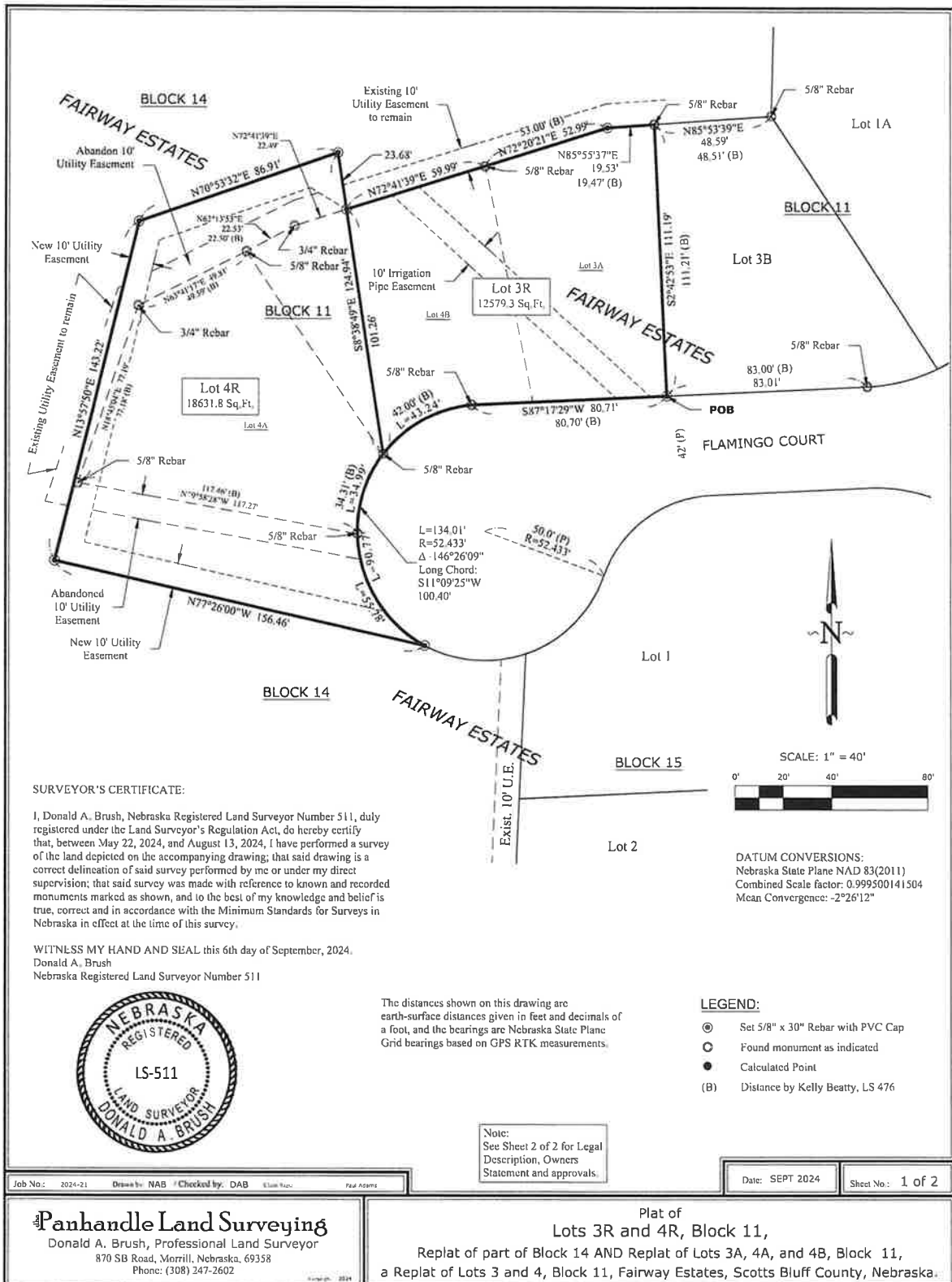
Darrell P. Smith



Michelle E. Smith

Scotts Bluff Country Club
By 

Kevin Patterson, President



**Paul Adams
917 Flamingo Court
Scottsbluff, NE 69361
Phone: 308-631-5687**

October 16, 2024

**Development Services
City of Scottsbluff
2525 Circle Drive
Scottsbluff, NE 69361**

RE: Lots 3R & 4R, Block 11, Replat of Part of Block 14, & Lots 3A, 4A & 4B, Block 11, Fairway Estates

Zachary Glaubius:

We have talked to, and/or met with, the below listed utility companies regarding moving the utilities which need moved to the new easement locations. Preparations are being made to move the utilities as per the plat. We propose to have the utilities moved by the end of the year.
If you have further questions, please contact me.

Sincerely,



Paul Adams

Utility Companies shown by NE 811 to be in the vicinity:

- Allo Communications LLC
- Black Hills Energy
- Enterprise Irrigation District
- Farmer's Irrigation District
- Great Plains Communications
- Nebraska Public Power District
- Roosevelt Public Power District
- City of Scottsbluff

Ticket Check Status for NE Ticket 242182552

ne@occinc.com | Wed, 07 Aug 2024 6:31:32 AM -0600 | 2 minute(s) read

NEBRASKA 811

All utilities have responded to this request.

Good to go!

Excavation may begin, or continue, within the area described until 8/26/24 at 8:00 AM as long as markings remain visible.

NORMAL TICKET: [242182552](#)

Address: 917 FLAMINGO CT, SCOTTSBLUFF, NE
FROM THE CENTERLINES OF FLAMINGO CT AND CARDINAL DR, HEAD WEST-SOUTHWEST ON FLAMINGO CT FOR 270 FT.

Location: THEN FROM THE CENTERLINE OF FLAMINGO CT, HEAD WNW FOR 95 FT TO THE SITE ON THE WNW SIDE OF THE STREET.
MARK ENTIRE PROPERTY.

As of 8/07/24 7:31 CDT, the utilities have responded as follows:

Company	Type	Status
ALLO COMMUNICATIONS LLC	TEL,TV	Marked
BLACK HILLS ENERGY	G	Marked Completion Comments: Marked main in easement and service line to property. Ask excavator to hand dig within 2 feet of locate marks and call gas company if they need to cross or expose gas line.: Marked Area: See Comments
ENTERPRISE IRRIGATION DISTRICT	W	Clear/No conflict
FARMERS IRRIGATION DISTRICT	W	Clear/No conflict
GREAT PLAINS COMMUNICATIONS	FO,TEL,TV	Clear/No conflict
NEBRASKA PUBLIC POWER DISTRICT	E	Clear/No conflict
ROOSEVELT PUBLIC POWER DIST	E,SL	Marked
CITY OF SCOTTSBLUFF	S,W	Clear/No conflict

Please call 811 to report any indication of an unmarked facility or conflicting status.

