



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
PLANNING COMMISSION AGENDA
Monday, August 9, 2021
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 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.
5. **Approval of the Planning Commission Minutes From:**
A July 12, 2021 Meeting.
6. **New Business :**
A Final Plat of Lots 7A & 7B, Block 1, Quindt Commercial Tracts, situated in the Southeast Quarter of the Northeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.
7. **Adjourn**

City of Scottsbluff, Nebraska

Monday, August 9, 2021

Regular Meeting

Item Appr. Min.1

July 12, 2021 Meeting.

Staff Contact: Zachary Glaubius, Planning Administrator

PLANING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
July 12, 2021
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, July 12, 2021, 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 local circulation in the City, on July 2, 2021. The notice stated the date, time, and location of the meeting, and that the meeting was open to the public, that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda is kept current and available for public inspection at the Development Services office provided; the Planning Commission can modify the agenda at the meeting, if the business was determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chairman Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Mark Westphal, Henry Huber, Dana Weber, Callan Wayman, Jim Zitterkopf, "Absent": Anita Chadwick, Angie Aguillo, Dave Gompert, Becky Estrada, Linda Redfern (Alternate). City Officials present were Zachary Glaubius, Secretary/Planning Administrator, Gary Batt, Code Administrator II, and Anthony Murphy, Fire Prevention Officer.
- 2 Chairman Weber 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 Alternate member Linda Redfern arrived at the meeting at 6:02 PM.
- 6 The minutes from the June 14, 2021 meeting were reviewed. Conclusion, a motion was made by Wayman and seconded by Huber to approve the minutes from January 25, 2021 meeting. "Yeas": Westphal, Huber, Redfern, Wayman, Zitterkopf, Weber. "Abstained": None, "Absent": Aguillo, Chadwick, Gompert, Estrada. The motion carried.
- 7 Members Becky Estrada and Dave Gompert arrived to the meeting at 6:05 PM.
- 8 Chairman Weber opened the public hearing for the Final Plat of Lots 1 & 2 of Block 2, Webber Manor Fourth Addition. Weber asked Glaubius for an overview of the final plat. Glaubius stated the area is currently zoned C-2 and vacant. Glaubius stated Lot 2 would not have any street frontage as required by the subdivision code 21-1-23, however since the land would be received by the city, this would not be an issue. Staff recommended positive recommendation to the City Council. Representative for the applicant Jack Baker with Baker & Associates spoke to the Planning Commission. Baker reiterated that the applicant intends to donate Lot 2 to the city as the land is of no use to anyone except the city. Baker stated Lot 2 would be split again in the future between the city and National Guard. Wayman asked if the access to Lot 5 Webber Manor would be through 31st Street rather than through Lot 2. Baker stated the access to Lot 5 would still be through 31st Street and the access road through Lot 2 is currently impassible due to a fallen tree. Weber closed the public hearing and asked for a recommendation on the final plat of Lots 1 & 2 of Block 2, Webber Manor Fourth Addition. Wayman made a positive recommendation for the resolution, seconded by Westphal to the City Council to make a positive recommendation to the City Council to approve the final plat. "Yeas": Estrada, Westphal, Huber, Gompert, Wayman, Zitterkopf, Weber, Redfern. "Abstained": None, "Absent": Aguillo, Chadwick. The motion carried.

- 9 Chairman Weber opened the public hearing for an Agricultural Estate Dwelling Site at 240024 Frank Drive. Weber asked Glaubius for an overview of AEDS. Glaubius stated the area is currently zoned A-Agricultural. Glaubius stated the applicant is seeking the designation of AEDS for an expanded parcel as the current farmstead parcel does not include the outbuildings. The AEDS would meet the 2-acre minimum area and will create an irrigation easement. Staff recommended positive recommendation to the City Council. Gregg Schilz with MC Schaff spoke for the applicant to the Planning Commission. Schilz stated the existing parcel was suppose to be an AEDS in the past. Schilz explained the irrigation easement is for the center pivot, and stated the applicant either wants to sell the parcel or give it to his son. Fire Marshal Anthony Murphy then spoke to the board. Murphy stated the 911 system is based off the official addresses, and that Frank Drive is not a true street with the correct signage. Murphy stated Frank Drive is not a recognized street in the 911 system. Murphy requested the Planning Commission require the commission to change the address to 240677 Highland Road. Weber inquired if Frank Drive could be made into a recognized road. Murphy stated it may need to meet city specifications to be considered a road, and Weber stated it would then be easier to change the parcel's address. Murphy stated that one of the outbuildings had been used as a residence in the past and would require its own address too. Weber closed the public hearing and asked for a recommendation on the AEDS. made a positive recommendation on the AEDS with the Emergency Services compliant address of 240677 Highland Road and the secondary residence as 240681 Highland Road. Gompert asked if there was a someone residing in the outbuilding. Murphy stated that he was using past knowledge and was not aware if the building were occupied or not. Schilz stated he believed the building was being used for storage. Westphal stated it would be beneficial to have an address assigned to the building if in the future it serves as a residence. Weber concurred. Zitterkopf seconded Westphal's recommendation. "Yeas": Estrada, Westphal, Huber, Gompert, Wayman, Zitterkopf, Weber, Redfern. "Abstained": None, "Absent": Aguillo, Chadwick. The motion carried.
- 10 Chairman Weber opened the public hearing for an Agricultural Estate Dwelling Site at 80497 County Road 22. Weber asked if there was a representative for the AEDS present. Greg Schilz represented the applicant and stated the applicant is looking to sell the farmstead off. Schilz stated an issue with this AEDS is that an existing structure crosses the section/property line, however the structure was built long ago. Weber then asked for staff comments. Glaubius stated it was zoned A-Agricultural and shown as rural in the Comprehensive Plan. Glaubius stated the reserve area does not meet the 80-acre minimum however per 25-3-19.10d, the planning commission may permit the creation of an AEDS out of less than 80 acres of reserved land in the event that the intent of the AEDS is maintained. Glaubius also reiterated a structure crosses an existing property line. Staff recommended a positive recommendation. Gompert asked if the structure would cost any future issues. Batt stated it remain as an existing non-conforming structure. Weber closed the public hearing and asked for a recommendation. Estrada made a positive recommendation for the resolution, seconded by Westphal to the City Council to make a positive recommendation to the City Council to approve the final plat. "Yeas": Estrada, Westphal, Huber, Gompert, Wayman, Zitterkopf, Weber, Redfern. "Abstained": None, "Absent": Aguillo, Chadwick. The motion carried.
- 11 Chairman Weber asked if there was any further business, with there being none, he declared the meeting adjourned at 6:25 PM with the members to signify by saying Aye. Estrada, Westphal, Huber, Gompert, Wayman, Zitterkopf, Weber, Redfern all signified by saying aye.

