# SCOTTSBLUFF CITY
# PLANNING COMMISSION AGENDA
## *Monday, August 10, 2015, 6:00 PM*
### *City Hall Council Chambers, 2525 Circle Drive*

PLANNING COMMISSIONERS

BECKY ESTRADA
CHAIRPERSON

ANGIE AGUALLO
VICE CHAIRPERSON

DANA WEBER

HENRY HUBER

MARK WESTPHAL

CALLAN WAYMAN

DAVID GOMPERT

JIM ZITTERKOPF

ANITA CHADWICK

LINDA REDFERN
ALTERNATE

1. **WELCOME TO THE PLANNING COMMISSION MEETING:** Chairman

2. **NEBRASKA OPEN MEETINGS ACT:** For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the back of the council chambers in the west corner.

3. **ROLL CALL:**

4. **NOTICE OF CHANGES IN THE AGENDA:** Additions may not be made to this agenda less than 24-hours prior to the beginning of the meeting unless added under item 5 of this agenda.

5. **CITIZENS WITH ITEMS NOT SCHEDULED ON THE REGULAR AGENDA:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.

6. **APPROVAL OF THE PLANNING COMMISSION MINUTES FROM:**

   **A Minutes**
   Approve minutes of 7/13/15

7. **NEW BUSINESS:**

   **A Ordinance to Vacate**
   Ordinance: to vacate lots 6 & 7, The Ridge Estates
   Applicant(s): Shane & Annette Aulick
   Property Owner(s): Shane & Annette Aulick
   Location: East of University St., & N of Scottsbluff Drain

   **B Rezone R-1 to Agricultural**
   Rezone: Lots 6 & 7, The Ridge Estates
   Applicant(s): Shane & Annette Aulick
   Property Owner(s): Shane & Annette Aulick
   Location: E of University St., & N of Scottsbluff Drain

   **C Final Plat Block 6A Panhandle Cooperative Subdivision**
   Final Plat: Lots 7, 8, & 9, Block 6A
   Applicant(s): Carl & Cynthia Francisco/Baker & Associates
   Owner(s): Carl & Cynthia Francisco
   Location: N of Panhandle Coop & West of Ave B

8. **UNFINISHED BUSINESS:**

   **A Unfinished Business: None**

9. **ADJOURN**

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the Development Services Department at (308) 630-6243, 24-hours prior to the meeting.

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

# City of Scottsbluff, Nebraska
## Monday, August 10, 2015
## Regular Meeting

## Item Appr. Min.1

# Minutes

***Approve minutes of 7/13/15***

**Staff Contact: Annie Urdiales**

**Planning Commission Minutes**
**Regular Scheduled Meeting**
**July 13, 2015**
**Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, July 13, 2015, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on July 3, 2015. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

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

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

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

**ITEM 4**: Business not on agenda: None

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

**ITEM 6:** The minutes of June 8, 2015 were reviewed and approved. A motion was made to accept the minutes by Westphal, and seconded by Gompert. "YEAS": Westphal, Huber, Gompert, Aguallo, Chadwick, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Weber, Zitterkopf, and Wayman. Motion carried.

**ITEM 7A**: The Planning Commission opened a public hearing for a gap annexation ordinance. This ordinance is to fill in a small gap (2, 629.39 S.F.) (0.06 acres) that was left out of the previous ordinance that was approved at the Planning Commission meeting of April 13, 2015. This small area is right of way on the north end of Five Oaks Drive. This ordinance will complete the annexation of the Five Oaks Subdivision bringing it completely into the City's corporate limits

**Conclusion**: A motion was made by Gompert and seconded by Westphal to make a positive recommendation to City Council to approve the gap annexation ordinance for Five Oaks Subdivision **"YEAS**": Aguallo, Westphal, Chadwick, Gompert, Huber, and Estrada. "**NAYS":** None. **ABSTAIN**: None. **ABSENT**: Zitterkopf, Weber, and Wayman. Motion carried.

**ITEM 7B:** The Planning Commission opened a public hearing for a preliminary and final plat of Blocks 2, 3, and 4, Whistle Creek Subdivision, situated in the East half of the SW ¼ of Section 15, T22N, R55W of the 6th P.M., Scotts Bluff, County, Nebraska. This property was discussed at our last Planning Commission meeting, a zone change request was made to change Ag land to Heavy Commercial for Block 4 (17.11 acres), this ordinance to change the zoning from Ag to C-3 was recently approved by City Council and will have a second reading at their meeting of July 20, 2015. The unplatted land is being subdivided into three separate parcels to allow for sale and development of the commercial property. The

Parcels are situated in the City's extra territorial jurisdiction west of the City, between Old Highway 26 and New Highway 26 east of old Highway 71. Property owner, Jane Moran, has requested that the parcels be allowed to develop with water wells and septic fields as water and sewer are not available at this time. The closest utility lines (water & sewer) are located to the east by a little over five hundred feet. The parcels all have access onto streets, Block 4 will have access from the old Highway 71 and Block 2, and 3 will have access from old Highway 26. Block 3 has an existing business (Jane's Greenhouse) which will remain in place. A note will be added to the plat stating the following - *The Owners, for themselves and on behalf of all future grantees and owners agree to participate in and not object to the creation of any special improvement districts that may be subsequently created. It is intent of the Owners that this paragraph bind all future grantees, heirs and owners and that this runs with the land as it touches and concerns the Development Area.* The intent of this is to ensure that when utilities become available future property owners will pay their portion of the infrastructure.

Tim Stricker, representing Jane Moran, spoke in favor of the preliminary/final plat for the Whistle Creek Subdivision.