Legal Description:

Part of Block 14 AND Lots 3A, 4A, & 4B, Block 11, Fairway Estates, Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the intersection of the west line of Lot 3B in said Block 11 with the north Right-of-Way (ROW) line of Flamingo Court, said point being the POINT OF BEGINNING of this description; thence on said ROW line S87°17'29"W (basis of bearing) a distance of 80.71 feet; thence continuing on said ROW line on a tangent curve to the left, a distance of 134.01 feet, said curve having a radius of 52.433 feet, an included angle of 146°26'09", and a long chord bearing of S11°09'25"W for a distance of 100.40 feet; thence non-tangent to foresaid curve N77°26'00"W a distance of 156.46 feet; thence N13°57'50"E a distance 143.22 feet; thence N70°53'32"E a distance 86.91 feet; thence S8°38'49"E a distance 23.68 feet to a point on the north line of said Block 11; thence on said north line N72°41'39"E a distance of 59.99 feet; thence continuing on said north line N72°20'21"E a distance of 52.99 feet; thence continuing on said north line N85°55'37"E a distance of 19.53 feet to the intersection of said north line with said west line of said Lot 3B; thence on said west line S2°42'53"E a distance of 111.19 feet to the point of beginning, containing 0.716 acres, more or less.

OWNER'S STATEMENT:

We, the under signed, being the owners of the tract of land described in the foregoing "Legal Description" and shown on the accompanying plat have caused such real estate to be platted as:

Lots 3R and 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska. The foregoing plat is made with our free consent and in accordance with the desires of the undersigned owners.

Dated this 17th day of October, 2024.

Paul Adams
Paul Adams, Husband

Pamela Adams
Pamela Adams, Wife

Darrell P. Smith
Darrell P. Smith, Husband

Michelle E. Smith
Michelle E. Smith, Wife

Kevin Patterson
Kevin Patterson, President,
Scott's Bluff Country Club, a Corporation

Acknowledgement:

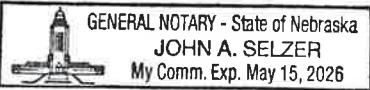
State of Nebraska)
County of Scotts Bluff)

Before me, a Notary Public, qualified and acting in said County, personally came Kevin Patterson, President, Scott's Bluff Country Club, a Corporation, known to me to be the identical person who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and seal this 17th day of October, 2024.

John A. Selzer
Notary Public

My Commission Expires: May 15, 2026



Note:
See Sheet 1 of 2 for
plat layout and
Surveyor's Certificate.

Acknowledgement:

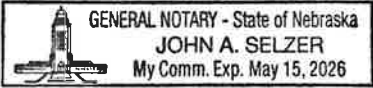
State of Nebraska)
County of Scotts Bluff)

Before me, a Notary Public, qualified and acting in said County, personally came Paul Adams and Pamela Adams, husband and wife, known to me to be the identical persons who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and seal this 17th day of October, 2024.

John A. Selzer
Notary Public

My Commission Expires: May 15, 2026



Acknowledgement:

State of Nebraska)
County of Scotts Bluff)

Before me, a Notary Public, qualified and acting in said County, personally came Darrell P. Smith and Michelle E. Smith, husband and wife, known to me to be the identical persons who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and seal this 21st day of October, 2024.

Linda J. Alfred
Notary Public

My Commission Expires: June 21, 2026



APPROVAL AND ACCEPTANCE:

The foregoing plat of
Lots 3R and 4R, Block 11, Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11, a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska, was approved by the Mayor and City Council of the City of Scottsbluff, Nebraska, by Resolution duly passed this _____ day of _____, 2024.

By: Jeanne McKerrigan, Mayor

Attested: Kimberley Wright, City Clerk

Sheet No.: 2 of 2

Date: SEPT 2024

Paul Adams

Client Name:

Drawn by: NAB / Checked by: DAB

Job No.: 2024-21

Panhandle Land Surveying

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

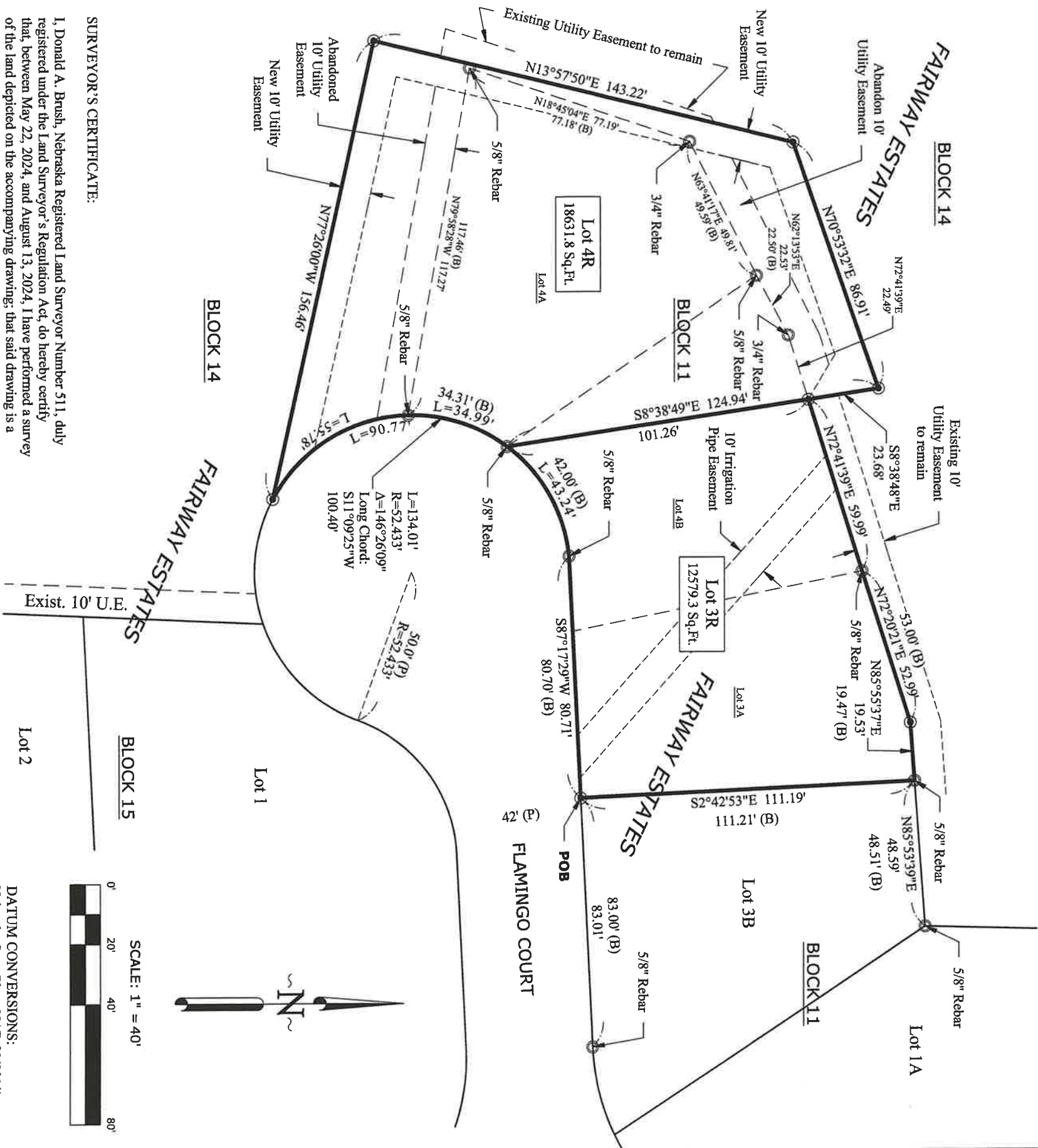
Plat of

Lots 3R and 4R, Block 11,

Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11,

a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.

Copyright 2024



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 May 22, 2024, and August 13, 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.

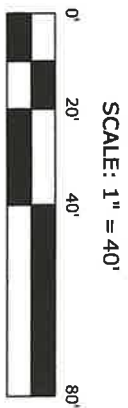
WITNESS MY HAND AND SEAL this 7th day of October, 2024.
Donald A. Brush
Nebraska Registered Land Surveyor Number 511



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.

- LEGEND:
- Set 5/8" x 30" Rebar with PVC Cap
 - Found monument as indicated
 - Calculated Point
 - Distance by Kelly Beatty, LS 476

Note:
See Sheet 2 of 2 for Legal Description, Owners Statement and approvals.



DATUM CONVERSIONS:
Nebraska State Plane NAD 83(2011)
Combined Scale factor: 0.999500141504
Mean Convergence: -2°26'12"

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

Plat of
Lots 3R and 4R, Block 11,
Replat of part of Block 14 AND Replat of Lots 3A, 4A, and 4B, Block 11,
a Replat of Lots 3 and 4, Block 11, Fairway Estates, Scotts Bluff County, Nebraska.

Job No.: 2024-21 Drawn by: NAB / Checked by: DAB Client Name: Paul Adams

Date: SEPT 2024 Sheet No.: 1 of 2

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 4, 2024 For Hearing of: November 12, 2024



I. GENERAL INFORMATION

A. Applicant: Paul and Pamela Adams
917 Flamingo Court
Scottsbluff, NE 69361

B. Property

Owners: Paul and Pamela Adams
Same as above

Darrell and Michelle Smith
905 Flaming Court
Scottsbluff, NE 69361

Scotts Bluff Country Club
PO Box 2515
Scottsbluff, NE 69361

C. Proposal: Final Plat, Lots 3R and 4R, Block 11, Fairway Estates Subdivision

D. Legal Description: Lots 3R and 4R, Block 11, Fairway Estates Subdivision

E. Location: 905 and 917 Flamingo Court

F. Existing Zoning & Land Use: R-1A Single-Family Residential, Single Family Dwellings, Golf Course, and vacant lot

G. Size of Site: Approximately 31,211 sq ft

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-1A Single-Family Residential	Scotts Bluff Country Club
East	Residential	R-1A Single-Family Residential	Townhomes
South	Residential	R-1A Single-Family Residential	Scotts Bluff Country Club
West	Residential	R-1A Single-Family Residential	Scotts Bluff Country Club

III. **ANALYSIS**

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential. No rezones will occur with this final plat.
- B. Traffic & Access:**
 - 1. Access is via Flamingo Court.
 - 2. No sidewalk is present.
- C. Utilities:**
 - 1. Both lots have access to water and sewer via presumed mains in Flamingo Court
 - 2. The existing utility easement on the proposed Lot 4R is being relocated.
 - 3. No stormwater infrastructure is in the vicinity of the subdivision.

IV. **STAFF COMMENTS**

- A.** Paul and Pamela Adams are proposed to expand Lot 4R by adding part of the former Lot 4B and part of Block 14.
- B.** Darrell and Michelle Smith are adjusting the lot line between the former Lot 4B and existing Lot 3B.
- C.** Due to the relocation of the utility easement, §21-1-42 requires the plat to be reviewed and approved by Planning Commission and City Council. Otherwise, this plat would have been approved administratively by staff.
- D.** The final plat is located in the ETJ, which exempts it from public improvement requirements.

V. **FINDINGS OF FACT**

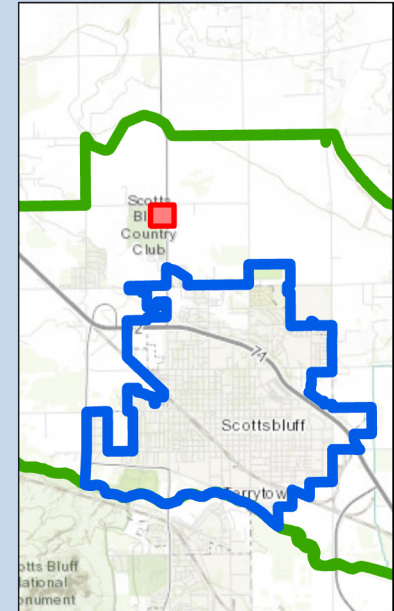
- A. Findings of Fact to Recommend Its Approval May Include:**
 - 1. The Comprehensive Plan identifies the area as Residential and the subdivision will continue to comply with the plan.
 - 2. The proposed lots exceed the minimum lot size.
 - 3. The lots have the minimum 20' of public road frontage.
 - 4. The adjustment of lot lines ensure the existing structures meet the interior side-yard setback requirement of 5'.
- B. Findings of Fact to Not Recommend Approval May Include:**
 - 1. None

VI. **STAFF RECOMMENDATION**

- A.** Staff recommends Planning Commission make a positive recommendation to City Council to approve of the final plat of Lots 3R and 4R, Block 11, Fairway Estates.