Chairman Dana Weber

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Monday, August 9, 2021

Regular Meeting

Item New Bus1

Final Plat of Lots 7A & 7B, Block 1, Quindt Commercial Tracts, situated in the Southeast Quarter of the Northeast Quarter of Section 24, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

Staff Contact: Zachary Glaubius, Planning Administrator



City of Scottsbluff, Nebraska

Application for a Final Plat Subdivision

Date: June 10, 2021			DO NOT WRITE IN THIS BLOCK	
Address (Location): 2001 East 20th Street, Scottsbluff, NE			Permit Number:	
Applicant's Name Mark & Amy Westphal / Steve Mackrill			Plat Approved _____ Denied _____	
Applicant's Address: 222 E 37th Street			Date Issued:	
City: Scottsbluff	State: Nebraska	Zip: 69361	Comp. Plan Land Use: Hwy 26 Comm.	Zone: C-2
Telephone: 308-635-3232	Mobile:	Email:	Attached: Final Plat Legal Description (in Word) \$100.00 filing fee Letter of transmittal Receipt # _____	
Property Owner: Mark & Amy Westphal				
Property Owner's Address: 222 E 37th Street				
City: Scottsbluff	State: Nebraska	Zip: 69361		
Telephone: 308-635-3232	Mobile:	Email:		
Engineer or Surveyor: Scott Bosse'			Total Acreage: 0.458 Acre	
Engineer or Surveyor Address: 120 East 16th Street, Suite 'A'			Proposed number of lots: 2	
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: COMMERCIAL	
Telephone: (308) 632-3123	Mobile:	Email:	Proposed Use of Property: COMMERCIAL	
Location of property: Northeast corner of the Intersection of 20th Street & Delta Drive, Scottsbluff, NE			Present Zoning: C-3	
Please provide the following: Copy of Final Plat (Mylar and 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) \$100.00 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.				
<i>Frank E. Foss - BAKER & ASSOCIATES, INC.</i> Applicant's Signature: (ON BEHALF OF STEVE MACKRILL) Date: 6/11/2021				
Remarks: (Insert here any information not covered above)				



2019-2178

NUM PAGES 1
 DOC TAX \$371.25 CHG _____
 FEES \$10.00 CHG _____
 TOTAL \$381.25
 REC'D Nebraska Title Company-Scottsbluff 22
 RET _____

NUM INDEX _____
 COMPUTER CH
 PICTURED C
 IMAGED _____

NEBRASKA DOCUMENTARY
 STAMP TAX
 May 31, 2019
 \$ 371.25 By JBauer

RECORDED
 SCOTTS BLUFF COUNTY, NE
 Date May 31, 2019 Time 10:00 AM
Inst. 2019-2178
Jean A. Bauer
 REGISTER OF DEEDS
 ELECTRONICALLY RECORDED

SURVIVORSHIP WARRANTY DEED

Michael J. Marker and Mae M. Marker husband and wife, GRANTOR, in consideration of One Dollar and other good and valuable consideration received from Mark A. Westphal and Amy S. Westphal, husband and wife, GRANTEES, hereby conveys to GRANTEES, as joint tenants with right of survivorship and not as tenants in common, the following described real estate (as defined in Neb. Rev. Stat. 76-201)

Lot Seven (7), Block One (1), QUINDT COMMERCIAL TRACTS to the City of
 Scottsbluff, Scotts Bluff County, Nebraska.

GRANTOR covenant with GRANTEES that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances, except encumbrances, liens, easements and restrictions of record;
- (2) has legal power and lawful authority to convey the same; and
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

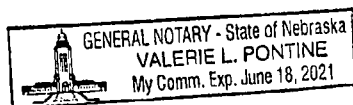
Dated 5/31/2019

Michael J. Marker
 Michael J. Marker

Mae M. Marker
 Mae M. Marker

STATE OF Nebraska
 COUNTY OF Scotts Bluff

The foregoing instrument was acknowledged before me this 31st day of May, 2019
 by Michael J. Marker and Mae M. Marker husband and wife.