**Conclusion:** A motion was made by Huber and seconded by Gompert to approve the preliminary/final plat of Blocks 2, 3, and 4, Whistle Creek Subdivision with the above language be added to the final plat for filing at the Register of Deeds. "**YEAS":** Huber, Aguallo, Chadwick, Gompert, Huber, and Estrada. "**NAYS**": None. ABSTAIN: None. ABSENT: Weber, Zitterkopf, and Wayman. Motion carried.

**ITEM 8. Unfinished Business**: The Planning Commission had asked staff to provide some information regarding the duties of the Fair Housing Committee which they were recently appointed as representatives for the City. Adam Hoesing, with the Simmons Olsen Law Firm addressed the Planning Commission regarding their duties for this board. The Commission sits as a quasi-judicial administrative body of the City. It receives, investigates and decides allegations of discrimination filed by residents of the City. Steps – complaint is filed with City Clerk who forwards to the Commission, the Commission interviews complainant & landlord if probable cause they can move forward with formal investigation hearing with witnesses, records, subpoenas. After investigating the allegations of discrimination the Planning Commission if it determines that probable cause exists they can attempt to eliminate & correct the alleged discrimination by informal methods of conference, conciliation, & persuasion. The Planning Commission will hold a public hearing making record of findings and file a full report to City Council. City Council can bring lawsuit if landlord does not comply. The Commission must investigate all complaint that are filed, make a determination of probable cause and then make recommendations to the City Council for efforts to remedy the alleged discrimination if they cannot obtain voluntary compliance. A copy of Kent Hadenfeldt' s memo and duties set forth in the Scottsbluff Municipal code will be forwarded to the Planning Commission.

Anthony Murphy was introduced to the Planning Commission as our new Fire Prevention Officer. Anthony addressed the Commission regarding his duties, he reviews new commercial development and inspects properties to make sure all fire requirements are met. He will also review preliminary plat maps of new development reviewing for fire access, fire hydrant location, etc.

There being no further business, a motion to adjourn was made by Aguallo and seconded by Chadwick. The meeting was adjourned at 6.25 p.m. **"YEAS**": Gompert, Westphal, Aguallo, Chadwick, Huber, and Estrada. "**NAYS":** None. **ABSTAIN**: None. **ABSENT**: Weber, Zitterkopf, and Wayman. Motion carried.

_____
Becky Estrada, Chairperson

Attest: _____
Annie Urdiales

# City of Scottsbluff, Nebraska
## Monday, August 10, 2015
## Regular Meeting

## Item NewBiz1

# Ordinance to Vacate

***Ordinance: to vacate lots 6 & 7, The Ridge Estates***

***Applicant(s): Shane & Annette Aulick***

***Property Owner(s): Shane & Annette Aulick***

***Location: East of University St., & N of Scottsbluff Drain***

**Staff Contact: Annie Urdiales**

# *SCOTTSBLUFF CITY*
# *PLANNING COMMISSION STAFF REPORT*

| | | | |
|---|---|---|---|
| **To:** | Planning Commission | | |
| **From:** | Development Services Department | **Zoning:** | R-1 currently |
| **Date:** | August 10, 2015 | **Property Size:** | 4 acres ± |
| **Subject:** | Vacate Lots 6 & 7, The Ridge Estates Subdivision | **# Lots/Units:** | 2 |
| **Location:** | East of University St. & N of Scottsbluff Drain | | |

**Procedure**

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

**Public Notice: This item was noticed in the paper and a notice was posted on the property**

**Background**

The applicant(s) and property owners, Shane & Annette Aulick, have requested an ordinance to vacate lots 6 & 7, of The Ridge Estates Subdivision; this ordinance will be filed against the final plat of Lots 1 through 7, The Ridge Estates which was approved on November 2, 2009. The vacated lots will be absorbed into unplatted farm land to the south which is zoned Ag. A rezone is also part of this request. These lots total approximately 4 acres. Mr. Aulick is planning on building an accessory structure on this land which will allow him to store his equipment closer to the cropland. The lots are currently seeded to alfalfa.

Staff has reviewed the request to vacate and makes positive recommendation for the request to vacate lots 6 & 7, The Ridge Estates Subdivision.

**RECOMMENDATION**

***Approve***

Make a POSITIVE RECOMMENDATION to the City Council to approve ordinance to vacate Lots 6 & 7, Ridge Estates Subdivision (4 acres±) for the following condition(s): Approval of rezone from R-1 to Ag.

***Deny***

Make a NEGATIVE RECOMMENDATION to the City Council to approve ordinance to vacate Lots 6 & 7, Ridge Estates Subdivision (4 acres±) the following reason(s):

***Table***

Make the motion to TABLE the rezone request to approve ordinance to vacate Lots 6 & 7, Ridge Estates Subdivision (4 acres±) for the following reason(s):

**ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING LOTS 6 AND 7, THE RIDGE ADDITION, SITUATED IN THE SW¼NE¼ OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., IN SCOTTS BLUFF COUNTY, NEBRASKA.**

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

Section 1. Shane Aulick and Annette Aulick, husband and wife, (the "Aulicks") as the owners of the property involved, have requested the City of Scottsbluff vacate the following property:

> Lots 6 and 7, The Ridge Estates Subdivision, situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:
>
> Commencing at the East Quarter Corner of Section 9, thence westerly on the East-West centerline of Section 9, on an assumed bearing of N88°11'10"W, a distance of 1908.08 feet, thence bearing N01°48'50"E a distance of 302.51 feet to the point of intersection with the southeast corner of Lot 7, The Ridge Estates Subdivision, as monumented by a 5/8" Rebar, said point also being the true Point of Beginning, thence northerly on the east line of said Lot 7, bearing N02°50'47"E, a distance of 534.28 feet, to the point of intersection with a tangent curve to the left, said curve having a central angle of 84°39'17", a radius of 25.00 feet, a chord bearing of N39°28'52"W and a chord length of 33.67 feet, thence northwesterly on the arc of said curve and said Lot 7, a distance of 36.94 feet, thence bearing N81°48'31"W, on said north line of Lot 7, a distance of 160.38 feet to the northwest corner of said Lot 7, also being the northeast corner of Lot 6, thence bearing N81°48'31"W, on the north line of said Lot 6 a distance of 227.80 feet to the northwest corner of said Lot 6, thence bearing S02°50'47"W, on the west line of said Lot 6 a distance of 328.43 feet to the south line of said Lot 6, thence bearing S52°00'26"E on the south line of said Lot 6 a distance of 162.16 feet, thence bearing S87°09'13"E on south line of said Lot 6 a distance of 94.21 feet to the southeast corner of said Lot 6, also being the southwest corner of Lot 7, thence bearing S43°34'16"E on the south line of said Lot 7 a distance of 251.73 feet to the southeast corner of said Lot 7, said point being the Point of Beginning, containing an area of 4.00 Acres, more or less.

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

Section 3. Lots 6 and 7, The Ridge Estates Subdivision situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 22 North, Range 55 West of the 6th p.m., Scotts Bluff County, Nebraska, as more fully described above, is hereby vacated.

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

PASSED AND APPROVED on _____, 2015.

_____
Mayor

ATTEST:

_____
City Clerk (Seal)

DATE: July 6, 2015

TO: City of Scottsbluff

FROM: Shane Aulick

RE: Vacation of Lots 6 & 7, Ridge Estate Subdivision

I own Lots 6 & 7 of Ridge Estates Subdivision. The attached rezone application to vacate Lots 6 & 7 of Ridge Estates subdivision should be approved because:

1. I own all of the properties surrounding these two lots. There will be no adverse effects on other owner's properties.
2. Lots 6 & 7 are currently seeded to alfalfa. The SW NE, PT NW, 9-22-55 parcel is 74.80 acres and is also cropland. The rezone application requests that these properties be merged into one parcel.
3. I desire to add an Ag Building (for the storage of equipment) closer to the cropland so that I don't have to drive the equipment across the lawn that has been added around the garage building located next to my house. This will also move the noisy equipment further from my house and from the house of my neighbor to the east.

Sincerely,

## LEGAL DESCRIPTION

Lots 6 and 7, The Ridge Estates Subdivision, situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;

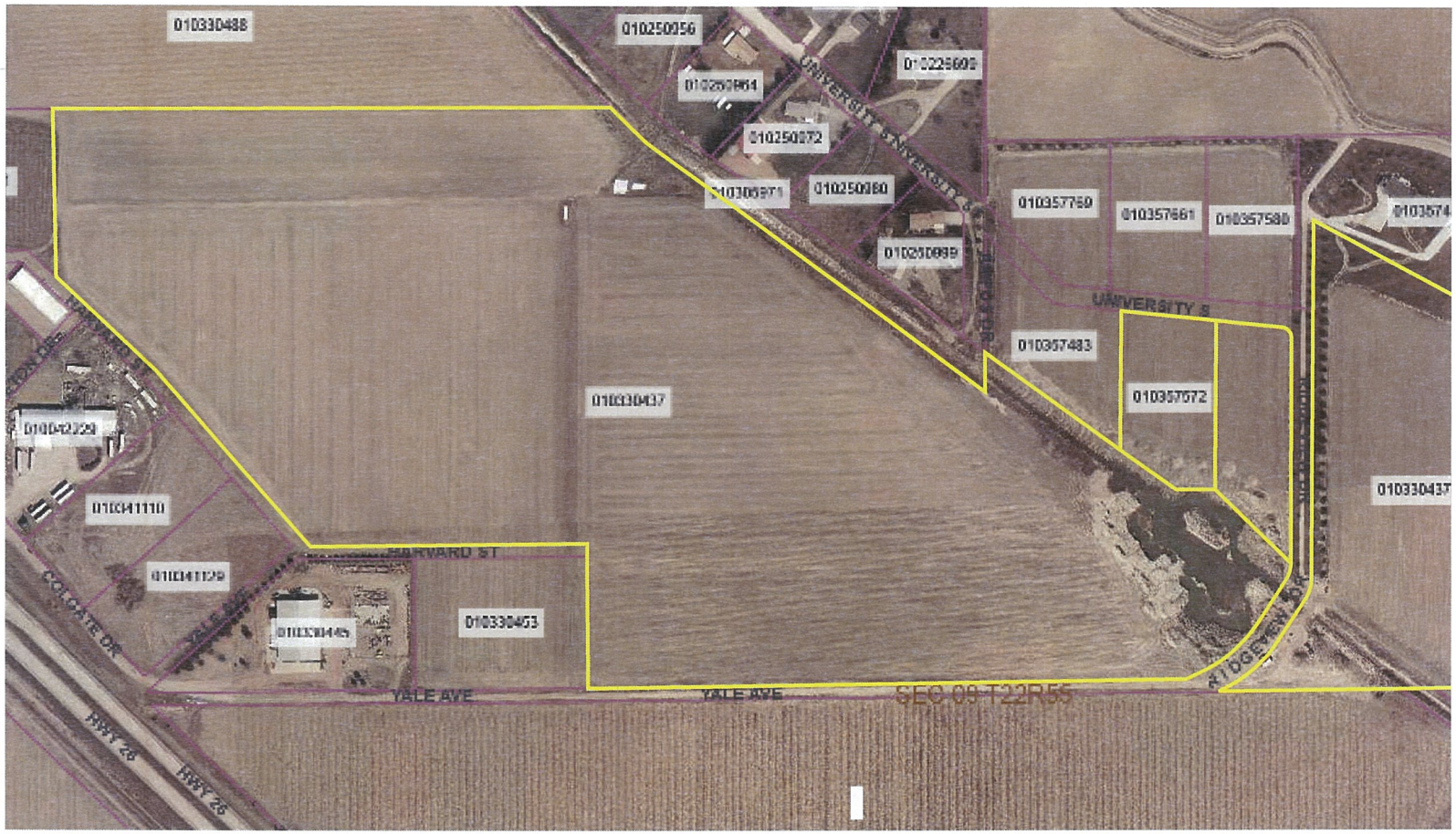
Commencing at the East Quarter Corner of Section 9, thence westerly on the East - West centerline of Section 9, on an assumed bearing of N88°11'10"W, a distance of 1908.08 feet, thence bearing N01°48'50"E a distance of 302.51 feet to the point of intersection with the southeast corner of Lot 7, The Ridge Estates Subdivision, as monumented by a 5/8" Rebar, said point also being the true Point of Beginning, thence northerly on the east line of said Lot 7, bearing N02°50'47"E, a distance of 534.28 feet, to the point of intersection with a tangent curve to the left, said curve having a central angle of 84°39'17", a radius of 25.00 feet, a chord bearing of N39°28'52"W and a chord length of 33.67 feet, thence northwesterly on the arc of said curve and said Lot 7, a distance of 36.94 feet, thence bearing N81°48'31"W, on said north line of Lot 7, a distance of 160.38 feet to the northwest corner of said Lot 7, also being the northeast corner of Lot 6, thence bearing N81°48'31"W, on the north line of said Lot 6 a distance of 227.80 feet to the northwest corner of said Lot 6, thence bearing S02°50'47"W, on the west line of said Lot 6 a distance of 328.43 feet to the south line of said Lot 6, thence bearing S52°00'26"E on the south line of said Lot 6 a distance of 162.16 feet, thence bearing S87°09'13"E on south line of said Lot 6 a distance of 94.21 feet to the southeast corner of said Lot 6, also being the southwest corner of Lot 7, thence bearing S43°34'16"E on the south line of said Lot 7 a distance of 251.73 feet to the southeast corner of said Lot 7, said point being the Point of Beginning, containing an area of 4.00 Acres, more or less.

Parcel

010330437
Owner: AULICK/SHANE & ANNETTE
Situs:
Legal: SW NE, PT NW, 9-22-55 (74.80)

010357572
Owner: AULICK/SHANE & ANNETTE
Situs: 190463 UNIVERSITY ST
Legal: LT 6, THE RIDGE ESTATES SUBD (2)

010357653
Owner: AULICK/SHANE & ANNETTE
Situs: 190499 UNIVERSITY ST
Legal: LT 7, THE RIDGE ESTATES SUBD (2)



# City of Scottsbluff, Nebraska
## Monday, August 10, 2015
## Regular Meeting

## Item NewBiz2

# Rezone R-1 to Agricultural

***Rezone: Lots 6 & 7, The Ridge Estates***

***Applicant(s): Shane & Annette Aulick***

***Property Owner(s): Shane & Annette Aulick***

***Location: E of University St., & N of Scottsbluff Drain***

**Staff Contact: Annie Urdiales**

# *SCOTTSBLUFF CITY*
# *PLANNING COMMISSION STAFF REPORT*

| | | | |
|---|---|---|---|
| **To:** | Planning Commission | | |
| **From:** | Development Services Department | **Zoning:** | R-1 currently |
| **Date:** | August 10, 2015 | **Property Size:** | 4 acres ± |
| **Subject:** | Rezone parcels from R-1 to Ag – Ridge Estates | **# Lots/Units:** | |
| **Location:** | East of University St. & N of Scottsbluff Drain | | |

**Procedure**

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

**Public Notice: This item was noticed in the paper and a notice was posted on the property**

**Background**

The applicant(s) and property owners, Shane & Annette Aulick, have requested a rezone for lots 6 & 7, of The Ridge Estates Subdivision; these lots total approximately 4 acres and will be vacated with an ordinance to vacate which will be filed against the original final plat. These lots will be absorbed in the surrounding farmland. Mr. Aulick is planning on building an accessory structure on this land which will allow him to store his equipment closer to the cropland. The lots are currently seeded to alfalfa. The request is to allow these vacated lots to be zoned Agricultural, the lands which it will be added to are also zoned Agricultural. The property to the north is zoned R-1 and undeveloped at this time, and is also being used as cropland. Properties to the west is zoned R-1B, rural residential with properties to the east zoned R-1A single family residential. A map is attached for your review.

Staff has reviewed and makes positive recommendation of the rezone of proposed vacated lots 6 & 7, The Ridge Estates Subdivision from R-1 to Ag with the approval of ordinance to vacate.

**RECOMMENDATION**

***Approve***

Make a POSITIVE RECOMMENDATION to the City Council to rezone vacated Lots 6 & 7, Ridge Estates Subdivision (4 acres±) from R-1 Single Family Residential to A- Agricultural subject to the following condition(s): Approval of ordinance to vacate.

***Deny***

Make a NEGATIVE RECOMMENDATION to the City Council to rezone vacated Lots 6 & 7, Ridge Estates Subdivision (4 acres±) from R-1 Single Family Residential to A- Agricultural for the following reason(s):

***Table***

Make the motion to TABLE the rezone request to rezone vacated Lots 6 & 7, Ridge Estates Subdivision (4 acres±) from R-1 Single Family Residential to A- Agricultural for the following reason(s):

**ORDINANCE NO. _____**

**AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT LOTS 6 AND 7, THE RIDGE ESTATES SUBDIVISION, SITUATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SECTION 9, THENCE WESTERLY ON THE EAST-WEST CENTERLINE OF SECTION 9, ON AN ASSUMED BEARING OF N88°11'10"W, A DISTANCE OF 1908.08 FEET, THENCE BEARING N01°48'50"E A DISTANCE OF 302.51 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHEAST CORNER OF LOT 7, THE RIDGE ESTATES SUBDIVISION, AS MONUMENTED BY A 5/8" REBAR, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING, THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 7, BEARING N02°50'47"E, A DISTANCE OF 534.28 FEET, TO THE POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 84°39'17", A RADIUS OF 25.00 FEET, A CHORD BEARING OF N39°28'52"W AND A CHORD LENGTH OF 33.67 FEET, THENCE NORTHWESTERLY ON THE ARC OF SAID CURVE AND SAID LOT 7, A DISTANCE OF 36.94 FEET, THENCE BEARING N81°48'31"W, ON SAID NORTH LINE OF LOT 7, A DISTANCE OF 160.38 FEET TO THE NORTHWEST CORNER OF SAID LOT 7, ALSO BEING THE NORTHEAST CORNER OF LOT 6, THENCE BEARING N81°48'31"W, ON THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 227.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 6, THENCE BEARING S02°50'47"W, ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 328.43 FEET TO THE SOUTH LINE OF SAID LOT 6, THENCE BEARING S52°00'26"E ON THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 162.16 FEET, THENCE BEARING S87°09'13"E ON SOUTH LINE OF SAID LOT 6 A DISTANCE OF 94.21 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6, ALSO BEING THE SOUTHWEST CORNER OF LOT 7, THENCE BEARING S43°34'16"E ON THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 251.73 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7, SAID POINT BEING THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.00 ACRES, MORE OR LESS, WHICH IS CURRENTLY ZONED AS R-1 SINGLE FAMILY, WILL NOW BE INCLUDED IN THE A-AGRICULTURAL, AND REPEALING PRIOR SECTION 25-1-4.**

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

Section 1. Section 25-1-4 of the Municipal Code is amended to provide as follows:

25-1-4. Zones; location; maps. The boundaries of the zoning districts created in this chapter are shown on the zoning district map which is made a part of this municipal code. The zoning district map and all information shown thereon shall have the same force and effect as if fully set forth and described herein. The official zoning district map shall be identified by the signature of the Mayor, attested by the City Clerk under the following statement:

> This is to certify that this is the official zoning district map described in §25-1-4 of the Scottsbluff Municipal Code, passed this 10th day of August, 2015.

Section 2. Previously existing Section 25-1-4 and all other Ordinances and parts of Ordinances in conflict with this Ordinance, are repealed. Provided, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on _____, 2015.

_____
ATTEST: Mayor

_____

City Clerk (Seal)

M.C. SCHAFF AND ASSOCIATES, INC.

0 37.5 75 150 225 300 Feet

N

# RM150229-00
# Aulick Rezoning
# Scottsbluff, NE

Rezoning Request

300' Buffer

Property Ownership: Shane & Annette Aulick
PO Box 1341, Scottsbluff, NE 69363-1341

10357491 80283 RIDGEVIEW DR
LT 1, THE RIDGE ESTATES SUBD (4.68 ac)

10357580 190490 UNIVERSITY ST
LT 2, THE RIDGE ESTATE SUBD (2 ac)

10357661 190448 UNIVERSITY ST
LT 3, THE RIDGE ESTATES SUBD (2 ac)

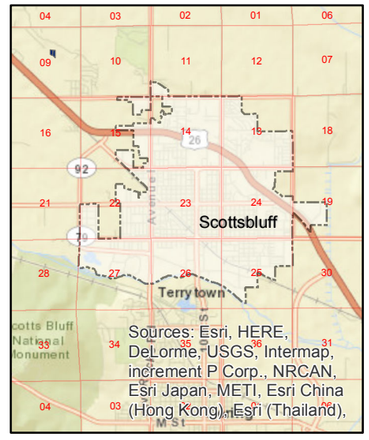
10357769 190392 UNIVERSITY ST
LT 4, THE RIDGE ESTATES SUBD (2 ac)

10357483 190445 UNIVERSITY ST
LT 5, THE RIDGE ESTATES SUBD (2 ac)

10357572 190463 UNIVERSITY ST
LT 6, THE RIDGE ESTATES SUBD (2 ac)

10357653 190499 UNIVERSITY ST
LT 7, THE RIDGE ESTATES SUBD (2 ac)

10330437 SW NE, PT NW, 9-22-55 (74.80 ac)



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

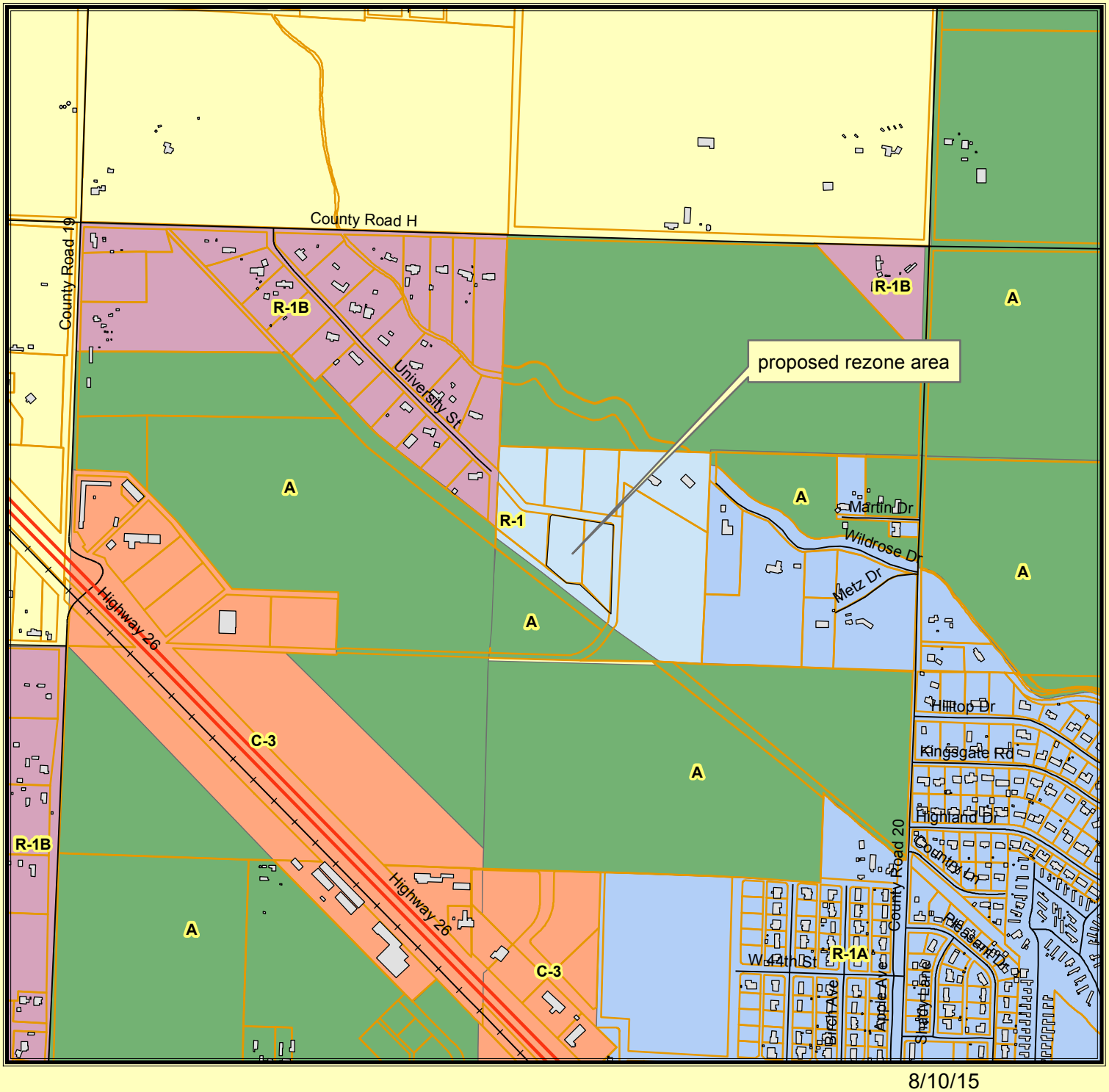
Path: G:\Jobs\RM150229 Rezone Aulick\GIS\RM150229-00 Aulick Rezoning.mxd

Date Saved: 6/30/2015 9:25:07 AM

**M.C. SCHAFF**
**& ASSOCIATES, INC**
**818 S BELTLINE HWY E**
**SCOTTSBLUFF NE 69361**

# Vacated Lots 6 & 7, Ridge Estates Subdivision Rezone

R-1 Residential to a -Agriculturall




8/10/15

N

Map by A. Urdiales: City of Scottsbluff
Coordinate System:
NAD 1983 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, August 10, 2015
## Regular Meeting

## Item NewBiz3

## Final Plat Block 6A Panhandle Cooperative Subdivision

***Final Plat: Lots 7, 8, & 9, Block 6A***

***Applicant(s): Carl & Cynthia Francisco/Baker & Associates***

***Owner(s): Carl & Cynthia Francisco***

***Location: N of Panhandle Coop & West of Ave B***

**Staff Contact: Annie Urdiales**

# *SCOTTSBLUFF CITY*
# *PLANNING COMMISSION STAFF REPORT*

| | | | |
|---|---|---|---|
| **To:** | Planning Commission | | |
| **From:** | Development Services Department | **Zoning:** Current | Agricultural |
| **Date:** | August 10, 2015 | **Property Size:** | 10.93± acres |
| **Subject:** | Final Plat –Lots 7, 8, & 9, Block 6A, Panhandle Cooperative Subdivision | | |
| **Location:** | N of Panhandle Coop Store and west of Avenue B | | |

**Procedure**

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

**Public Notice: This item was noticed in the paper and a notice was posted on the property.**

**Background**

The applicant(s), Carl & Cynthia Francisco, property owners, represented by Baker and Associates, have requested approval of a final plat of Lots 7, 8, &9, Block 6A, Panhandle Cooperative Subdivision, a replat of Block 6A, Panhandle Cooperative Subdivision, situated in the NW ¼ of Section 26, T22N, R55W of the 6th P.M., City of Scottsbluff, Scotts Bluff County, NE. The final plat consists of three separate lots, Lot 9 is developed and is presently where Mr. Francisco's business is located, it abuts Panhandle Coop to the north and there is access from Lot 9 onto the Coop lot on the south end. The City has recently worked with other commercial zones regarding alley locations for commercial lots and is working on changing the language in current code to allow for review on a case by case basis. We have several existing commercial lots without alley access and they have developed to allow for large delivery trucks and maintenance trucks to get in and out of these larger lots. They would like a variance on the alleyways, they had previously tried an alley to the west of all three lots – lining up with Ave D on the north, and this became a short cut from the residential development and caused problems for the commercial area. If the property is developed further in the future along with property to the west which is owned by Coop, the north line would be developed as West 11th Street. This is consistent with our comprehensive development plan. Properties to the north are zoned R-1A, to the south C-3, properties to the west is C-2 the property itself and to the East are zoned M-1.

This replat will allow for commercial development of the property. Existing infrastructure is in place along Avenue B and to the north for both water and sewer.

The plat was reviewed by the City Staff, Public Works Department, and the City Consultants, M.C. Schaff and Associates. The final plat meets the zoning district guidelines and staff recommends the Planning Commission makes positive recommendation of the proposed plat to City Council.

**RECOMMENDATION**

***Approve***

**Make a POSITIVE RECOMMENDATION to the City Council to approve** the final plat of Lots 7, 8, & 9, Block 6A, Panhandle Cooperative Subdivision a replat of Block 6A, Panhandle Cooperative Subdivision situated in the NW ¼ of Section 26, T22N, R55W of the 6th P.M, City of Scottsbluff, Scotts Bluff County, Nebraska subject to the following condition(s):

***Deny***

**Make a NEGATIVE RECOMMENDATION to the City Council to disapprove** the final plat of Lots 7, 8, & 9, Block 6A, Panhandle Cooperative Subdivision a replat of Block 6A, Panhandle Cooperative Subdivision situated in the NW ¼ of Section 26, T22N, R55W of the 6th P.M, City of Scottsbluff, Scotts Bluff County, Nebraska for the following reason(s):

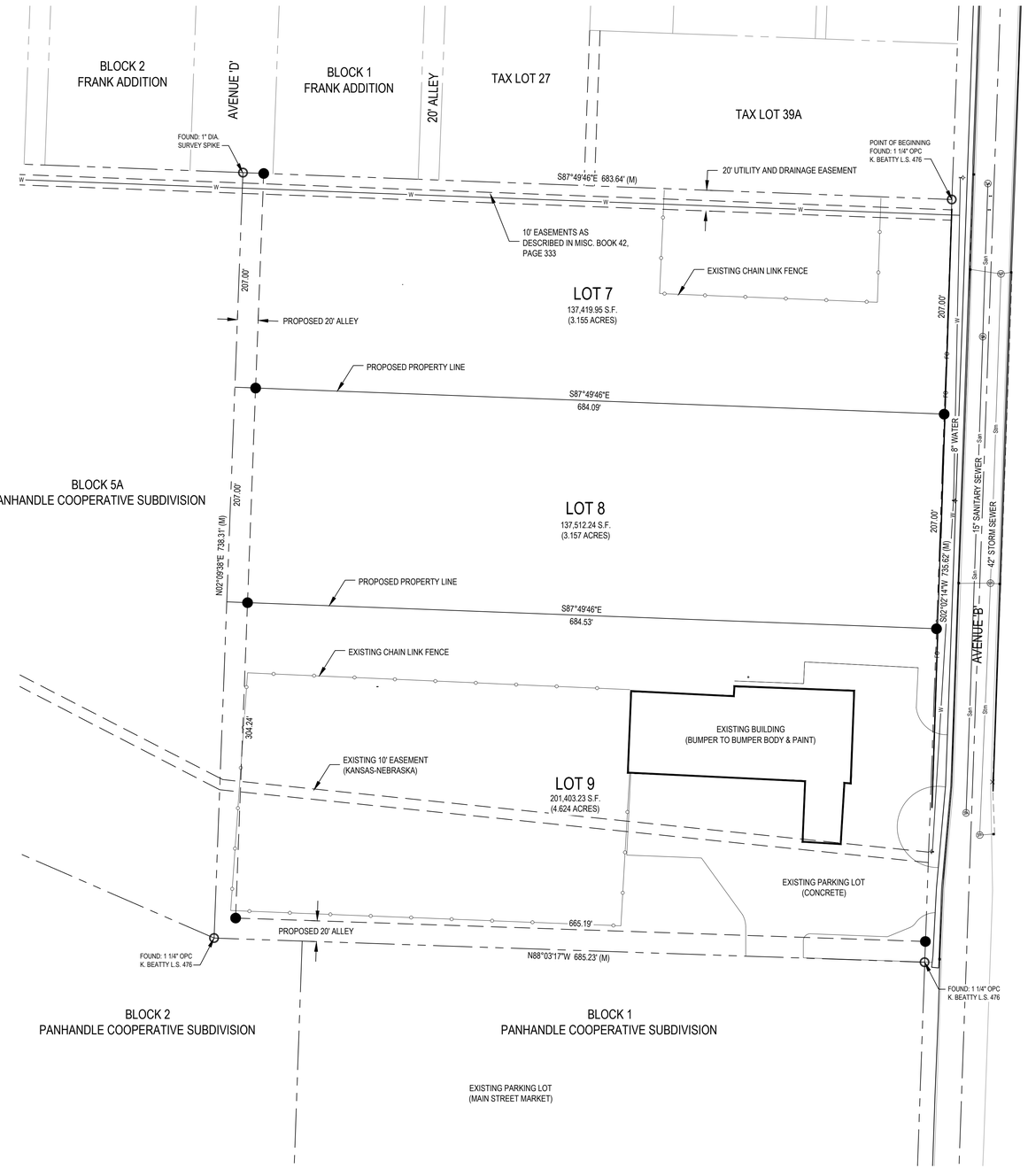
***Table***

**Make the motion to TABLE the** final plat of Lots 7, 8, & 9, Block 6A, Panhandle Cooperative Subdivision a replat of Block 6A, Panhandle Cooperative Subdivision situated in the NW ¼ of Section 26, T22N, R55W of the 6th P.M, City of Scottsbluff, Scotts Bluff County, Nebraska for the following reason(s):

Ave E
BLOCK 2
FRANK ADDITION
Ave D
BLOCK 1
FRANK ADDITION
20' ALLEY
TAX LOT 27
Ave C
TAX LOT 39A
20' UTILITY AND DRAINAGE EASEMENT
10' EASEMENTS AS
DESCRIBED IN MISC. BOOK 42,
PAGE 333
EXISTING CHAIN LINK FENCE
LOT 7
PROPOSED 20' ALLEY
PROPOSED PROPERTY LINE
BLOCK 5A
PANHANDLE COOPERATIVE SUBDIVISION
LOT 8
PROPOSED PROPERTY LINE
EXISTING CHAIN LINK FENCE
EXISTING BUILDING
(JUMPER TO JUMPER BODY & PAINT)
EXISTING 10' EASEMENT
(KANSAS-NEBRASKA)
LOT 9
EXISTING PARKING LOT
(CONCRETE)
PROPOSED 20' ALLEY
Ave B
BLOCK 2
PANHANDLE COOPERATIVE SUBDIVISION
BLOCK 1
PANHANDLE COOPERATIVE SUBDIVISION
EXISTING PARKING LOT
© 2014 Pic

# PRELIMINARY PLAT OF
# LOTS 7, 8 AND 9, BLOCK 6A, PANHANDLE COOPERATIVE SUBDIVISION

A REPLAT OF BLOCK 6A, PANHANDLE COOPERATIVE SUBDIVISION,
CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA
SITUATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 22 NORTH,
RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF SCOTTSBLUFF, SCOTTS
BLUFF COUNTY, NEBRASKA




SCALE: 1" = 60'

0' 30' 60' 120'

- FOUND SECTION CORNER (AS DESCRIBED)
- FOUND PROPERTY CORNER (AS DESCRIBED)
- SET PROPERTY CORNER
  -1 5/16" ORANGE PLASTIC CAP ON 5/8" REBAR - FLUSH
  STAMPED "BAKER PLS 731"

LEGAL DESCRIPTION:

A PARCEL OF LAND KNOWN AS LOTS 7,8 AND 9 BLOCK 6A, OF PANHANDLE COOPERATIVE SUBDIVISION, CONTAINING 504,405 SQ. FT. (11.580 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 26,TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, WHENCE THE NORTHWEST CORNER OF SAID SECTION 26 BEARS NORTH 88°50'27" WEST, A DISTANCE OF 2644.95 FEET, THENCE SOUTH 02°02'14" WEST, A DISTANCE OF 633.00' FEET THENCE NORTH 88°01'52" WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF AVE B, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 02°02'14" WEST, A DISTANCE OF 735.62 FEET;

THENCE NORTH 88°03'17" WEST, A DISTANCE OF 685.23 FEET;

THENCE NORTH 02°09'38" EAST, A DISTANCE OF 738.31 FEET;

THENCE SOUTH 87°49'46" EAST, A DISTANCE OF 683.64 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 504,405 SQ. FT. (11.580 ACRES), MORE OR LESS.

NOTE: ALL BEARINGS AND DISTANCES ARE BASED ON MEASURED FIELD OBSERVATION DUE TO THE SMALL DISCREPANCY BETWEEN RECORD AND MEASURED DISTANCES. AND THE MISCLOSURE OF LOT 6A ON THE PREVIOUS PLAT.

SURVEYOR'S CERTIFICATE

I, CARL JOHN GILBERT, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE IN JULY 2015, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF NEBRASKA DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE SCOTTS BLUFF COUNTY AND THE CITY OF SCOTTSBLUFF SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 2015.

_____
CARL JOHN GILBERT
NEBRASKA PROFESSIONAL LAND SURVEYOR NO. 731
FOR AND ON BEHALF OF BAKER AND ASSOCIATES INC.
PHONE : 308-632-3123

OWNER INFORMATION:

Carl and Cynthia Francisco
1702 East 34th Street
Scottsbluff, NE 69361


Baker & Associates Inc.
ENGINEERS * ARCHITECTS * SURVEYORS
120 East 16th St
Scottsbluff, NE 69361
308 632 3123
www.baker-eng.com

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Project Title:
PRELIMINARY PLAT - LOTS 7, 8 AND 9,
PANHANDLE COOPERATIVE SUBDIVISION
SCOTTSBLUFF, NEBRASKA
Carl and Cynthia Francisco
Scottsbluff, Nebraska

Sheet Title:
EXISTING SITE WITH
PROPOSED LOTS 7-9

Date Issued: July, 2015

Project: 6229-002-15
CAD File:

| Design | Drawing | Check |
|---|---|---|
| | BEG | CG |

Sheet No.
1

# City of Scottsbluff, Nebraska
## Monday, August 10, 2015
## Regular Meeting

## Item Unfin. Biz1

## Unfinished Business: None

**Staff Contact: Annie Urdiales**