



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
PLANNING COMMISSION AGENDA
Monday, December 13, 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 November 8, 2021 Meeting**
- 6. New Business :**
 - A Public Hearing-Ordinance Text Change**
Zoning Text Change to Chapter 25 Article 3 regarding the additions of Vineyards & Wineries, Golf Courses, and Agricultural Attractions as principle permitted uses in the Agricultural Zoning District.
 - B Public Hearing-Ordinance Text Addition**
Zoning Text Addition of Chapter 25 Article 2 regarding the definition of Agricultural Attractions.
 - C Public Hearing-Ordinance Text Change**
Zoning Text Change to Chapter 25 Article 22 regarding buffer yard requirements in the City of Scottsbluff zoning jurisdiction.
 - D Public Hearing-Ordinance Text Change**
Zoning Text Change to Chapter 4 Article 1 regarding Section 107 of the 2018 International Building Code.
 - E Public Hearing-Preliminary Plat**
Preliminary Plat of Five Oaks Subdivision situated in the Northwest Quarter of Section 14, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.
 - F Public Hearing-Rezone**
Rezone of Lot 2A, Block 8, East Portal Addition from C-3 Heavy Commercial to R-4 Heavy Density Multiple Family.
 - G Public Hearing-Ordinance Text Change**
Zoning Text Change to Chapter 25 Article 2 regarding the Gateway Green Overlay Zone.
- 7. Staff Reports:**
 - A (informational only):**
Upcoming Panhandle Planning Workshop on January 25, 2022.

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



8. Other Business:

A (informational only):

9. Schedule Meeting:

A Confirm net meeting date of January 10, 2022.

10. Adjourn

City of Scottsbluff, Nebraska
Monday, December 13, 2021
Regular Meeting

Item Appr. Min.1

November 8, 2021 Meeting

Staff Contact: Zachary Glaubius, Planning Administrator

PLANING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
November 8, 2021
SCOTTSDLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, November 8, 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 general circulation in the City, on October 29, 2021. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Planning Commission can modify the agenda at the meeting if it is determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chairman Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Dana Weber, Angie Aguallo, Becky Estrada, Callen Wayman, Mark Westphal, Jim Zitterkopf, Linda Redfern (Alternate) "Absent": Anita Chadwick, Dave Gompert, Henry Huber. City Officials present were Zachary Glaubius, Secretary/Planning Administrator, Taylor Stephens, GIS Analyst, Gary Batt, Code Administrator II, and Tom Schingle, Fire Chief. Redfern attended the meeting, but did not take any actions on behalf of the Planning Commission.
- 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 The minutes from the October 11 2021 meeting were reviewed. Conclusion, a motion was made by Aguallo and seconded by Estrada to approve the minutes from September 13, 2021 meeting conditional on the revision to correctly show Commissioner Huber as voting "yea" on Lines 11, 12, and 13. "Yeas" Wayman, Estrada, Weber, Aguallo, Zitterkopf "Abstained": Westphal, "Absent": Chadwick, Gompert, Huber. The motion carried.
- 6 Chairman Weber opened the public hearing at 6:04 PM for Items 6A and 6B the preliminary and final plats of Lot 4A, Block 2, Cottonwood Glen. Weber asked Glaubius for the staff report. Glaubius stated that the applicant is looking to combine two lots in order to build an accessory structure. Glaubius stated this would have been done administratively, however the combined lot cannot meet the 3-acre minimum lot size of the R-1B District. Glaubius stated the replat is in line with the comprehensive plan, and it is bringing an existing lot closer to compliance. Glaubius stated that staff is recommends a positive recommendation from the Planning Commission. Property owner Chris Stillahn informed the Planning Commission that he looking to combine the lots to build a shed to house his vehicles. Westphal asked if the neighbors had any problem with the replat. A neighbor was present at the meeting and stated he had no issue with the replat. Stillahn stated he is the president of the HOA and has spoken with the majority of the neighbors. Weber closed the public hearing at 6:07 PM.
. **Conclusion:** Motion by Westphal, seconded by Estrada to make a positive recommendation on the approval of Preliminary and Final Plats for Lot 4A, Block 2, Cottonwood Glen Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber. The motion carried.

- 8 Weber opened the public hearing at 6:08 PM for Item 6C regarding an ordinance text change regarding a R-1 District special permit uses permitting horses or other livestock used solely for non-business recreation of the occupier on lots comprising two acres or more, in the quantity of one animal per each whole acre. Glaubius reported he met with the applicant Jane Fleisbach about a rezone, and staff suggested a zoning text amendment instead. Glaubius stated the language for R-1 special permit use is the same as that found in the R-1B district. Glaubius stated that the GIS Department found this change would affect 17 lots in the City's jurisdiction. Glaubius stated that of these 17, one is the cemetery, one is the community college, two are churches, and two are HOA common areas. Glaubius stated staff recommends a positive recommendation on the zoning text change by the Planning Commission to the City Council. Weber informed the applicant that they would need to come to the Planning Commission for it, and it is only for the property owner. Weber closed the public hearing at 6:10 PM. **Conclusion:** Motion by Zitterkopf, seconded by Westphal to make a positive recommendation on the adoption of the zoning text change regarding horses and other livestock used solely for non-business recreation of occupier are permissible on lots comprising two (2) acres or more, in the quantity of one (1) animal per each whole acre. Shelters or such animals shall be situated not less than fifty (50) feet from the property line and not less than fifty (50) feet from a residence on another lot or tract to the City Council "Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber. The motion carried.
- 9 Weber introduced Item 6D regarding the Gateway Green Overlay Zone site plan review for the proposed Tidal Wave Carwash at 3310 Avenue I. Glaubius reported that since the proposed car wash is located in the Gateway Green Overlay Zone (GG-O), it requires Planning Commission approval. Glaubius stated staff has reviewed the site plan and worked with the applicant to ensure all GG-O requirements have been met. Glaubius stated that staff recommends the approval of the Tidal Wave Car Wash plan by the Planning Commission. **Conclusion:** Motion by Zitterkopf, seconded by Aguallo to approve the site plan. Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber.
- 10 Weber introduced Item 6E regarding updating the Planning Commission rules. Glaubius stated that at the previous Planning Commission meeting he discussed updating the administrative rules. Glaubius stated that the state statutes referred to in the rules needed updated as well as the wording regarding the Planning Commission secretary. Glaubius stated the current rules call for regular Planning Commission meetings both the second and fourth Monday of each month. Glaubius stated he reviewed other first-class cities as well as Lincoln and Omaha, and found the majority have only one Planning Commission meeting a month. Glaubius stated it would be more efficient for both staff and the commission to meet once a month. Glaubius also stated the current rules call for the agenda be hand delivered, and that staff would like to have this changed to electronic delivery. Weber stated that the proposed rule changes appear to bring the Commission into line with state statutes and city code as well as formally adopt what the Planning Commission has been doing already. Redfern suggested from the audience that these rules be reviewed annually at the October meeting. **Conclusion:** Motion by Westphal, seconded by Estrada to approve the proposed rules with the addition of annual review. Yeas": Wayman, Estrada, Weber, Aguallo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber.
- 11 Item 7: No Staff Reports
- 12 Item 8: No Other Business

- 13 Weber introduced Item 9 regarding scheduling the next Planning Commission meeting on December 13, 2021
- 14 Adjournment: Motion by Estrada, seconded by Zitterkopf to adjourn the meeting at 6:20 PM. Yeas": Wayman, Estrada, Weber, Aguillo, Zitterkopf, Westphal "Nays" None "Abstained": None, "Absent": Chadwick, Gompert, Huber.

Chairman Dana Weber

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus1

Public Hearing-Ordinance Text Change

Zoning Text Change to Chapter 25 Article 3 regarding the additions of Vineyards & Wineries, Golf Courses, and Agricultural Attractions as principle permitted uses in the Agricultural Zoning District.

Staff Contact: Zachary Glaubius, Planning Administrator



Scottsbluff City Zoning Text Change Application

2525 Circle Drive, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date:

10/19/21

Number (Office Use Only):

2021-12-01

Comprehensive Plan Designation:

25-3-19 A Agricultural

Comprehensive Plan Amendment Required?

~~No~~ NO

Brief description of text change request:

Addition of "Vineyard and Winery"

Applicant Information

Applicant:

Papa Moon Vineyards, Winery and Ciders

Property Owner:

James D Massey Jr Living Trust

Address:

230975 County Road J

Telephone:

(308) 631-8380

Ryan Massey

City:

Scottsbluff

State:

NE

Zip:

69361

Alt. Telephone:

City Development Process and Requirements

- 1. Staff Review Time:** Approximately 3 to 4 weeks prior to the Public Hearing date. Notice to the newspaper must be mailed out 2 ½ weeks prior to the meeting date.
- 2. Planning Commission:** Held the second Monday of each month at 6:00 p.m.
- 3. City Council:** Held the first and third Mondays of each month at 6:00 p.m.

All meetings are held in the City Council Chambers at 2525 Circle Drive in Scottsbluff.

REQUIREMENTS

- ☐ Pre-application meeting with City Planner
- ☐ Zoning Ordinance Text Change Fees \$100.00 plus cost of public hearing notice

- ☐ Desired Text Change - on disk or emailed to the City Development Service Department in Word format and any other supporting documentation.
- ☐ A Letter and/or packet from the petitioner that the proposed text change:
 - ☐ Would provide a service needed by the city and/or residents of the community and will be consistent with sound land use principles.
 - ☐ The text change will not be injurious to adjacent properties or uses throughout the city or environment.
 - ☐ Will the proposed text change create special hazards or problems.
 - ☐ Would the proposed text change be harmonious and consistent with the Comprehensive Plan.
 - ☐ Why the proposed text change is needed.

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

Rezone Process

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



Papa Moon Vineyards, Winery & Cider House



*Creating locally grown craft beverages, family friendly experiences
and preserving Nebraska's beauty since
2012*

Why is the proposed text change needed?

Our Farm Winery has been in business at this location for ten years with approval and the support of; Scottsbluff County, Scottsbluff County Commissioners, the Nebraska State Patrol Troop E, Scottsbluff County Sheriff, Nebraska State Fire Marshal, The State of Nebraska as well as the TTB and has experienced no issues. Through an oversight however, we recently discovered we are not in compliance with the current agricultural zone, as written by the city, in which we operate.

Will the proposed text change create special hazards or problems

As noted above, a slight increase in traffic on the County Road J.

Would the proposed text change be harmonious and consistent with the Comprehensive Plan

Input from the community in our Comprehensive Plan:

“Regional hub for: recreation, entertainment, culture, education, commerce.

“Safe, family friendly, healthy, welcoming, inclusive, accessible, affordable.”

“Growing and maintaining our city while maintaining our rural values.”

The Comprehensive Plan was written with community input and reflects these values. We believe that Papa Moon Vineyards and Winery reflects these values as well and enhances the community we all love.

Would provide a service needed by the city and/or residents of the community and would be consistent with sound land use principles.

Our city is rich in tourism sites based on the arts, history and geography. We lack agricultural tourism. Being an agricultural community it is important for us to bring residents and visitors closer to the farm to table industry which is now popular with travelers. Although wine grapes and apples are not the mainstay of our farm economy they represent an interesting and enjoyable niche ideal for educating families in a peaceful, environmentally friendly environment. The grounds have ample space for walking, bird watching, firefly viewing, and spotting other abundant wildlife at the margins of our wetlands.

The text change will not be injurious to adjacent properties or uses throughout the city or environment

Wine grapes require a few passes with various machinery throughout the year. Machinery use is comparable to the row and forage crops in the valley which we have adjacent to our location. Wine making is environmentally friendly and essentially noiseless. There are no harsh odors or chemicals. We compost the leftover grape skins on site. We do have visitors for open tastings and events which slightly increase traffic on the already busy County Road J.

PAPA MOON VINEYARDS AND WINERY

Documents in support of Scottsbluff City Zoning Text Change:

25-3-19 A Agricultural.

Intent: The intent of an agricultural zone is a zone in which land is permitted to be used for raising of crops and pasturing cattle and related activities.

Principle Permitted Uses.

- 1. Agricultural uses, general.**
- 2. Home Occupations**
- 3. Irrigation facilities**
- 4. Kennel, dog**
- 5. Municipal uses**
- 6. Public utility facilities**
- 7. Single family Dwelling**
- 8. Stable**
- 9. Tourist information booth**
- 10. Vineyard and Winery**
- 11. Agriculture Estate Dwelling Site**

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City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 23, 2021 For Hearing of: December 13, 2021



I. GENERAL INFORMATION

- A. Applicant:** Papa Moon Vineyards, Winery and Ciders
230975 County Road J
Scottsbluff, NE 69361
- B. Property**
Owner: James D. Massey Jr. Living Trust
- C. Proposal:** Add “Vineyards and Wineries” as a principle permitted use in the A-Agricultural Zoning District

II. BACKGROUND INFORMATION

- A. History**
1. Applicant has operated the vineyard since 2004.
 2. The applicant received a non-compliance letter from the City of Scottsbluff for hosting events.
 3. Hosting Events does not fall under the “Agricultural uses, general” principle permitted use.
 4. The applicant wants to be in compliance with the city zoning code and continue hosting events.

III. PROPOSED ADDITION

- A. 25-3-19 A-Agricultural**
1. Principal Permitted Uses
 - i. Vineyards & Wineries

IV. STAFF COMMENTS

- A.** The applicant and staff have reviewed the zoning codes of other municipalities with wineries and vineyards. The simple addition of “winery and vineyard” is a sufficient addition to allow the hosting of events and other secondary features.
- B.** The text change is not injurious to adjacent property owners as the vineyard has been in operation for years.
- C.** The addition of this principle permitted use is harmonious and consistent with the comprehensive plan.

V. STAFF RECOMMENDATION

- A.** Staff recommends Planning Commission make a positive recommendation to City Council to add the Principle Permitted Use of Winery and Vineyard to Chapter 25 Article 3 Section 19.

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 23, 2021 For Hearing of: December 13, 2021



I. GENERAL INFORMATION

- A. With the Papa Moon Vineyards zoning text amendment request, staff reviewed 25-3-19 for any other oversights regarding principle permitted uses. This is in an effort to eliminate the need to update the principle permitted uses of the Agricultural Zoning District for the time being.
- B. Staff identified two principle permitted uses that would clarify existing uses as being permitted.

II. PROPOSED ADDITIONS

A. 25-3-19 A-Agricultural

- 1. Principal Permitted Uses
 - i. Golf Courses
 - ii. Agricultural Attractions

B. 25-2-3.1 Agricultural Attractions

- 1. A premises used primarily for agriculture for the purpose of raising and harvesting crops for sale, but also includes a limited amount of area devoted to the provision of entertainment for a period of no more than four months per year. Examples of agricultural attractions include, but are not limited to, pumpkin patch, apple orchard, or corn maze. The sale of other goods and entertainment is permitted in areas of the premises during the allowable operating period. Attractions shall not include mechanical rides other than hayrack and sightseeing vehicles.