Valerie L. Pontine
 Notary Public

SB0004075

Please Return recorded document to:
 Nebraska Title Company
 2822 Avenue I, Suite B
 Scottsbluff, NE 69361



**FINAL PLAT OF LOTS 7A AND 7B, BLOCK 1,
QUINDT COMMERCIAL TRACTS,
A SUBDIVISION OF LOT 7, BLOCK 1, QUINDT COMMERCIAL TRACTS
TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**
**SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH,
RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA**

Sheet Revisions		
Date	Description	Initials
06-02-21	DRAFTED SURVEY	JCB

Baker & Associates Inc.
Engineers * Architects * Surveyors
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120-EAST-16TH-STREET
SCOTTSBLUFF, NE-69301
308-632-3123
www.baker-eng.com

Final Plat of Lot 7A and 7B, Block 1, Quindt Commercial Tracts			
Title Sheet			
Baker Project Number: 6423-001-21			
Project Location: Scottsbluff, Scotts Bluff County Nebraska			
Owners: WESTPHAL/MARK A & AMY S			
Project Code	Last Mod. Date	Subset	Sheet No.
6423	07-23-2021	1 of 2	2

SURVEY NOTES

- BAKER AND ASSOCIATES, INC., PERFORMED ALL NECESSARY RESEARCH TO ESTABLISH CURRENT OWNERSHIP OF THE SUBJECT PROPERTY SHOWN HERE ON, UTILIZING CURRENT VESTING DOCUMENTS FROM PUBLIC RECORDS, A CERTIFICATE OF TITLE WAS ALSO PROVIDED BY FERGUSON TITLE SERVICES COMPANY TO VERIFY ALL OWNERSHIP AND RESEARCH.
- THE MONUMENTATION RECOVERED WAS LOCATED BY A COMBINATION OF GLOBAL POSITIONING SYSTEM (GPS) FAST STATIC, RTK AND RTK DATA LOGGING TECHNIQUES. CONVENTIONAL SURVEY METHODS WERE APPLIED WHEN REQUIRED.
- BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE NORTH LINE OF LOT 7, BLOCK 1 QUINDT COMMERCIAL TRACTS. BEARING OF SAID LINE IS S88°12'36"E, AND IS OBTAINED FROM A GLOBAL POSITIONING SYSTEM (GPS) SURVEY BASED ON THE NEBRASKA HIGH ACCURACY REFERENCE NETWORK (NHARN). SAID GRID BEARING IS NAD 83 (2011) NEBRASKA STATE PLANE ZONE 2600.
- ALL DIMENSIONS SHOWN HEREON ARE U.S. SURVEY FEET.
- NOTICE: YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION, BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

LEGAL DESCRIPTION

LOT 7A

BEGINNING AT A POINT ON THE NORTHWEST CORNER OF LOT 7, BLOCK 1, QUINDT COMMERCIAL TRACTS TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA , A MONUMENT FOUND IN PLACE; THENCE ALONG THE NORTH LINE OF SAID LOT 7 S88°12'36"E, A DISTANCE OF 99.73 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID LOT 7 SAID BEARING BEING THE BASIS OF BEARING OF THIS DESCRIPTION; THENCE S02°12'15"W A DISTANCE OF 143.81 FEET; THENCE N88°12'36"W A DISTANCE OF 38.09; THENCE S02°12'15"W A DISTANCE OF 56.16 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 7; THENCE ALONG SAID SOUTH LINE N88°14'17"W A DISTANCE OF 61.91 FEET; THENCE N02°16'54"E A DISTANCE OF 200.0 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 0.409 ACRE, MORE OR LESS.

LOT 7B

COMMENCING AT A POINT ON THE NORTHWEST CORNER OF LOT 7, BLOCK 1, QUINDT COMMERCIAL TRACTS TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, A MONUMENT FOUND IN PLACE; THENCE ALONG THE NORTH LINE OF SAID LOT 7 S88°12'36"E, A DISTANCE OF 99.73 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID LOT 7; SAID BEARING BEING THE BASIS OF BEARING OF THIS DESCRIPTION; THENCE S02°12'15"W A DISTANCE OF 143.81 FEET TO A POINT ON THE EAST LINE OF SAID LOT 7, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION

THENCE S02°12'15"W A DISTANCE OF 56.14 FEET TO A POINT ON THE SOUTHEAST CORNER OF SAID LOT 7, A MONUMENT FOUND IN PLACE; THENCE ALONG THE SOUTH LINE OF SAID LOT 7 N88°14'17"W A DISTANCE OF 38.09 FEET; THENCE N02°12'15"E A DISTANCE OF 56.16 FEET; THENCE S88°12'36"E A DISTANCE OF 38.09 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING .049 ACRE, MORE OR LESS.

OWNER'S AND DEDICATION STATEMENT

WE BEING THE UNDERSIGNED, BEING THE OWNERS OF OF LOTS 7A AND 7B, BLOCK 1, QUINDT COMMERCIAL TRACTS, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, STATE THE FOREGOING FINAL PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE UNDERSIGNED OWNERS.

WE HEREBY DEDICATE ALL STREETS, ALLEYS, EASEMENTS, AND RIGHT OF WAYS TO THE BENEFIT AND USE OF THE PUBLIC.