Re-Plat 917 Flamingo Court

Aerial Overview



 Proposed Changes

Street Centerlines

CLASS

-  Highway
-  Main Road
-  Residential/Rural
-  Parcels

Taylor Stephens
City of Scottsbluff GIS
Created on 10/24/2024
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.

Re-Plat 917 Flamingo Court

Zoning Overview



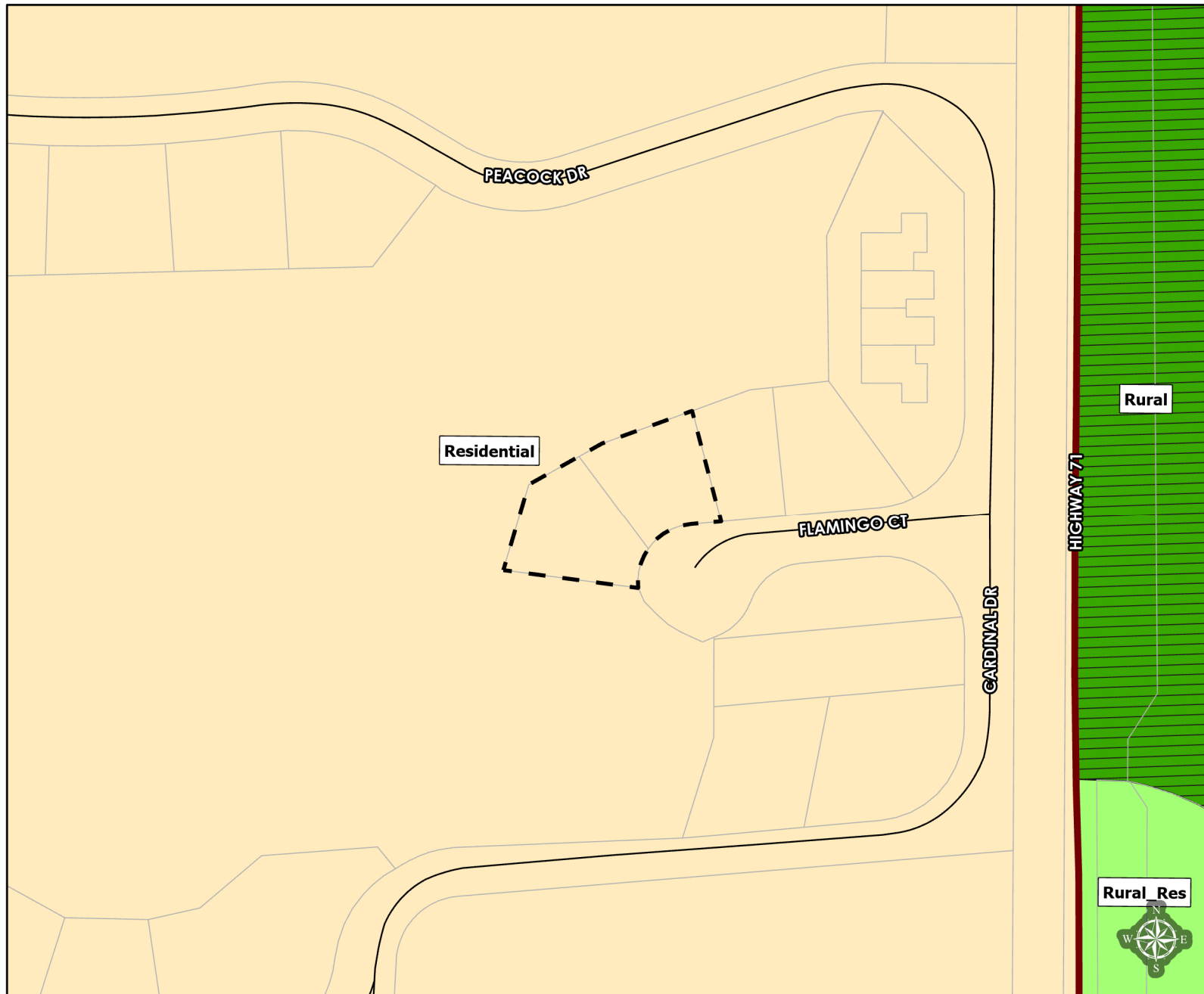
- Property Location(s)
- Street Centerlines**
 - Highway
 - Main Road
 - Residential/Rural
- Official City Zoning**
 - (A) Agriculture
 - (AR) Agriculture Residential
 - (C-1) Central Business District
 - (C-2) Neighborhood Commercial
 - (C-3) Heavy Commercial
 - (M-1) Light Manufacturing & Industrial
 - (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
- Address

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City of Scottsbluff GIS
Created on 10/24/2024
Coordinate System: NAD 1983 (2011)
StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

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Re-Plat 917 Flamingo Court

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)

Rural Res



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Re-Plat 917 Flamingo Court

Utilities Overview



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

Taylor Stephens
City of Scottsbluff GIS
Created on 10/24/2024
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

Tuesday, November 12, 2024

Regular Meeting

Item 6.C

Planning Commission To Conduct A Public Hearing To Consider A Rezone of Tax Lot 4B, Section 27, Township 22 North, Range 55 West of the 6th PM, Commonly Identified as the northeast corner of Avenue K and South Beltline Highway West.

Staff Contact:



City of Scottsbluff
Zoning Amendment Application
Permit Identifier 2024-4Z

Applicant Name James Neuwirth Applicant Address 1101 S Beltline
Applicant Email zglaubius@scottsbluff.org Applicant Phone 3082251967

Contact Name Contact Address
Contact Email Contact Phone

Property Information

General Location/Address 1101 S Beltline
Legal Description LT 3,LT 4B, 27-22-55 UNPL
Current Zoning District(s) R-1A
Proposed Zoning District: C-3
Does the proposed zoning district abut the property: Yes
Total Area (square feet or acre): 48,030 sq ft

Required Information (§25-15-2)

What is the reason for/intent of the rezone request?