III. STAFF COMMENTS

- A. Riverview Golf Course is located in the Agricultural Zoning District. By adding this permitted use, the golf course would no longer be legal non-conforming.
- B. Agricultural Attractions consist of pumpkin patches, corn mazes, and orchards. By adding this permitted use, it would clarify that these uses are permitted in the city's jurisdiction.
- C. The definition for Agricultural Attractions is necessary for enforcement.

IV. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission make a positive recommendation to City Council to add the Principle Permitted Use of Golf Courses and Agricultural Attractions to Chapter 25 Article 3 Section 19 and the Agricultural Attraction Definition to Chapter 25 Article 2.

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus2

Public Hearing-Ordinance Text Addition

Zoning Text Addition of Chapter 25 Article 2 regarding the definition of Agricultural Attractions.

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus3

Public Hearing-Ordinance Text Change

Zoning Text Change to Chapter 25 Article 22 regarding buffer yard requirements in the City of Scottsbluff zoning jurisdiction.

Staff Contact: Zachary Glaubius, Planning Administrator



Scottsbluff City Zoning Text Change Application

2525 Circle Drive, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date:	11/8/2021			Number (Office Use Only):	
Comprehensive Plan Designation:	Northwest Commercial		Comprehensive Plan Amendment Required?	No	
Brief description of text change request:					
Please see the attached.					

Applicant Information

Applicant:		Property Owner:	
26 Group, LLC		26 Group, LLC	
Address:		Telephone:	
1502 19th Avenue		308-633-3595	
City:	State:	Zip:	Alt. Telephone:
Scottsbluff	NE	69361	

City Development Process and Requirements

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REQUIREMENTS

- ☐ Pre-application meeting with City Planner
- ☐ Zoning Ordinance Text Change Fees \$100.00 plus cost of public hearing notice

- ☐ Desired Text Change - on disk or emailed to the City Development Service Department in Word format and any other supporting documentation.
- ☐ A Letter and/or packet from the petitioner that the proposed text change:
 - ☐ Would provide a service needed by the city and/or residents of the community and will be consistent with sound land use principles.
 - ☐ The text change will not be injurious to adjacent properties or uses throughout the city or environment.
 - ☐ Will the proposed text change create special hazards or problems.
 - ☐ Would the proposed text change be harmonious and consistent with the Comprehensive Plan.
 - ☐ Why the proposed text change is needed.

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

Rezone Process

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

Scottsbluff City Zoning Text Change Application

- When a street or public alley separates adjacent zoning districts requiring a bufferyard, no bufferyard is required. Applicable setback and landscaping requirements will apply in these cases.
 - This is helping owners maximize the use of the property.
 - Ref: 25-3-22.1 Gateway Green Overlay Zone. (see attached)
 - This is based off of Gering's regulations so it is already accepted in the community.
- Buffer will remain. Buffer will be an alley instead of a landscape boundary. The natural boundary will still remain.
- No- the proposed text change will not create social hazards or problems.
- The proposed text change will be harmonious and is consistent with the Comprehensive plan.
- The existing 20' buffer is a burden to property owners of shallow lots. The current requirement does not give any leeway.

25-3-22.1 66-0

- a. All loading and service areas that are within a 50' of a side or rear lot line abutting property that is residentially zoned shall be surrounded by a 6' high masonry wall or solid wood or PVC fence with opaque gate.
- b. Waste receptacles, including dumpsters, garbage cans, or grease containers shall be located in the rear or side yard of lot and no more than 20' from residentially zoned areas. All waste receptacles shall be screened from view from all property lines and public areas of the site by a minimum 6' high evergreen planting, masonry wall, wood or PVC fence.
- c. Rooftop mechanical equipment, including HVAC and utility equipment shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of parapet walls or an opaque enclosure around the equipment that is constructed of one of the materials used on the primary facade of the principal structure.
- d. Ground or wall mounted mechanical equipment such as HVAC equipment, transformers, generators, and gangs of multiple utility meters shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of evergreen planting masonry wall, wood or PVC fencing or other opaque enclosure around the equipment that is constructed of one of the permanent and durable materials used on the primary facade of the building. The height of the planting or fence shall be sufficient to effectively screen the equipment from view.
- e. Outdoor storage shall be prohibited.

3. Buffer Yards

- a. Developed for the purpose of providing an effective visual screen between two dissimilar uses.
- b. Buffer Yards shall be required along and inside the property line of commercial property abutting a residentially zoned property.
- c. Buffer Yards shall be 20' minimum in depth and shall meet the following criteria:
Be planted with a staggered double row of evergreen trees at least 6' in height, or be planted with a single row of deciduous shade trees 2" caliper trunk minimum and two staggered rows of evergreen shrubs at least 3' in height, planted a maximum of 4' on center.
- d. If a 6' high solid wood or PVC fence or masonry wall is incorporated into the design the buffer yard may be reduced by 10'. Finished side of fencing will face abutting property. A row of evergreen trees at least 6' in height, or a

single row of deciduous shade trees 2" caliper trunk minimum and a staggered row of evergreen shrubs at least 3' in height, planted a maximum of 4' on center must accompany the fence.

4. Maintenance of Buffer Yard

- a. The buffer yard shall be maintained so as to provide an effective visual screen. If plant material shall die or be removed such that the buffer yard no longer functions, the plant material shall be replaced by the property owner.

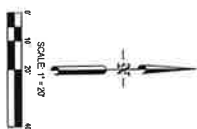
5. Landscaping

a. Building Perimeter Walls

1. Shrubs shall be planted within 10' of the foundation of the primary structure along each building facade at a density that will obscure 60% of the building foundation after 5 years, except for sides or rear of building used for loading or service area.

- b. Along each street frontage there shall be, at a minimum, 10' wide landscape strip, continuous along the frontage except for the perpendicular crossings for driveways and utilities. The landscape strip shall be planted with shade trees at a rate of one per 40' of linear frontage or evergreen trees at a rate of one per 20' of linear frontage. Evergreens may only be planted if planting bed is a minimum of 20 feet wide. Trees may be spread irregularly in informal groupings or be uniformly spaced, as consistent with large overall planting patterns and organization. Trees shall be spread a minimum of 15' apart for large shade trees and evergreens, and a minimum of 10' apart for small ornamentals (list provides). Grouping of trees may be no more than 150' apart. The space between the trees should be planted and maintained to aid the health and growth of the trees. There must be a maintained, non-turf grass landscape bed under and around trees, to be a minimum of 40 square feet per large shade tree or evergreen and 30 square feet per small or medium tree. The landscape zone must be planted to appropriate and compatible shrubs or herbaceous grasses or perennials to cover at least 50% of the bed. The remainder may be mulch. Organic mulch should be used if possible. Screen standards shall comply with Sections 25-22-7 and 25-22-8 of this Code. Where overhead wires exist directly over tree planting area, small ornamental trees shall be substituted for required shade trees at an equal number.

- c. Plant material, wall or fencing in any required landscaped area shall not obstruct the view from the off street parking facility to any driveway approach, street, alley or sidewalk. Landscaping shall further not obstruct any views among parking spaces and circulation ways, or visibility between vehicles and pedestrians.



Sheet No.
C-1.50

Sheet Title:
**City Requirements
Landscape and Buffer Locations**

Date Issued: "DATE"

Project Title:
**ESSENTIAL FUELS
27TH STREET & AVENUE I**

Eric Reichert Insulation
Scottsbluff, Nebraska

PRELIMINARY PLAN
not to be used for
construction

Baker & Associates
Inc.
Engineers * Architects * Surveyors
120 East 19th St.
Scottsbluff, NE 68901
308.832.5122
www.bakerandassociates.com
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City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 24, 2021 For Hearing of: December 13, 2021



I. GENERAL INFORMATION

- A. The Applicant 26 Group, LLC will be building a convenience store/gas station/restaurant at 823-837 W. 27th Street (Northeast corner of W. 27th Street and Avenue I).
- B. The property is zoned C-2 Neighborhood Commercial and abuts a R-1a Single-Family District to the north. A 20' public alley separates the C-2 and R-1A lots.
- C. Due to the abutment, the applicant is required to meet the requirements of 25-22-6. This requires the applicant to install a 20' buffer yard with no paved areas or accesses.
- D. The applicant's lot is shallower than most other commercial lots in the area.

II. PROPOSED ADDITIONS

A. 25-22-6

- 1. C. If a 6' high solid wood or PVC fence or masonry wall is incorporated into the design, the buffer yard may be reduced by 10'. The finished side of fencing will face the abutting property. (Staff)
- 2. D. When a street or public alley separates adjacent zoning districts requiring a buffer yard, no buffer yard is required. Applicable setback and landscaping requirements will still apply in these cases. (Applicant)

III. STAFF COMMENTS

- A. Proposed addition "C." is nearly verbatim from the City of Scottsbluff Gateway Green Overlay Zone section. The specific tree requirements were omitted.
- B. Proposed addition "D." is similar to that of Gering.
- C. In staff's judgment, a street or public alley serves as a natural buffer between different zoning districts.
- D. Per 25-22-4, the required 10' depth of landscaping along street right-of-way will remain in code and still require landscaping.
- E. The current buffer yard requirement provides no leeway, especially considering the GG-O is less restrictive. This is counterintuitive.
- F. The current buffer yard requirement would prohibit any access to the development from the alley. Access to the alley is critical to the development given the proximity to the intersection of W. 27th Street and Avenue I.

IV. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission make a positive recommendation to City Council to add the proposed additions to 25-22-6 regarding buffer yard requirements.

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus4

Public Hearing-Ordinance Text Change

Zoning Text Change to Chapter 4 Article 1 regarding Section 107 of the 2018 International Building Code.

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: December 13, 2021 For Hearing of: November 29, 2021



I. GENERAL INFORMATION

- A. Staff reviewed Municipal Code 4-1-10 and discovered an oversight regarding Section 107 of the 2018 International Building Code. Section 107 permits the building official to require construction documents to be prepared by a registered design professional.

II. CURRENT CODE

- A. Sections 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.6, 101.4.7, 105.1.1, 105.1.2, 105.2, 107, 109, 110, 11, 113, 115, 3103, and Chapters 13, 27, 27, 28, 29 and 30 of the 2018 International Building Code are excluded and not adopted by this municipal code.

III. NEW CODE

- IV. Sections 101.4.1, 101.4.2, 101.4.3, 101.4.4, 101.4.5, 101.4.6, 101.4.7, 105.1.1, 105.1.2, 105.2, 109, 110, 11, 113, 115, 3103, and Chapters 13, 27, 27, 28, 29 and 30 of the 2018 International Building Code are excluded and not adopted by this municipal code.

V. STAFF COMMENTS

- A. Section 107 allows the city building official to require construction documents to be prepared by a registered design official. This is critical for ensuring public safety regarding construction projects with special conditions.
- B. This section also authorizes the building official to waive this requirement if it found that the nature of work applied for is such that a review of construction documents to not necessary to obtain compliance with this code.

VI. STAFF RECCOMENDATION

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve the proposed ordinance text amendment changes to 4-1-10 by removing the exclusion of Section 107 of the 2018 IBC.

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus5

Public Hearing-Preliminary Plat

Preliminary Plat of Five Oaks Subdivision situated in the Northwest Quarter of Section 14, 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 Preliminary Plat Subdivision

Date: 11/11/21			DO NOT WRITE IN THIS BLOCK	
Address (Location): FIVE OAKS SUBDIVISION			Permit Number:	
Applicant's Name C&T HOLDINGS LLC/ BAKER AND ASSOCIATES			Plat Approved Denied	
Applicant's Address: 120 EAST 16TH STREET, SUITE A			Date Issued:	
City: Scottsbluff	State: NE	Zip: 69361	Comp. Plan Land Use: <i>Residential</i>	Zone: <i>Ag</i>
Telephone: (308) 631-3123	Mobile: (308) 631-3800	Email: Jack@BAKER-ENG.COM	Attached: Plot Plan Legal Description (in Word) \$100.00 filing fee \$3.00 per property owner within 300-feet Receipt # <i>44072</i>	
Property Owner: C & T HOLDINGS LLC				
Property Owner's Address: 1310 Circle Drive				
City: Scottsbluff	State: NE	Zip: 69361		
Telephone: 308) 632-2123	Mobile: (308) 632-2123	Email: billt@cartrumbull.com		
Engineer or Surveyor: Jack Baker, PE			Total Acreage: 20.98	
Engineer or Surveyor Address: 120 EAST 16TH STREET, SUITE A			Proposed number of lots: R-4 and R-1A Residential Lots	
City: Scottsbluff	State: NE	Zip: 69361	Present Use of Property: Agriculture	
Telephone: (308) 631-3123	Mobile: (308) 631-3800	Email: jack@baker-eng.com	Proposed Use of Property: RESIDENTIAL HOUSING	
Location of property: FIVE OAKS SUBDIVISION BLOCK 7, 13, 14, BEING A PART OF THE NW 1/4 SECTION 14, T22N, R55W, 6TH PM			Present Zoning: AG	
Please provide the following: Copy of Preliminary Plan (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 Proof of Ownership of Property (See 21-1-50, Title Insurance, Attorney's opinion, Certificate of registered abstracter)				
The undersigned, hereby certify that he/she is familiar with all the requirements of Ordinance No. 3410 and amendments thereto, establishing minimum subdivision design standards to be installed by the subdivision and that he/she has caused said preliminary plat and plan to be prepared. He/she certifies that all requirements of Ordinance No. 3410 and amendments there to have been met and submits this application for approval subject to the requirements of said ordinance. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.				
Applicant's Signature: <i>[Signature]</i>			Date: 11/11/21	
Remarks: (Insert here any information not covered above) Proof of ownership should be on file from previous plats.				

Development Services Department

2525 Circle Drive, Scottsbluff, NE 69361

(308) 630-6243

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: December 8, 2021

For Hearing of: December 13, 2021



I. GENERAL INFORMATION

- A. Applicant:** C & T Holdings LLC/ Baker and Associates
120 E 16th Street Suite A
Scottsbluff, NE 69361
- B. Property**
Owner: C 7 T Holdings LLC
1310 Circle Drive
Scottsbluff, NE 69361
- C. Proposal:** Preliminary Plat of unplatted land west of existing Five Oaks Subdivision.
- D. Legal Description:** A Tract of Land located in the northwest corner of Section 14, Township 22Nortg, Range 55 West of the 6th P.M. in Scotts Bluff County, Nebraska.
- E. Location:** Parcel 010027793
- F. Existing Zoning & Land Use:** Ag – Agricultural
- G. Size of Site:** Approximately 21.89 Acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Northwest Commercial	C-2 Neighborhood & Retail Commercial/ O & P Office & Professional R-4 Heavy Density Multi-Family Residential	Vacant Lot, ELITE Health, Owen Oral Surgery Center, Apartment Complex
East	Residential	R-1A Single Family Residential	Single-Family Dwellings
South	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Vacant Lots, Chili's Restaurant
West	Residential	R-1A Single Family Residential	Single-Family Dwellings

B. Relevant Case History

1. Preliminary Plat for this Parcel was approved on April 13, 2015 by the Planning Commission.

III. ANALYSIS

A. Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan currently shows the site as Residential

B. Traffic & Access:

1. Access to Block 13 will be from the proposed Mulberry Drive and extended Five Oaks Drive.
2. Access to Block 14 and the majority of Block 6 will be the proposed Pine Circle and the existing Five Oaks Drive.
3. Lots 16 and 17, Block 6 will be accessed via the extended W. 40th Street.
4. Access to Block 7 will be via the extended W. 40th Street and permitted access along Nebraska State Highway 71 near the Scottsbluff Drain.
5. A 10' crosswalk will be dedicated to public use along the southern property line.

C. Utilities:

1. The existing City of Scottsbluff Sewer Easement will become a Utility Easement along southern property line.
2. A 20' utility easement is proposed between Block 6 and Block 7.
3. A 10' utility easement extension is proposed between Lots 1, 2, 3, 4, & 5 and Lots 8, 9, 10, 11, & 12 in Block 13.
4. A 10' utility easement is proposed between Tract 1 and Block 14.
5. A 30' utility easement loop is proposed in Block 7.
6. 8" Sanitary Sewer Lines will be located under Mulberry Dr., Five Oaks Dr., and Pine Circle. The lines will tie into the sewer lines of the existing portion of the Five Oaks subdivision.
7. Water Lines will be located under Mulberry Dr., Five Oaks Dr., and Pine Circle. The lines will tie into the water lines of the existing portion of the Five Oaks subdivision.
8. A 24" stormwater line will be located in the utility easement between Blocks 6 & 7.
9. A 6" PVC water line will be located in the 30' utility easement in Block 7.
10. Stormwater retention is located on Tract 1 and Tract 2.

IV. STAFF COMMENTS

- A.** This preliminary plat minimally differs from that of the 2015 preliminary plat. The key differences are:
- a. Consolidation of the outlots along Highway 71 from three into two
 - b. Removal of a proposed W. 37th Street
 - c. The change of proposed zoning district for the outlots from C-2 to R-4.
- B.** Preliminary Plats are only valid for two years after approval, therefore the applicant needed to submit a new preliminary plat.
- C.** The distance along Highway 71 between W. 36th Street and W. 40th Street exceeds the maximum block length of 1,320 feet per 21-1-22. However, City Council can approve exceptions with the dedication of a 10' crosswalk that extends across the block, and a 20' utility easement that extends across the Block.

- D. Staff finds justification for an exception of the maximum block length given Highway 71 is a limited access roadway. Staff and applicant have agreed to the dedication of a 10' crosswalk along the south property line and the conversion of the existing sewer easement to a utility easement to meet the requirements of 21-1-22.

V. FINDINGS OF FACT

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

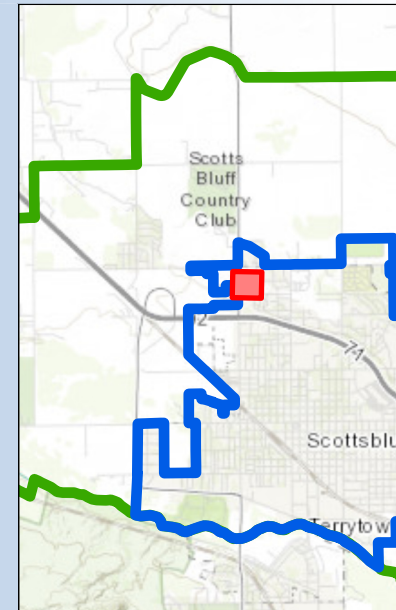
- 1. The Comprehensive Plan identifies the area as residential
- 2. The proposed crosswalk dedication and utility easement will satisfy the requirements of 21-1-22 regarding block length.

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

- 1. The block length along Highway 71 between W. 36th Street and W. 40th Street exceeds the maximum block length of 1,320 feet.

VI. STAFF RECCOMENDATION

- A. Staff recommends Planning Commission recommend the approval of the Preliminary Plat of Five Oaks 2021 on the condition that City Council approves the block length exception listed under Code 21-1-22.



Proposed Changes

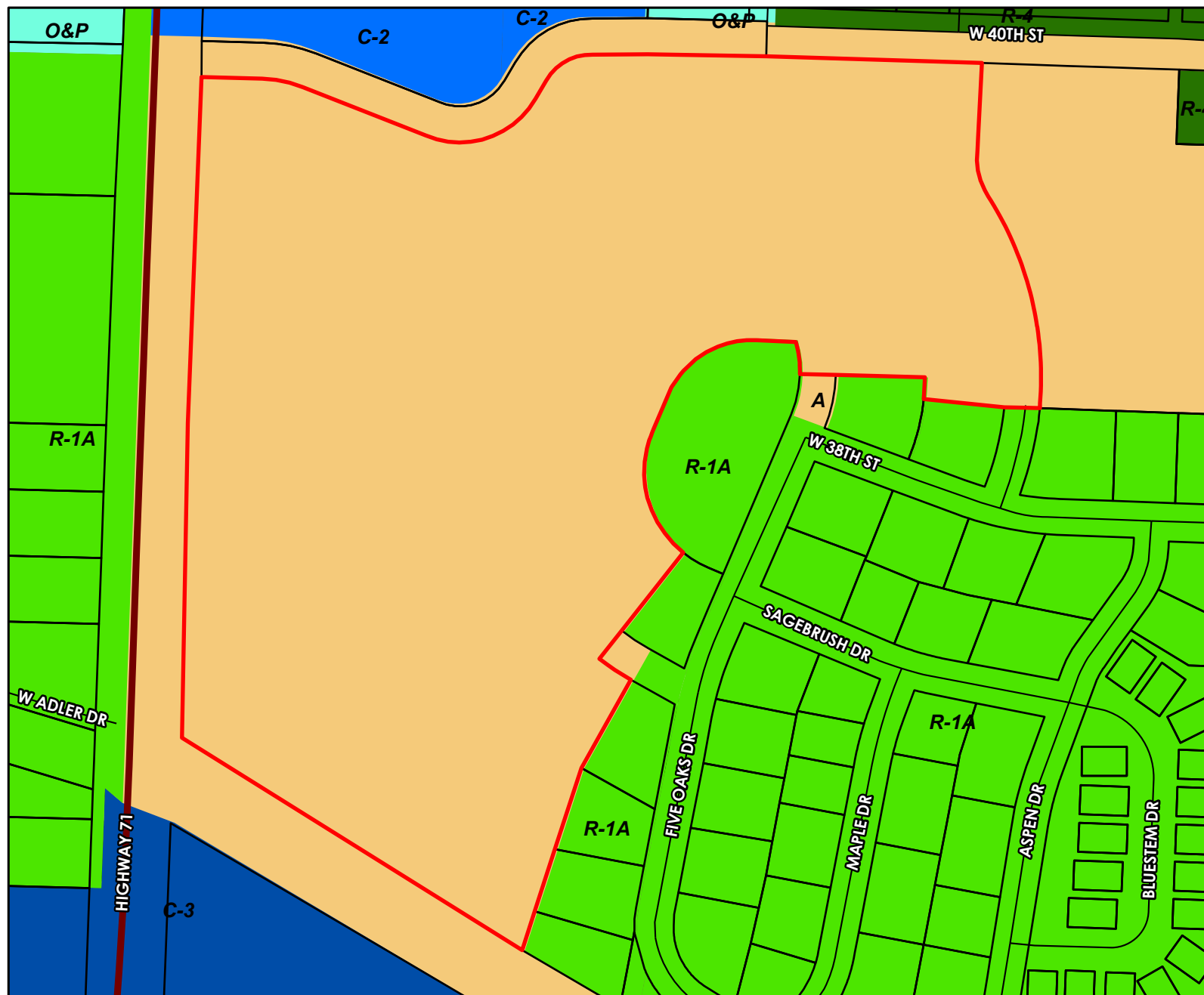
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
Created on December 9th, 2021
Coordinate System:
NAD 1983 State Plane 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
- 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
- GEODATA.GISMGR.Corporate_Limits
- GEODATA.GISMGR.Extended_Jurisdiction

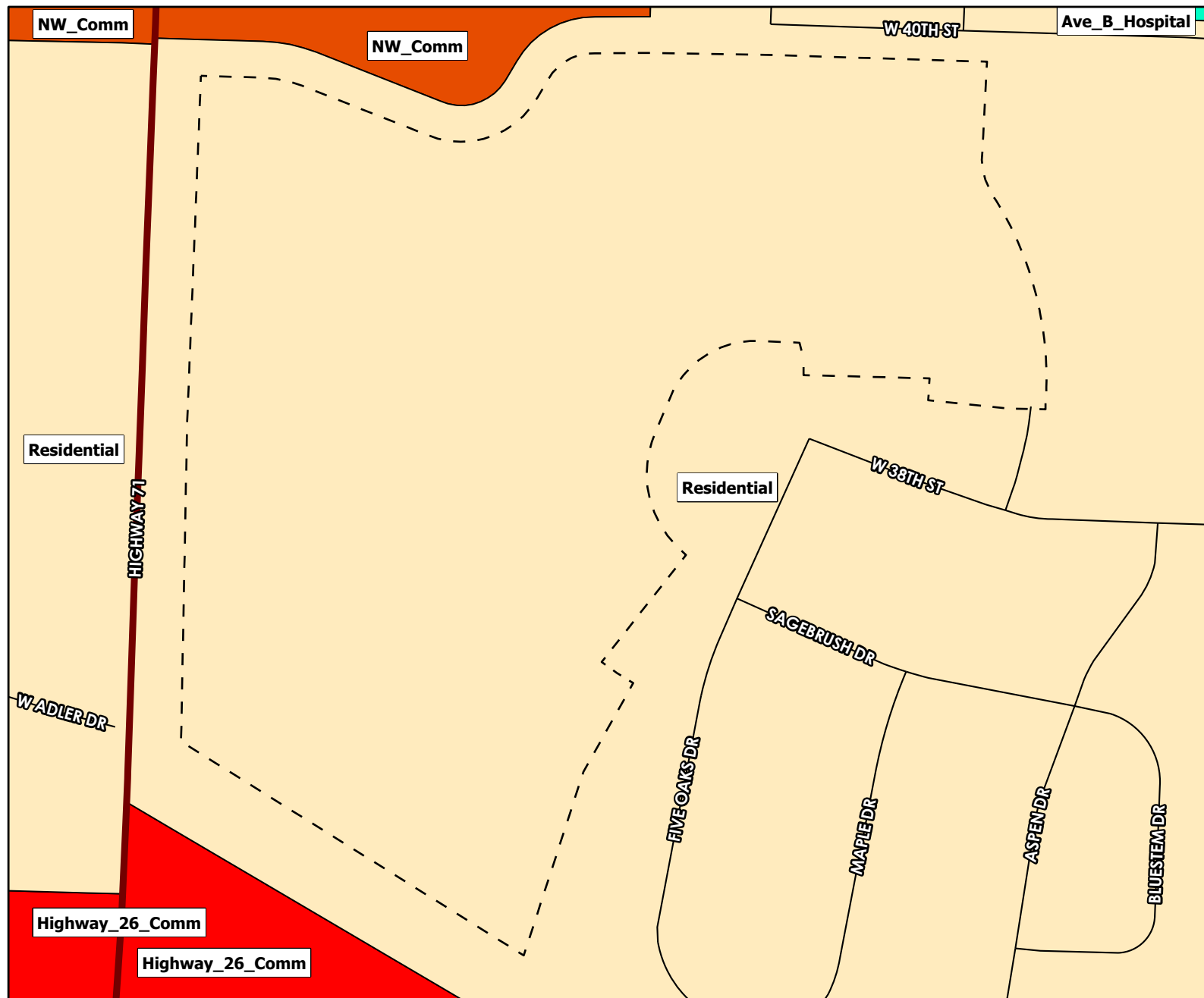
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Proposed Changes

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

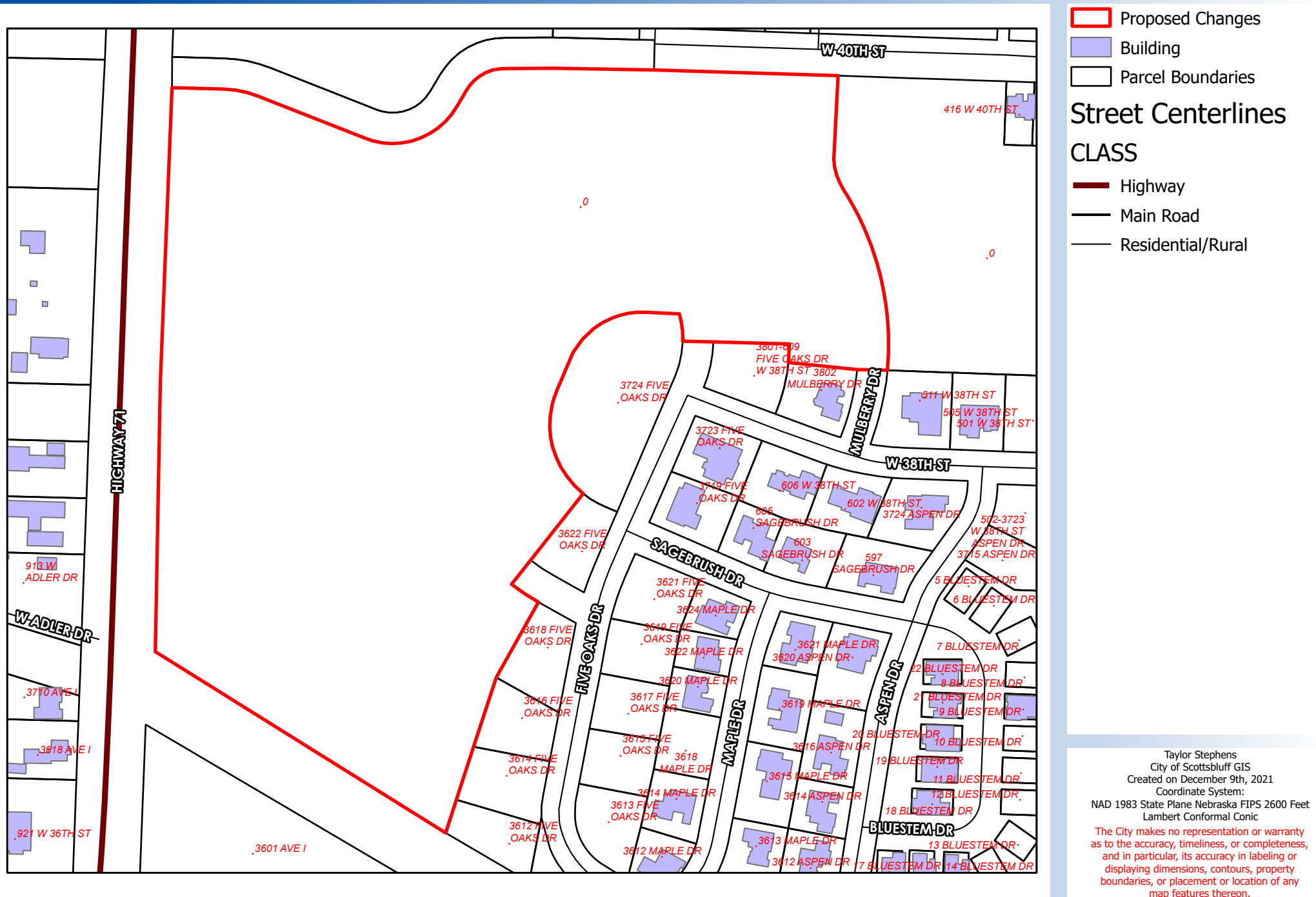
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- Proposed Changes
- Easement
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Fire Hydrants
- Water Lines
- Verified_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

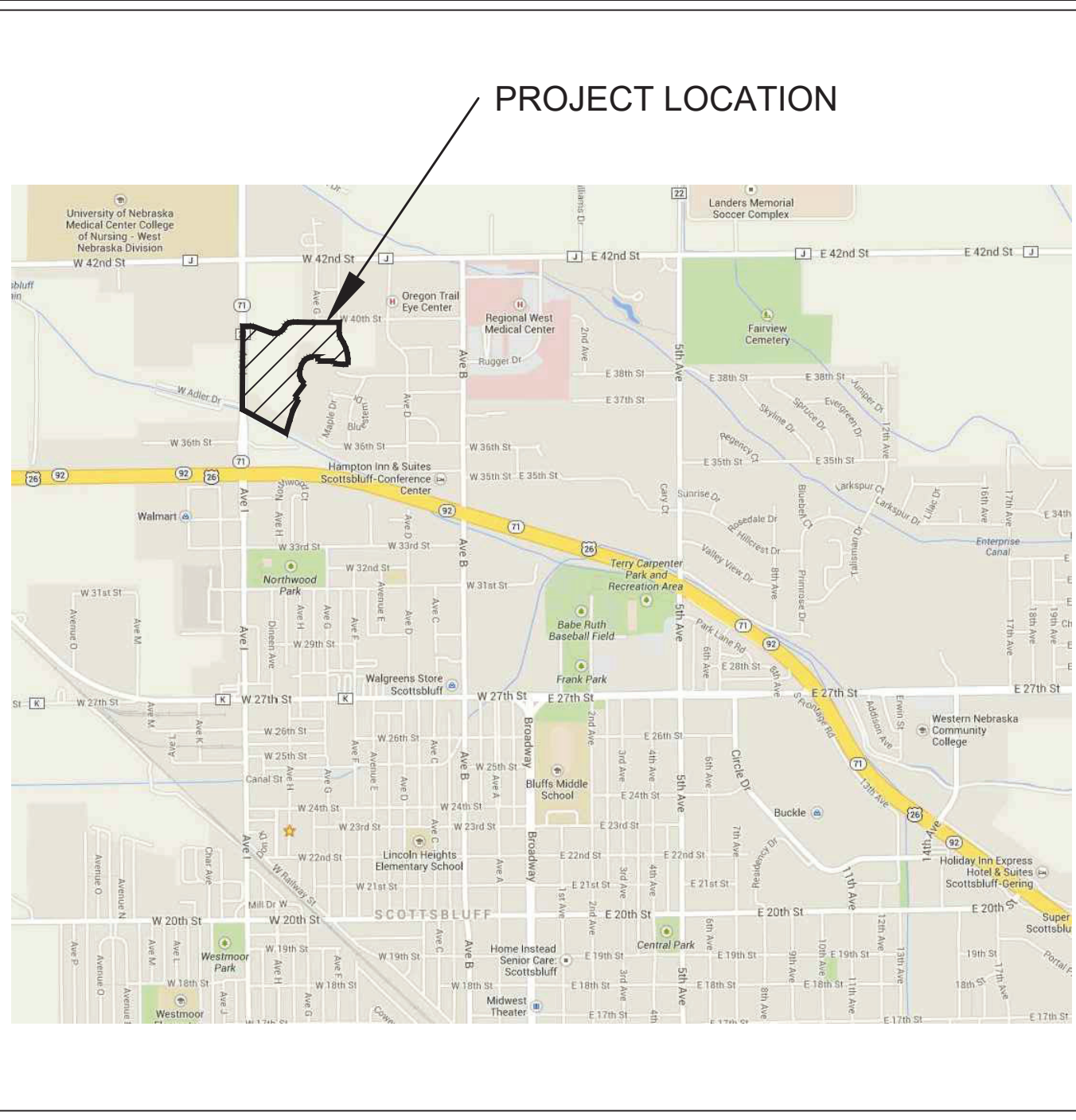
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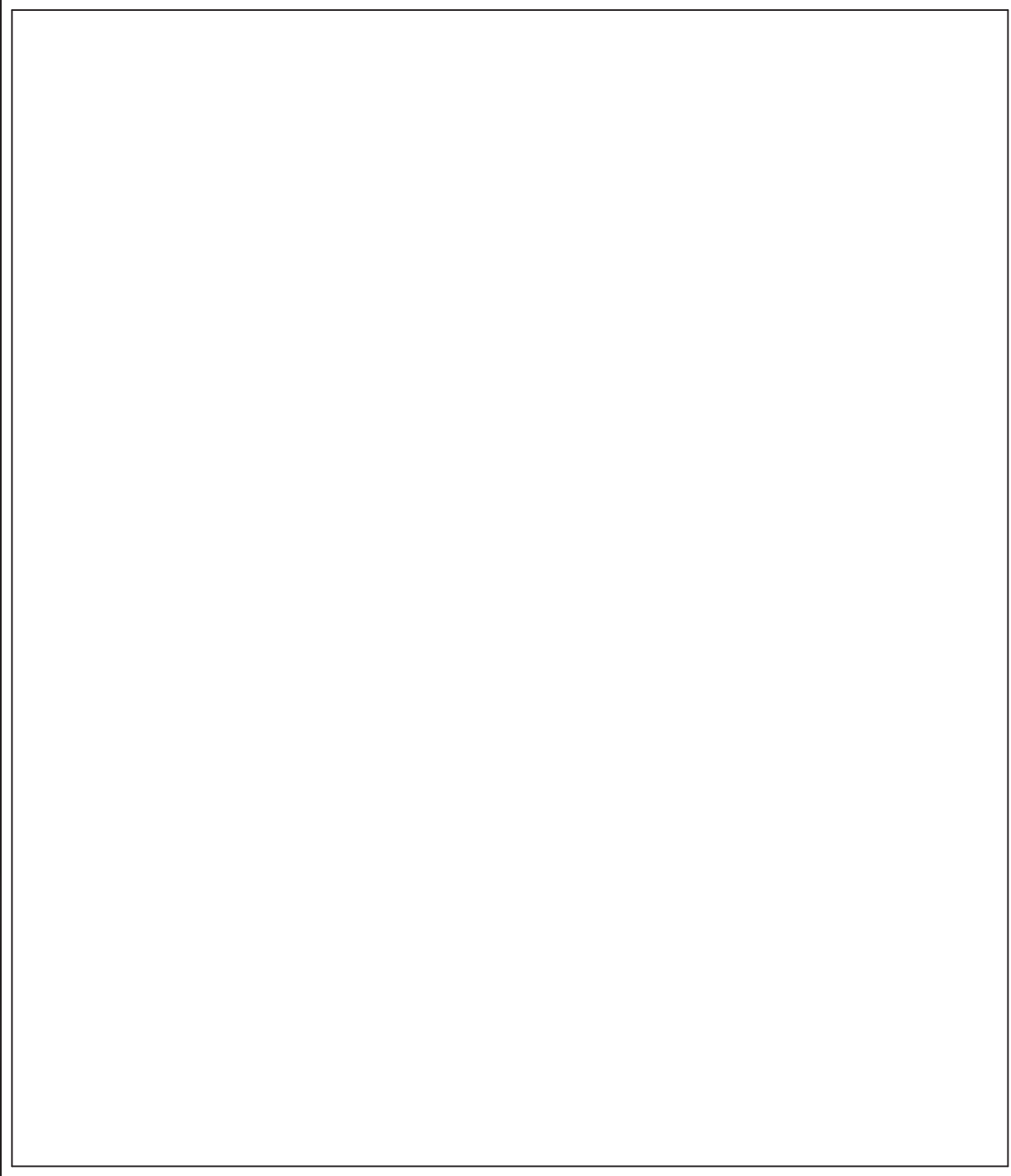
FIVE OAKS SUBDIVISION - 2021 PRELIMINARY PLAT

SCOTTSBLUFF, NEBRASKA

Vicinity Map:



Development Statistics:



Drawing Index:

SHEET #	DRAWING TITLE
0	COVER SHEET
C-1.00	EXISTING SITE PLAN
C-1.01	LOT PLAN
C-1.02	STREET PLAN
C-1.03	GRADING AND DRAINAGE PLAN
C-1.04	UTILITY PLAN

Property Description:

LEGAL DESCRIPTION:

A PARCEL OF LAND KNOWN AS THE REMAINDER OF THE UN-PLATTED LANDS FOR FIVE OAKS SUBDIVISION, CONTAINING 953.570.91 SQ. FT. (21.891 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 14, BEARS SOUTH 02°03'39" WEST, A DISTANCE OF 2675.32 FEET; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, SOUTH 02°03'39" EAST, A DISTANCE OF 822.84 FEET, THENCE SOUTH 87°56'21" EAST, A DISTANCE OF 85.00 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY OF HIGHWAY 71 AND TO THE **POINT OF BEGINNING** OF THIS DESCRIPTION:

THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF 40TH STREET SOUTH 87°56'20" EAST, A DISTANCE OF 87.56 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF 19°49'11", A DISTANCE OF 60.19 FEET, (A CHORD BEARING SOUTH 78°01'45" EAST, A DISTANCE OF 59.89 FEET);

THENCE SOUTH 68°07'09" EAST, A DISTANCE OF 191.20 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 126.00 FEET, A CENTRAL ANGLE OF 83°01'38", A DISTANCE OF 182.59 FEET, (A CHORD BEARING NORTH 71°52'33" EAST, A DISTANCE OF 167.02 FEET);

THENCE NORTH 30°59'20" EAST, A DISTANCE OF 30.65 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 39°05'20", A DISTANCE OF 80.59 FEET, (A CHORD BEARING NORTH 61°03'40" EAST, A DISTANCE OF 76.67 FEET);

THENCE NORTH 89°54'43" EAST, A DISTANCE OF 79.93 FEET;

THENCE SOUTH 87°27'25" EAST, A DISTANCE OF 174.47 FEET;

THENCE SOUTH 88°19'45" EAST, A DISTANCE OF 311.59 FEET;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID INSTRUMENT 2009-5025:

1. SOUTH 03°37'31" WEST, A DISTANCE OF 123.11 FEET;

2. THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 97.00 FEET, A CENTRAL ANGLE OF 36°16'17", A DISTANCE OF 61.41 FEET, (A CHORD BEARING SOUTH 15°26'16" EAST, A DISTANCE OF 60.39 FEET);

3. THENCE ON THE ARC OF A CURVE TO THE RIGHT, A RADIUS OF 487.00 FEET, A CENTRAL ANGLE OF 39°05'20", A DISTANCE OF 332.25 FEET, (A CHORD BEARING SOUTH 14°01'45" EAST, A DISTANCE OF 325.84 FEET) TO A POINT OF INTERSECTION WITH THE EXISTING RIGHT OF WAY FOR MULBERRY STREET;

THENCE NORTH 88°52'32" WEST, A DISTANCE OF 52.17 FEET;

THENCE NORTH 83°57'32" WEST, A DISTANCE OF 117.00 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 318.00 FEET, A CENTRAL ANGLE OF 05°37'37", A DISTANCE OF 31.26 FEET, (A CHORD BEARING NORTH 03°13'30" EAST, A DISTANCE OF 31.25 FEET);

THENCE NORTH 88°26'48" WEST, A DISTANCE OF 180.75 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 159.00 FEET, A CENTRAL ANGLE OF 18°14'20", A DISTANCE OF 50.61 FEET, (A CHORD BEARING NORTH 07°53'39" WEST, A DISTANCE OF 50.40 FEET);

THENCE NORTH 87°18'07" WEST, A DISTANCE OF 56.56 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 134.00 FEET, A CENTRAL ANGLE OF 22°43'32", A DISTANCE OF 53.15 FEET, (A CHORD BEARING SOUTH 81°20'07" WEST, A DISTANCE OF 52.80 FEET);

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 134.00 FEET, A CENTRAL ANGLE OF 25°23'50", A DISTANCE OF 59.40 FEET, (A CHORD BEARING SOUTH 57°16'26" WEST, A DISTANCE OF 58.91 FEET);

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 154.00 FEET, A CENTRAL ANGLE OF 22°13'34", A DISTANCE OF 51.98 FEET, (A CHORD BEARING SOUTH 33°27'44" WEST, A DISTANCE OF 51.66 FEET);

THENCE SOUTH 22°20'57" WEST, A DISTANCE OF 54.48 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 154.00 FEET, A CENTRAL ANGLE OF 08°21'16", A DISTANCE OF 22.45 FEET, (A CHORD BEARING SOUTH 18°10'19" WEST, A DISTANCE OF 22.43 FEET);

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 154.00 FEET, A CENTRAL ANGLE OF 22°07'48", A DISTANCE OF 59.48 FEET, (A CHORD BEARING SOUTH 02°56'47" WEST, A DISTANCE OF 59.11 FEET);

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 154.00 FEET, A CENTRAL ANGLE OF 22°08'04", A DISTANCE OF 59.49 FEET, (A CHORD BEARING SOUTH 19°12'08" EAST, A DISTANCE OF 59.12 FEET);

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 154.00 FEET, A CENTRAL ANGLE OF 20°46'38", A DISTANCE OF 55.85 FEET, (A CHORD BEARING SOUTH 40°39'29" EAST, A DISTANCE OF 55.54 FEET);

THENCE SOUTH 38°14'05" WEST, A DISTANCE OF 165.33 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, A RADIUS OF 340.00 FEET, A CENTRAL ANGLE OF 08°56'40", A DISTANCE OF 54.48 FEET, (A CHORD BEARING SOUTH 56°14'16" EAST, A DISTANCE OF 54.43 FEET);

THENCE SOUTH 29°17'28" WEST, A DISTANCE OF 146.00 FEET;

THENCE SOUTH 18°00'06" WEST, A DISTANCE OF 123.44 FEET;

THENCE SOUTH 18°00'06" WEST, A DISTANCE OF 154.77 FEET;

THENCE NORTH 59°43'24" WEST, A DISTANCE OF 585.67 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF HIGHWAY 71 (AVENUE I);

THENCE CONTINUING NORTH ALONG SAID EXISTING EAST RIGHT OF WAY LINE OF HIGHWAY 71 NORTH 02°03'38" EAST, A DISTANCE OF 976.18 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 953.570.91 SQ. FT. (21.891 ACRES), MORE OR LESS.

OWNER INFORMATION:

C&T Holdings, LLC
1320 Circle Drive
Scottsbluff, NE 69361

Abbreviations:

FH	FIRE HYDRANT
RSWV	RESILIENT SEAT WEDGE VALVE
MH	MANHOLE
STA	STATION
ELEV	ELEVATION ABOVE SEA LEVEL
INV	INVERT
BOC	BACK OF CURB
TOC	TOP OF CURB
EOR	EDGE OF ROAD
FL	FLOW LINE
GL	GUTTER LINE
L.F.	LINEAL FEET
PVC	POLYVINYL CHLORIDE MATERIAL
VCP	VITRIFIED CLAY PIPE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
HDPE	HIGH DENSITY POLYETHYLENE
DIP	DUCTILE IRON PIPE
T-BLK	CONCRETE THRUST BLOCK
PCC	PORTLAND CEMENT CONCRETE
CL	CENTERLINE
EL	ELEVATION
PROPA.	PROPOSED
EX	EXISTING
BCR	BEGIN CURB RETURN
ECR	END CURB RETURN
PC	POINT OF CURVATURE
PT	POINT OF TANGENT
PRC	POINT OF REVERSE CURVE
POB	POINT OF BEGINNING
POE	POINT OF END
BVC	BEGIN VERTICAL CURVE
EVC	END VERTICAL CURVE
PI	POINT OF INTERSECTION
PVI	POINT OF VERTICAL INTERSECTION
GB	GRADE BREAK
HP	HIGH POINT
LP	LOW POINT
(R)	RECORDED DISTANCE
(M)	MEASURED DISTANCE

Linetype/Symbol Legend

SYMBOL LEGEND		LINETYPE DESIGNATION	
	EXISTING LIGHT POLE		EXISTING OVERHEAD POWER LINE
	EXISTING LIGHT POLE WITH POWER		EXISTING UNDERGROUND POWER LINE
	EXISTING POWER POLE		EXISTING OVERHEAD TELEPHONE LINE
	EXISTING ELECTRICAL METER BOX		EXISTING UNDERGROUND TELEPHONE LINE
	EXISTING ELECTRICAL TRANSFORMER		EXISTING OVERHEAD TELEVISION CABLE LINE
	EXISTING ELECTRICAL HANDHOLE		EXISTING UNDERGROUND TELEVISION CABLE LINE
	EXISTING TELEPHONE PEDESTAL		EXISTING FIBER OPTIC CABLE
	EXISTING CABLE BOX		EXISTING SANITARY SEWER LINE
	EXISTING FIBER OPTIC BOX		EXISTING STORM SEWER LINE
	EXISTING SATELLITE DISH		EXISTING WATER LINE
	EXISTING MANHOLE		EXISTING IRRIGATION SYSTEM LINE
	EXISTING CLEAN-OUT		EXISTING GAS LINE
	EXISTING CURB INLET		EXISTING CHAIN-LINK FENCE
	EXISTING AREA INLET		EXISTING WOOD FENCE
	EXISTING WATER VALVE		EXISTING BARBED-WIRE FENCE
	EXISTING FIRE HYDRANT		SILT FENCE
	EXISTING WATER VALVE IN MANHOLE		LIMITS OF CONSTRUCTION
	EXISTING CURB STOP		EXISTING CONTOUR LINE
	EXISTING WATER METER PIT		PROPOSED CONTOUR LINE
	EXISTING WELL		EASEMENT LINE
	EXISTING YARD HYDRANT		PROPERTY LINE
			SECTION LINE

120 East 18th St.
Scottsbluff, NE 69361
308.832.3123
www.baker-eng.com

Baker & Associates Inc.

ENGINEERS • ARCHITECTS • SURVEYORS
SINCE 1921

PRELIMINARY PLAN
NOT TO BE USED FOR
CONSTRUCTION

Project Title:
**FIVE OAKS SUBDIVISION
2021 PRELIMINARY PLAT**

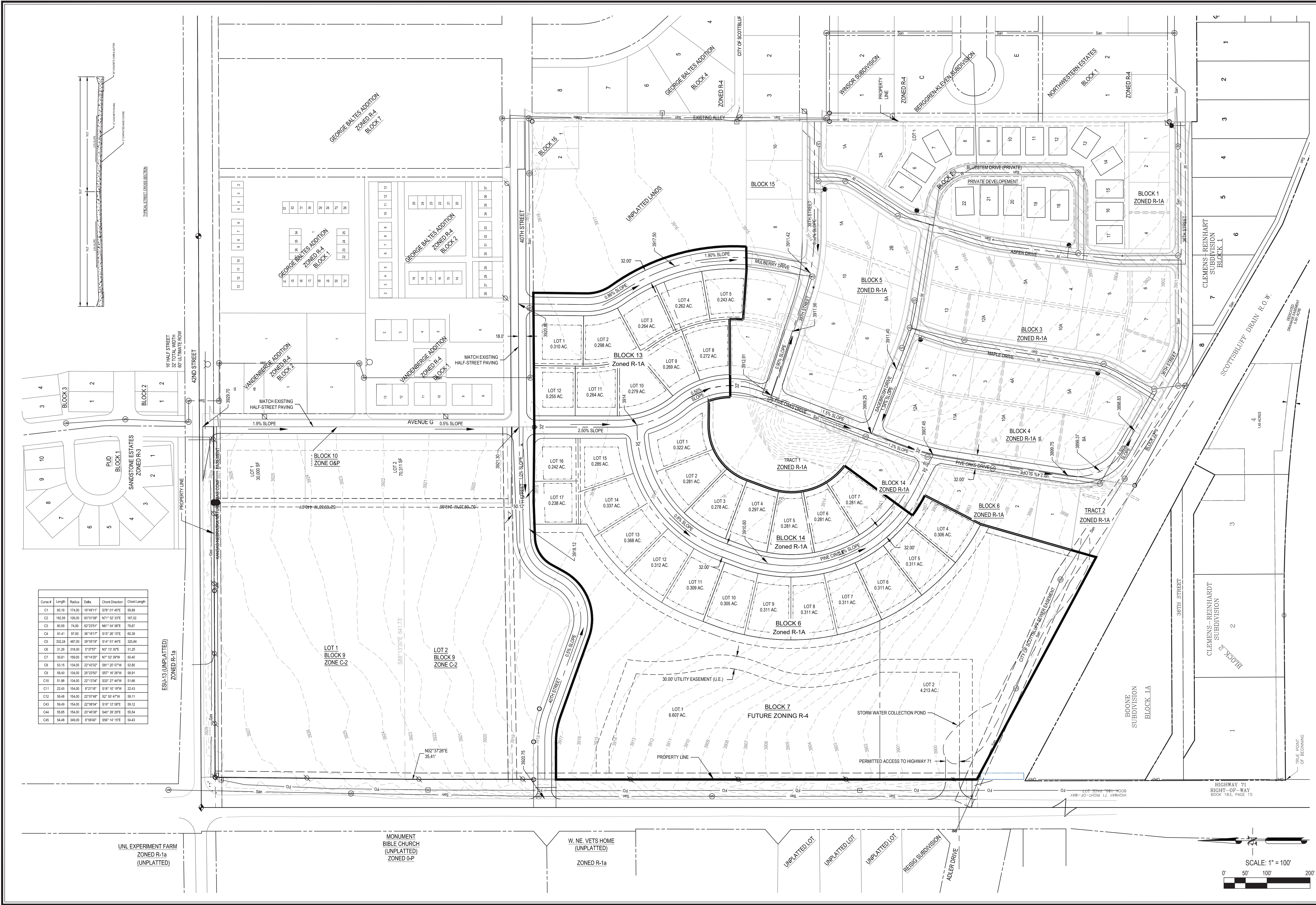
C&T Holdings, LLC
Scottsbluff, Nebraska

Sheet Title:
COVER SHEET

Date Issued: December 7, 2021

Project: 023-025-21
CAD File:
023-025 Preliminary Plat 2021.dwg
Design Drawing Check
JWB BEG

Sheet No.
0



Sheet Title:

STREETS PLAN

Project Title:

FIVE OAKS SUBDIVISION
2021 PRELIMINARY PLAT

C&T Holdings, LLC

Scottsbluff, Nebraska

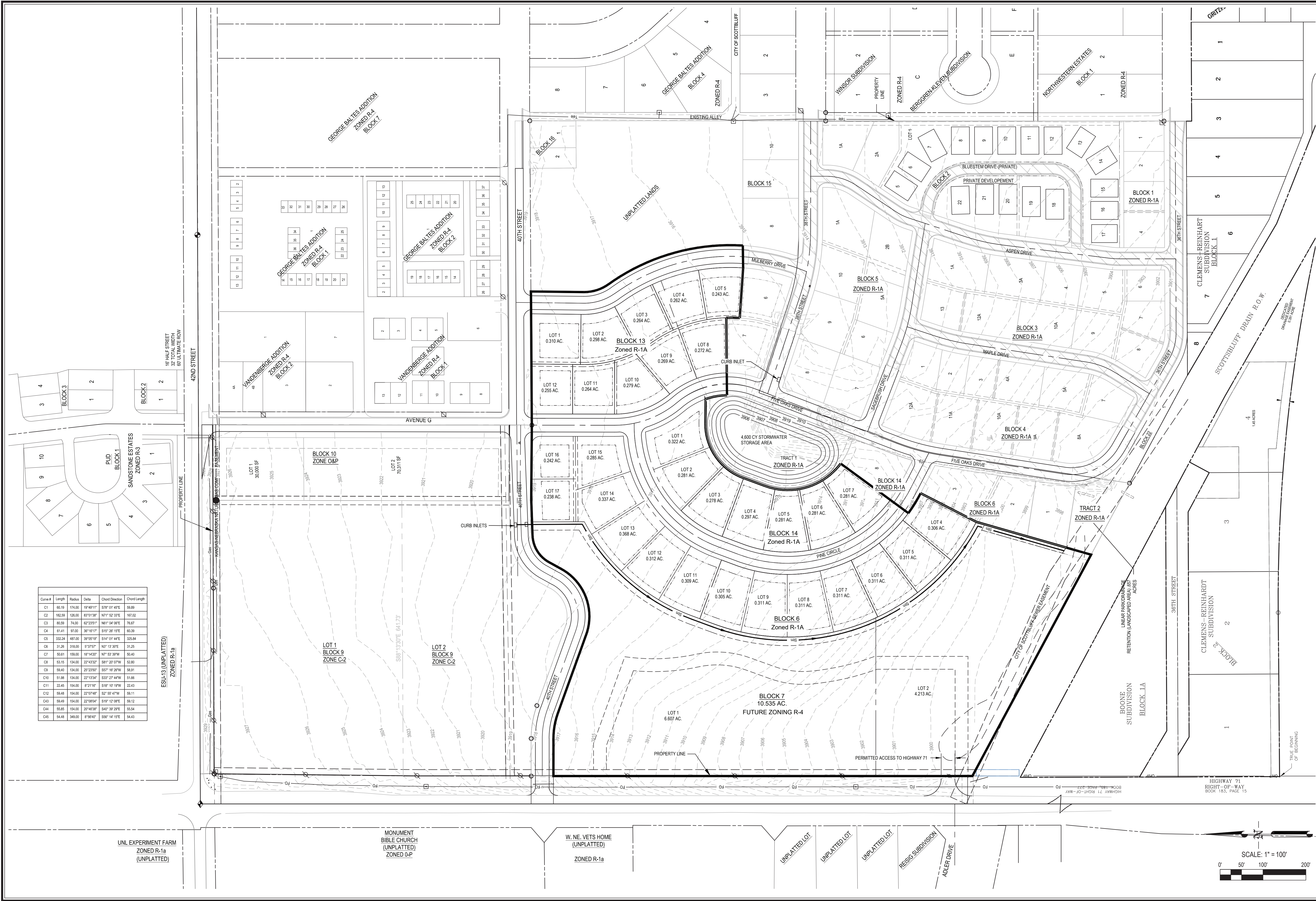
PRELIMINARY PLAN
NOT TO BE USED FOR
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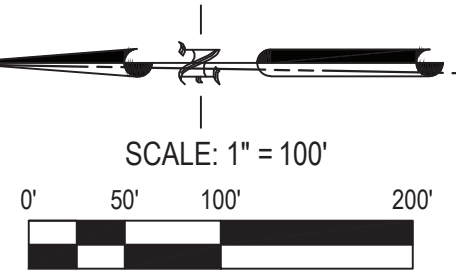
Project: 023-025-21
CAD File:
023-025 Preliminary Plat 2021.dwg
Design Drawing Check
JWB BEG

Sheet No.
C-1.02

Date Issued: November 4, 2021



Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.59	174.00	19°49'11"	S78°01'40"E	56.89
C2	182.59	126.00	85°01'38"	N71°52'33"E	167.02
C3	80.59	74.00	62°23'51"	N61°04'06"E	76.87
C4	61.41	97.00	38°18'11"	S18°26'15"E	60.36
C5	332.24	487.00	39°05'19"	S14°01'44"E	323.84
C6	31.26	318.00	5°37'53"	N2°13'30"E	31.25
C7	50.61	159.00	18°14'20"	N7°53'30"W	50.40
C8	53.15	134.00	22°43'32"	S81°20'07"W	52.80
C9	59.40	134.00	25°23'50"	S57°16'30"W	58.91
C10	51.88	134.00	22°12'34"	S33°27'44"W	51.66
C11	22.40	134.00	8°21'19"	S18°10'19"W	22.43
C12	59.48	154.00	22°07'48"	S2°59'47"W	59.11
C13	59.48	154.00	22°08'04"	S19°12'08"E	59.12
C14	55.85	154.00	20°46'38"	S40°39'20"E	55.54
C15	54.48	348.00	8°36'40"	S58°14'15"E	54.43



Sheet Title:
**GRADING AND
DRAINAGE PLAN**

Project: 023-025-21
CAD File:
023-025 Preliminary Plat 2021.dwg
Design Drawing Check
JWB BEG

Sheet No.
C-1.03

Project Title:
**FIVE OAKS SUBDIVISION
2021 PRELIMINARY PLAT**

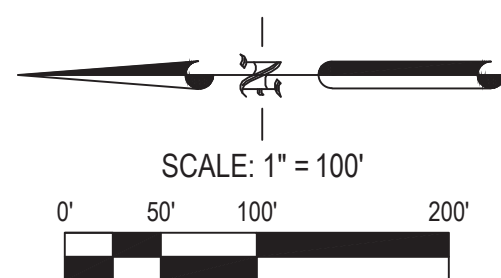
C&T Holdings, LLC
Scottsbluff, Nebraska

PRELIMINARY PLAN
NOT TO BE USED FOR
CONSTRUCTION

Baker & Associates
Inc.
ENGINEERS • ARCHITECTS • SURVEYORS
CONTRACT # 2021

120 East 18th St.
Scottsbluff, NE 68561
308.832.3123
www.baker-eng.com

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.39	174.00	10°49'41"	S70° 01' 42" E	59.89
C2	92.59	106.29	83°57'39"	N11° 52' 33" E	87.02
C3	89.59	74.00	62°00'35"	N81° 04' 06" E	76.67
C4	61.41	87.00	38°16'11"	S15° 26' 10" E	60.39
C5	332.48	47.00	39°09'19"	S14° 01' 44" E	325.84
C6	31.68	216.00	5°37'57"	N17° 13' 30" E	31.20
C7	50.61	159.00	18°11'20"	S12° 33' 30" W	49.45
C8	53.15	134.00	22°43'32"	S81° 20' 10" W	52.80
C9	59.40	134.00	22°52'59"	S87° 16' 26" W	58.91
C10	51.98	134.00	22°13'34"	S73° 27' 44" W	51.66
C11	22.45	156.00	8°21'18"	S12° 01' 10" W	22.43
C12	59.48	156.00	22°40'48"	S2° 55' 47" W	56.11
C13	59.48	156.00	22°08'04"	S12° 10' 08" E	56.11
C14	58.95	154.00	20°40'38"	S34° 39' 26" E	55.54
C15	54.48	349.00	8°56'40"	S56° 16' 10" E	54.43



City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus6

Public Hearing-Rezone

Rezone of Lot 2A, Block 8, East Portal Addition from C-3 Heavy Commercial to R-4 Heavy Density Multiple Family.

Staff Contact: Zachary Glaubius, Planning Administrator



Scottsbluff City Zoning Map (Rezone) Application

2525 Circle Drive, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date: 11-10-2021		Number (Office Use Only):
Property Address: 1400 E 20th St		
Current Zone: C-3	Proposed Zone: R-4	Acreage of Property: 11.9 acres 4.68 Acres
Comprehensive Plan Designation: Residential	Comprehensive Plan Amendment Required? No	

Applicant Information

Applicant: Richard Meyer		Property Owner: Prairie Forest	
Address: PO Box 6		Telephone: 308-641-2010	
City: Scottsbluff	State: NE	Zip: 69361	Alt. Telephone: 308-635-0811

City Development Process and Requirements

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

All meetings are held in the City Council Chambers at 2525 Circle Drive in Scottsbluff.

REQUIREMENTS

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

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

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

Rezone Process

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

November 22, 2021

Prairie Forest Partnership
P.O. Box 6
Scottsbluff, NE 69363

Mr. Zachary Glaubius
Director of Building and Zoning
City of Scottsbluff
Scottsbluff, NE

Dear Sir:

I am writing to confirm that the proposed use of Block 8 Lot 2 East Portal Addition, City of Scottsbluff, would be entirely consistent with surrounding land use. The site is bounded by the R.C. Scott Apartments to the south, two housing developments to the east, and single-family residential housing to the west.

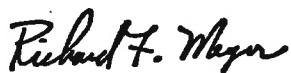
The use of the site as the location of a co-housing project would not be injurious to any of the adjacent properties or their uses.

The rezoning of the property would create no hazards or problems for the neighborhood or community but would almost certainly enhance the valuations of adjacent properties and significantly add to what might be called neighborhood amenities.

The proposed use of the site is entirely consistent with the Comprehensive Plan especially considering the need for additional moderately priced housing in the community.

Thus, we urge the granting of the requested rezoning.

Respectfully submitted,



Richard F. Meyer

General Partner

Prairie Forest Zone Change Application Rezone Property Description.

LT 1A & LT 2A, BLK 8, EAST PORTAL ADD REPLAT



Zone Change Application

300' Offset Property Identifier - Property 2 of 2



Legend

- Tax Parcels
- Roads

Parcel ID	010355898	Alternate ID	n/a	Owner Address	PRAIRIE FOREST
Sec/Twp/Rng	24/22/55	Class	n/a		C/O RICHARD F MEYER
Property Address		Acreage	n/a		P O BOX 6
					SCOTTSBLUFF NE 69363-0006
District	n/a				
Brief Tax Description	LT 2A, BLK 8, EAST PORTAL ADD REPLAT (Note: Not to be used on legal documents)				

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

Date created: 5/18/2021

Developed by Schneider
GEOSPATIAL

CITY OF SCOTTSBLUFF, NEBRASKA
NOTICE OF PLANNING COMMISSION MEETING
City of Scottsbluff – City Hall
2525 Circle Drive, Scottsbluff, NE

Notice is hereby given that a regular meeting of the Planning Commission of the City of Scottsbluff, Nebraska will be held on Monday, December 13, 2021 at 6:00 PM in the Council Chambers at Scottsbluff City Hall, 2525 Circle Drive, Scottsbluff, NE. Meeting is open to the public. Any person with a disability desiring reasonable accommodation to attend the Planning Commission meeting must contact the Development Services offices at City Hall at 2525 Circle Drive, Scottsbluff, Nebraska by 12:00 pm on Friday, December 10, 2021. An agenda of the meeting is kept continually current is available to view at the Development Services offices. The Planning Commission may modify the agenda at the meeting if it determines that an emergency so requires.

Agenda Items Currently known include:

1. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 3 regarding the addition of Vineyards & Wineries, Golf Courses, and Agricultural Attractions as principle permitted uses in the Agricultural Zoning District.
2. Public Hearing for proposed Ordinance Text Addition of Chapter 25 Article 2 regarding the definition of Agricultural Attractions.
3. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 22 regarding buffer yard requirements in the City of Scottsbluff zoning jurisdiction.
4. Public Hearing for the proposed Ordinance Text Change to Chapter 4 Article 1 regarding Section 107 of the 2018 International Building Code.
5. Public Hearing regarding a Preliminary Plat of Five Oaks Subdivision situated in the Northwest Quarter of Section 14, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.
6. Public Hearing regarding a Rezone of Lot 2A, Block 8, East Portal Addition from C-3 Heavy Commercial to R-4 Heavy Density Multiple Family.
7. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 2 regarding the Gateway Green Overlay Zone.

Please contact the City of Scottsbluff Department of Development Services at 308-630-6244 for additional information or questions. All property owners within 300 feet of a preliminary plat and/or a rezone are to be notified of the public hearing.



Zachary Glaubius, Planning Administrator
Tel: 308-630-6244
Email: zglaubius@scottsbluff.org

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 30, 2021 For Hearing of: December 13, 2021



I. GENERAL INFORMATION

- A. Applicant:** Richard Meyer
PO Box 6
Scottsbluff, NE 69361
- B. Property**
Owner: Prairie Forest
Same as Applicant
- C. Proposal:** Request to rezone Lot 2A, Block 8, East Portal Addition from C-3 Heavy Commercial to R-4 Heavy Density Multiple Family.
- D. Legal Description:** Lot 2A, Block 8, East Portal Addition
- E. Location:** Lot directly south of 1400 E. 20th Street
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial
- G. Size of Site:** Approximately 4.65 Acres

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Highway 26 Commercial	C-3 Heavy Commercial	Landscaping Business
East	Residential	R-4 Heavy Density Multiple Family	Apartments and Single-Family Dwellings
South	Residential	R-4 Heavy Density Multiple Family	Apartments and Public Right-of-Way
West	Residential	R-1A Single Family	Single-Family Dwellings

B. Relevant Case History

1. N.A.

III. ANALYSIS

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

B. Traffic & Access:

1. Current access to Lot 2A is via 15th Avenue to the east and E. 17th Street to the south.
2. An 80-foot Public Way for the irrigation ditch and Scottsbluff Drain is located along the western property line on the lot.
3. A 24-foot utility easement is located immediately east of the Public Way.
4. A 50-foot utility and access easement is located in the southeast corner of the lot.

C. Utilities:

1. Lot 2A is approximately 145 feet away from the closest sewer main under E. 18th Street.
2. Lot 2A is approximately 190 feet away from the closest water main under E. 18th Street.
3. Lot 2A is approximately 95 feet away from the closest stormwater main under 15th Avenue

IV. STAFF COMMENTS

- A. The rezone is inline with the 2016 Comprehensive Plan Future Land Use Map.
- B. The proposed rezone to R-4 is not a spot zone as it is adjoined by R-4 districts to the south and east.
- C. The Scottsbluff Drain serves as a natural boundary to the single-family dwelling neighborhood to the west.

V. FINDINGS OF FACT

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

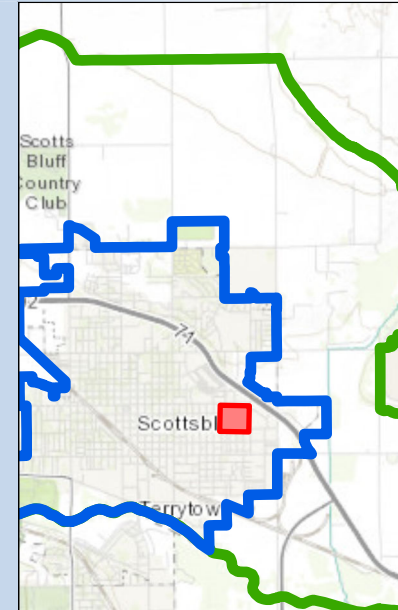
1. The Comprehensive Plan identifies the area as residential and the rezone will permit residential development.
2. The rezone is not a spot zone.

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

1. None

VI. STAFF RECCOMENDATION

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve the rezone of Lot 2A, Block 8, East Portal Addition from C-3 Heavy Commercial to R-4 Heavy Density Multiple Family.



Proposed Changes

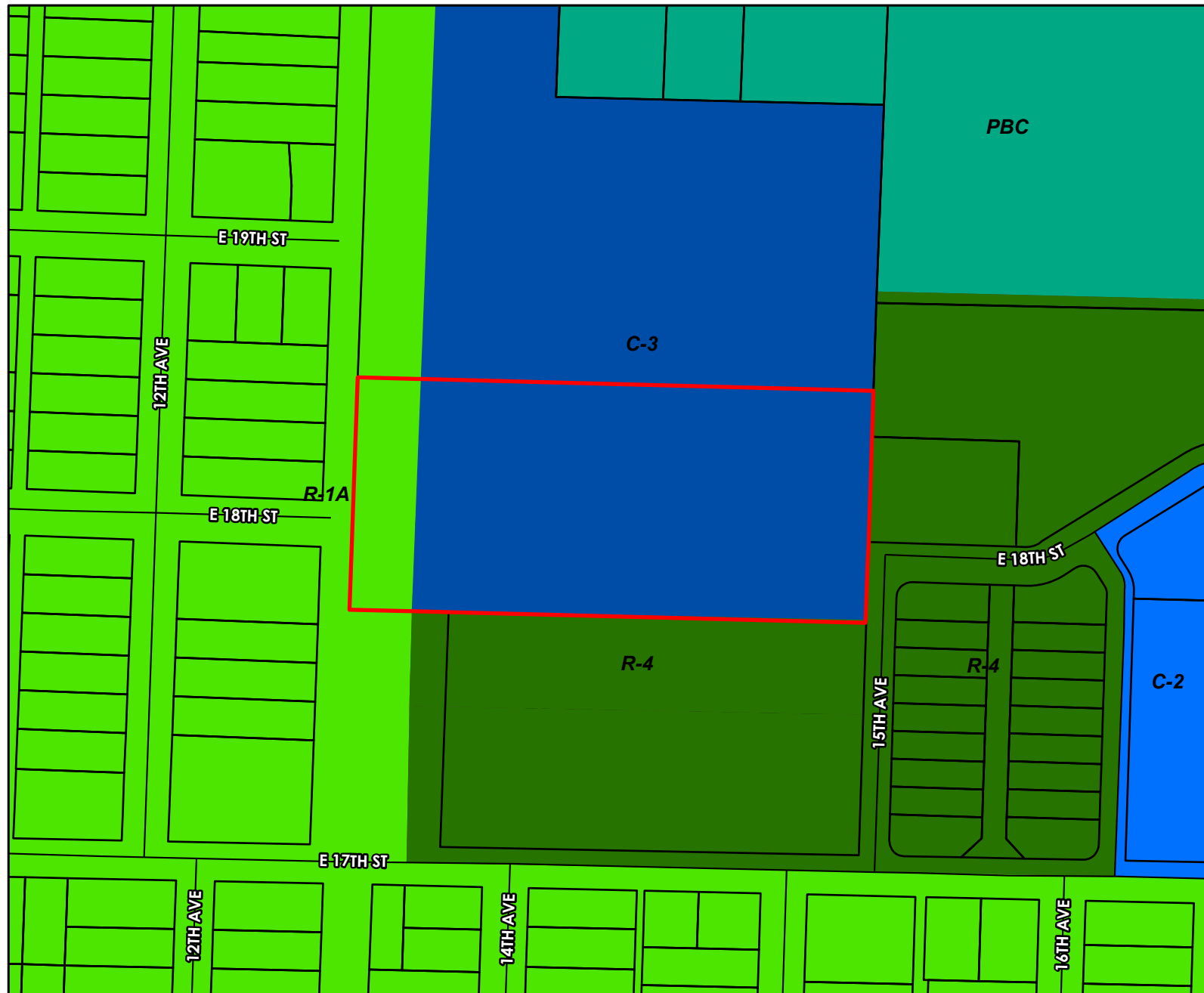
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
Created on December 9th, 2021
Coordinate System:
NAD 1983 State Plane 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

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
- GEODATA.GISMGR.Corporate_Limits
- GEODATA.GISMGR.Extended_Jurisdiction

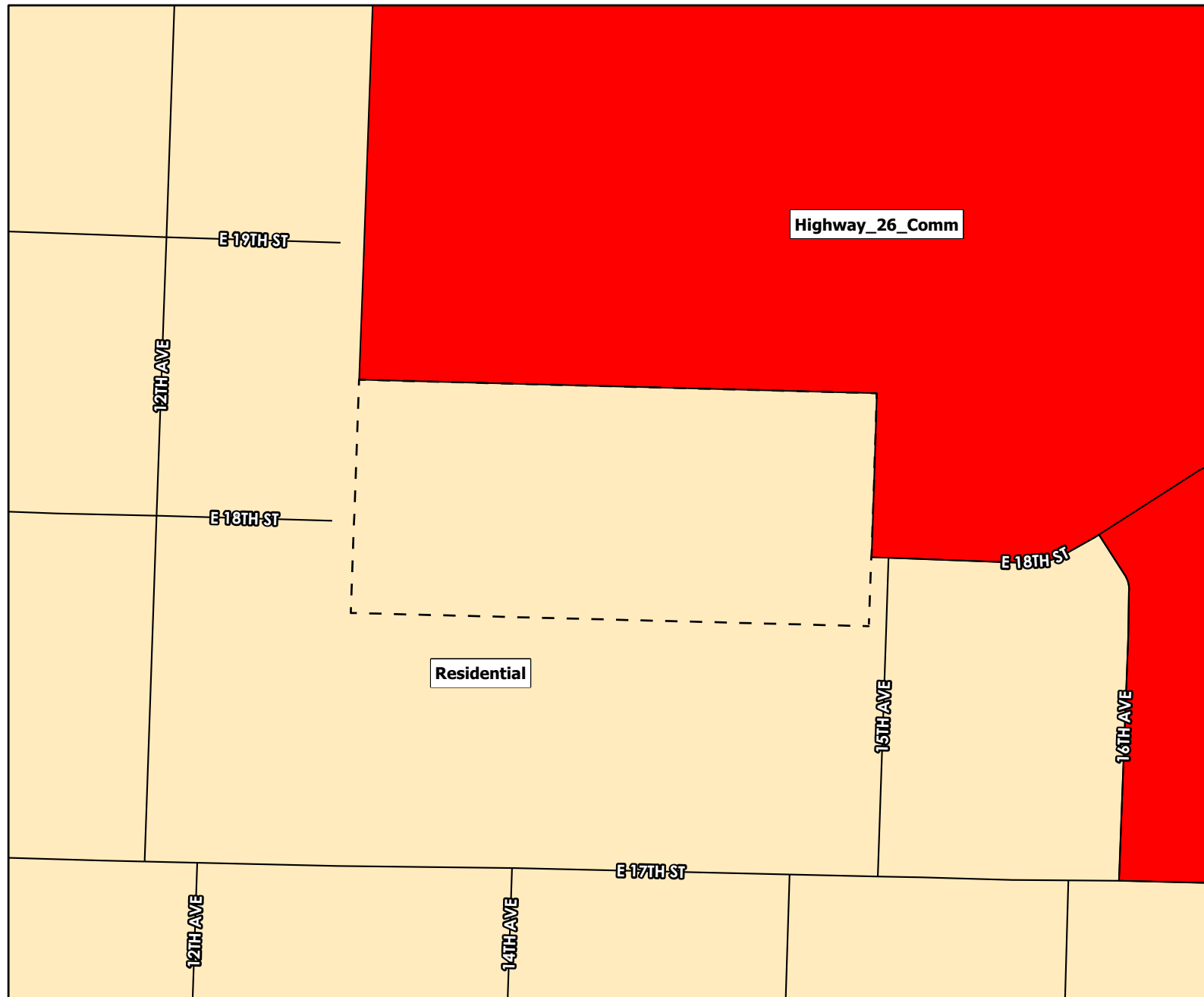
Street Centerlines

CLASS

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Proposed Changes

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

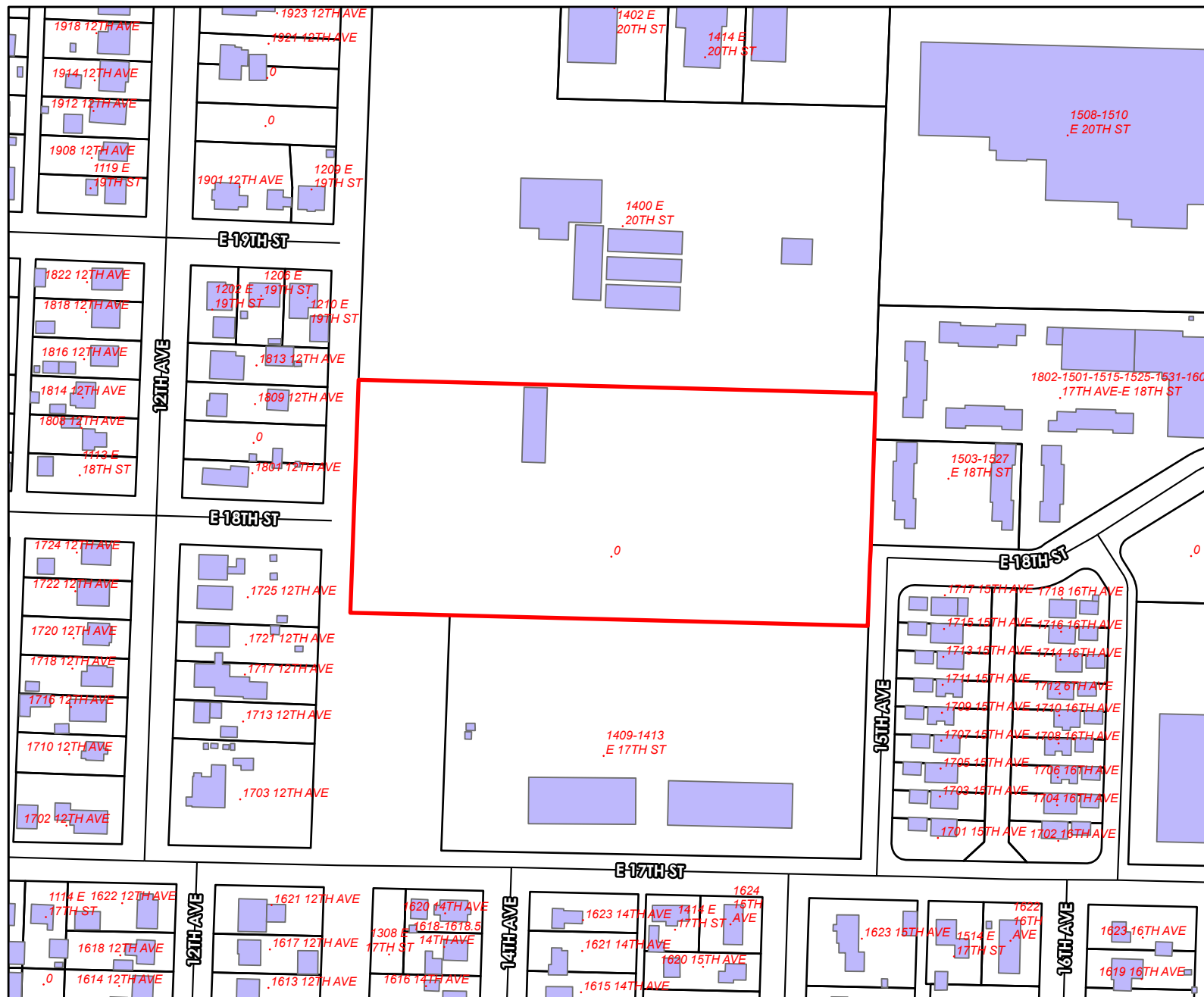
Street Centerlines

CLASS

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 Proposed Changes

 Building

 Parcel Boundaries

Street Centerlines

CLASS

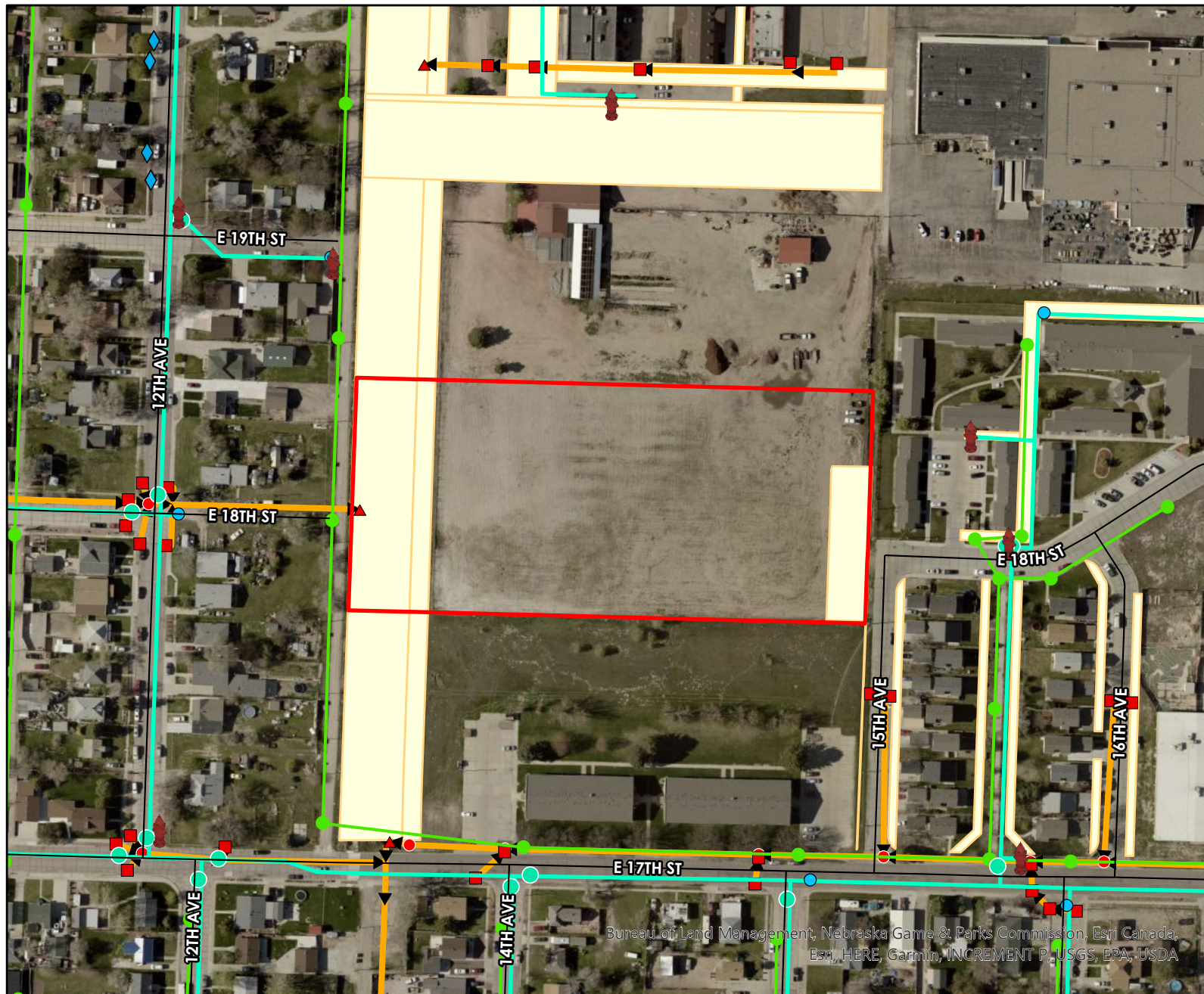
Highway

Main Road

Residential/Rural

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- Proposed Changes
- Easement
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- 🔥 Fire Hydrants
- Water Lines
- Verified_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- ▶ Stormwater Arc

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

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City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item New Bus7

Public Hearing-Ordinance Text Change

Zoning Text Change to Chapter 25 Article 2 regarding the Gateway Green Overlay Zone.

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: November 29, 2021 For Hearing of: December 13, 2021



I. GENERAL INFORMATION

- A. Due to several complaints from developers, Economic Development staff and Development Services staff have reviewed the efficiency of the Gateway Green Overlay Zone.
- B. The Gateway Green Overlay Zone (25-3-22.1) is an overlay zone that is 2,000 ft wide along Highway 26, Highland Road, Highway L-79-G(or Highway 92), Highway 71, and the southernmost portions of Avenue I and Broadway.
- C. The GG-O's purpose is to:
 - i. Promote the general health, safety, and welfare of the community
 - ii. Create a sense of continuity throughout the corridor with harmonious design standards for public improvements and private development.
 - iii. Preserve and enhance the historical attractions and landmarks of Scottsbluff and the surrounding areas.
- D. As with the Tidal Wave Car Wash, all plans for development in the GG-O must be reviewed and approved by the Planning Commission.
- E. Aspects of the GG-O are centered on landscaping design standards. Landscape design standards can also be found in Articles 5, 6, and 22 in the City of Scottsbluff Zoning Code.

II. STAFF COMMENTS

- A. The GG-O overlaps with the Landscaping Code (Chapter 25 Article 22) significantly. It also overlaps with the Off-Site Parking Code (Chapter 25 Article 5), and the Sign Code (Chapter 25 Article 6). This suggests the GG-O is redundant.
- B. Staff found 15 aspects of the GG-O not found elsewhere in the Zoning Code. Attached is a document highlighting requirements of the GG-O not found elsewhere in the Zoning Code.
- C. The GG-O minimally deviates from the Landscaping Code. It should be noted the Landscaping Code encompasses the city's entire jurisdiction.
- D. The GG-O has been found to be less restrictive in some instances, which is counterintuitive.
- E. The GG-O has been found to deter development along Highway 26 recently. This is due to:
 - a. Increased review time as a result of the Planning Commission approval requirement.
 - b. Perception of additional development requirements
- F. The GG-O is a burden on City staff. Some requirements found in it are impractical to enforce and time consuming to review.
- G. Following the repeal of the GG-O, staff will review and perform comprehensive review and update to the Landscaping Code (Chapter 25 Article 22).
- H. Variances/exceptions have been granted in the past within the overlay zone that contradict the intent of the GG-O.
- I. Departments, Divisions, and Offices consulted with regarding the repeal of 25-3-22.1 (GG-O) are:
 - a. Development Services Department

- b. Economic Development Department
- c. Stormwater Division
- d. City Attorney
- e. City Manager

III. STAFF RECCOMENDATION

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to repeal 25-3-22.1 regarding the Gateway Green Overlay Zone.

Development Services Supplemental Report – Zachary Glaubius

Prepared on: November 23, 2021 **For Hearing of:** December 13, 2021



Aspects of the GG-O not covered elsewhere in the Zoning Code

1. Landscaping Requirements for entire lot
2. Burying Overhead Powerlines
3. Requiring parking areas to be placed between or behind buildings
4. Xeriscaping Suggestion
 - a. Design
 - b. Appropriate Use of Turf
5. Requiring screening of loading/service areas within 50 ft of a side or rear lot line
6. Requiring screening for dumpsters, garbage cans, and grease containers to be located in the rear or side of lot and no more than 20' from R zones.
7. Requiring screening of rooftop mechanical equipment from sidewalks, streets, R districts, and public uses
8. Requiring screening of mechanical equipment from sidewalks, streets, R districts, and public uses
9. Complete prohibition of outdoor storage
10. *Buffer yard reduction to 10' with incorporation of fence*
11. Requirement of shrubs to be planted within 10' of primary structure foundation at a density that will obscure 60% of building foundation after 5 years except sides and rear if used for service/loading
12. Planting layout requirements for landscape strips
13. Perennials and ornamental grass plant required sizes
 - Plant Species diversity
14. Required paved off-street parking
15. Stormwater retention pond landscaping design requirements
16. 3% Impact fee if landscaping cannot be installed
17. Site plan review and approval by the Planning Commission

§ 25-3-22.1 GG-O GATEWAY GREEN OVERLAY.

(A) *Purpose.* The Gateway Green Overlay (GG-O) District is intended to:

- (1) Promote the general health, safety, and welfare of the community;
- (2) Create a sense of continuity throughout the corridor with harmonious design standards for public improvements and private property development; and
- (3) Preserve and enhance the historical attractions and landmarks of the city and the surrounding area.

(B) *Design guidelines.* The GG-O District is an overlay zone that supersedes those of any other zoning district to which a tract of land may be subject and shall be read together and incorporated in §§ 25-22-1 through 25-22-10 of this chapter, referred to as the “Landscaping Article”. All new development and redevelopment must conform to the design guidelines. All plans shall be reviewed and approved for design, landscaping, and architectural detail and compatibility. No design plans that have been approved by the Planning Commission may be altered without approval of the Planning Commission.

(C) *Boundaries.* The GG-O District shall consist of all land located within 1,000 feet measured perpendicular from the right-of-way of the following transportation corridors:

- (1) U.S. Highway 26, extending from the east extraterritorial boundary to the west extraterritorial boundary;
- (2) Highland Road, extending from the intersection with Airport Road to the intersection with U.S. Highway 26;
- (3) McClellan Expressway (East Bypass Highway 71) from the North Platte River to its intersection with U.S. Highway 26;
- (4) Broadway Avenue from the North Platte River to its intersection with South Beltline Highway;
- (5) Avenue I from the North Platte River to its intersection with South Beltline Highway;
- (6) Highway 71 from the intersection with Highway 26 to the north extraterritorial boundary; and
- (7) Highway L-79-G (West 20th Street extended) from the west extraterritorial boundary to the west corporate limits of the city.

(D) *Development action.* There shall be no development action within the GG-O District without permission of the Planning Commission. Any person or entity desiring a development action within the GG-O District must submit plans to the Planning Commission for review and approval.

(E) *Development standards.* The development standards were formulated to create a visually pleasing GG-O District and to convey the values of the city.

(1) *Signs.*

(a) *Monument signs.* One ground sign, monument type with a maximum height of six feet shall be permitted on each lot. Total area of sign not to exceed 250 square feet. Sign structure materials shall be comparable with materials used on the facade of the principal building.

(b) *Wall signs and marquee signs.* One wall sign or marquee sign shall be permitted per building side.

(c) *Pole signs.* One 25-foot pole sign will be allowed in the GG-O District per development.

(d) *Other signs.* Other signs may be permitted, in the sole discretion of the Planning and Development Director, if the sign is small in scale, is directional in nature and meets the intent of this section.

(2) *Lighting.* Lighting on private property shall be in harmony with poles and lanterns within specified corridors. Lights shall provide safe and efficient lighting and be without glare for pedestrians and motorists passing by. All lighting shall be designed to avoid intrusion on adjacent properties and adjacent roads.

(3) *Overhead lines.* Eliminate the need for power cables by burying cables underground.

(4) *Parking lot design.*

(a) All parking areas shall be paved to meet current ordinance requirements, including those in §§ 25-22-1 through 25-22-10 in this chapter.

(b) All developments shall have off-street parking.

(c) Parking areas over 50 spaces shall include landscape islands. All landscape islands shall have a minimum of 100 square feet of open ground and at least 300 cubic foot of good soil rooting volume for each tree. One-half of all landscape islands must include a deciduous canopy tree. Understory plantings of shrubs/perennials/groundcover shall be durable and able to withstand foot traffic and frequent breakage from pedestrian traffic. Landscape islands shall be evenly distributed to the maximum extent possible.

(d) Parking areas should be placed between or behind buildings unless lot layout does not allow. If layout does not allow for parking between or behind buildings, then conceptual parking design may be approved by the Planning Commission.

(e) All parking areas visible from the transportation corridors shall have a complete visual buffer of four feet minimum height.

(f) Where parking lots abut adjacent residential zoned areas, a buffer yard of 20 feet minimum is required.

(5) *Landscaping and screening standards.* Landscaping is critical in creating a visually pleasing appearance of the transportation corridors in the city. Landscape design and development shall be priority in the planning process. To the extent reasonably feasible, all landscape plans shall be designed to incorporate water conservation materials and techniques in order to comply with each of the xeriscape landscaping principles listed below. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed covered or infested surfaces, or any landscaping that does not comply with the standards of this section. See Appendix A at the end of this section for recommended species.

(a) Xeriscape landscaping principles are as follows:

1. *Design.* Identify zones of different water requirements and group plants together that have similar water needs;

2. *Appropriate use of turf.* Limit high-irrigation turf and plantings to appropriate high use areas with high visibility and functional needs;

3. *Low-water-using plants.* Choose low-water-demanding plants and turf where practicable;

4. *Irrigation.* Design, operate, and maintain an efficient irrigation system. Drip irrigation shall be used in all landscape beds. If sprinklers are used for turf, no water shall be sprayed over sidewalks, streets, or parking lots. Areas of low water use landscaping may be included but must be indicated on

the plans. Irrigation water must be available for the initial two years after planting to establish low-water use landscapes;

5. *Soil preparation.* Incorporate soil amendments before planting;

6. *Mulch.* Add mulch to planting beds to a minimum depth of three inches around trees and shrubs and one-inch around perennials and ornamental grasses. Organic mulch is preferred.

Rock mulch may be used only if pre-approved by the Planner; and

7. *Maintenance.* Provide regular and attentive maintenance.

(b) *Screening.*

1. All loading and service areas that are within 50 feet of a side or rear lot line abutting property that is residentially zoned shall be surrounded by a six-foot high masonry wall or solid wood or PVC fence with opaque gate.

2. Waste receptacles, including dumpsters, garbage cans, or grease containers shall be located in the rear or side yard of lot and no more than 20 feet from residentially zoned areas. All waste receptacles shall be screened from view from all property lines and public areas of the site by a minimum six-foot high evergreen planting, masonry wall, or wood or PVC fence.

3. Rooftop mechanical equipment, including HVAC and utility equipment shall be screened from adjacent streets, sidewalks, residential, public, and institutional uses. Screening shall consist of parapet walls or an opaque enclosure around the equipment that is constructed of one of the materials used on the primary facade of the principal structure.

4. Ground or wall mounted mechanical equipment, such as HVAC equipment, transformers, generators, and gangs of multiple utility meters shall be screened from adjacent streets, sidewalks, residential, public, and institutional uses. Screening shall consist of evergreen planting, masonry wall, wood or PVC fencing, or other opaque enclosure around the equipment that is constructed of one of the permanent and durable materials used on the primary facade of the building. The height of the planting or fence shall be sufficient to effectively screen the equipment from view.

5. Outdoor storage shall be prohibited.

(c) *Buffer yards.*

1. Buffer yards are developed for the purpose of providing an effective visual screen between two dissimilar uses.

2. Buffer yards shall be required along and inside the property line of commercial property abutting a residentially zoned property.

3. Buffer yards shall be 20 feet minimum in depth and shall meet the following criteria: be planted with a staggered double row of evergreen trees at least six feet in height, or be planted with a single row of deciduous shade trees two-inch caliper trunk minimum and two staggered rows of evergreen shrubs at least three feet in height, planted a maximum of four feet on center.

4. If a six-foot high solid wood or PVC fence or masonry wall is incorporated into the design, the buffer yard may be reduced by ten feet. Finished side of fencing will face abutting property. A row of evergreen trees at least six feet in height, or a single row of deciduous shade trees two inches caliper trunk minimum and a staggered row of evergreen shrubs at least three feet in height, planted a maximum of four feet on center must accompany the fence.

(d) *Maintenance of buffer yard.* The buffer yard shall be maintained so as to provide an effective visual screen. If plant material shall die or be removed such that the buffer yard no longer functions, the plant material shall be replaced by the property owner.

(e) *Landscaping.*

1. Building perimeter walls: shrubs shall be planted within ten feet of the foundation of the primary structure along each building facade at a density that will obscure 60% of the building foundation after five years, except for sides or rear of building used for loading or service area.

2. Along each street frontage, there shall be, at a minimum, a ten-foot wide landscape strip, continuous along the frontage except for the perpendicular crossings for driveways and utilities. The landscape strip shall be planted with shade trees at a rate of one per 40 feet of linear frontage or evergreen trees at a rate of one per 20 feet of linear frontage. Evergreens may only be planted if planting bed is a minimum of 20 feet wide. Trees may be spread irregularly in informal groupings or be uniformly spaced, as consistent with large overall planting patterns and organization. Trees shall be spread a minimum of 15 feet apart for large shade trees and evergreens, and a minimum of ten feet apart for small ornamentals (list provides). Grouping of trees may be no more than 150 feet apart. The space between the trees should be planted and maintained to aid the health and growth of the trees. There must be a maintained, non-turf grass landscape bed under and around trees, to be a minimum of 40 square feet per large shade tree or evergreen and 30 square feet per small or medium tree. The landscape zone must be planted to appropriate and compatible shrubs or herbaceous grasses or perennials to cover at least 50% of the bed. The remainder may be mulch. Organic mulch should be used if possible. Screen standards shall comply with §§ 25-22-7 and 25-22-8 of this chapter. Where overhead wires exist directly over tree planting area, small ornamental trees shall be substituted for required shade trees at an equal number.

3. Plant material, wall, or fencing in any required landscaped area shall not obstruct the view from the off-street parking facility to any driveway approach, street, alley, or sidewalk. Landscaping shall further not obstruct any views among parking spaces and circulation ways, or visibility between vehicles and pedestrians.

4. Stormwater retention ponds shall be landscaped and developed in such a way as to enhance or be in harmony with the surrounding site landscape.

a. Retention basins should be “free form” following the natural contours of the land. If land lacks contour, the basins shall be created to look like a natural depression. Side slopes should vary to give the appearance of a natural condition.

b. Trees and shrub groupings shall be planted intermittently along the ridge of the retention pond to create the appearance of the plants naturally occurring.

c. Approved erosion control measures will be required on all slopes. Use of inorganic landscape materials is prohibited. No artificial trees, shrubs, plants, or turf shall be used to fulfill the minimum requirements for landscaping. Inorganic materials such as stone or decorative pavers, may be used provided that such material does not compromise more than 25% of the minimum required landscaped area. When calculating the area to determine how much inorganic material may be used, the area of driveways and walkways shall not be counted. Loose rock and cobblestones shall not be permitted within any required landscaped area which is within ten feet of a traveled street surface.

5. Minimum tree and shrub sizes:

a. All deciduous shade trees shall be a minimum one and one-half inch caliper measured 12 inches from above the root ball;

b. All evergreen trees shall be a minimum five feet in height measured from the top of the root ball to the top of the tree;

c. All ornamental deciduous trees shall be a minimum one and one-half inch caliper measured 12 inches from above the root ball;

d. Shrubs shall be two gallon size or greater or 15 inches in height if balled or burlapped; and

e. All perennials and ornamental grasses shall be one quart size or greater.

6. Upon installation of required landscape materials, each owner shall take appropriate actions to ensure their continued health and maintenance. Required landscaping that does not remain healthy shall be replaced consistently with this section and the approved landscaping plan for the project.

(6) *Minimum species diversity.* To prevent uniform insect or disease susceptibility and eventual uniform senescence on a development site or in the adjacent area or the district, species diversity is required and expansive monocultures are prohibited. The following minimum requirements shall apply to any development plan.

<i>Number of Trees on Site</i>	<i>Maximum Percentage of One Species</i>
10-19	33%
30-39	25%
40 or more	15%

(7) *Use of approved species.* Regionally native plants should be used when possible to help aid biodiversity and convey a sense of place with the natural context of our community. Ninety percent of all required trees planted must be from the approved list provided in Appendix A of this section.

(8) *Redevelopment.* In the event any property owner or occupant owning or possessing property located within the GG-O Overlay District commences a remodel or redevelopment project, the cost of which exceeds \$100,000 based upon the building permit issued by the city's Planning and Development Department, upon property that does not then meet the requirements of this section, then the property owner or occupant will be required to spend 3% of any remodel or redevelopment project toward bringing the property and landscaping up to the development standards in this section. Once the property and landscaping meet the requirements of this section, the property owner or occupant will no longer have to spend a portion of the remodel or redevelopment project to make improvements in order to comply with this section. In addition, if the property owner or occupant is able to show they are unable to bring the property into compliance because of the property's topography or features, then the property owner or occupant may appear before the city's Planning Commission to explain why they cannot comply. If the Planning Commission finds the property owner or occupants are unable to comply with the requirements of this section for the reasons stated above, then it may excuse the property owner or occupant from attempting to comply and instead allow them to pay an amount equal to 3% of their project directly to the city for use by the city on Gateway Green projects within the GG-O Overlay District or other Gateway and Green projects on city improvements or parks.

(F) *Definitions.* For the purpose of this section, certain terms and words are hereby defined.

BUFFER YARD. A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

EVERGREEN PLANTING. Dense planting of evergreen plant material that creates an opaque barrier.

GATEWAY. An intersection designated as an entrance into the city or into the downtown area that is planned for additional design elements to "announce" the arrival to a special place.

LANDSCAPED AREA. The area within the boundaries of a given lot, site, or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ground cover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.

STORMWATER RETENTION PONDS. Ponds or basins designed to hold rainwater that has run-off the surrounding landscape of lawns, roads, and rooftops.

Appendix A	
Botanical Name	Common Name
Appendix A	
Botanical Name	Common Name
Approved Deciduous Shade Trees	
Aesculus glabra	Ohio Buckeye
Catalpa speciosa	Northern Catalpa
Celtis occidentalis	Common Hackberry
Ginkgo biloba	Ginkgo
Gleditsia triacanthos var. inermis	Honeylocust (avoid "Sunburst"; other varieties okay)
Gymnocladus dioicus	Kentucky Coffeetree
Populus deltoides	Eastern Cottonwood (only on very large sites; may not be used for parking lot plantings)
Quercus alba	White Oak
Quercus macrocarpa	Bur Oak
Quercus macrocarpa x robur	Heritage Oak
Quercus muehlenbergii	Chinkapin Oak
Quercus robur	English Oak
Tilia americana	American Linden
Tilia cordata	Littleleaf Linden
Tilia tomentosa	Silver Linden
Ulmus americana	American Elm (Dutch Elm Disease resistant varieties only)
Ulmus x sp.	Hybrid Elm (check with Development Services for specific varieties)
Due to the Emerald Ash Borer destroying large quantities of Ash trees in the Eastern United States and its progressive movement west, Ash trees will be prohibited in GG-O Districts	
Approved Small Ornamental Trees	
Amelanchier x grandiflora	Serviceberry
Crataegus crusgalli x intermis	Thornless Cockspur Hawthorn (horizontally branching-not for use in parking lots or near sidewalks)

Crataegus ambigua	Russian Hawthorn
Malus spp.	Crabapple (choose varieties with small and persistent fruit)
Syringa reticulata	Japanese Tree Lilac
Viburnum lentago	Nannyberry Viburnum
Acer tataricum	Tatarian Maple "Hot Wings"
Prunus americana	American Plum "Princess Kay"
Quercus gambelii	Gambel Oak
Approved Evergreen Trees	
Abies concolor	Concolor fir
Juniperus spp.	Juniper (columnar junipers may only be used for screening purposes; will not count as required tree on street frontages)
Juniperus scopulorum	Rocky Mountain Juniper
Juniperus virginiana	Eastern Redcedar
Picea glauca var. densata	Black Hills Spruce
Picea pungens	Colorado Spruce
Pinus aristata	Bristle Cone Pine
Pinus cembroides	Pinyon Pine
Pinus contorta	Lodgepole Pine
Pinus flexilis	Limber Pine (not salt tolerant; avoid use near parking lots and roadways)
Pinus nigra	Austrian Pine
Pinus ponderosa	Ponderosa Pine (not salt tolerant; avoid use near parking lots and roadways)

(Ord. 4072, passed - -2012; Ord. 4151, passed - -2015)

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item Staff Rep1

(informational only):

Upcoming Panhandle Planning Workshop on January 25, 2022.

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff, Nebraska

Monday, December 13, 2021

Regular Meeting

Item Old Bus.1

(informational only):

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff, Nebraska
Monday, December 13, 2021
Regular Meeting

Item Meet1

Confirm net meeting date of January 10, 2022.

Staff Contact: Zachary Glaubius, Planning Administrator