MARK A. WESTPHAL

DATE

AMY S. WESTPHAL

DATE

ACKNOWLEDGMENT

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME MARK A. WESTPHAL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTORIAL SEAL THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACKNOWLEDGMENT

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

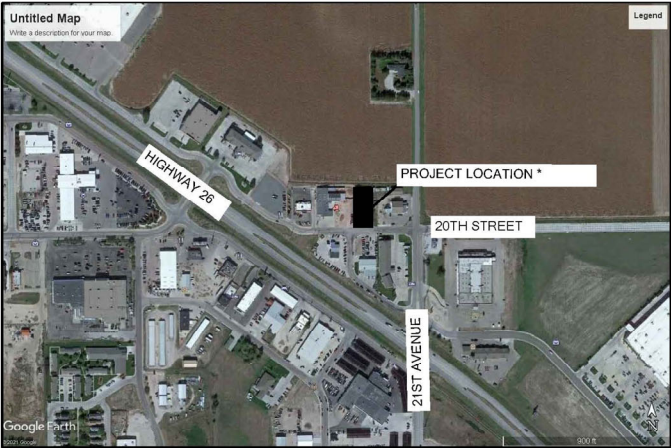
BEFORE ME, A NOTARY PUBLIC, QUALIFIED AND ACTING IN SAID COUNTY, PERSONALLY CAME AMY S. WESTPHAL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED TO THE FOREGOING "OWNER'S STATEMENT" AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

WITNESS MY NOTORIAL SEAL THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

PROJECT VICINTY MAP



INDEX OF SHEETS

PAGE 1	TITLE SHEET
PAGE 2	PLAN SHEET

APPROVAL AND ACCEPTANCE

THE FOREGOING PLAT OF LOTS 7A AND 7B, BLOCK 1, QUINDT COMMERCIAL TRACTS, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, WAS APPROVED BY THE MAYOR OF THE CITY OF SCOTTSBLUFF, NEBRASKA.

WE HEREBY ACCEPT ALL STREETS, ALLEYS, EASEMENTS AND RIGHT OF WAYS TO THE BENEFIT AND USE OF THE PUBLIC.

BY:

MAYOR _____

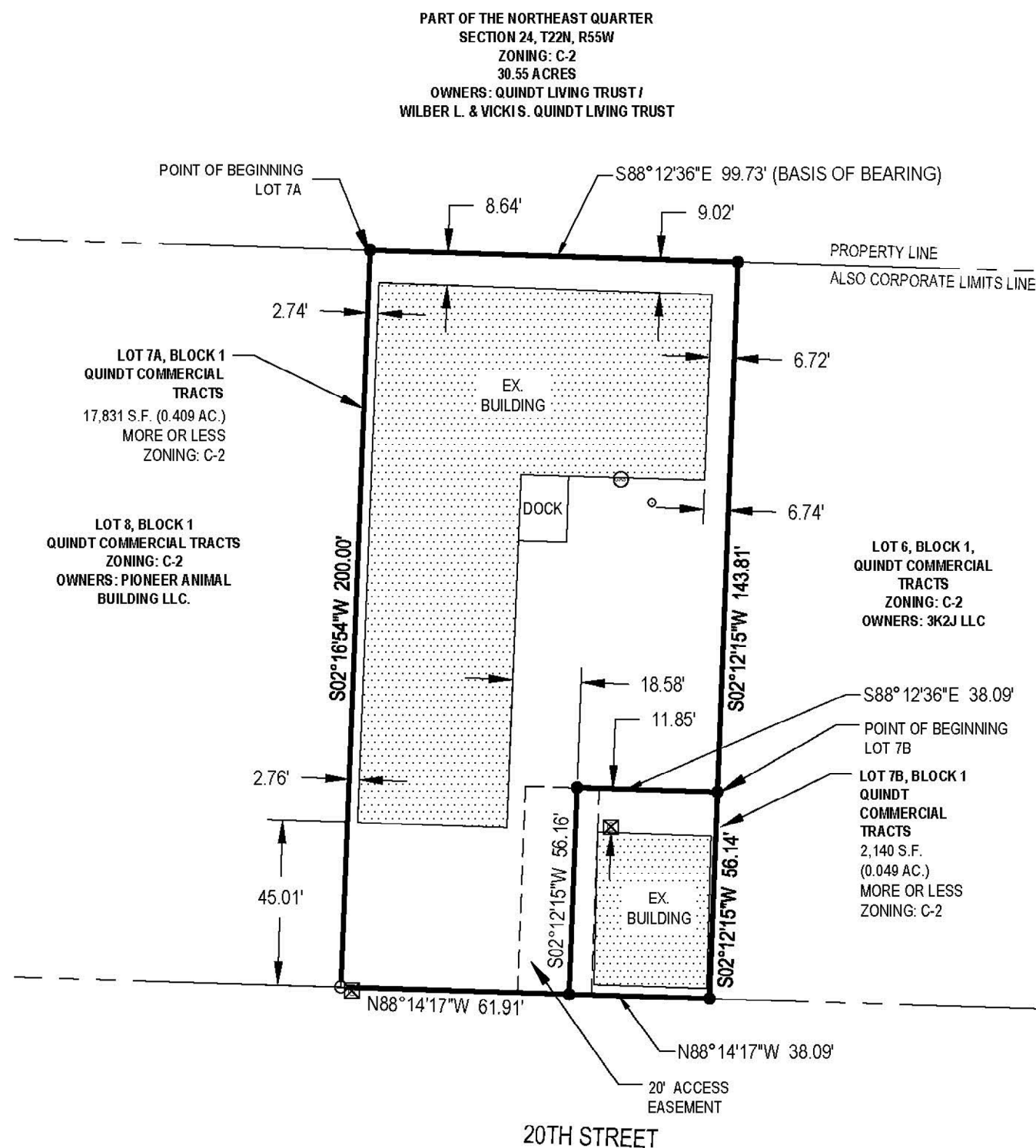
ATTESTED: CITY CLERK _____

**FINAL PLAT OF LOTS 7A AND 7B, BLOCK 1,
QUINDT COMMERCIAL TRACTS,
A SUBDIVISION OF LOT 7, BLOCK 1, QUINDT COMMERCIAL TRACTS
TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA**
SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH,
RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA

Sheet Revisions		
Date	Description	Initials
06-02-21	DRAFTED SURVEY	JCB

Baker & Associates Inc.
120 EAST 16TH STREET
SCOTTSBLUFF, NE 69361
308-632-3123
www.baker-eng.com
Engineers • Architects • Surveyors
COPYRIGHT 2020

Final Plat of Lot 7A and 7B, Block 1, Quindt Commercial Tracts				
Plan Sheet				
Baker Project Number: 6423-001-21				
Project Location: Scottsbluff, Scotts Bluff County Nebraska				
Owners: WESTPHAL/MARK A & AMY S				
Project Code	Last Mod. Date	Subset	Sheet No.	
6423	07-23-2021	2 of 2	2	



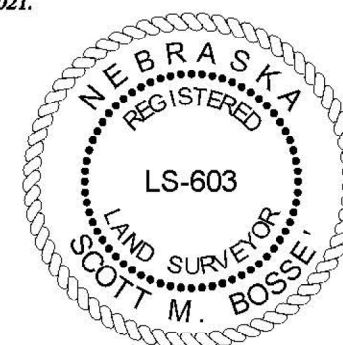
- N
- SCALE: 1" = 40'
- 0' 20' 40' 80'
- = CORNER FOUND AS NOTED
 - = CORNER SET
5/8"x24" REBAR WITH PINK PVC CAP
STAMPED "ACCUSTAR BOSSE" LS 603
 - _{WC} = WITNESS CORNER SET
5/8"x24" REBAR WITH PINK PVC CAP
STAMPED "ACCUSTAR BOSSE" LS 603
 - (M) = MEASURED DISTANCE
 - (R) = RECORDED DISTANCE

SURVEYOR'S CERTIFICATE:

I, SCOTT M. BOSSE, NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED LOTS 7A AND 7B, BLOCK 1, QUINDT COMMERCIAL TRACTS TO THE CITY OF SCOTTSBLUFF; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 40 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED AND THE BOUNDARY IS DEPICTED BY A THICKENED SOLID LINE.

WITNESS MY HAND AND SEAL this _____ day of _____, 2021.

Scott M. Bosse
NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603



July 27, 2021

Zachary Glaubius, MCRP
Planning Administrator
City of Scottsbluff
2525 Circle Drive
Scottsbluff, NE 69361

RE: Lots 7A & 7B, Block 1, Quindt Commercial Tracts

Dear Mr. Glaubius:

The intent of the subdivision of the Quindt Commercial Tracts is to divide the parcel into two separate parcels, each with an existing building. Currently there are two buildings on the parcel and they are operated separately. The long term tenant of the smaller building (future Lot 7B) would like to purchase the building and land for that portion of the property.

The building will be used as a convenience warehouse storage facility.

Please let us know if you have any questions.

Thank you,

Mark Westphal

July 27, 2021

Zachary Glaubius, MCRP
Planning Administrator
City of Scottsbluff
2525 Circle Drive
Scottsbluff, NE 69361

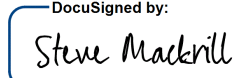
RE: Lots 7A & 7B, Block 1, Quindt Commercial Tracts

Dear Mr. Glaubius:

Upon completion of the proposed replat of Lots 7A and 7B of Block 1 of the Quindt Commercial Tracts, I will be the owner of Lot 7B. I have rented this building for some time and upon acquisition of the property the building will be used as a convenience warehouse storage facility.

Please let us know if you have any questions.

Thank you,

DocuSigned by:

4FE2CEF4CFE5470...
Steve Mackrill

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: July 23, 2021 For Hearing of: August 9, 2021



I. GENERAL INFORMATION

- A. Applicant:** Mark & Amy Westphal
222 E 37th Street
Scottsbluff, NE 69361
- B. Property Owner:** Same as Applicant
- C. Proposal:** Request to replat Block 7, Quindt Commercial Tracts, into two separate lots and add an access easement
- D. Legal Description:** Block 7, Quindt Commercial Tracts (to be replatted as Lots 7A and 7B, Block 1, Quindt Commercial Tracts)
- E. Location:** 2001 E. 20th Street
- F. Existing Zoning & Land Use:** C-2 Neighborhood and Retail Commercial. This site is currently being used as a convenience warehouse facility.
- G. Size of Site:** Approximately 20,038.00 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	Commercial	C-2 Neighborhood and Retail Commercial	Farm Ground
East	Commercial	C-2 Neighborhood and Retail Commercial	ABC Seamless
South	Commercial	C-2 Neighborhood and Retail Commercial	Parking Lot, General Commercial Building
West	Commercial	C-2 Neighborhood and Retail Commercial	Former Pioneer Animal Clinic

B. Relevant Case History

1. This site is in the City of Scottsbluff Blighted and Substandard Area.

2. The certificate of occupancy for this parcel was issued on 7-20-21.

III. **ANALYSIS**

- A. **Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Highway 26Commercial (Commercial).
- B. **Traffic & Access:**
 1. Current access to Lot 7 is frontage to E. 20th Street.
 2. The accesses above will remain for the proposed Lot 7B.
 3. The proposed Lot 7A will be accessed from E. 20th Street through a 20' access easement.
- C. **Utilities:**
 1. The current lot has access to water, and sewer.
 2. The proposed lots will need to have separate accesses to water and sewer.