Property has always been used for commercial purposes

Would the proposed zoning district provide a service required by the neighborhood and community?

Yes

Would the proposed zoning district be consistent with sound principles of land?

Yes

Describe how the proposed zoning district would not be injurious to neighboring properties and buildings?

The property has always been used for commercial purposes. The properties are adjacent to commercial zoning to the east

Describe how the proposed zoning district would not create special hazards or problems for the neighborhood and community?

The property has always been used for commercial purposes along with the adjacent property.

Would the proposed zoning district be harmonious and consistent with the City of Scottsbluff Comprehensive Plan for the area?

Yes and No. The 2016 Comprehensive Plan calls for the property to remain residential. However, it is located in the floodplain.

Why should the rezone request be granted?

It will bring a legal nonconforming use into conformance.

Issued By



Scottsbluff City Zoning Map (Rezone) Application

111 West 19th Street, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date:

Number (Office Use Only):

Property Address:

Current Zone:

Proposed Zone:

Acreage of Property:

Comprehensive Plan Designation:

Comprehensive Plan Amendment Required?

Applicant Information

Applicant:

Property Owner:

Address:

Telephone:

City:

Zip:

State:

Alt. Telephone:

City Development Process and Requirements

- 1. Staff Review Time:** Approximately 4 to 5 weeks prior to the Public Hearing date.
- 2. Planning Commission:** Held the second Monday of each month at 6:00 p.m.
- 3. City Council:** Held the first and third Mondays of each month at 6:00 p.m.

All meetings are held in the City Council Chambers at 1818 Avenue A in Scottsbluff.

REQUIREMENTS

- ☐ Pre-application meeting with City Planner
- ☐ Rezone Fees ~~\$100.00~~ plus \$300
- ☐ Cost of postage for everyone within 300 feet + \$3.00 per property owner
- ☐ Provide a list (in mailing label format) of property owners within 300 feet of the exterior boundaries of the property to be rezoned together with:
 - ☐ A map(s) that clearly show the ownership within the 300 feet

Rezone Process

After staff receives a completed application the staff will write a report to the Planning Commission including their recommendation. The Planning Commission will then hold a public hearing (which must be noticed in newspaper 10 days prior to the hearing) pertaining to the Zone Change and either recommend supporting the zone change or not to the City Council. After the Planning Commission the City Council will also hold a public hearing on the rezone request and either approve, approve with conditions or deny the request.

- ☐ A letter from the property owner giving permission that their property may be rezoned.
- ☐ Legal description of the property - on disk or emailed to the City Development Service Department in Word format and a map of property to be rezoned.
- ☐ A Letter from the petitioner that the proposed use:
 - ☐ Would provide a service required by the neighborhood and/or community and be consistent with sound land use.
 - ☐ Would not be injurious to the adjacent properties or uses
 - ☐ That rezoning the property would not create special hazards or problems for the neighborhood or community
 - ☐ Would be harmonious and consistent with the plan for the area in the Comprehensive Plan
 - ☐ Why the rezone of the property should be granted.

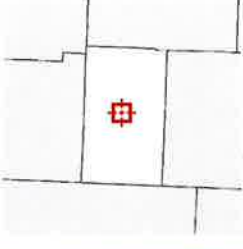
If any of these items are not submitted with the application City Staff maintains the right to return the application as incomplete.



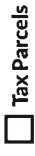
Scotts Bluff County, NE



Overview



Legend



Tax Parcels

ASSESSOR DATA

Parcel ID	010109692	Alternate ID	n/a	Owner Address	NEUWIRTH/JAMES H & CYNTHIA M
Sec/Twp/Rng	27/22/55	Class	n/a		P O BOX 659
Property Address		Acres	n/a		SCOTTSBLUFF NE 69363-0659
District	71				
Brief Tax Description	LT 3,LT 4B, 27-22-55 UNPLATTED LANDS				

(Note: Not to be used on legal documents)

DISCLAIMER: This map measurement's and all associated data are approximate and not to be used for any official purposes. Scotts Bluff County assumes no liability associated with the use or misuse of this information.

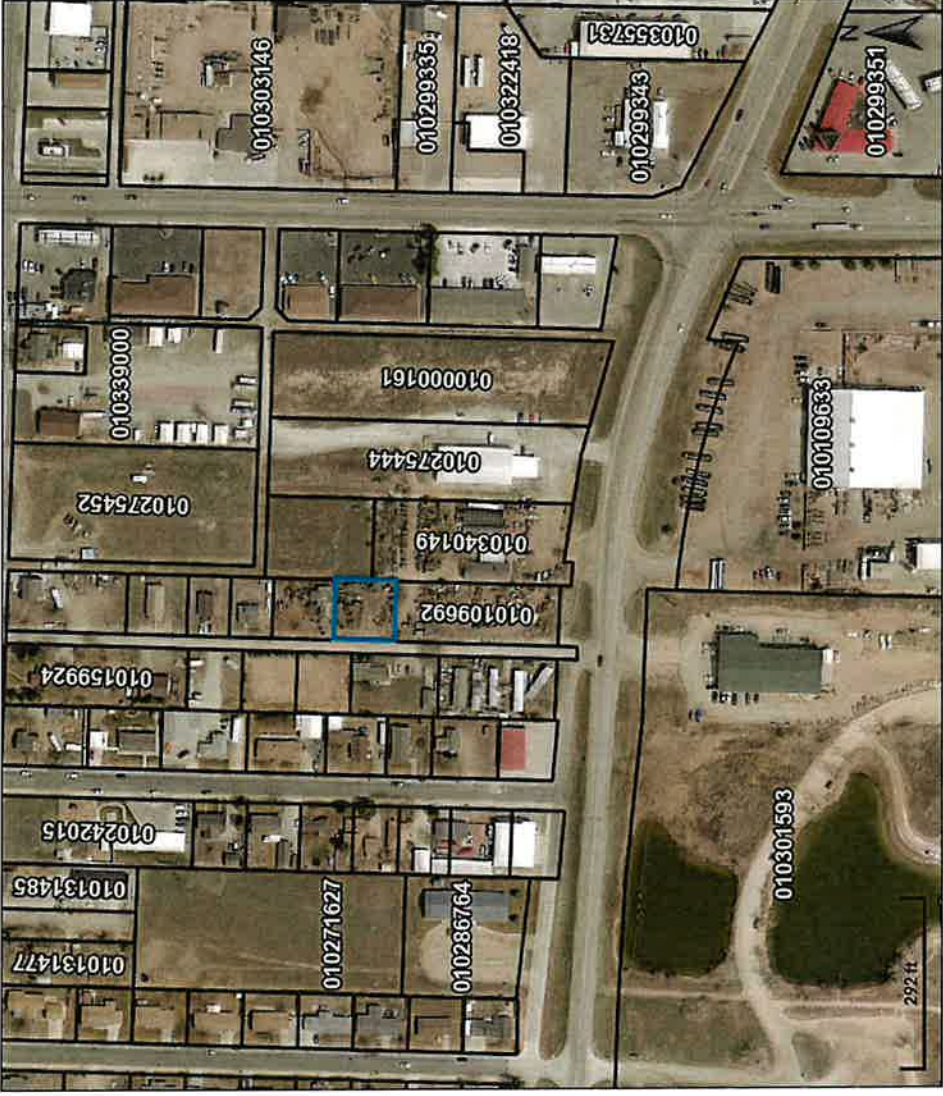
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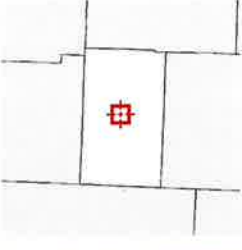
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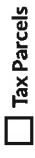
Scotts Bluff County, NE



