



SCOTTSBLUFF CITY PLANNING COMMISSION AGENDA

Monday, May 9, 2016, 6:00 PM
City 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 4/11/16

Approve minutes April 11, 2016

7. NEW BUSINESS:

A Ag Estate Dwelling

Applicant(s) : Rod Adams Farms/ Paul Reed Co.

Owner(s): Rod Adams Farms Inc. & Cory A..Adams

Location: SW corner of Highland Rd. & C.R. 24

B Five 22 Developing LLC Redevelopment Plan

Applicant(s): Stephen & Lynette Adams

Owner(s) Five 22 Developing LLC

Location: Ave G between W. Overland & 11th St

C Ordinance Proposed Admendment Permanent Color Technology

Applicant(s): N/A

Owner(s): N/A

Location: N/A

D Ordinance Amendment Shipping Containers

Applicant(s): N/A

Owner(s): N/A

Location: N/A

E Proposed Ordinance: Sexually Oriented Businesses

Applicant(s): N/A

Owner(s): N/A

Location: N/A

8. UNFINISHED BUSINESS:

A Unfinished Business: None

9. ADJOURN

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

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, May 9, 2016

Regular Meeting

Item Appr. Min.1

Minutes 4/11/16

Approve minutes April 11, 2016

Staff Contact: Annie Urdiales

**Planning Commission Minutes
Regular Scheduled Meeting
April 11, 2016
Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, April 11, 2016, 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 April 1, 2016. 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: Anita Chadwick, Mark Westphal, Jim Zitterkopf, Callan Wayman, Linda Redfern, and Becky Estrada. Absent: Aguillo, Weber, Huber, and Gompert. City officials present: Annie Folck, City Planner, Annie Urdiales, Planning Administrator, 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 March 14, 2016 were reviewed and approved. A motion was made to accept the minutes by Zitterkopf, and seconded by Wayman. **"YEAS":** Chadwick, Zitterkopf, Wayman, and Estrada. **"NAYS":** None. **ABSTAIN:** Westphal and Redfern. **ABSENT:** Aguillo, Huber, Weber, and Gompert. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for the Owen Oral Surgery Center Redevelopment Plan, applicant(s) and owner(s), Owen Development, L.L.C. Annie Folck, City Planner gave a brief overview of the project, the Planning Commission at a previous meeting approved a final plat for Lots 1 and 2, Block 10, Five Oaks Subdivision for property owner, Zachary Owen. These lots are located in a Blighted and Substandard area and are eligible for TIF (tax increment financing). Dr. Owen plans on developing Lot 1, as his office for Oral Surgery part of this plan includes several public improvements to the property including the completion of the west side of Avenue G from 42nd Street south to 40th Street, and improvements to the water and sewer systems. This redevelopment plan includes a request for tax increment financing for eligible costs and improvements to the land. Folck noted that the plan fits and is in compliance with our newly adopted comprehensive development plan and recommended approval of the Resolution for the Redevelopment Plan for review by the CRA (Community Redevelopment Authority) and City Council.

John Selzer, representing Owen Development L.L.C, addressed the Planning Commission and outlined how the proposed project meets the intent of the City's Comprehensive Development Plan, Lot 1, which will be developed as the Oral Surgery Office is located in an O & P zoning district, this office building will be a good buffer between the Webb development in a C-2 zoning district to the west and the R-4 residential district to the east of Avenue G. The office will have regular business hours and be low

intensity, low traffic with approximately fifteen patients a day. The Plan also includes landscaping and possibly sidewalk which will soften the edges of the office, the office building will be designed to fit in with both the commercial to the west and the residential to the east it will fit with Highway 26 District street patterns. As Lot 1 is developed a water line will be put in place under Avenue G to serve future development to the east, this will allow for the availability of water services to future development without having to tear up the street. The plan is in conformance with our Comp Plan and Mr. Selzer requested a positive recommendation of the resolution for the revitalization plan to the Community Redevelopment Authority and City Council.

Conclusion: A motion was made by Zitterkopf and seconded by Westphal to make positive recommendation of the resolution to approve the Redevelopment Plan for the Owen Oral Surgery Center on Lot 1, Block 10, Five Oaks Subdivision to the Community Redevelopment Authority, and City Council. "YEAS": Westphal, Redfern, Zitterkopf, Wayman, Chadwick, and Estrada. "NAYS": None. ABSTAIN: None. **ABSENT:** Aguillo, Weber, Huber, and Gompert. Motion carried.

ITEM 7B: The Planning Commission opened a public hearing for a proposed rezone for property located at 1401 19th Avenue (tracts 12, & 13, Wildy & Lana Commercial Tracts). The applicant(s), Kathy Birch from Van Newkirk Real Estate, representing property owners, T.H. & Spencer Steel; Ms. Birch addressed the Planning Commission regarding the request to change the zoning from R-4 Multifamily residential to C-3 Heavy Commercial. The property owners live in Colorado and are unable to take care of the property anymore; they want to sell the property and have someone interested in the property if can be rezoned to a C-3 heavy commercial zoning district, they are asking the Planning Commission to consider changing the zoning which will help with the sale of the parcel, which will improve the area as it is now an eyesore, the prospective buyer is aware of the landscaping requirements in a C-3 zone and will landscape with trees and hope to provide a sidewalk in this area also. The proposed use is for commercial storage.

The property has been used as a mobile home park for several years (Wagon Wheel Mobile Home Park) and is situated south of East 15th Street between 19th and 21st Avenue. Properties to the north, south and west are zoned C-3 Heavy Commercial and east of 21st Avenue the area is zoned M-1 Light Manufacturing. These parcels were zoned C-3 in the past and rezoned a years ago to R-4 as the owner at that time was planning to remove the mobile homes and put in multifamily rental units. He later sold the property and it has been used as a mobile home park ever since with different owners, the Steele's had sold the property but the property reverted back to them after the previous owners were unable to make the proposed changes and improvements to the mobile home park.

Conclusion: A motion was made by Wayman and seconded by Chadwick to recommend approval of the proposed zone change for Tracts 12 & 13, Wildy & Lana Commercial tracts from R-4- Multifamily to C-3 Heavy Commercial. "YEAS": Zitterkopf, Westphal, Chadwick, Wayman, Redfern, and Estrada. "NAYS": None. ABSTAIN: None. **ABSENT:** Aguillo, Weber, Huber, and Gompert. Motion carried.

ITEM 7C: The Planning Commission opened a public hearing for proposed ordinance amendments to Chapter 25, Article 2, Including definitions relating to Tattoo Establishments, Body Piercing, Branding and Permanent Color Technology, also amending Chapter 25, Article 3, amending various zoning districts in which a Tattoo/Body Piercing Establishment or Permanent Cosmetic Facilities will be allowed as a permitted use by right.

Annie Folck gave a brief description of the changes to Chapter 25 Article 2 & 3, of our zoning code. Definitions were added to Article 2 defining the following:

25-2-13.1. Body piercing

Body piercing means puncturing the skin of a person by aid of needles or other instruments designed or used to puncture the skin for the purpose of inserting removable jewelry or other objects through the human body, except that body piercing does not include puncturing the external part of the human ear lobe.

25-2-13.2. Branding - Branding means a permanent mark made on human tissue by burning with a hot iron or other instrument.

25-2-90.1. Permanent Color Technology - Permanent color technology means the process by which the skin is marked or colored by insertion of non-toxic dyes or pigments into or under the subcutaneous portion of the skin upon the body of a live human being so as to form indelible marks for cosmetic purposes.

25-2-125.1. Tattooing - Tattooing means the process by which the skin is marked or colored by insertion of non-toxic dyes or pigments into or under the subcutaneous portion of the skin upon the body of a live human being so as to form indelible marks for decorative or figurative purposes.

25-2-125.2. Tattoo/body piercing establishment - Any establishment where tattooing, branding and/or body piercing is engaged in and where the business of tattooing, branding, and/or body piercing is conducted, or any part thereof. This definition does not include practices that are considered medical procedures such as implants under the skin. Practices recognized as medical procedures by the State Medical Board shall not be performed in a tattoo/body piercing establishment. All tattoo/body piercing establishments must obtain appropriate licensure through the Nebraska Department of Health and Human Services for body art facilities.

The City's current language for zoning has requirements/guidelines listed these will be removed as we do not conduct inspections of the facilities, these facilities and licenses are all governed by the State and the only thing we should control is the zoning and where the establishment can be a permitted use by right. City staff is not trained or qualified to make determinations as to whether or not health code requirements are being met. If the City decides to start regulating these facilities it should be done through a regulatory ordinance that addresses public health not through zoning.

Below is the language which will be removed:

25-3-15(91) - *Tattoo parlor meeting the following conditions:*

a. Prior to operating a tattoo parlor, the operator/practitioner must first apply for and receive a permit and certificate of occupancy from the Development Services Director. The permit is subject to revocation if the permittee at any time fails to comply with the conditions set forth herein.

b. The operator/practitioner must comply with any and all federal, state and local regulations pertaining to the activity of tattoo artistry on the human skin.

c. The operator/practitioner must submit to regular and/or unannounced inspections by the Department of Planning, Building and Development, the Scotts Bluff County Department of Health, and any other authority empowered to regulate such activities.

d. All instruments and equipment must be cleaned and sterilized before use. Sterilization of equipment shall be accomplished by exposure to live steam for at least thirty (30) minutes at a minimum pressure of fifteen (15) pounds per square inch, temperature of two hundred forty (240) degrees Fahrenheit or one hundred sixteen (116) degrees Celsius.

e. The operator/practitioner must positively identify each client and keep record of the client's name, age, mailing address and phone number and not dispose of such information for a period of at least ten (10) years. Any transfer in ownership or operation of the business will result in revocation of the permit. All records shall be relinquished to the Development Services Director at that time.

f. The operator/practitioner may not perform work on anyone eighteen (18) years of age or younger without written permission from the minor's parent/parents or legal guardian.

g. The operator/practitioner shall comply with the OSHA (Occupation Safety and Health Act) blood borne pathogen rules as it relates to the disposition of hazardous waste materials.

h. To prevent the cause and/or spread of infection or disease, any and all tattoo needles used for each client shall be disposed of properly and not reused.

Under Chapter 25, Article 3 Zoning District Provisions –Tattoo/Body Piercing Establishments and Permanent Cosmetic Facility were added to the C-1, C-2, M-1, & M-2 zoning districts as a permitted use by right. Permanent Cosmetic Facilities was also added to the C-3 zoning district as a permitted use by right; previously C-3 was the only zoning district that allowed Tattoo/Body Piercing as a permitted use.

168

169 Discussion on how to classify Permanent Color Technology should also be allowed in a O&P zoning
170 district and in residential districts with a special use permit, a decision on whether the permanent color
171 should be considered the same as a tattoo establishment or as cosmetic similar to Beauty Salons some
172 of which offer this type of permanent color for clients, which includes eyeliner, eyebrows, lip liner and
173 some cosmetic color work for cancer patients who have had a mastectomy. Research into other Cities
174 did not provide anything that addressed permanent color technology.

175

176 Proponents that spoke in favor of the change were Matt Drake, Signature Ink, Summer Bianco of Bianco
177 and Company, David Marez, NE Ink, and Chris Seaton, Handsome Devil Tattoo, all spoke in favor of the
178 ordinance. The current ordinance is antiquated and they are governed the same as a beauty salon.
179 Change in the ordinance will level the playing field and allow for Tattoo Parlors to be in other zoning
180 districts currently the C-3 district which is mostly along East Overland, there are not very many empty
181 building in this area for a business and people are also afraid of this area and do not like to be there after
182 certain hours. People want to feel safe when they are out in the City. Allowing for these Establishments
183 in other districts will help the community. More establishments will bring more revenue tattoos are
184 becoming more main stream and this is a positive change for the community, it will help in removing the
185 gangster mentality. These facilities and tattoo artists are required to have licenses and follow all
186 requirements from the State; all disposals of needles are done according to State guidelines, back ground
187 checks are also done by police. Hours can be different for the establishments some open later in the
188 morning and are open till evening hours. Cliental can vary from 20 to 30 a month; this type of traffic will
189 not disrupt the surrounding neighborhood.

190

191 Jon Darnell, Wake Up N' Makeup, spoke regarding permanent color technology and would like the board
192 to look at separating this use separately from tattoo establishments and to consider them as more as a
193 beauty salon where the do cosmetics and makeup these are personal services they are providing for
194 their clients. The tattoos and permanent art require different training and different licensing.

