

City of Scottsbluff, Nebraska

Monday, February 7, 2022

Regular Meeting

Item Pub. Hear.3

**Council to conduct a public hearing set for this date to consider a
Rezone of Lot 3, Block 1, Sunset Addition from C-3 heavy
Commercial to R-1A Single Family.**

Staff Contact: Zachary Glaubius, Projects & Planning Coordinator



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:	Dec/22/2021	Number (Office Use Only):	
Property Address:	210 W 15th street scottsbluff NE 69361		
Current Zone:	C-3	Proposed Zone:	R-1A
		Acreage of Property:	0.162
Comprehensive Plan Designation:	Residential	Comprehensive Plan Amendment Required?	No

Applicant Information

Applicant:	Michael Dirks	Property Owner:	Michael Dirks
Address:	210 W 15th street	Telephone:	308 641-9962
City:	Scottsbluff	State:	NE
		Zip:	69361
		Alt. Telephone:	

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.

To whom it may concern,

I am here writing this paper to give permission from the property owner; I myself Michael Dirks for this property Lot 3, Block 3, Sunset addition (210 West 15th Street) to be rezoned from a commercial c-3 property back to an R-1A residential property

This lot is adjacent to the R-1A zoning district and has been used as a single family dwelling since 1936. This lot is simply an extension to the R1A district. The property to the west is zoned as a r-1A. This is a neighborhood of single family home dwelling.

The rezone would not create special hazardous or problems for the neighborhood or community because it is a single family home dwelling and has been sense it was built in 1930's.

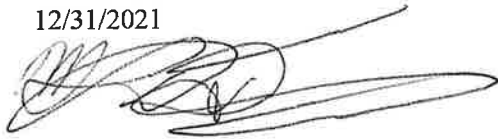
The rezone will be harmonious and consistent with the comprehensive plan of this area due to all the properties adjacent to me that are residential properties are classified as R-1A properties except for mine.

The 2016 comprehensive plan identifies my property as a residential property so there for it is harmonious and consistent.

The rezone should be granted because my intentions to improve and do additions to property that are not permitted and wont be permitted as long as its zones as a c-3 commercial property and it being a legal non conforming use. I have also been halted from refinancing my property due to it being zoned as a commercial property but a single family home has been on the property sense the 1930's.

Michael dirks

12/31/2021

A handwritten signature in dark ink, appearing to read 'Michael Dirks', with a long horizontal flourish extending to the right.

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: January 3, 2022 For Hearing of: January 10, 2022



I. GENERAL INFORMATION

- A. Applicant:** Michael Dirks
210 W. 15th Street
Scottsbluff, NE 69361
- B. Property Owner:** Same as Applicant
- C. Proposal:** Request to rezone Lot 3, Block 1, Sunset Addition to R-1A Single Family Residential from C-3 Heavy Commercial
- D. Legal Description:** Lot 3, Block 1, Sunset Addition
- E. Location:** 210 W. 15th Street
- F. Existing Zoning & Land Use:** C-3 Heavy Commercial
- G. Size of Site:** Approximately 7,000 square feet

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	Residential	C-3 Heavy Commercial	Kelley Bean Co.
East	Residential	C-3 Heavy Commercial	Commercial Building
South	Residential	C-3 Heavy Commercial	Commercial Building
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 3 is via W. 15th Street.
2. An alley is located along the south property line.

C. Utilities:

1. Lot 3 has access to Water, Wastewater, and Stormwater lines under W. 15th Street.

IV. STAFF COMMENTS

- A. The rezone is aligned with the 2016 Comprehensive Plan Future Land Use Map.
- B. The proposed rezone to R-1A is not a spot zone as the lot to the west of Lot 3 is zoned R-1A.
- C. The property has been used as a single-family dwelling for the known past.
- D. The property has been zoned C-3 since before 1

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 3, Block 1, Sunset Addition from C-3 Heavy Commercial to R-1A single family residential.

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 10, January, 2022 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, January 7, 2022. 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.

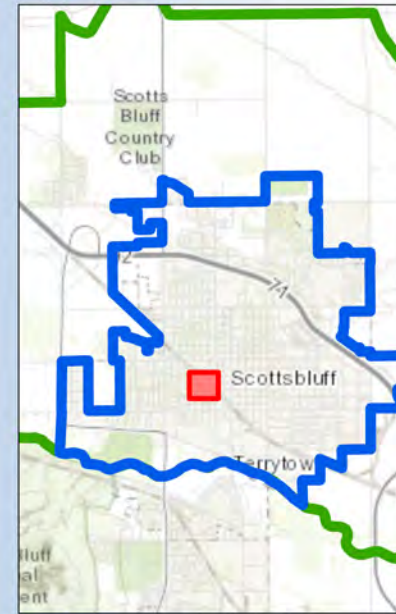
Agenda Items Currently known include:

1. Public Hearing regarding a Final 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.
2. Public Hearing regarding a Rezone of Lot 3, Block 1, Sunset Addition from C-3 Heavy Commercial to R-1A Single Family Residential.
3. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 2 regarding the Gateway Green Overlay Zone
4. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 22 regarding Landscaping
5. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 6 regarding signs
6. Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 5 regarding off-street parking

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 rezone are to be notified of the public hearing.



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



Proposed Changes

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
Created on December 23, 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

Building

Parcel Boundaries

Street Centerlines

CLASS

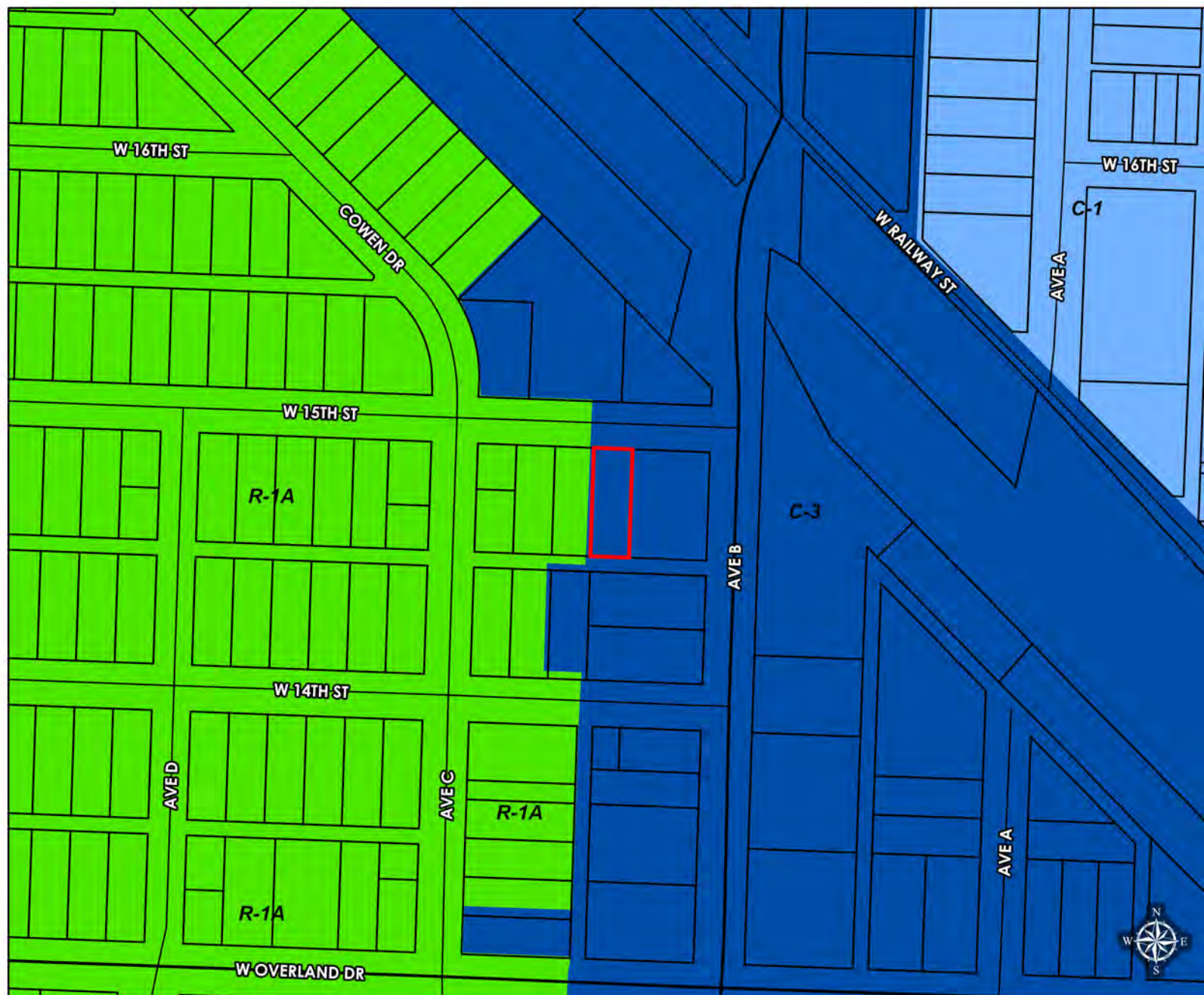
Highway

Main Road

Residential/Rural

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- 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

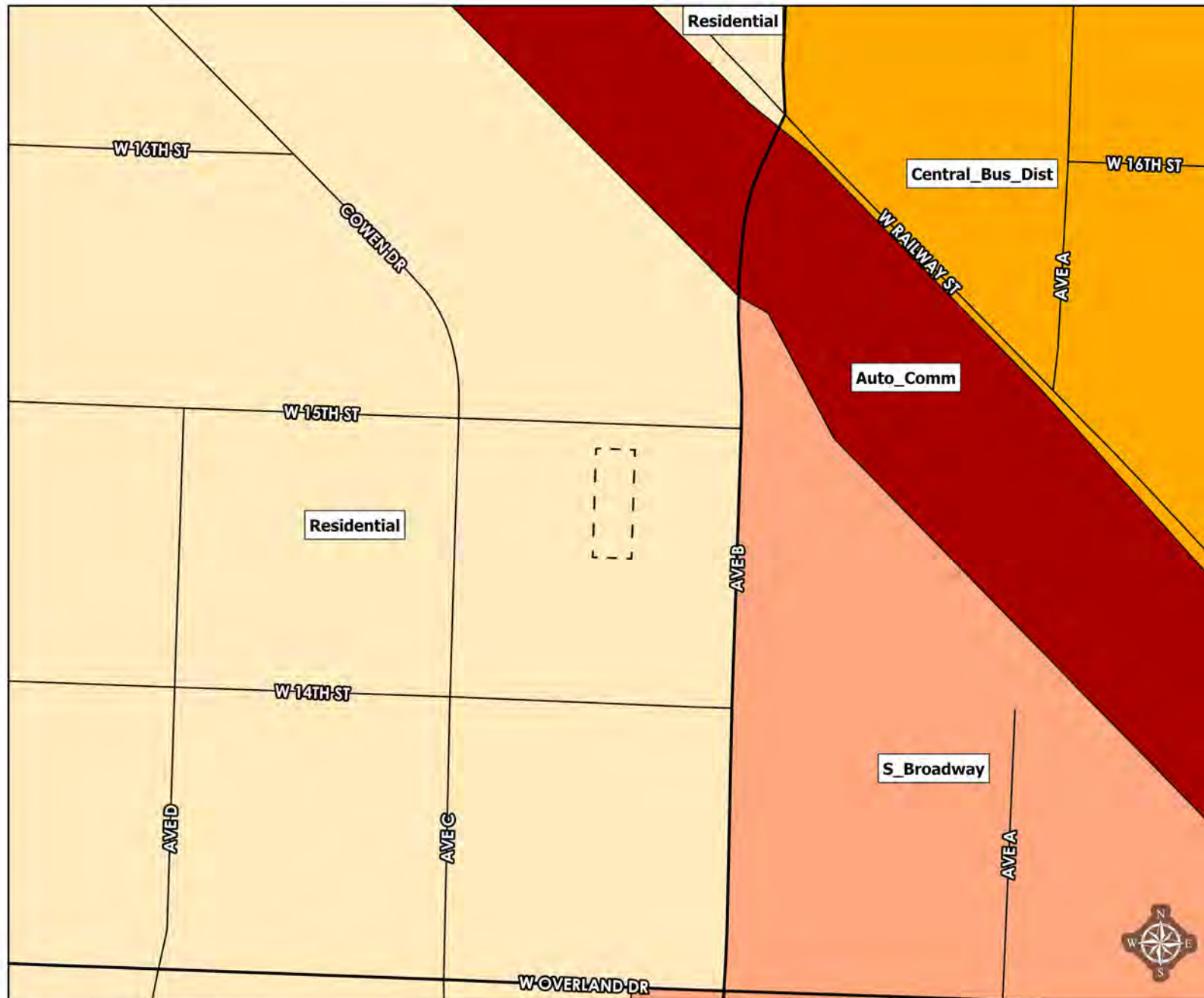
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Proposed Changes

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

Street Centerlines

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Proposed Changes

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Verified_Manhole
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement

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