Overview



Legend



Tax Parcels

ASSESSOR DATA

Parcel ID	010109676	Alternate ID	n/a	Owner Address	NEUWIRTH/JAMES H & CYNTHIA M
Sec/Twp/Rng	27/22/55	Class	n/a		P O BOX 659
Property Address		Acreage	n/a		SCOTTSBLUFF NE 69363-0659
District	71				
Brief Tax Description	LT 3, LT 4B, 27-22-55 UNPLATTED LANDS				

(Note: Not to be used on legal documents)

DISCLAIMER: This map measurement's and all associated data are approximate and not to be used for any official purposes. Scotts Bluff County assumes no liability associated with the use or misuse of this information.

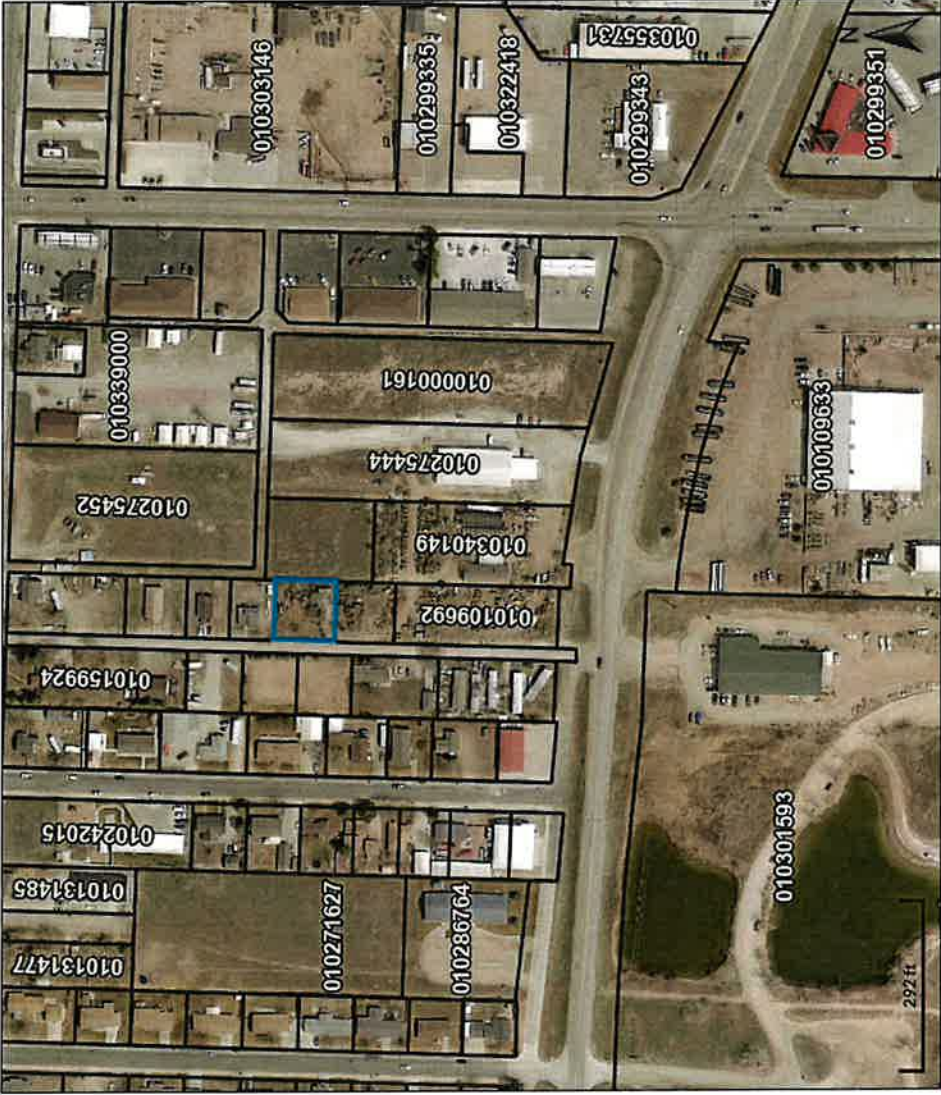
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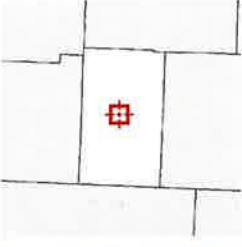
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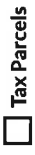
Scotts Bluff County, NE



Overview



Legend



Tax Parcels

ASSESSOR DATA

Parcel ID	010109684	Alternate ID	n/a	Owner Address	NEUWIRTH/JAMES H & CYNTHIA M
Sec/Twp/Rng	27/22/55	Class	n/a		P O BOX 659
Property Address	1105 AVE K	Acreage	n/a		SCOTTSBLUFF NE 69363-0659
District	71				

Brief Tax Description LT 3, LT 4B, 27-22-55 UNPLATTED LANDS

(Note: Not to be used on legal documents)