195

196 Bill Trumbull also spoke in favor of separating the permanent color technology from tattoos & body
197 piercing. This will allow for flexibility in where these different facilities may be located, maybe in a O & P
198 zoning district and in residential with a special use permit form the Planning Commission.

199

200 Brenda Colin addressed the Planning Commission and offered support for the ordinance amendment for
201 tattoos from a different age group, tattoos are a form of self-expression and represent art, sometimes the
202 tattoo has a meaning of something that has happened in a person's life it is free enterprise and should not
203 be discriminated against.

204

205 Desirae Natali also spoke in support of the change in ordinance. It's time to change the stigma of tattoo
206 parlors, the gangster image, and negativity of these types of establishments. The new ordinance will level
207 the playing field for everyone.

208

209 David Chalupa spoke against the change, the City should have regulations in place before they expand
210 the use to other zoning districts.

211

212 Planning Commission Member Redfern noted that this is the first time we are using the new
213 comprehensive development plan and zoning is looking at everything differently, with the new plan & a
214 new process, there will be lots of trials in of the new plan and we will have lots of updates to our zoning
215 code, looking at how the different zoning districts effect the surrounding areas.

216

217 This ordinance can be revisited in the future and we can add to or remove language as needed.

218

219 **Conclusion:** A motion was made by Westphal and seconded by Chadwick to approve the ordinance
220 amendment as presented: "YEAS": Zitterkopf, Westphal, Chadwick, Wayman, Redfern, and Estrada.
221 "NAYS": None. ABSTAIN: None. ABSENT: Aguillo, Weber, Huber, and Gompert. Motion carried.

222

ITEM 7D: The Planning Commission opened a public hearing for Ordinance amendments to Chapter 25, Article 3 Section 25 dealing with zoning & miscellaneous regulation by including regulations for shipping containers used for storage by adding 25-3-15(16) restricting the use of shipping containers as storage.

The Planning Commission had previously reviewed this ordinance at the January meeting which adds language to our zoning code regarding shipping containers for storage use and had recommended approval of the proposed additions/changes to City Council. City Council referred this back to Planning Commission and asked that Development Services Staff make more specific requirements for this type of storage container in both commercial districts and residential districts. Originally one ordinance was approved, staff was asked to break this into two ordinances one for residential districts and one for commercial districts. The commercial ordinance lists more guidelines than the residential ordinance.

Some of the types of these containers are - freight container, ISO container, shipping container, high-cube container, box, C container or container van, which are designed to store and move materials. General restrictions for shipping containers proposed include, a shipping container may be placed in the front yard setback only if being used for moving or relocating purposes. They cannot be placed within the site triangle, may exceed 8 feet in width, 9 feet in height or 40 feet in length, cannot be placed in easements, public rights-of-way, and setbacks except as otherwise provided for in the Code. A shipping container may be placed on a lot without a permit if it is incidental to the permitted construction activities on the same lot. The shipping container must be removed at the completion of the construction project or expiration of the building permit.

Residential zoning districts shipping container shall not be allowed, except on a temporary basis for moving or actually used for construction activities, in all residential zoning districts. A shipping container may be allowed for a period of 30 days if used for moving or if used for construction activities if additional time is needed the owner of the lot can apply for one 30 day extension.

Commercial zoning districts shipping containers may be used for storage or shipping in all commercial zoning districts provided they are located in areas not utilized by customers of the commercial business and where shipping & receiving are conducted on the lot. The containers are maintained and kept in good repair with no holes and rust and secured to prevent entry and injury to unauthorized people. The containers must also be placed on a level surface with a base of rock or concrete so as to prevent any settling of the shipping container while it is on the lot.

Manufacturing & Agricultural Districts, a building permit is required if the container is to remain on the lot for a period greater than six months and used for onsite storage of material incidental to the permitted or accessory use of the lot. If located in a front or side yard it must be painted so no signage or language is visible, they cannot be connected to any City utility, kept in good repair with no holes or rust, and must be placed on a level surface with a base of rock or concrete to prevent any settling of the container while it is on the lot.

The City is getting more requests for these types of containers and has issued a few building permits, some of the things we are concerned about is placement on property as they could be placed in the floodway, and would also need a floodplain permit.

Some of the questions brought up, if these are considered temporary and then remain on the property will it be taxable. With a permit as an accessory structure they would be reviewed by the County and appropriately taxed. At this time FEMA considers them as a permanent structure and must conform to rules in the floodplain permit. How do we regulate the 30 days, if they are placed by a company they would keep track. If not we would probably handle on a complaint basis as they are called in to the City.

The Planning Commission would like more clarification in the ordinance regarding whether they are temporary or permanent structures (6 months or more), will be an accessory use or primary use, how will it be assessed and taxed, more clarification in the different requirements between manufacturing and commercial zoning district.

279 Conclusion: A motion was made by Redfern and seconded by Wayman to table the ordinance text
280 amendment on shipping containers and asked that staff bring back to next month's meeting with
281 clarification of the above concerns: "YEAS": Zitterkopf, Westphal, Chadwick, Wayman, Redfern, and
282 Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Aguillo, Weber, Huber, and Gompert. Motion
283 carried.

284

285 **ITEM 8: Unfinished Business:** None.

286 There being no further business, a motion to adjourn was made by Chadwick and seconded by Wayman.

287 The meeting was adjourned at 7:40 p.m. "YEAS": Zitterkopf, Wayman, Westphal, Chadwick, Redfern,

288 and Estrada. "NAYS": None. **ABSTAIN:** None. **ABSENT:** Aguillo, Weber, Huber, & Gompert. Motion

289 carried.

290

291

292 _____
Becky Estrada, Chairperson

293

294 Attest: _____

295 Annie Urdiales

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item NewBiz1

Ag Estate Dwelling

Applicant(s) : Rod Adams Farms/ Paul Reed Co.

Owner(s): Rod Adams Farms Inc. & Cory A..Adams

Location: SW corner of Highland Rd. & C.R. 24

Staff Contact: Annie Urdiales

SCOTTSBLUFF CITY

PLANNING COMMISSION STAFF REPORT

To:	Planning Commission	Zoning:	Agricultural
From:	Development Services Department	Property Size:	2.70 ± acres
Date:	May 9, 2016		
Subject:	Tract in NE ¼ of Section 30, T22N R54W		
Location:	South of Highland Rd (County Road L), just west of County Road 24, (Lacy Park) in our Extra Territorial Jurisdiction		

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), Rod Adams Farms, Inc. & Cory A Adams, represented by Paul Reed Construction have requesting an Agricultural Estate Dwelling plat of property described as a tract of land in the Northeast Quarter of Section 30, Township 22 North, Range 54 West of the 6th P.M Scotts Bluff County, Nebraska. Properties to the west, south, and north are all zoned agricultural and all located in our Extra Territorial jurisdiction.

The property owner is proposing to separate approximately 2.70 acres more or less of the property to allow for a home and out buildings from the farmland. Approximately 73 ± acres, an AEDS is allowed out of less than 80 acres of reserved land, in the event that it meets the intent of the agricultural reserve. Access into the site will be from Highland Road, the property owner has checked with Scotts Bluff County Roads department on the access site. Development Services staff has reviewed the application and the lot will meet the necessary requirements of an Agricultural Estate Dwelling (AED) in an Agricultural Zoning District.

RECOMMENDATION

Approve

Make a POSITIVE RECOMMENDATION to the City Council to approve the AED for property described as a tract of land (2.70 acres) in the NE Quarter of Section 30, Township 22 North, Range 54 West of the 6th P.M Scotts Bluff County, Nebraska subject to the following condition(s):

Deny

Make a NEGATIVE RECOMMENDATION to the City Council to disapprove the AED for property described as a tract of land (2.70 acres) in the NE Quarter of Section 30, Township 22 North, Range 54 West of the 6th P.M Scotts Bluff County, Nebraska for the following reason(s):

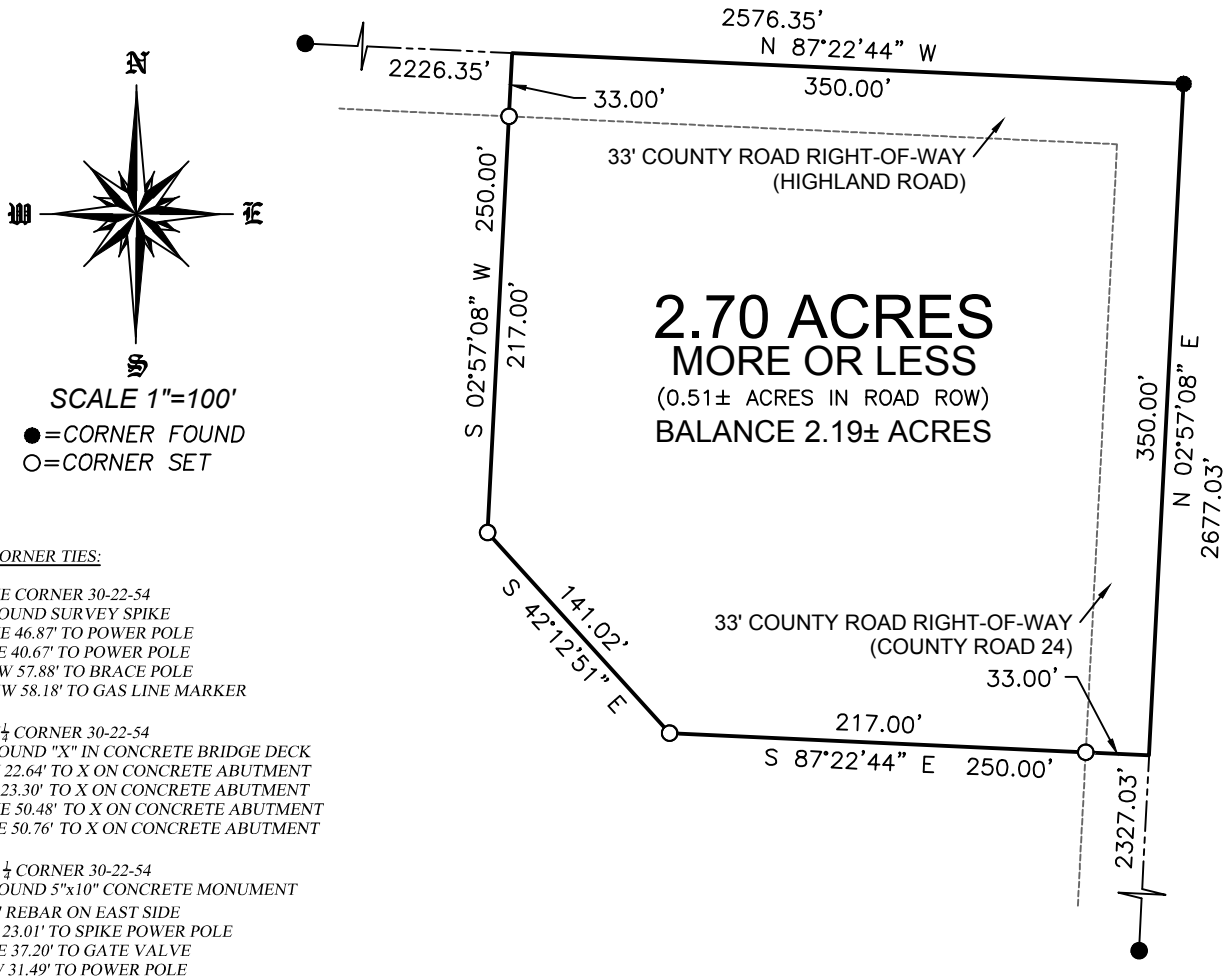
Final Plat Request, Page 1

TABLE

Make the motion to TABLE the AED for property described as a tract of land (2.70 acres) in the Northeast Quarter of Section 30, Township 22 North, Range 54 West of the 6th P.M Scotts Bluff County, Nebraska the following reason(s):

AEDS SURVEY

A TRACT IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 30,
TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA.



CORNER TIES:

NE CORNER 30-22-54
FOUND SURVEY SPIKE
NE 46.87' TO POWER POLE
SE 40.67' TO POWER POLE
SW 57.88' TO BRACE POLE
NW 58.18' TO GAS LINE MARKER

N $\frac{1}{4}$ CORNER 30-22-54
FOUND "X" IN CONCRETE BRIDGE DECK
N 22.64' TO X ON CONCRETE ABUTMENT
S 23.30' TO X ON CONCRETE ABUTMENT
NE 50.48' TO X ON CONCRETE ABUTMENT
SE 50.76' TO X ON CONCRETE ABUTMENT

E $\frac{1}{4}$ CORNER 30-22-54
FOUND 5"x10" CONCRETE MONUMENT
 $\frac{5}{8}$ " REBAR ON EAST SIDE
E 23.01' TO SPIKE POWER POLE
SE 37.20' TO GATE VALVE
W 31.49' TO POWER POLE

SURVEYOR'S CERTIFICATE:

I, SCOTT M. BOSSE', NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND DESCRIBED IN THE LEGAL DESCRIPTION AND SHOWN ON THE ACCOMPANYING DRAWING; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 100 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 28th day of March, 2016.

Scott M. Bosse'
NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603
SCOTTS BLUFF COUNTY SURVEYOR



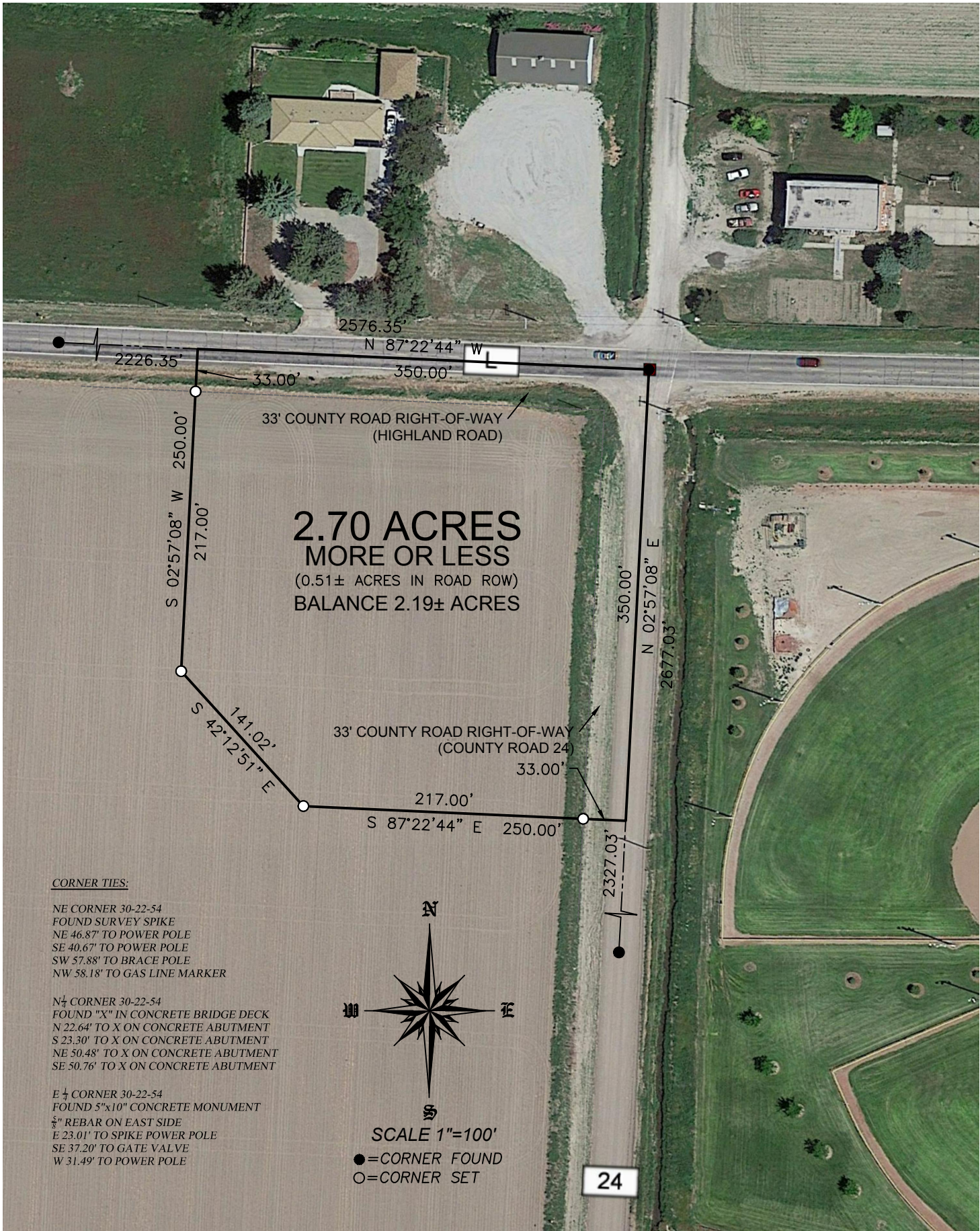
LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE, ON THE NORTH LINE OF SAID SECTION, N87°22'44"W FOR A DISTANCE OF 350.00 FEET; THENCE, PARALLEL WITH THE EAST LINE OF SAID SECTION, S02°57'08"W FOR A DISTANCE OF 250.00 FEET; THENCE, S42°12'51"E FOR A DISTANCE OF 141.02 FEET; THENCE, PARALLEL WITH SAID NORTH LINE, S87°22'44"E TO A POINT OF INTERSECTION WITH SAID EAST LINE, BEING A DISTANCE OF 250.00 FEET; THENCE, ON SAID EAST LINE, N02°57'08"E FOR A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 2.70 ACRES, MORE OR LESS, OF WHICH 0.51 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

SHEET 1 OF 1	PROJECT: ADAMS AEDS 30-22-54 CORY ADAMS SCOTTSBLUFF, NEBRASKA	ACCUSTAR SURVEYING 30601 COUNTY ROAD 17 PHONE: (308) 623-0197 MITCHELL, NE 69357 CELL: (308) 631-0737	Scale 1"=100' Date: MARCH 28, 2016 Dwn By SMB REVISED:
-------------------------------	--	--	---

EXHIBIT OF AEDS SURVEY

A TRACT IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 30,
TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA.



LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE, ON THE NORTH LINE OF SAID SECTION, N87°22'44"W FOR A DISTANCE OF 350.00 FEET; THENCE, PARALLEL WITH THE EAST LINE OF SAID SECTION, S02°57'08"W FOR A DISTANCE OF 250.00 FEET; THENCE, S42°12'51"E FOR A DISTANCE OF 141.02 FEET; THENCE, PARALLEL WITH SAID NORTH LINE, S87°22'44"E TO A POINT OF INTERSECTION WITH SAID EAST LINE, BEING A DISTANCE OF 250.00 FEET; THENCE, ON SAID EAST LINE, N02°57'08"E FOR A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 2.70 ACRES, MORE OR LESS, OF WHICH 0.51 ACRES ARE CONTAINED IN COUNTY ROAD RIGHT-OF-WAY.

SHEET 1 OF 1	PROJECT: ADAMS AEDS 30-22-54 CORY ADAMS SCOTTSBLUFF, NEBRASKA	ACCUSTAR SURVEYING 30601 COUNTY ROAD 17 PHONE: (308) 623-0197 MITCHELL, NE 69357 CELL: (308) 631-0737	Scale 1"=100' Date: MARCH 28, 2016 Dwn By SMB REVISED:
-------------------------	--	--	---

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item NewBiz2

Five 22 Developing LLC Redevelopment Plan

Applicant(s): Stephen & Lynette Adams

Owner(s) Five 22 Developing LLC

Location: Ave G between W. Overland & 11th St

Staff Contact: Annie Folck



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Development Services Department
Date: May 9, 2016
Subject: Five 22 Redevelopment Plan
Location: Lot 1-10 and 12-23, Rosenberg Addition

Background

Stephen & Lynette Adams have requested TIF funds for a redevelopment plan on property described as lots 1 through 10 and lots 12 through 13, Rosenberg Addition. These lots are located in a Blighted and Substandard area and are eligible for tax increment financing. The Adams plan on developing all the lots with single family residential homes. This subdivision was platted in 1952 and has remained undeveloped. The lots have access to water along Avenue G and sewer in the alleys. Public improvements to the property will include curb & gutter, concrete pavement, sidewalk, handicap ramps, storm drain pipe, street inlets and earthwork, a resolution with the Planning Commission's recommendation is attached for your approval and signature. The resolution states that the plan conforms to the comprehensive development plan and recommends approval to the Community Redevelopment Authority and City Council.

Staff review noted and agrees that the redevelopment plan conforms to the City's Comprehensive Development Plan.

The Redevelopment Plan and Resolution are attached for your review.

RECOMMENDATION

Approve

Make a motion to approve the Redevelopment Plan for Five 22, (Lot 1 – 10 & 13-23, Rosenberg Addition) subject to the following condition(s):

Deny

Make a motion to disapprove the Redevelopment Plan for Five 22, (Lot 1-10 & 13-23 Rosenberg Addition) for the following reason(s):

Table

Make the motion to TABLE the Redevelopment Plan for Five 22, (Lot 1-10, & 13-23 Rosenberg Addition) the following reason(s):



APPLICATION FOR TAX INCREMENT FINANCING

1. Five 22 Developing, LLC

Stephen Adams and Lynette Adams
180304 County Road B
Mitchell, NE 69357
(308) 765-0124
(308) 672-7447
sadams930@gmail.com
nette_adams@yahoo.com

John Adams and Brenda Adams
30746 Hwy 71
Scottsbluff, NE 69361
(308) 631-7126
(308) 641-4189

2. The lots to be developed are located on Avenue G in Scottsbluff, south of West Overland, north of 11th. Lots 1-10 and 13-23 map and parcel numbers attached.
3. The current condition of these lots has been deemed blighted and substandard. The lots are vacant and Avenue G is unpaved.
4. We have a written purchase agreement with the current owner of the aforementioned lots.
5. Redevelopment plan of the project site:
- A. The lots will all be single family residential. There are currently no structures on the project site needing demolished.
 - B. Each lot will contain one single family home.
 - C. Population densities for projected site will remain average for neighborhood.
 - D. No changes are proposed for zoning, street layouts, building codes, or ordinances.
 - E. Not intended to be a planned subdivision
 - F. No additional public facilities or utilities are required after redevelopment.
 - G. No employment within the project site before and after redevelopment.
6. Itemized estimated project costs:
- | | |
|-----------------------------|--------------|
| A. Land Acquisition: | \$105,000 |
| B. Site development: | |
| a) Street & sidewalk | \$340,106.25 |
| b) Dirt work fill & grading | \$25,200 |

c) Alley prep and approach	\$24,000
d) Landscaping	\$42,000
e) Utility infrastructure	\$252,000
C. Building Costs:	
a) General construction	\$3,057,600
b) Plumbing	\$108,000
c) HVAC	\$90,000
d) Electrical	\$90,000
e) Drywall	\$126,000
D. Architectural and Engineering Fees:	\$
E. Legal Fees:	\$
F. Financing Costs:	\$
G. Broker Costs:	\$
H. Contingencies:	
I. Other:	\$
TOTAL:	\$4,259,906.25

7. Names and addresses of architects, engineers, and contractors will be available closer to beginning construction date.

8. Valuation of the project site:

A. Total assessed value at completion:	\$2,520,000
B. Latest property valuation:	\$68,310

9. Itemized projected source of financing for the Project

A. Equity:	\$
B. Bank Loan:	\$contingent on TIF
C. Tax Increment Financing	\$788,306.25
D. Other:	\$

10. Project Schedule.

- A. Expected acquisition date: contingent on availability of funds
- B. Demolition start date: Not applicable
- C. Construction start date: summer 2016
- D. Construction completion date: 2019

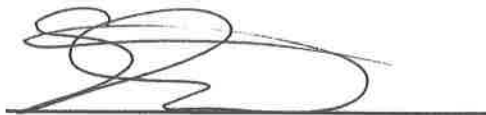
11. No involvement in any other municipality within the last five years.

12. Tax Increment Financing Request:

- A. Requesting \$788,306.25 for the redevelopment of 21 blighted and substandard lots located on Ave. G in Scottsbluff. The proposed housing project on West Overland and Avenue G is designed to meet the needs of the demographic within the Scottsbluff region. Worker recruitment and worker retention surveys have consistently shown a need for entry-level or young single-family available homes that would fall within the price range of \$150,000. This project will

initially plan on 6-8 homes of approximately 1200 ft.² with a three-bedroom two-bath design. In order to make this a successful housing development project TIF assistantship is critical. The cost of developing streets, curbs and utility infrastructure is a cost component that makes entry-level homes virtually impossible to keep on a cost-efficient profitable margin. In order to provide quality housing units in the price range as described above, it is critical to have the quality streets, curbs, alleys and utility infrastructure accepted as part of the funding service that should be provided within a TIF contract.

- B. Project cannot be completed without Tax Increment funding.
- C. Have not filed an application to receive tax incentives.


Stephen Adams
Lynette Adams
John Adams
Brenda Adams



Great Western Bank®
Making Life Great®

Member FDIC

May 4, 2016

Stephen & Lynette Adams
180304 CR B
Mitchell, NE 69357

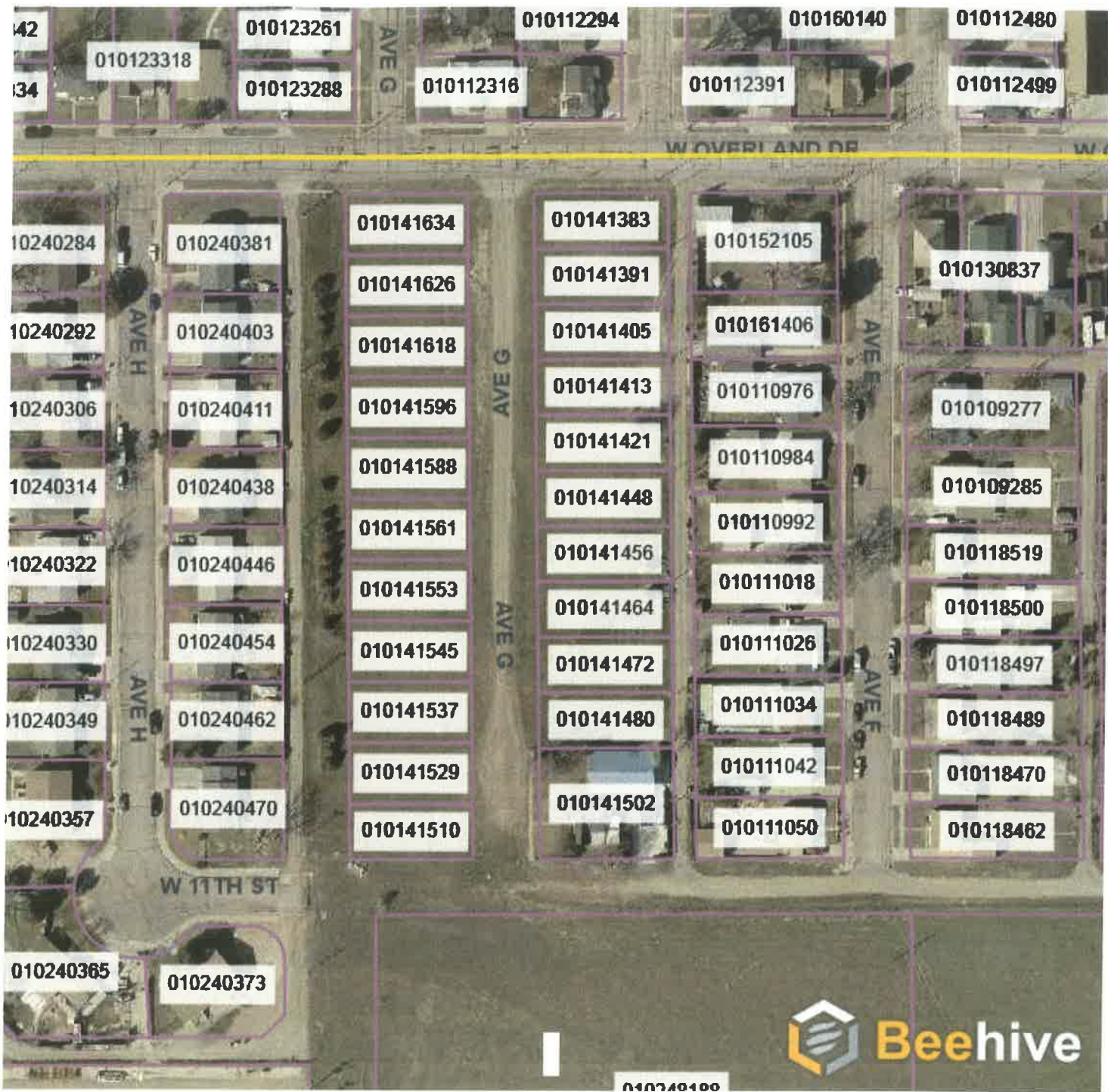
To Whom It May Concern:

Let this letter show, on behalf of Stephen and Lynette Adams that Great Western Bank intends to proceed with financing for planned Single Family Residence project located at 1101 Ave G, Scottsbluff, NE, or LOTS 1-10 & 13-23 ROSENBERGER ADDITION. Final approval for financing is pending results from the engaged appraisal and feasibility study, review of the financial standing of the developers, and further bank due diligence. Please call 308-635-3400 if you should have any questions.

Sincerely,

Nate Merrigan
Business Banker
Great Western Bank





[illegible]

The above Plat App
day of April 1952.

Emmett A. Roub



Preliminary Construction Cost Estimate

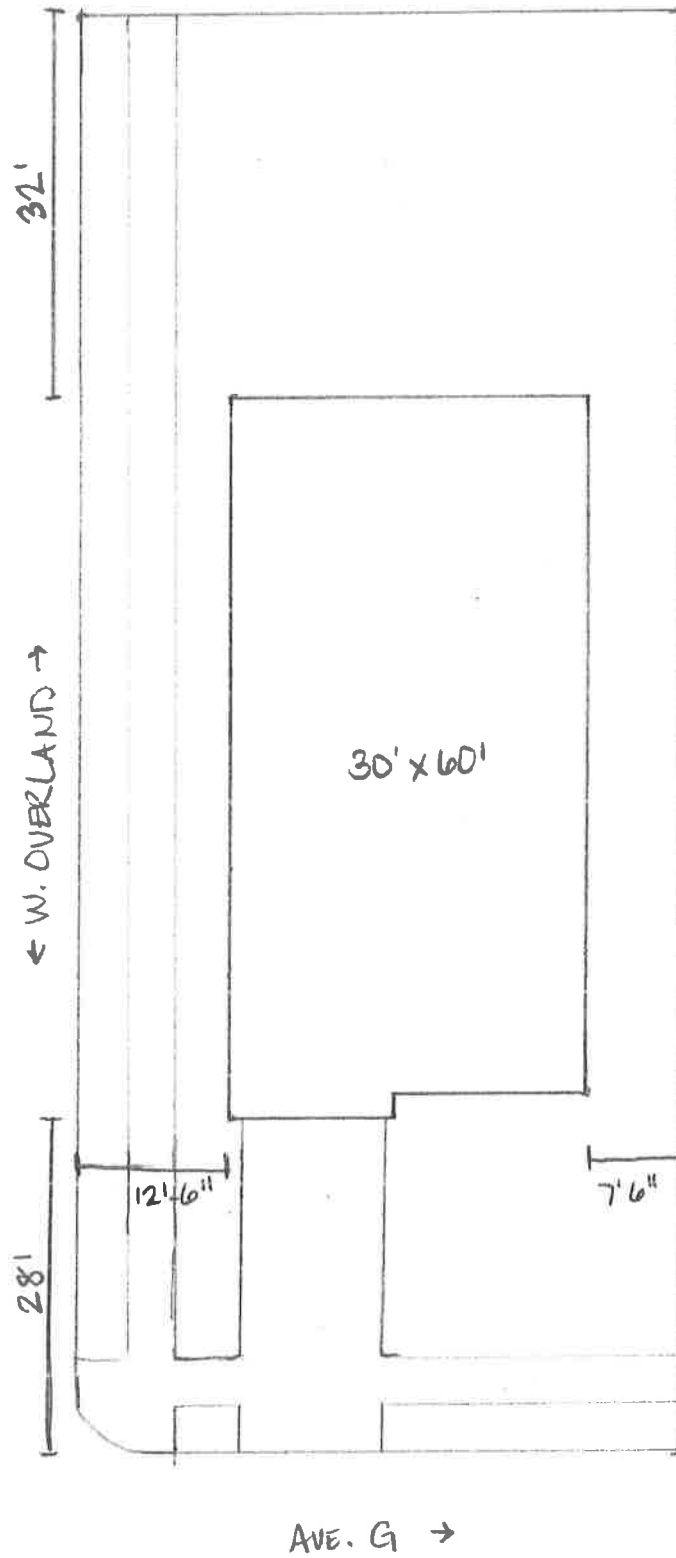
Project: Rosenbergers Addition
 Location: Avenue G & 11th St
Scottsbluff, NE
 Date: 3/14/2016

Estimator Don Dye
 MCSA No. _____

Item	Description	Quantity	Unit Price	Extension
1	30" Curb and Gutter	1,650.00 L. F.	\$20.00 L. F.	\$33,000.00
2	6" P. C. Concrete Pavement	3,000.00 S. Y.	\$50.00 S. Y.	\$150,000.00
3	4" x 5' Sidewalk	8,250.00 S. F.	\$5.00 S. F.	\$41,250.00
4	Handicap Ramp	4.00 Each	\$600.00 Each	\$2,400.00
5	Intersection Radii	2.00 Each	\$1,200.00 Each	\$2,400.00
6	18" Storm Drain Pipe	80.00 LF	\$60.00 LF	\$4,800.00
7	Std Inlets	4.00 Each	\$1,500.00 Each	\$6,000.00
8	Earthwork	1,500.00 C. Y.	\$5.00 C. Y.	\$7,500.00
Estimated Construction Cost				\$247,350.00
Contingencies 10%				\$24,735.00
Total Estimated Construction Cost				\$272,085.00
Engineering , Legal, and Miscellaneous Costs 25%				\$68,021.25
Total Estimated Project Cost				\$340,106.25

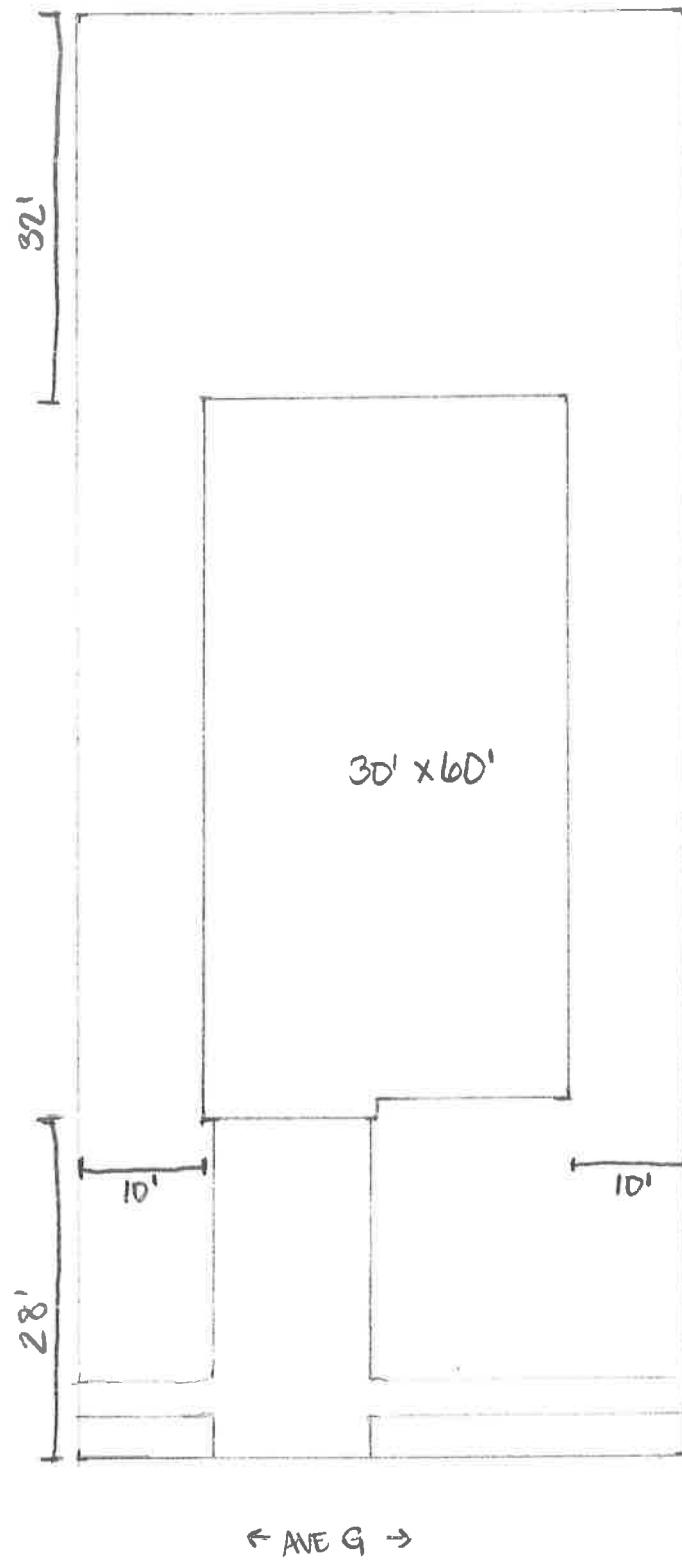
LOT 1. E. side of AVE. G
SIZE 50' x 120'

N ↑



LOT 2-10, E side of AVE G
SIZE 50' x 120'

N ↑





Favorite

Plan Number
11739HZ

NEED HELP ?
800-854-7852

[Modify Plan \(/modifications\)](#)

[QuikQuote \(/quikquote\)](#)

[Buy Now \(\)](#)

Plan Pricing [What's included?](#)

Plan Set Options

5 Set \$695

Foundation Options

Slab (no charge)

Options

[Select your options](#)

[ADD TO MY CART](#)

Order A QuikQuote [\(/quikquote\)](#)

Give us your building location and we'll get you a report giving you the cost to build and access to our customization tool.

Plan 11739HZ - Narrow Lot Cottage Home Plan

1,250
SQ. FT.

3
BEDS

2
BATHS

1
FLOORS

1
CAR GARAGE

About This Plan

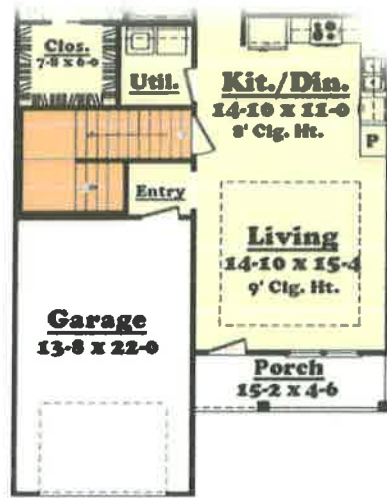
[Buy a QuikQuote \(/orders/quikquote?plan=11739\)](#)

• This attractive 3 bedroom 2 bath cottage home plan creates a very warm and inviting place for you and your family to call home.

• Only 29' wide, the home is packed with features including large bedrooms, a private master suite with large walk-in closet

Regular Meeting - 5/9/2016

**Optional Basement
Stair Location**
(increases total depth by approx. 4')



Plan Details

Save

Total Living Area:

Total Living Area: 1,250 sq. ft.
First Floor: 1,250 sq. ft.

Front Porch: 68 sq. ft.
Rear Porch: 70 sq. ft.
Storage: 26 sq. ft.

Beds/Baths

Bedrooms: 3 Full Bathrooms: 2

Dimensions:

Width: 29' 6"
Depth: 59' 10"
Max Ridge Height: 17' 0"

Garage

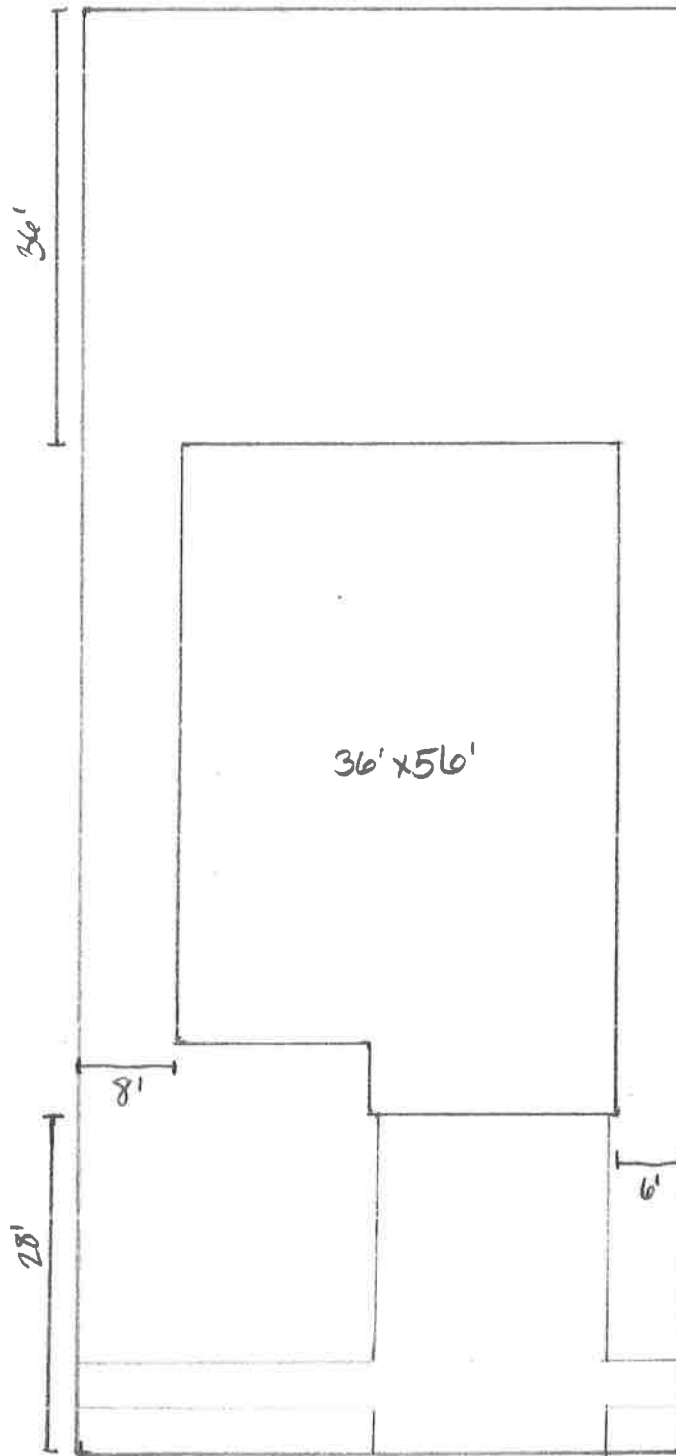
Type: Attached
Details: 1 Cars
315 Sq. Ft.

Foundation Type

Standard Foundations: Slab. Crawl Optional Foundations: Basement

LOTS 2-10 - E. SIDE OF AVE. G,
SIZE 50' x 120'

N ↑



← AVE. G →



Plan 12725MA

ArchitecturalDesigns.com

1 of 2 Photos

Thumbnails



Favorite

Plan Number
12725MA

NEED HELP ?
800-854-7852

Modify Plan (/modifications)

QuikQuote (/quikquote)

Buy Now ()

Plan Pricing What's Included?

Plan Set Options

5 Set \$450

Foundation Options

Slab (no charge)

Options

Select your options

ADD TO MY CART

Order A QuikQuote (/quikquote)

Give us your building location and we'll get you a report giving you the cost to build and access to our customization tool.

Plan 12725MA - Classy 3 Bed Cottage House Plan

1,216
SQ. FT.

3
BEDS

2
BATHS

1
FLOORS

2
CAR GARAGE

About This Plan

Buy a QuikQuote (/orders/quikquote?plan=12725)

- This classy cottage house plan gives you 3 bedrooms and a very manageable home to enjoy your time in.

Modify This Plan (/modifications)

Receive a free modification quote within two business days.

Modify this Plan (/services/modification-request?plan_id=127257)

Related Plan: See house plan 12726MA (<http://www.architecturaldesigns.com/house-plan-12726MA.asp>) for a different exterior.

walls is a great thing!

- The master bed has his-and-her linear closets. Two additional bedrooms round out the design on the inside.
- A covered patio in back gives you a nice place to relax and enjoy the fresh air.
- The plan comes in a basement and non-basement version. And we show both floor plans so you can decide which suits you best.

Explore Plans
Services

About Us

Cart (/orders/cart)

My Plans (/house-plans/my)

Sign In

Sign Up

(/)

Square
Footage

Min

Max

BEDS

BATHS

FLOORS

MORE

Search

Search Plan Number

Floor Plan

Main Level



Optional



Slab and crawlspace floor plan



Plan Details

Total Living Area:

Total Living Area:

1,216 sq. ft.

Front Porch:

93 sq. ft.

First Floor:

1,216 sq. ft.

Porch Rear:

93 sq. ft.

Save

Beds/Baths

Bedrooms:

3

Full Bathrooms:

2

Dimensions:

Width:

36' 0"

Depth:

56' 0"

Max Ridge Height:

28' 0"

Garage

Type:

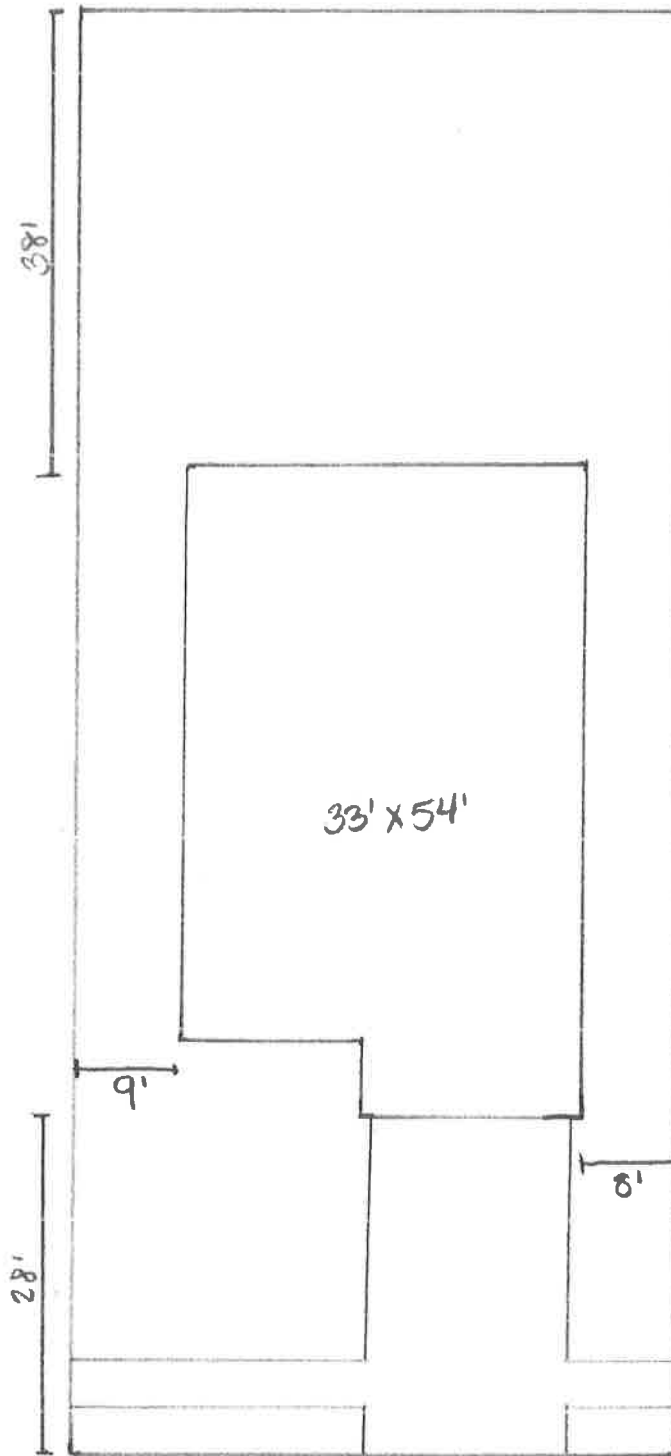
Attached

Details:

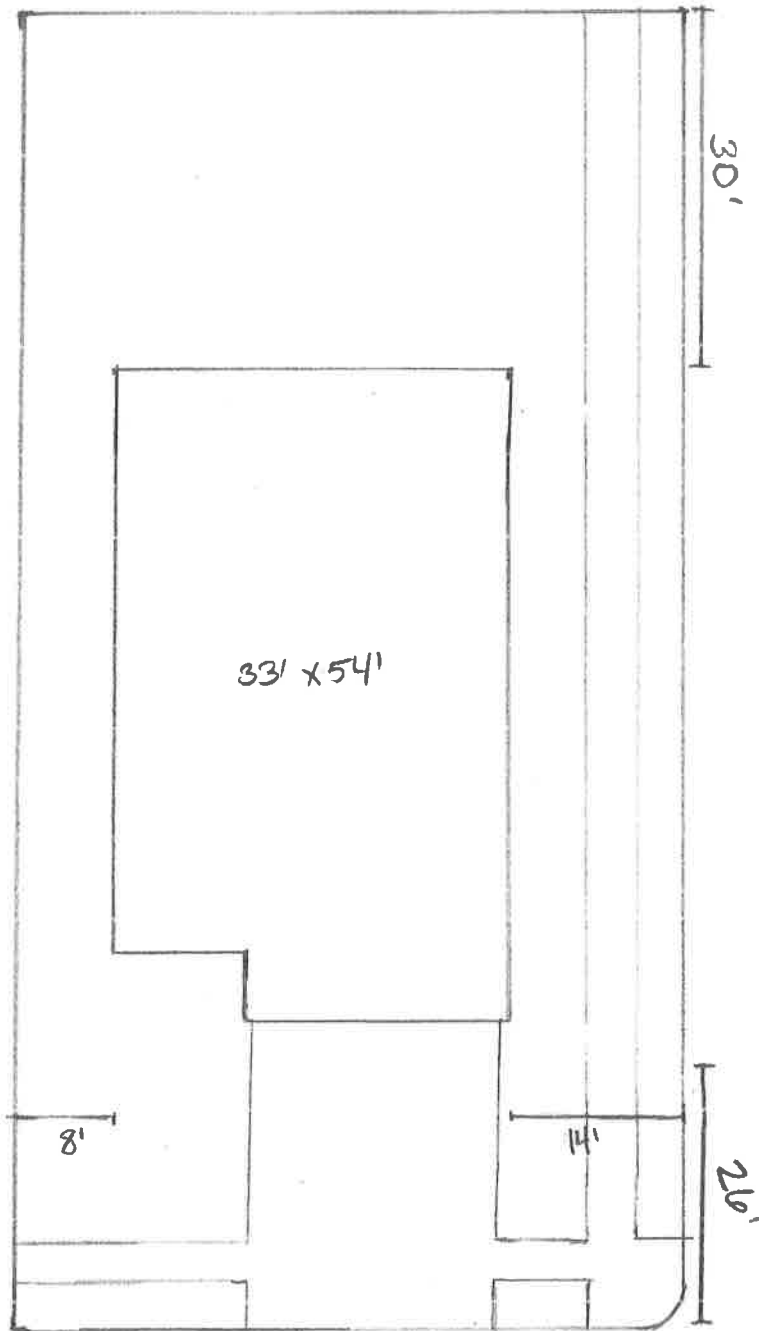
2 Cars

390 Sq. Ft.

LOTS 2-10 E. SIDE OF AVE. G.
SIZE 50'x120'



← AVE. G →



LOT 23 W. SIDE OF AVE. G
SIZE 55 x 110

← W. OVERLAND →

← AVE. G



Plan 60634ND

ArchitecturalDesigns.com

1 of 2 Photos

Thumbnails



Favorite

Plan Number
60634ND

Explore Plans
Services

About Us

Cart (/orders/cart)

My Plans (/house-plans/my)
NEED HELP ?

Sign In

Sign Up

800-854-7852

Min

Max

BEDS

BATHS

FLOORS

Modify Plan (/modifications)

Search

Search Plan Number

QuikQuote (/quikquote)

Buy Now ()

Plan Pricing What's included?

Plan Set Options

5 Set \$680

Foundation Options

Slab (no charge)

Options

Select your options

ADD TO MY CART

Order A QuikQuote (/quikquote)

Give us your building location and we'll get you a report giving you the cost to build and access to our customization tool.

Plan 60634ND - Starter Home Plan With Vaulted Ceilings

1,198
SQ. FT.

3
BEDS

2
BATHS

1
FLOORS

2
CAR GARAGE

Buy a QuikQuote (/orders/quikquote?plan=60634)

About This Plan

- A great starter home, this brick and shake siding home offers 3 bedrooms and 2 bathrooms.

- The master suite has a boxed ceiling and a large walk-in closet and its own private bathroom. The two other bedrooms

are in back of the home and share the hall bath. A linen closet is conveniently placed in the hall.

Modify This Plan (/modifications)

Receive a free modification quote within two business days.

[Modify this Plan \(/services/modification-request?plan_id=60634\)](/services/modification-request?plan_id=60634)

Floor Plan
Main Level



Plan Details

Total Living Area:	Total Living Area:	1,198 sq. ft.	Front Porch:	84 sq. ft.
	First Floor:	1,198 sq. ft.		

Beds/Baths	Bedrooms:	3	Full Bathrooms:	2

Dimensions:

Width: 33' 0"
Depth: 53' 8"
Max Ridge Height: 20' 0"

Garage

Type: Attached
Details: 2 Cars
403 Sq. Ft.

Foundation Type

Standard Foundations: Slab, Crawl **Optional Foundations:** None

Exterior Walls

Standard Type(s): 2x4 **Optional Type(s):** 2x6

Ceiling Heights

First Floor 8' 0" **Great Room, Dining & Kitchen; 9' Box 0' 0" MBR**

Roof

Primary Pitch: 8 On 12 **Framing Type:** Stick

Architectural Style

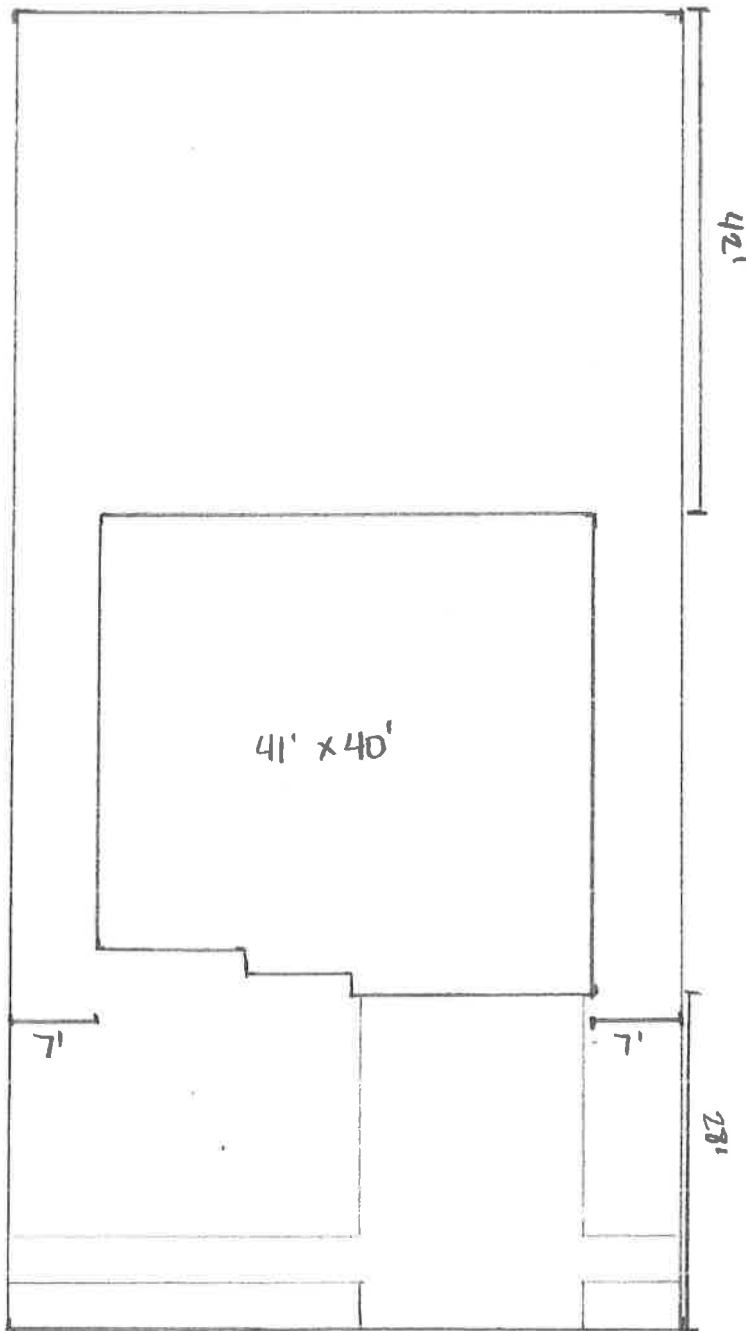
Cottage **Mountain**

Special Features

1st Floor Master Suite **CAD Available**
PDF

Plan Collections

Narrow Lot



LOT 22-13 W. SIDE OF AVE. G
SITE 55' x 110'



Plan 59604ND

ArchitecturalDesigns.com

1 of 1 Photos

Thumbnails



Favorite

Plan Number
59604ND

NEED HELP ?
800-854-7852

[Modify Plan \(/modifications\)](#)

[QuikQuote \(/quikquote\)](#)

[Buy Now \(\)](#)

Plan Pricing [What's Included?](#)

Plan Set Options

5 Set \$580

Foundation Options

Slab (no charge)

Options

[Select your options](#)

[ADD TO MY CART](#)

Order A QuikQuote [\(/quikquote\)](#)

Give us your building location and we'll get you a report giving you the cost to build and access to our customization tool.

Plan 59604ND - Every Square Inch

1,106
SQ. FT.

3
BEDS

2
BATHS

1
FLOORS

2
CAR GARAGE

About This Plan

[Buy a QuikQuote \(/orders/quikquote?plan=59604\)](#)

• This home plan utilizes every square inch! An 8-inch round column on the quaint entry porch gives an elegant flair to the exterior while angled walls create a unique interior design.

• A step-down kitchen blends with the breakfast room and has a nearby garage entry for convenience.

Floor Plan

Main Level



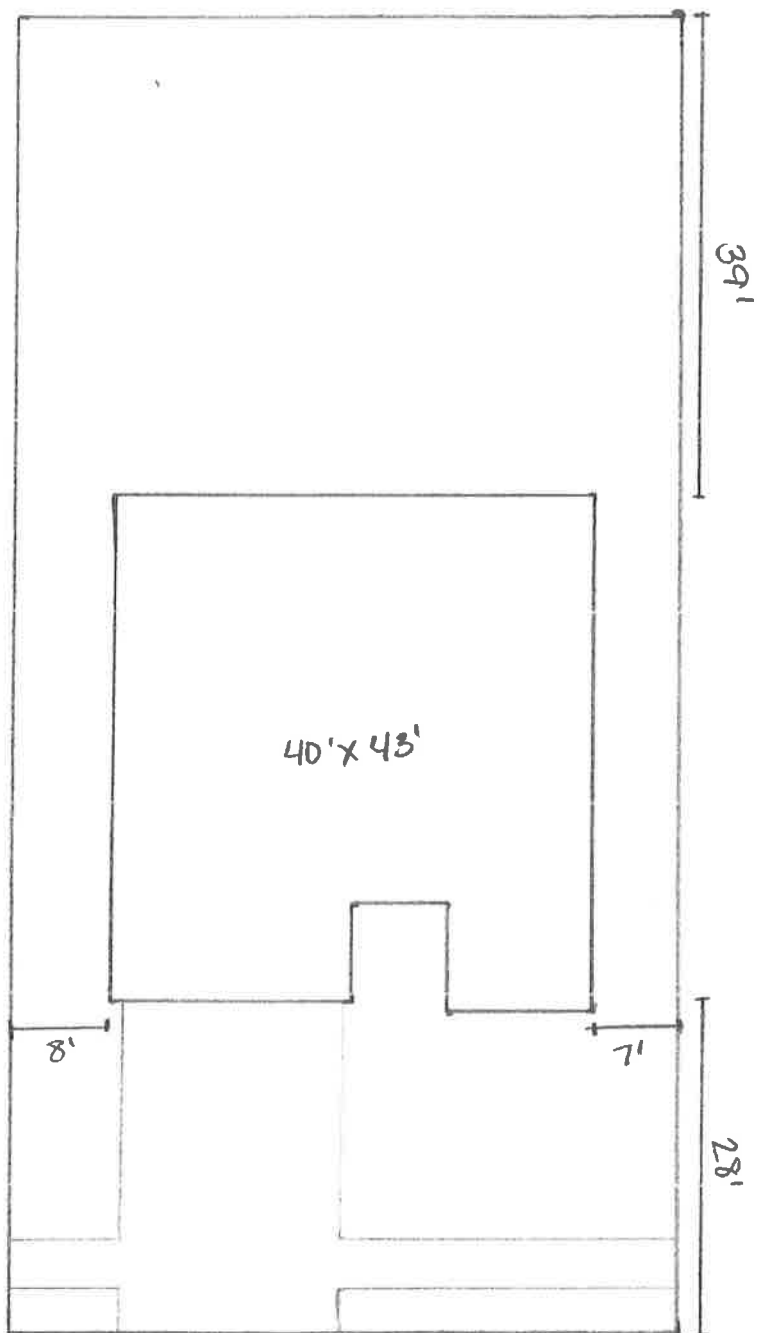
Plan Details

Total Living Area:	Total Living Area:	1,106 sq. ft.
	First Floor:	1,106 sq. ft.

Beds/Baths	Bedrooms:	3	Full Bathrooms:	2
------------	-----------	---	-----------------	---

Dimensions:	Width:	41' 4"
	Depth:	39' 8"

N ↑



LOTS 22-13 W. SIDE OF AVE. G.
SIZE 55' x 110'

← AVE. G →



Plan 59303ND

Architectural Design



Favorite

Plan Number
59303ND

NEED HELP ?
800-854-7852

[Modify Plan \(/modifications\)](#)

[QuikQuote \(/quikquote\)](#)

[Buy Now \(\)](#)

Plan Pricing [What's included?](#)

Plan Set Options

5 Set \$580

Foundation Options

Slab (no charge)

Options

[Select your options](#)

[ADD TO MY CART](#)

Order A QuikQuote [\(/quikquote\)](#)

Give us your building location and we'll get you a report giving you the cost to build and access to our customization tool.

Plan 59303ND - Quaint Covered Entry

1,250
SQ. FT.

3
BEDS

2
BATHS

1
FLOORS

2
CAR GARAGE

About This Plan

[Buy a QuikQuote \(/orders/quikquote?plan=59303\)](#)

- A starter home or empty nest home best describes this traditional style home plan. A quaint covered entry welcomes you into a foyer leading you past two bedrooms and a full bath to the master suite. Convenient to the living area. this

Modify This Plan (/modifications)

Receive a detailed plan with all modifications.
Business days.

- The great room has a vaulted ceiling, plenty of wall space and a sliding glass door to the back yard.
- A quaint dining area has two large windows and opens to the kitchen.
- The garage accesses the home through the laundry room.

For more information on these related house plans, click on the links below: 59059ND (<http://www.architecturaldesigns.com/house-plan-59059nd.asp>), 59137ND (<http://www.architecturaldesigns.com/house-plan-59137nd.asp>), 59138ND (<http://www.architecturaldesigns.com/house-plan-59138nd.asp>), 59780ND (<http://www.architecturaldesigns.com/house-plan-59780nd.asp>), and 59782ND (<http://www.architecturaldesigns.com/house-plan-59782nd.asp>).
Services About Us

(/)

Modify this Plan (/services/modification-request?plan_id=59303)

Square
Footage

Min

Max

BEDS

BATHS

FLOORS

MORE

/Search

Search Plan Number

Floor Plan

Main Level



Plan Details

Total Living Area:

Total Living Area:

1,250 sq. ft.

Entry:

40 sq. ft.

First Floor:

1,250 sq. ft.

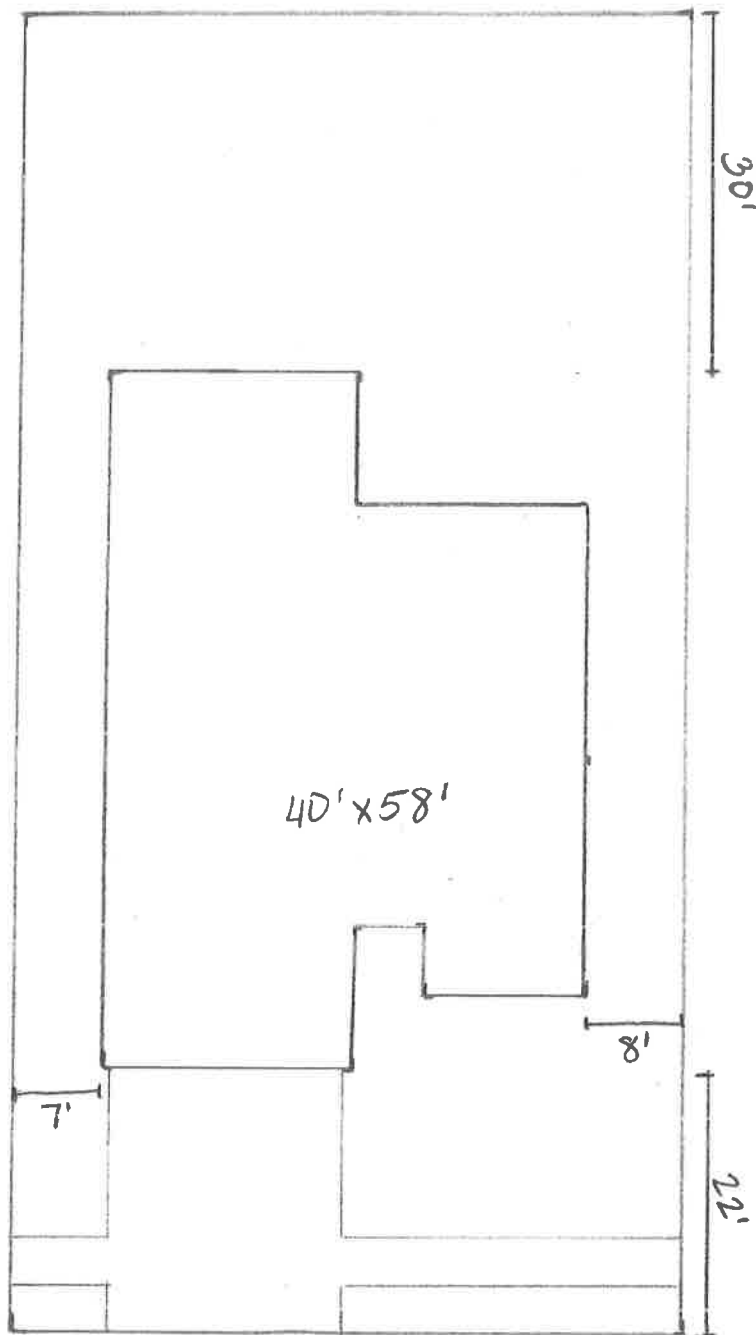
Beds/Baths

Bedrooms:

3

Full Bathrooms:

2



N ↑

LOTS 22-13 W. SIDE OF AVE. G
SIZE 55' x 110'

← AVE. G →



Favorite

Plan Number
69013AM

NEED HELP ?
800-854-7852

[Modify Plan \(/modifications\)](#)

[QuikQuote \(/quikquote\)](#)

[Buy Now \(\)](#)

Plan Pricing What's Included?

Plan Set Options

Reproducible Set \$800

Foundation Options

Crawl (no charge)

Options

Select your options

ADD TO MY CART

Order A QuikQuote [\(/quikquote\)](#)

Give us your building location and we'll get you a report giving you the cost to build and access to our customization tool.

Plan 69013AM - Open Cottage Home Plan

1,275
SQ. FT.

3
BEDS

2
BATHS

1
FLOORS

2
CAR GARAGE

About This Plan

[Buy a QuikQuote \(/orders/quikquote?plan=69013\)](#)

- Arches accented with keystones, a mix of siding materials, a trio of roof peaks, and a covered porch stamp this home with time-honored appeal.

Modify This Plan (/modifications)

Receive a free modification quote within two business days.

Modify this Plan (/services/modification-request-plan-18-550)

well for day-to-day family life and also for entertaining. The kitchen features an island and built-in pantry. Those who love to barbecue will appreciate the nearby patio, accessible through the sliding patio doors in the dining area. The living room is defined by a series of columns and the vaulted ceiling. It features a fireplace.

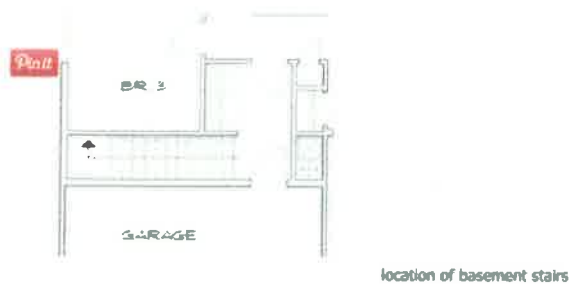
- In the left wing of the home, the master suite, two additional bedrooms, a bath, and the laundry room are aligned along a central hall.
- **Related Plans:** For alternate elevations, see house plans **69250AM** (<http://www.architecturaldesigns.com/house-plan-69250am.asp>) (front-entry garage) and **69251AM** (<http://www.architecturaldesigns.com/house-plan-69251am.asp>) (side-entry garage).

Floor Plan

Main Level



Optional



Plan Details

RESOLUTION _____

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
SCOTTSBLUFF, NEBRASKA:**

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a redevelopment plan by Five 22 Developing, LLC (the “Redevelopment Plan”) has been submitted to the Planning Commission.

b. The Planning Commission has reviewed the Redevelopment Plan as to its conformity with the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”).

Resolved:

1. The Planning Commission finds that Redevelopment Plan conforms to the Comprehensive Plan and recommends approval of the Redevelopment Plan to the Scottsbluff Community Redevelopment Authority and City Council.

2. All prior resolutions of the Commission in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

3. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on May ___, 2016.

**PLANNING COMMISSION OF THE CITY
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: _____
Chair

By: _____
Recording Secretary

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item NewBiz3

Ordinance Proposed Admendment Permanent Color Technology

Applicant(s): N/A

Owner(s): N/A

Location: N/A

Staff Contact: Annie Folck



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Staff Development Services
Date: May 9, 2016
Subject: Proposed language differentiating between permanent color technology & tattoos.

At the Planning Commission meeting last month, the members reviewed allowing for both permanent color technology establishments and tattoo establishments. Definitions were added for tattoos, body piercing, branding, and permanent color technology. At the time some discussion was held about the differences between a tattoo and permanent color technology and whether the latter could possibly be allowed in other zoning districts. Below are the definitions for tattoos and permanent color technology.

25-2-125.1. Tattooing.

Tattooing means the process by which the skin is marked or colored by insertion of non-toxic dyes or pigments into or under the subcutaneous portion of the skin upon the body of a live human being so as to form indelible marks for decorative or figurative purposes

25-2-90.1. Permanent Color Technology.

Permanent color technology means the process by which the skin is marked or colored by insertion of non-toxic dyes or pigments into or under the subcutaneous portion of the skin upon the body of a live human being so as to form indelible marks for cosmetic purposes.

Permanent Color is used for but not limited to the application of eyeliner, eyeshadow, lip, eyebrow or cheek color, it is also used for the purpose of scar concealment; and/or re-pigmentation of areas involving reconstructive surgery.

Staff did some additional research on the differences of the two procedures. Permanent Color Technology is a cosmetic implantation technique which deposits color pigment into the upper layer of the skin and is considered permanent because it cannot be washed off. Unlike traditional tattoos performed on the body, permanent cosmetics professionals do not use traditional tattoo ink (dye). Permanent cosmetics pigment is more delicate and designed to work with the skin's undertones and to mimic hair for eyebrows. Everyone's skin is different regarding pigment retention and touchups are usually required after a few years.

The zoning districts previously proposed for these shops included all the Commercial and Manufacturing zoning districts. The permanent body establishments would like consideration to allow for the use in an O & P zoning along with use in residential zoning districts with a special use permit from the Planning Commission.

RECOMMENDATION

Approve

Make a motion for positive recommendation for City Council to approve proposed ordinance text amendment changes Chapter 25, Article 3, adding Permanent cosmetic facilities as permitted use by right in an O & P zoning district and a special permitted use in a residential district approved by the Planning Commission subject to the following condition(s):

Deny

Make a motion for negative recommendation to City Council to disapprove proposed ordinance text amendment changes Chapter 25, Article 3, adding Permanent cosmetic facilities as permitted use by right in an O & P zoning district and a special permitted use in a residential district approved by the Planning Commission for the

following reason(s):

Table

Make the motion to TABLE the proposed ordinance text changes to Chapter 25, Article 3, adding Permanent cosmetic facilities as permitted use by right in an O & P zoning district and a special permitted use in a residential district approved by the Planning Commission for the following reason(s):

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item NewBiz4

Ordinance Amendment Shipping Containers

Applicant(s): N/A

Owner(s): N/A

Location: N/A

Staff Contact: Annie Folck



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Staff Development Services
Date: May 9, 2016
Subject: Proposed Ordinance text change in Chapter 25, Article 3, dealing with zoning and miscellaneous regulations adding language for shipping containers used for storage in residential & commercial districts.

The Planning Commission reviewed an ordinance in January and last month regarding shipping containers for storage use. Since then we have issued a few building permits for these type of containers in a C-1 central business zoning district and an M-1 light manufacturing district. When City Council referred this back to Planning Commission they asked that more specific requirements for this type of storage container in the manufacturing, commercial districts, and residential districts be considered. One of the things we came across when a building permit was applied for placement of the containers on property, could be placed in the floodplain/floodway, which would require a floodplain permit, FEMA considers these permanent structures whether they are temporary or placed as an accessory structure on parcels.

Clarification on whether a temporary or permanent structures (six months or more), will they be an accessory use or primary use, how will they be taxed, more clarification in the different requirements between manufacturing and commercial zoning districts. Recommendation is to allowing shipping containers in commercial zones only as accessory structures and not a permanent structure on a lot on its own.

Things we were asked to consider were how they will be taxed if they are not considered a permanent structure, but remain on the property and are used as an accessory structure will they be reviewed by the County and taxed. Regulation of the structure, if these are placed by a private company they would tract the thirty day requirement. If a property owner pulls a permit for use for building construction it could be tracked by when the permit was issued. We could also handle on a complaint basis.

The complete ordinance is attached for your review.

RECOMMENDATION

Approve

Make a motion for positive recommendation for City Council to approve proposed ordinances text amendment – adding to Chapter 25, Article 3, Miscellaneous regulations 25-3-25(16), relating to defining and requirements for shipping containers used for storage in residential, commercial, and manufacturing zoning districts subject to the following condition(s):

Deny

Make a motion for negative recommendation to City Council to disapprove proposed ordinances text amendment – adding to Chapter 25, Article 3, Miscellaneous regulations 25-3-25(16), relating to defining and requirements for shipping containers used for storage in residential, commercial and manufacturing zoning districts for the following reason(s):

Table

Make the motion to TABLE the proposed ordinances text amendment adding to Chapter 25, Article 3, Miscellaneous regulations 25-3-25(16) relating to defining and requirements for shipping containers used for storage for the following reason(s):

Staff Report Page 1

--

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 25, ARTICLE 3, SECTION 25 OF THE SCOTTSBLUFF MUNICIPAL CODE IN DEALING WITH ZONING AND MISCELLANEOUS REGULATIONS BY INCLUDING REGULATIONS CONCERNING SHIPPING CONTAINERS USED FOR STORAGE, ADDING §25-3-25(16) RESTRICTING THE USE OF SHIPPING CONTAINERS AS STORAGE, REPEALING ALL PRIOR SECTIONS, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

Section 1. Chapter 25, Article 3, Section 25 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding subsection (16) with the following language:

Section 25-3-25. Miscellaneous regulations.

provisions of this section, except sections 25-3-22 (1) and 25-3-22 (2) are applicable to a C Zone. Any provisions in the aforementioned sections which conflict with any of the provisions of Article 13 shall, to the extent of the conflict, constitute exceptions to and modify conflicting provisions of such Article.

Basement garages; grade. No basement garage may be constructed with a front entrance below the established grade nor may such an entrance be constructed in an existing building or structure, unless proper drainage, as determined by the development Services Director, is provided.

Buildings; structure; design; construction. No building or structure may be erected or structurally altered unless its architectural design and construction conforms to applicable provisions of this Chapter insofar as such conformity may be accomplished without unreasonable hardship or substantial interference with the lawful intended use of such building or structure.

Dwelling unit; inside entrance. Rooms within a dwelling unit must have their principal entrance from inside the dwelling unit.

Grades; flood requirements. No building may be built, rented, or occupied which is located on a lot or other tract of land that does not comply with all lawful grade requirements for flood purposes.

Ground cover; surfacing. Front yard and side yard setback areas may be landscaped and maintained with low ground cover, except in the case of an approved off-street parking area. Asphaltic concrete, masonry, rock, gravel or other forms of artificial surfacing may not be used as a principal ground cover.

Manufactured Homes.

- a. A manufactured home shall be located and installed according to the same standards for foundation system, permanent utility connections, setback, and minimum square footage which would apply to a site-built, single-family dwelling on the same lot.
- b. Manufactured homes shall meet the following standards:
 1. The home shall have no less than nine hundred square feet of floor area;
 2. The home shall have no less than an eighteen-foot exterior width;
 3. The roof shall be pitched with a minimum vertical rise of two and one-half inches for each twelve inches of horizontal run;
 4. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction.
 5. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
 6. The home shall have wheels, axles, transporting lights, and removable towing apparatus removed.

Mobile Home Parks shall be excluded from these guidelines. All manufactured (mobile) homes shall meet the standards set forth in the HUD - Manufactured Housing & Standards or Verification of HUD Standard Upgrades.

(7) Multiple unit buildings; exits. Each dwelling unit in a multiple unit residence building, or in a multiple use building, shall have a front and rear exit, or an exit to a corridor on the same level which has a front and rear exit.

(8) Public storage garages; location. No public garage used only for storing motor vehicles may have either a motor vehicle entrance or exit which is within two hundred (200) feet of an

entrance or exit of any existing public or private school playground, public library, church, hospital, children's or old people's home, or a similar public or private institution. No public or private school playground, public library, church, hospital, children's or old people's home, or a similar public or private institution may be built within two hundred (200) feet of either the motor vehicle entrance or exit to a public garage used for storing motor vehicles.

(9) Public street; abut; necessity. No building or structure shall be so constructed on a lot or tract of land which does not abut on a public street for a distance of at least twenty (20) feet.

(10) Railroad premises; tracks; docks. A railroad right-of-way may be used for railroad or spur tracks. Loading and unloading platforms or structures may be located on a railroad right-of-way only if the abutting property is in a C-3 or M Zone and no R zone is within three hundred (300) feet of the platform or structure on the same side of the right-of-way.

(11) Residence buildings; number. Except as provided in Article 9, no more than one (1) building used for residence purposes may be located on any lot.

(12) Residence; sleeping quarters. Permanent sleeping quarters may not be located or used in any building or structure in an R zone other than a main residence building.

(13) Residence; rear of lot. No building, designed to provide living or sleeping quarters, or both, may be located on an interior lot to the rear of the main building which is used for nonresidence purposes.

(14) Single family dwelling; walls. A single family dwelling shall be constructed as a single building with connecting walls. The plane surface of any connecting wall shall be at least eight (8) feet in length.

(15) Quonset; R zone. No quonset-type building or structure may be built or placed on any lot or tract of land in an R zone.

(16) Shipping containers.

- a. Shipping containers defined. For the purposes of this Chapter, a shipping container shall mean any container, which may otherwise be known as a container, freight container, ISO container, shipping container, high-cube container, box, C container or container van, designed to store and move materials and products across various modes of the Intermodal Freight Transportation System.

- b. General restrictions for shipping containers:

1. A shipping container may be placed in the front yard setback only if being used for moving or relocating purposes.
2. A shipping container may not be placed within the site triangle as defined in Section 25-2-104.1 of the Scottsbluff Municipal Code.
3. A shipping container may not exceed 8 feet in width, 9 feet in height or 40 feet in length.
4. A shipping container must be kept out of easements, public rights-of-way, and setbacks except as otherwise provided for in this Code.
5. A shipping container may be placed on a lot if it is incidental to the permitted construction activities on the same lot. The shipping container must be removed at the completion of the construction project or expiration of the building permit.

- c. Residential zoning districts. A shipping container is allowed on a temporary basis only if a valid permit is issued by the City's Planning and Development Department. The shipping container will be permitted only on a temporary basis for moving or actually used for construction activities, in all residential zoning districts. A shipping container may be allowed on a developed lot for a period of 30 days if used for moving or if used for construction activities as set forth in section (16) b.5. of this section. If additional time is required, the owner of the lot may apply for one 30 day permitted extension.

- d. Commercial zoning districts. Shipping containers may be used only for storage or shipping by the occupant of the lot in all commercial zoning districts only as an accessory building provided:

1. A valid permit for its use is issued by the City's Planning and Development Department.
2. All shipping containers are located in areas not generally utilized by the customers of the commercial business and where shipping and receiving are conducted on the lot.
3. All shipping containers are maintained and kept in good repair with no holes and rust and must be adequately secured to prevent entry by unauthorized people.

4. All shipping containers must be placed on a level surface with a base of rock or concrete/pavement so as to prevent any settling of the shipping container while it is on the lot.
 5. Comply with the requirements of subparagraph e. of this section.
 6. Comply with all requirements for accessory building.
- e. In Ag, C-1, C-2 and C-3, M-1 and M-2 zoning districts, no shipping containers shall be allowed except as provided:
1. A permit is required for a shipping container used for onsite storage of material incidental to the permitted or accessory use of the lot. The building permit must be procured through the Planning and Development Department of the City.
 2. A shipping container located in a front or side yard must be painted so no signage or language is visible.
 3. A shipping container may not be connected to any City utility.
 4. A shipping container must be kept in good repair with no holes or rust.
 5. A shipping container must be placed on a level surface with a base of rock or concrete so as to prevent any settling of the shipping container while it is on the lot.

Section 2. Previously existing Section 25-3-25 and all other ordinances and parts of ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to effect 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 and approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2016.

Attest:

Mayor

City Clerk (Seal)

Approved as to form:

City Attorney

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item NewBiz5

Proposed Ordinance: Sexually Oriented Businesses

Applicant(s): N/A

Owner(s): N/A

Location: N/A

Staff Contact: Annie Folck

Background on sexually oriented business SOB

It is important to keep in mind possible creation of this ordinance is a proactive action. There are no proposals before us or rumor of any pending. However numerous proposals have been advanced in the eastern part of the State.

City Council members have suggested we look at developing a SOB ordinance and or licensing to regulate these types of business.

They take many forms:

1. adult arcade
2. book/video store
3. cabaret
4. adult motel
5. motion picture theater
6. live theater
7. model studio
8. encounter center
9. escort agency
10. others

There is a series of steps to follow when laying the groundwork for such ordinances or licensing in order to assure they stand up if challenged in court.

STEP ONE

The first step is to include the community to help determine the variety of impacts that may accompany these establishments. These impacts may include deleterious effect on adjacent business or residential neighborhoods, objectionable characteristics if similar establishments are located in proximity, contribution to urban blight or downgrading the quality of life in the adjacent area, increase crime in proximity to these establishments, health problems, distribution of obscene materials, downgrading the quality of life, transmittal of disease, urban blight, declining property values and others.

However it is critically important to protect First Amendment rights.

The purpose of this hearing is to listen to and compile a list of perceived impacts. The Planning Commission is welcome to contribute.

STEP TWO

Understanding the community's view as to what the potential impacts (secondary impacts) might be, research must be done in an effort to quantify or prove that such impacts really exist and exist in our community. From a legal perspective this may be accomplished by citing studies that other communities have completed. While we could do our own study there are numerous quality examples for similar size cities. We can use these to address our own unique list of possible impacts identified in step one. This information will be brought before the Planning Commission upon completion of step one.

STEP THREE

An ordinance is drafted to address findings in the studies where such things as separation of like establishments is defined, distance from institutional uses, appropriate zoning districts, building characteristics, setbacks and other standards are set. All based on our community standards.

Licensing may be added to zoning regulation in a different section where the interior characteristics of the building may be defined such as no private areas, distances between customer and employee as well as such things as background checks of all employees.

Both controls may be included in our regulatory compliment of control. My recommendation is to use both in tandem.

City of Scottsbluff, Nebraska

Monday, May 9, 2016

Regular Meeting

Item Unfin. Biz1

Unfinished Business: None

Staff Contact: