

# **City of Scottsbluff, Nebraska**

**Monday, January 3, 2022**

**Regular Meeting**

## **Item Pub. Hear.1**

**Council to conduct a public hearing set for this date at 6:00 p.m.  
for a 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**

## Agenda Statement

Item No.

For Meeting of: January 3, 2021

**AGENDA TITLE:** Council to conduct 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.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services

**PRESENTATION BY:** Zachary Glaubius, Planning Administrator

**SUMMARY EXPLANATION:** At the December 13, 2021 Planning Commission meeting, the P.C. made a positive recommendation on the approval of rezone request regarding Lot 2A, Block 8, East Portal Addition from C-3 to R-4. The 2016 Comprehensive Plan Future Land Use Map identifies this lot as residential use.

**BOARD/COMMISSION/STAFF RECOMMENDATION:** Positive Recommendation by P.C.

**Does this item require the expenditure of funds?** \_\_\_\_\_yes ✓no

**Are funds budgeted?** \_\_\_\_\_yes ✓no

**If no, comments:** \_\_\_\_\_

**Estimated Amount** \_\_\_\_\_

**Amount Budgeted** \_\_\_\_\_

**Department** \_\_\_\_\_

**Account Description** \_\_\_\_\_

**Approval of funds available** \_\_\_\_\_

**City Finance Director**

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### EXHIBITS

Resolution ☐

Ordinance ☒

Contract ☐

Minutes ☒

Plan/Map ☒

Other (specify) Staff Report

**NOTIFICATION LIST:** Yes ☐ No ☐ Further Instructions ☐

Please list names and addresses required for notification.

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_

City Manager

Rev: 12/14/ City Clerk

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Rev: 12/14/ City Clerk



# Scottsbluff City Zoning Map (Rezone) Application

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

## Project Information

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

## Applicant Information

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

## City Development Process and Requirements

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

**All meetings are held in the City Council Chambers at 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.

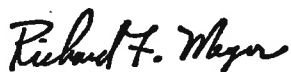
The use of the site as the location of a co-housing project would not be injurious to any of the adjacent properties or their uses.

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 6<sup>th</sup> 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. 20<sup>th</sup> 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 15<sup>th</sup> Avenue to the east and E. 17<sup>th</sup> 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. 18<sup>th</sup> Street.
2. Lot 2A is approximately 190 feet away from the closest water main under E. 18<sup>th</sup> Street.
3. Lot 2A is approximately 95 feet away from the closest stormwater main under 15<sup>th</sup> 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:**

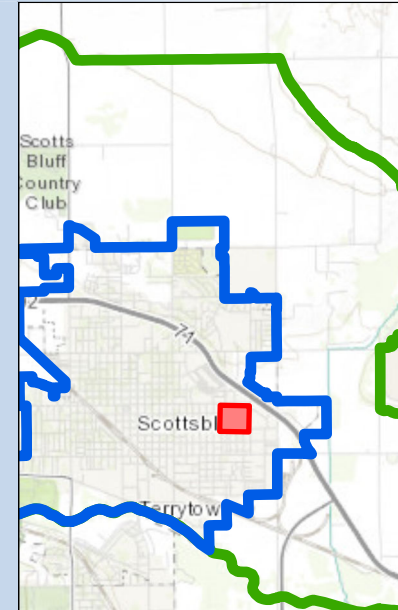
1. The Comprehensive Plan identifies the area as residential and the rezone will permit residential development.
2. The rezone is not a spot zone.

**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

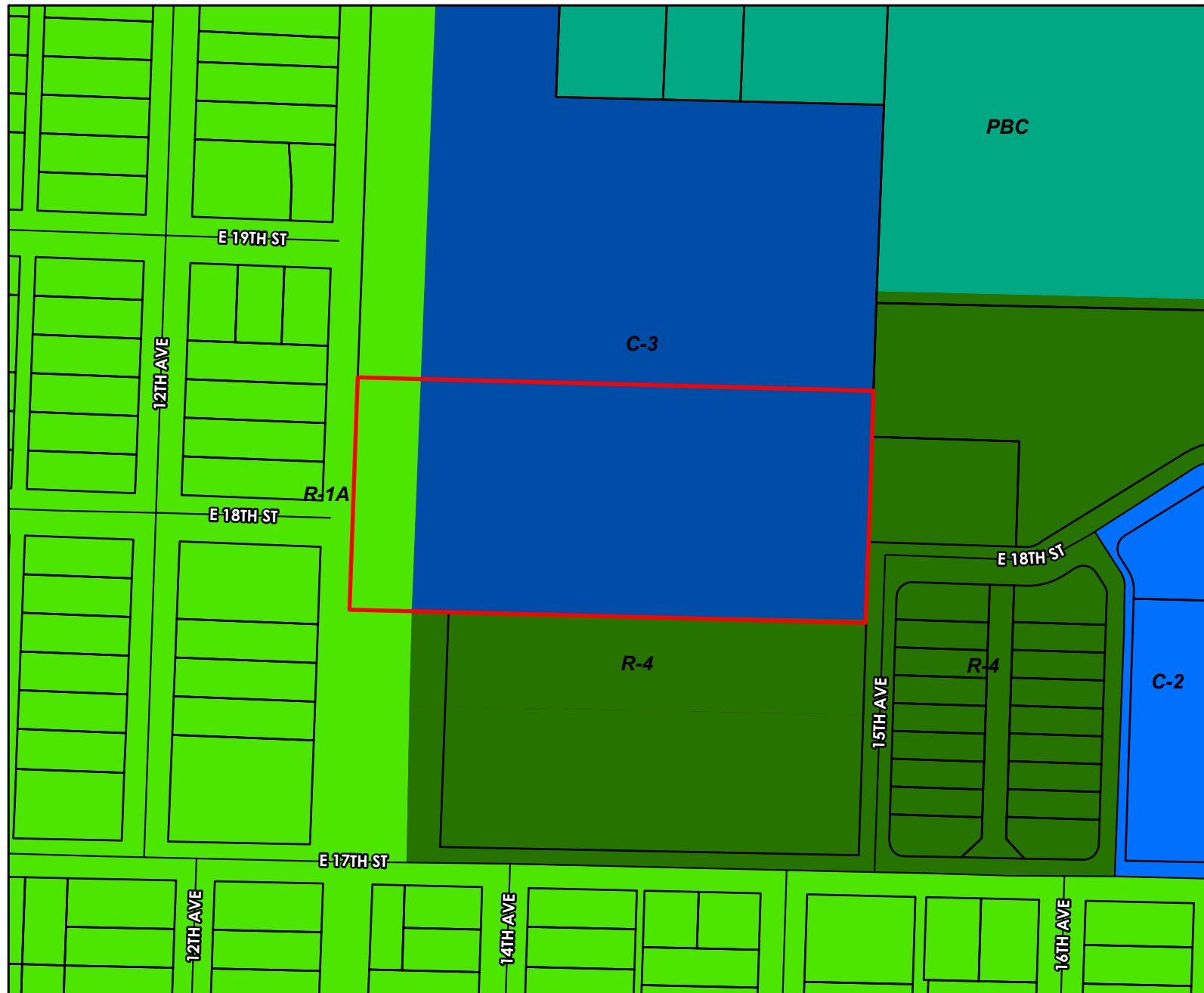
Street Centerlines

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

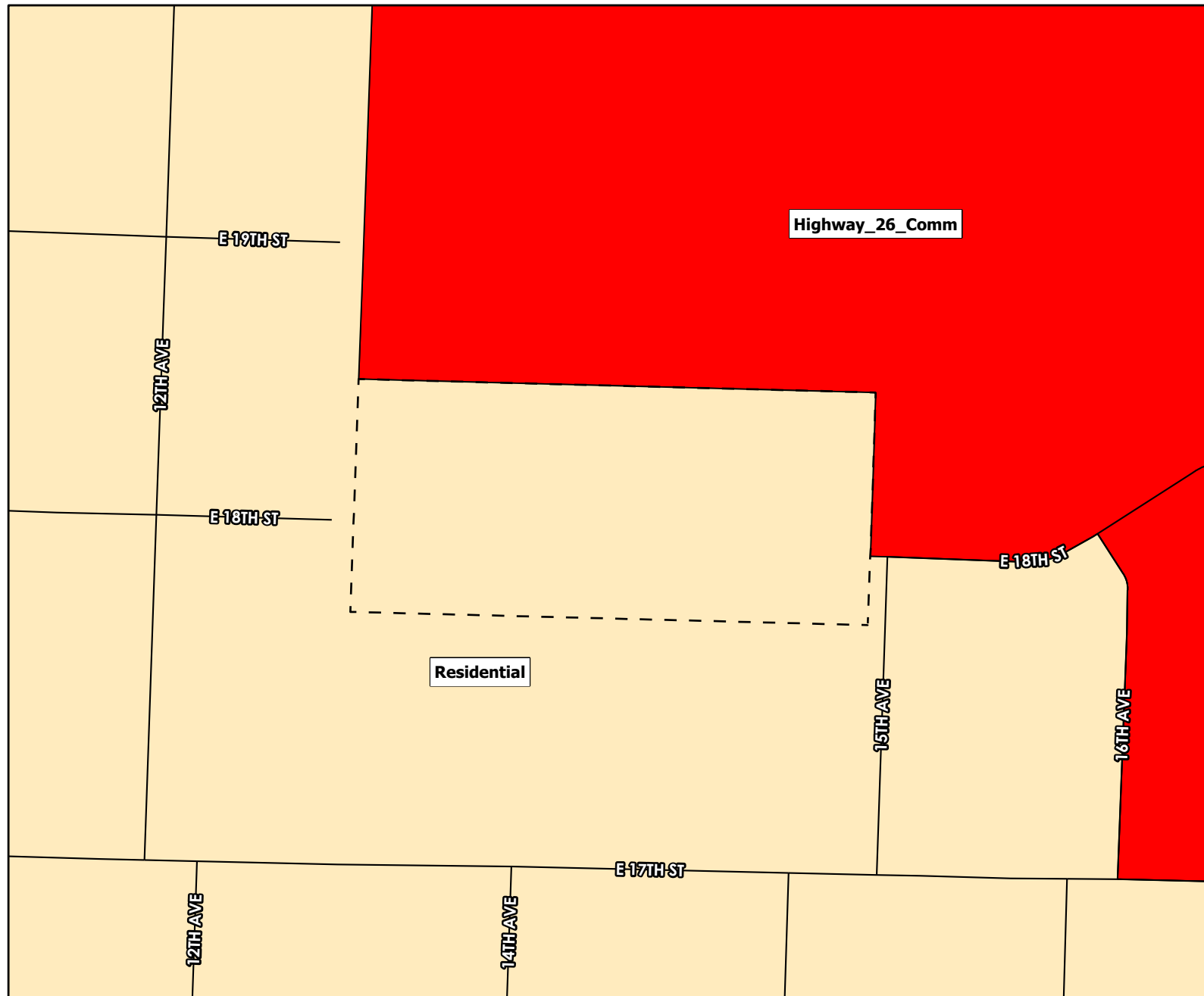
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Proposed Changes

## 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

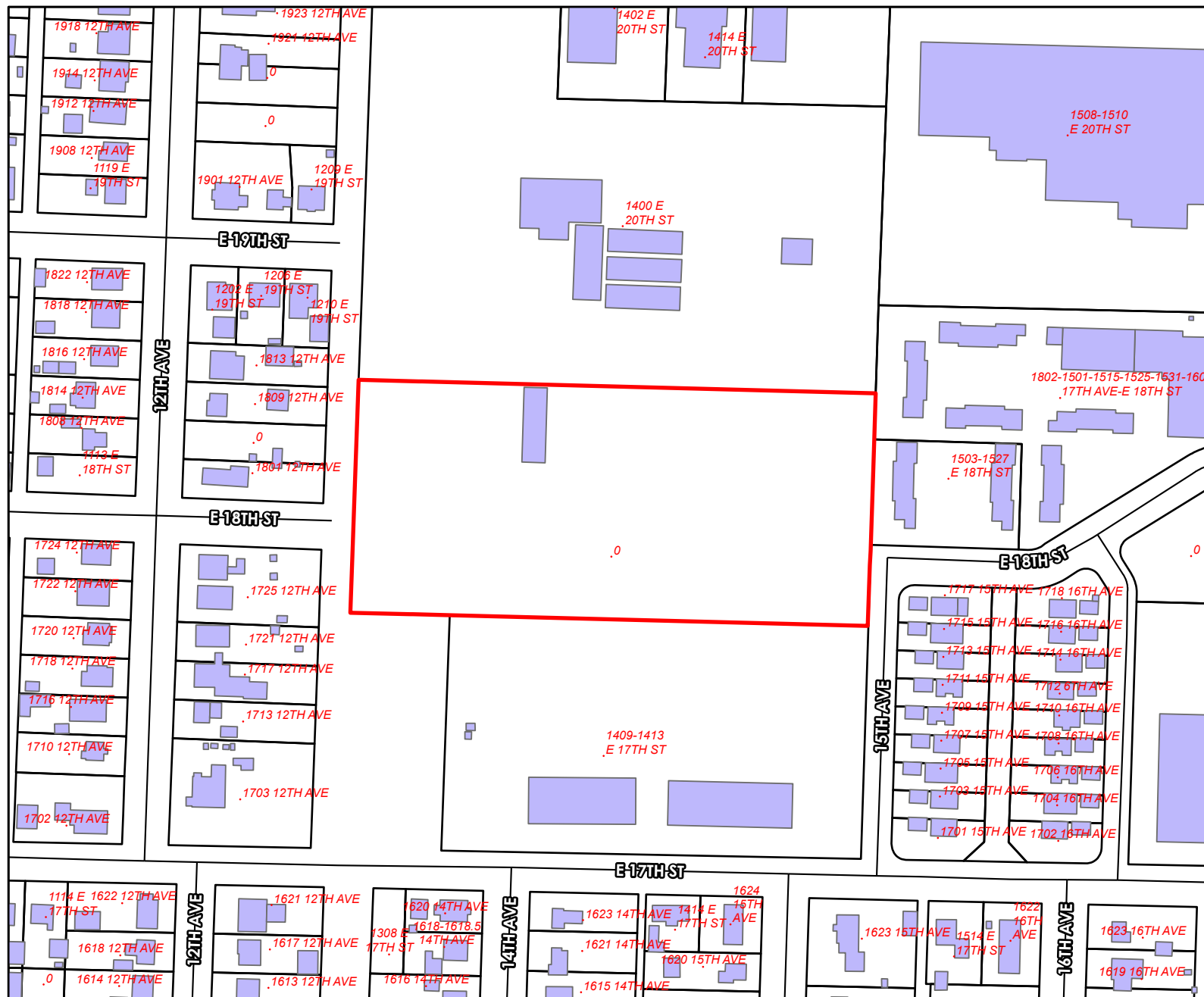
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  Proposed Changes

  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

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- Main Road
- Residential/Rural

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