IV. **STAFF COMMENTS**

- A. The definition of a convenience warehouse storage facility is: A series of storage spaces contained in one building or in a series of buildings which are designed and used for the purpose of renting or leasing individual storage spaces to persons in order that any person renting or leasing one or more of such individual storage spaces shall have access for the purpose of storing property therein. (25-2-27.1).
- B. The current use of the lot is convenience warehouse storage facility which requires 1 off-street parking space for every 1000 sq feet of building.
- C. The building on the proposed Lot 7B will not meet the criteria of a convenience warehouse storage facility if on a separate lot. Single bay personal storage is not a permitted use in the C-2 zoning district.
- D. No sidewalks exist on Lot 7 or the adjoining lots in conflict of 21-1-36. Owners of Lot 7A and 7B would be required to install sidewalks per the specifications of Chapter 20 Article 3 of the Municipal Code.

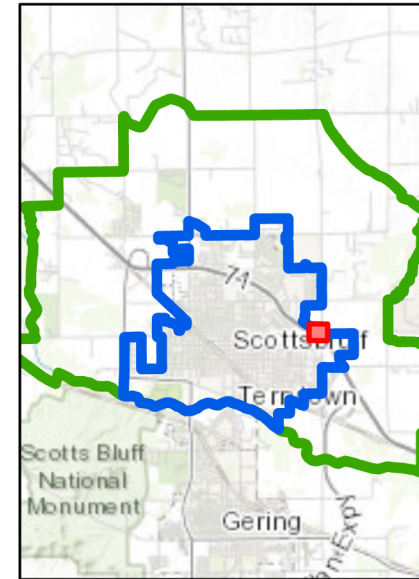
V. **FINDINGS OF FACT**

- A. **Findings of Fact to Recommend Its Approval May Include:**
 1. The Comprehensive Plan identifies the area as commercial and the lots will remain C-2.
 2. There are no applicable setbacks or lot coverage requirements in the C-2 zoning district.
 3. The 20' access easement will provide access to the off-street parking of Lot 7B and the majority of off-street parking 7A.
 4. The current usage of Lot 7 and proposed Lot 7A meets the off-street parking requirements and is a permitted use in the C-2 district.
 5. Lot 7B will meet the parking requirements and be a permitted use if used as a convenience warehouse storage facility. Letter from applicant and future owner state this intent.
- B. **Findings of Fact to Not Recommend Approval May Include:**
 1. The existing Lot 7 has enough area to meet general commercial off-street parking requirements (1 stall per 500 sq ft). A subdivision of the existing Lot 7 will restrict the use of the Lot 7A & 7B to only warehousing and wholesaling.
 2. The structure of Lot 7B is a single bay storage building, which is not a permitted use in the C-2 district.

3. As the current use of Lot 7B is not a permitted use, it would be required to meet the general commercial off-street parking requirements of two parking stalls. The proposed Lot 7B does not have enough area for additional parking stalls.
4. Due to the small area and dimensions of Lot 7B, its off-street parking cannot be accessed without crossing onto Lot 7A.
5. The Comprehensive Plan defines Highway 26 commercial as motorized vehicle oriented. The proposed layout of Lot 7B is not motorized vehicle oriented.
6. The small area of the proposed Lot 7B is not in character with the lot sizes of the surrounding neighborhood.
7. The small area is not in character with the C-2 district. Of the 197 C-2 parcels, only two existing parcels are less than 2,200 sq ft. Neither have structures, and both are used as paved accesses.

VI. STAFF RECCOMENDATION

- A. Staff recommends the Planning Commission make a negative recommendation on the approval of the Final Plat of Lots 7A & 7B, Block 1, Quindt Commercial Tracts.



- Street Centerline
- Highway
- Main Road
- Residential
- Proposed_Changes
- Area_Zoom_out

Taylor Stephens
City of Scottsbluff GIS
Created on July 29th, 2021
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

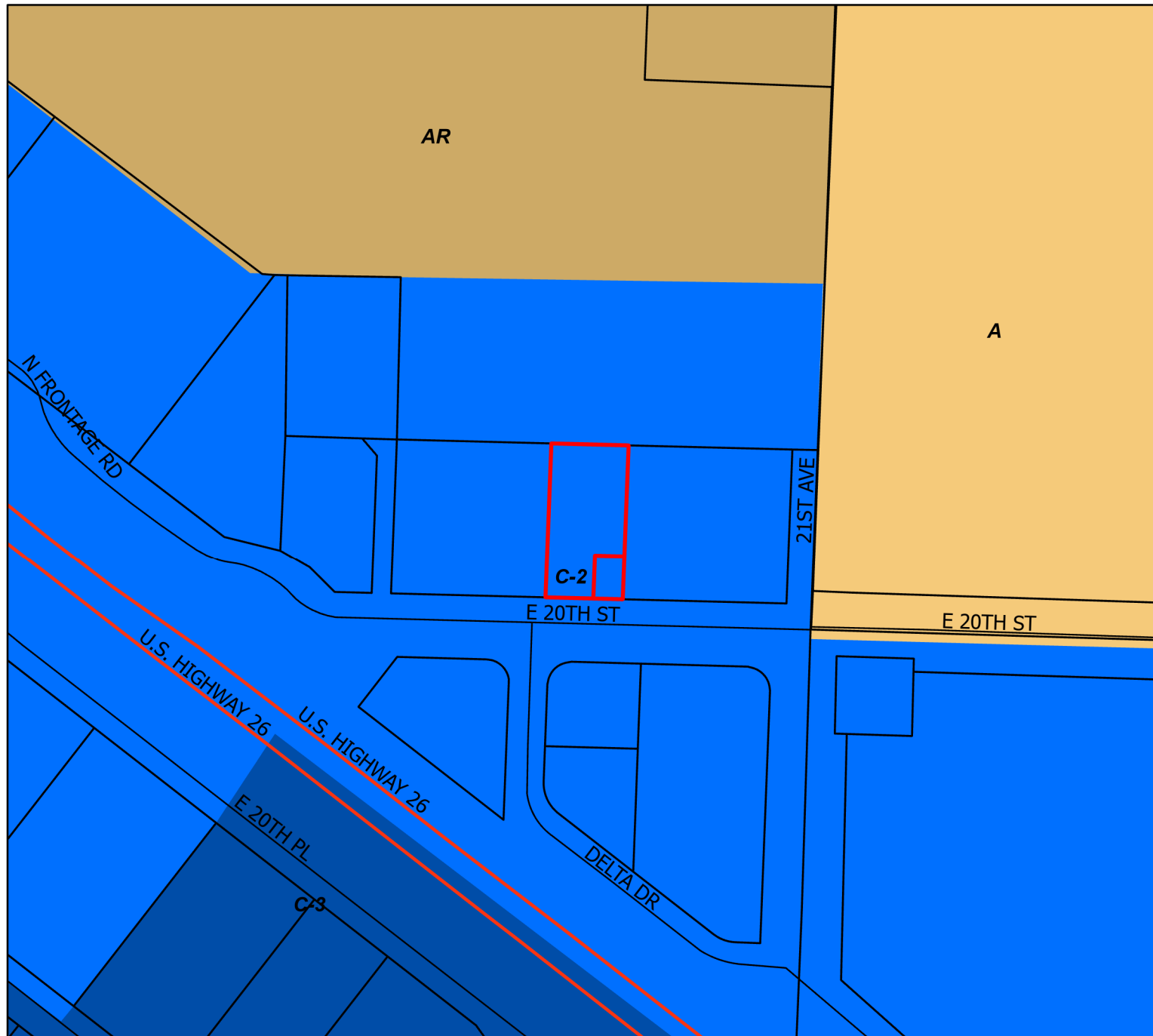
The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.



- Proposed Changes
- Street Centerline**
- Highway
- Main Road
- Residential
- Building
- Parcel Boundaries

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Street Centerline

- Highway
- Main Road
- Residential
- Proposed Changes
- Parcel Boundaries

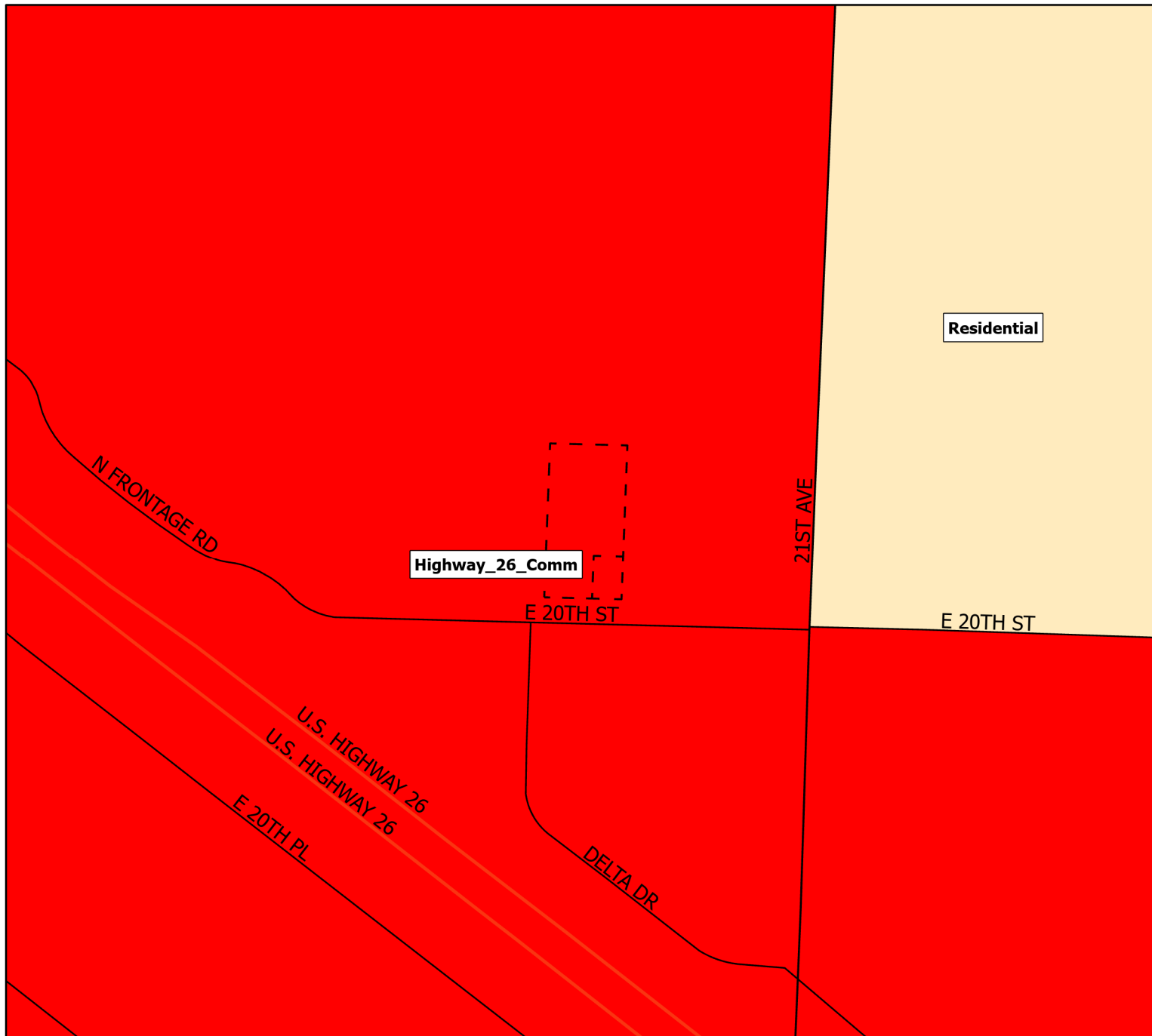
Zoning

- A
- AR
- C-1
- C-2
- C-3
- M-1
- M-2
- O&P
- PBC
- R-1
- R-1A
- R-1B
- R-4
- R-6

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2016 Comp. Plan Future Land Use Overview



Street Centerline

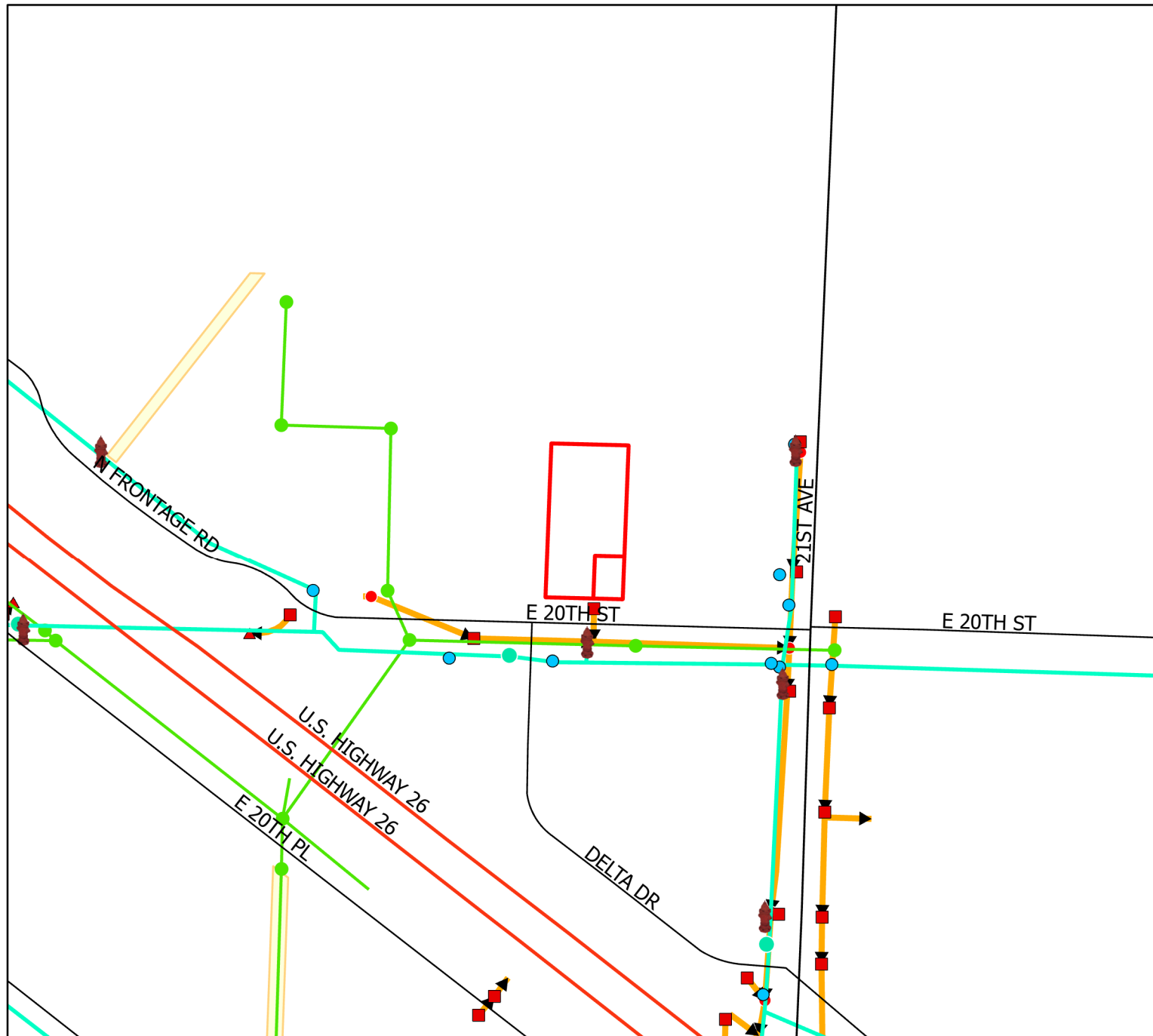
- Highway
- Main Road
- Residential

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
- Southeast Industrial and Commercial
- South Broadway
- WNCC and Surrounding Area
- Proposed Changes

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- Street Centerline
- Highway
- Main Road
- Residential
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- 🔥 Fire Hydrants
- Water Lines
- Verified_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- ➡ Stormwater Arc
- Easement
- Proposed Changes

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