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City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 31, 2024

For Hearing of: November 12, 2024



I. GENERAL INFORMATION

- A. Applicant:** Jim Neuwirth
1101 S Beltline Highway West
Scottsbluff, NE 69361
- B. Property Owner:** Same as applicant
- C. Proposal:** Rezone property from R-1A Single-Family Residential to C-3 Heavy Commercial
- D. Legal Description:** Tax Lot 4B, Section 27, Township 22 North, Range 55 West of the 6th PM
- E. Location:** Northeast corner of Avenue K and South Beltline Highway West
- F. Existing Zoning & Land Use:** R-1A Single-Family Residential & Antique Farm Equipment Storage
- G. Size of Site:** Approximately 48,030 sq ft (1.10 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-1A Single-Family Residential	Single-Family Dwellings
East	Automotive Commercial	C-3 Heavy Commercial	ABC Nursery and a construction yard
South	Automotive Commercial	A Agricultural	Riverside Park and City Parks Shop
West	Residential	R-1A Single-Family Residential	Mobile Homes, Single-Family Dwelling, and Vacant Lots

III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential.
- B. Traffic & Access:**

1. Access to the properties is via Avenue K and ABC Nursery (Lot 1B Eisele Subdivision)
2. An access easement on Lot 1B Eisele Subdivision provides access to driveway on South Beltline Highway

C. Utilities:

1. Water and sewer mains are located in the right-of-way of Avenue K and South Beltline Highway West
2. Stormwater infrastructure is limited in this area.

IV. STAFF COMMENTS

- A. The rezone is an expansion of the existing C-3 District to the east. Another R-1 District is located closely to the west
- B. The purpose of the rezone is to allow the property owner sell the property as commercial property.
- C. Although the Comprehensive Plan identifies this area as Residential, City Staff recommend this rezone to C-3 Commercial for the following reasons:
 - a. The property is located in the floodplain and per ordinance, the City prefers commercial, agricultural, and industrial uses in the floodplain over residential uses.
 - b. The property has been a legal non-conforming commercial use.
- D. As the City considers Tax Lots as unplatted land, the property will need to be platted prior to future development.

V. FINDINGS OF FACT

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

1. The proposed rezone reduces the amount of residential land in the floodplain.
2. The rezone would not be injurious to adjacent properties as the lot will remain a residential use.
3. No special hazards or problems will be created from the rezone as the lot will remain a commercial lot and will be less intensive zoning district.

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

1. The Comprehensive Plan future land use map identifies the land as Residential

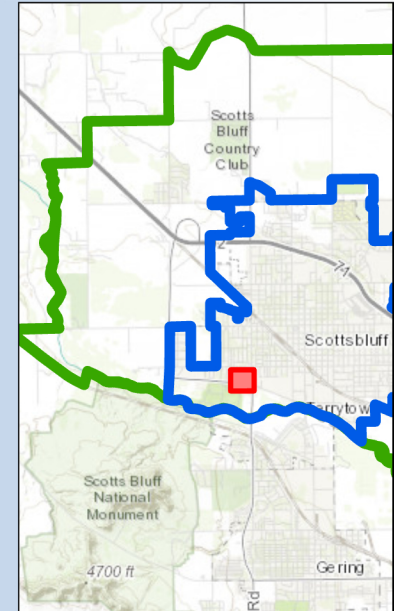
VI. STAFF RECOMMENDATION

- A. Staff recommends Planning Commission make a positive recommendation on approval of the rezone of the Tax Lot 4B 27-22-55 by City Council.

Tax Lots 3 & 4B 27-22-55

Zoning Change from R-1A to C-3

Aerial Overview



Proposed Changes

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Parcels

Taylor Stephens
City of Scottsbluff GIS
Created on 10/24/2024
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.

Tax Lot 4B Rezone R-1A to C-3

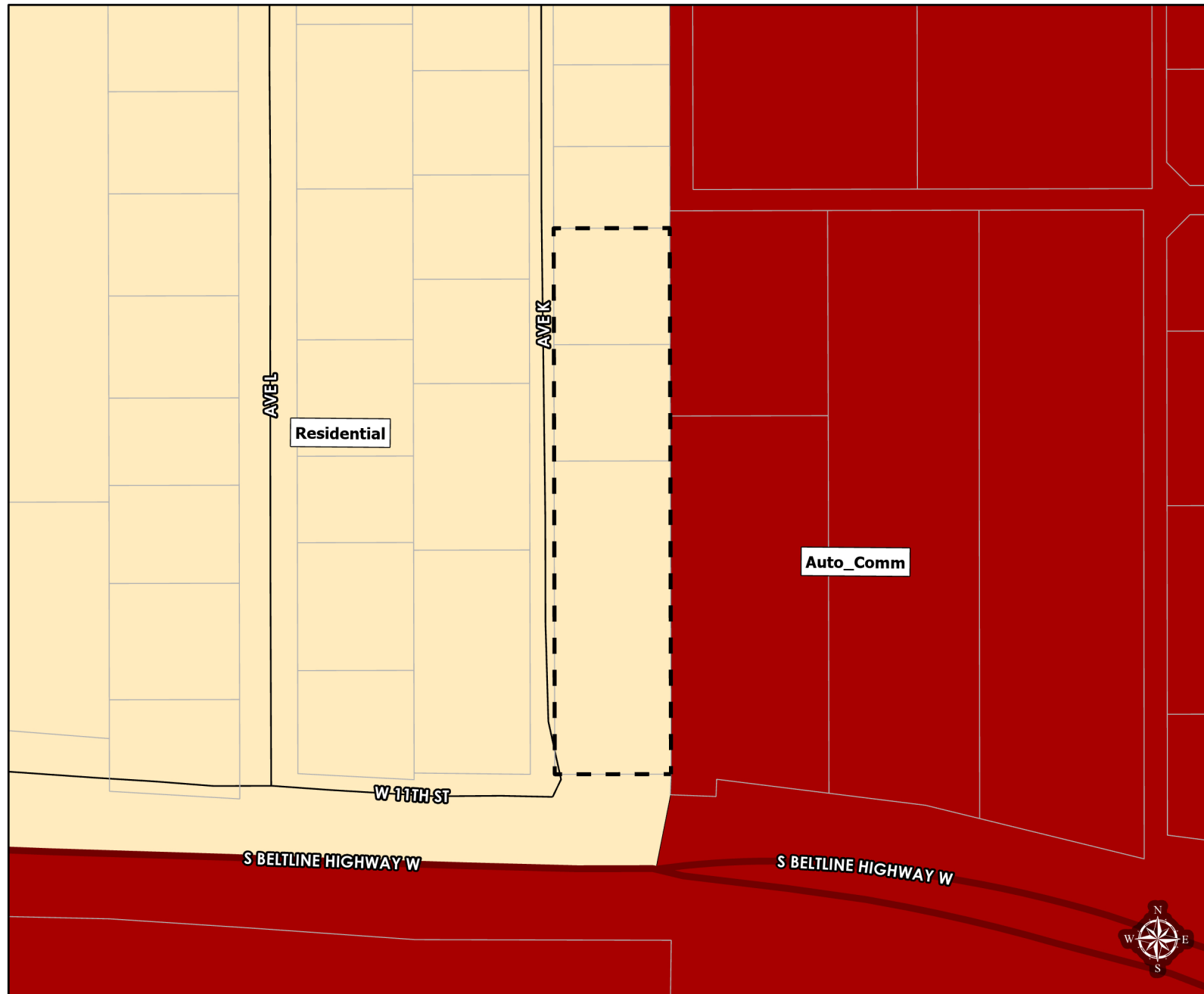
Zoning Overview



- 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
 - Address

Tax Lot 4B Rezone R-1A to C-3

2016 Comp. Plan Future Land Use Overview



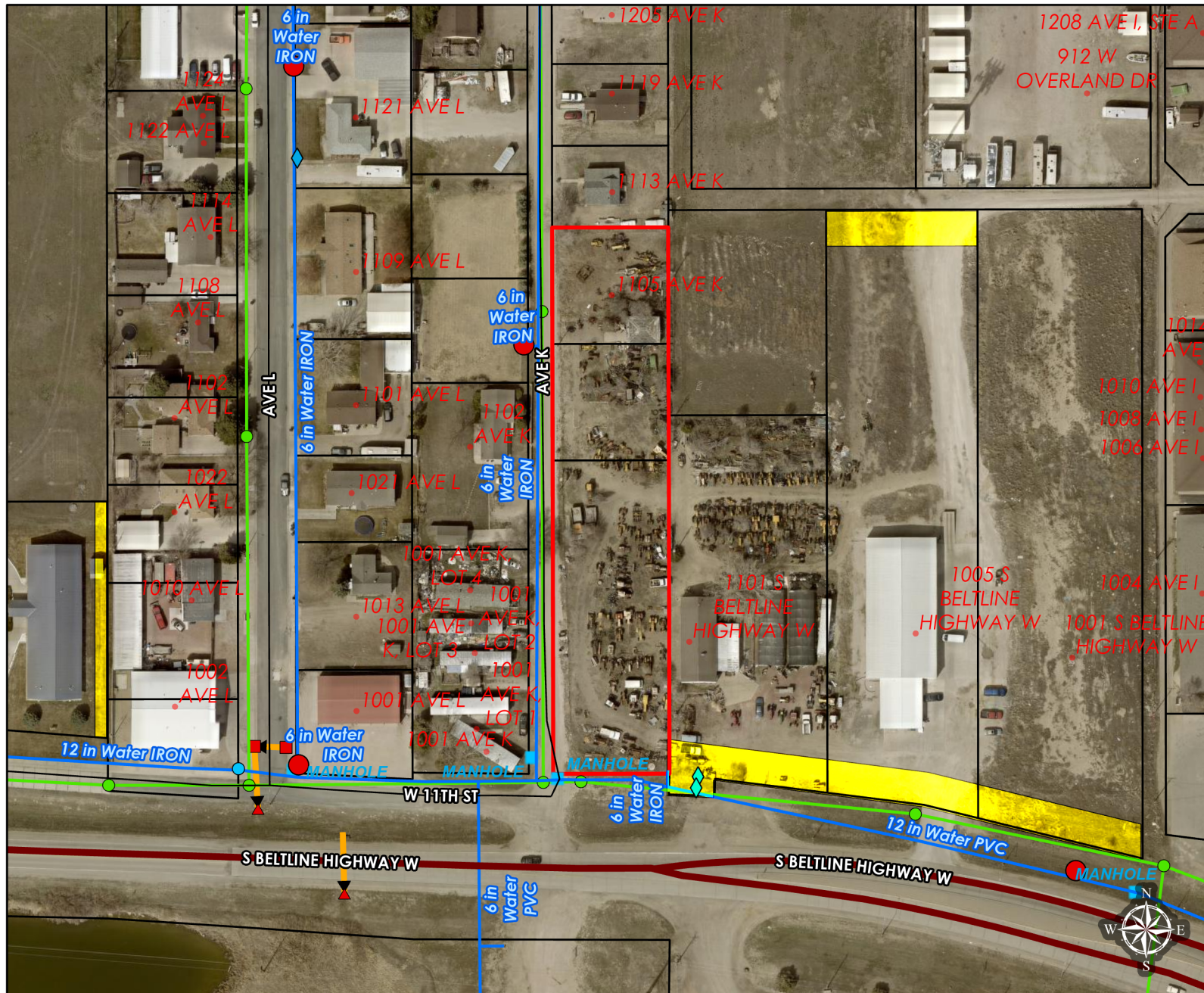
- Proposed Changes**
- Parcel Boundaries
- 2016 Comp. Plan Land Use**
- Automobile Commercial
 - Avenue B and Hospital Campus
 - Central Business District
 - East Overland
 - Highway 26 Commercial
 - Northwest Commercial
 - Residential
 - Rural
 - Rural Residential
 - SE Industrial and Commercial
 - 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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City of Scottsbluff GIS
Created on 10/31/2024
Coordinate System: NAD 1983 (2011)
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Tax Lot 4B Rezone R-1A to C-3

Utilities Overview



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

City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 7.A

Commissioner Jerry Stricker to announce his resignation from the Planning Commission.

Staff Contact:

City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 8.A

Staff to update Planning Commission on Comprehensive Plan

Staff Contact:

City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 8.B

Staff to update Planning Commission on Zoning Code Updates

Staff Contact:

City of Scottsbluff, Nebraska

Tuesday, November 12, 2024

Regular Meeting

Item 9.A

December 9, 2024

Staff Contact: