

City of Scottsbluff, Nebraska

Monday, March 7, 2022

Regular Meeting

Item Pub. Hear.5

Council to conduct a public hearing set for this date at 6:00 p.m. to consider a Rezone of Block 7 of the Five Oaks Subdivision from Agricultural to R-4 Heavy Density Multiple Family.

Staff Contact: Zachary Glaubius, Planning Administrator

Agenda Statement

Item No.

For Meeting of: March 7, 2022

AGENDA TITLE: Council to consider the first reading of the Ordinance for the Rezone of Block 7 of the Five Oaks Subdivision from A-Agricultural to R-4 Heavy Density Multiple Family Residential.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Department Development Services

PRESENTATION BY: Zachary Glaubius, Planning Administrator

SUMMARY EXPLANATION: The Planning Commission reviewed and made a positive recommendation on the adoption of a rezone request for Block 7, Five Oaks subdivision from Agricultural to R-4 District. The rezone is consistent with the future land use map of the 2016 Comprehensive Plan which identifies the area as residential.

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

EXHIBITS

Resolution ☐

Ordinance ☒

Contract ☐

Minutes ☐

Plan/Map ☒

Other (specify) Staff Report for Planning Commission

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐

Please list names and addresses required for notification.

APPROVAL FOR SUBMITTAL:

City Manager

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

Project Information

Application Date:

Number (Office Use Only):

JANUARY 13, 2022

Property Address:

LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION

Current Zone:

AG

Proposed Zone:

R-4

Acreage of Property:

10.820

Comprehensive Plan Designation:

RESIDENTIAL

Comprehensive Plan Amendment Required?

Applicant Information

Applicant:

C&T HOLDINGS / BAKER & ASSOCIATES

Property Owner:

C&T HOLDINGS, L.L.C.

Address:

1310 CIRCLE DRIVE

Telephone:

308-632-2123

City:

SCOTTSBLUFF

State:

NE

Zip:

69361

Alt. Telephone:

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

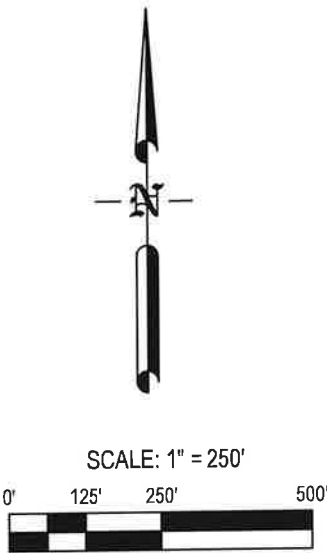
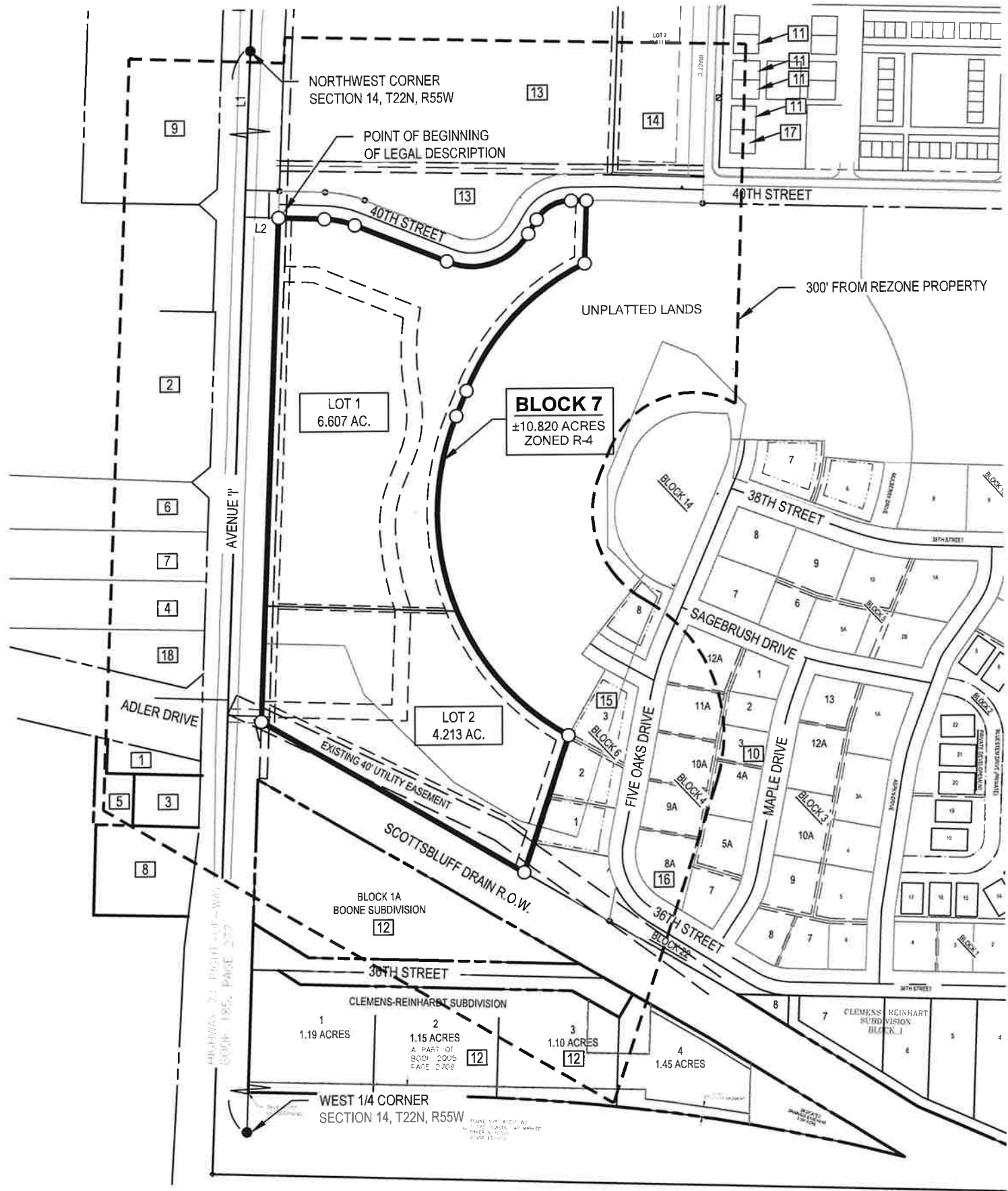
- ☒ A letter from the property owner giving permission that their property may be rezoned.
- ☒ Legal description of the property - on disk or emailed to the City Development Service Department in Word format and a map of property to be rezoned.
- ☒ A Letter from the petitioner that the proposed use:
 - ☒ 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.

REZONE REQUEST OF LOTS 1 AND 2, BLOCK 7, FIVE OAKS SUBDIVISION
TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA



PROPERTY OWNERS WITHIN 300' OF REZONING REQUEST BOUNDARY

1	THOMAS/DAVID & TERESA	100994 CR G	MITCHELL	NE	69357
2	TWOMBLY/TIMOTHY M & KIM M	3840 AVE I	SCOTTSBLUFF	NE	69361
3	EDWARDS/DIANA	3618 AVE I	SCOTTSBLUFF	NE	69361
4	PREMIUM LANDHOLDERS LLC	3302 17TH AVE	SCOTTSBLUFF	NE	69361
5	LUNDGREN/LAURIE J	914 W ADLER DR	SCOTTSBLUFF	NE	69361-4714
6	ZAVALA/MARCO	1009 LARKSPUR CT	SCOTTSBLUFF	NE	69361
7	DEMARANVILLE/KATHRYN C	1707 MILL ST	LARAMIE	WY	82072
8	PLATTE VALLEY PROFESSIONAL CENTER W LLC	921 W 36TH ST BOX 6	SCOTTSBLUFF	NE	69361
9	MONUMENT BIBLE CHURCH	PO BOX 1612	SCOTTSBLUFF	NE	69363-1612
10	HVS LLC	80463 COLGATE	SCOTTSBLUFF	NE	69361
11	VANDENBERGE COURTYARD HOMEOWNERS	1110 E 35TH ST	SCOTTSBLUFF	NE	69361
12	KRISHNA MANAGEMENT INC	PO BOX 1127	LARAMIE	WY	82073
13	WEBB/JASON & SAMI	1602 W 42ND ST	SCOTTSBLUFF	NE	69361
14	OWEN FAMILY TRUST/ZACHARY & KARYN	702 W 42ND ST	SCOTTSBLUFF	NE	69361
15	MAAS/LUKE & LINDSEY	3618 FIVE OAKS DR	SCOTTSBLUFF	NE	69361
16	LEWIS/THE ROBERT E & JANET A	1114 LARKSPUR CT	SCOTTSBLUFF	NE	69361
17	GION/LAWRENCE J	4001 AVE G	SCOTTSBLUFF	NE	69361
18	OLSEN/TAMARA L	913 W ADLER DR	SCOTTSBLUFF	NE	69361

Baker & Associates Inc.
Engineers * Architects * Surveyors
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120 East 16th St.
Scottsbluff, NE 69361
308 632 3123
www.baker-eng.com

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: January 31, 2022 For Hearing of: February 14, 2022



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 & T Holdings LLC
1310 Circle Drive
Scottsbluff, NE 69361
- C. Proposal:** Rezone of Block 7 of the Five Oaks Subdivision from Agricultural to R-4 Heavy Density Multiple Family Residential
- D. Legal Description:** A Tract of Land located in the northwest corner of Section 14, Township 22North, Range 55 West of the 6th P.M. in Scotts Bluff County, Nebraska.
- E. Location:** Approximately 10.820 acres along the east side of Highway 71 between the Scottsbluff Drain and the future W. 40th Street.
- F. Existing Zoning & Land Use:** Ag – Agricultural – Gateway Green Overlay Zone
- G. Size of Site:** Approximately 10.820

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	Vacant Lot, ELITE Health
East	Residential	A-Agricultural	Farmland
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 subdivision was approved on December 13, 2021 by the Planning Commission
2. Preliminary Plat for this subdivision was approved at the January 3, 2022 City Council Meeting.

3. Final Plat approved by Planning Commission on January 10, 2022 by Planning Commission.
4. Final Plat approved by City Council on February 7, 2022

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 7 will be via the extended W. 40th Street and permitted access along Nebraska State Highway 71 near the Scottsbluff Drain.
2. 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 along the east border of Block 7.
3. A 30' utility easement loop is proposed in Block 7.

IV. STAFF COMMENTS

A. The property owner(s) of Lot 1 and 2 will be required to put in a 10 feet bufferyard where adjacent Agricultural and R-1A Zoning Districts.

V. FINDINGS OF FACT

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

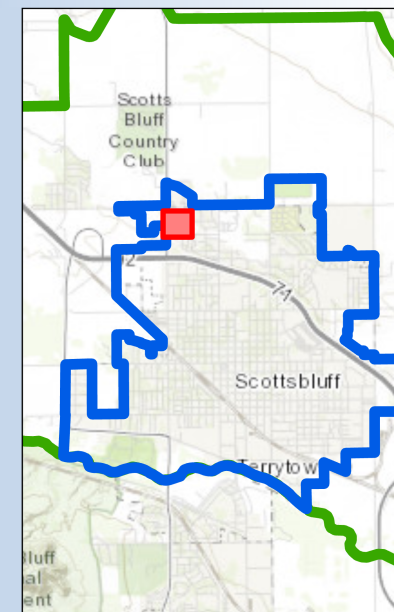
1. The Comprehensive Plan identifies the area as residential

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

1. None

VI. STAFF RECCOMENDATION

A. Staff recommends Planning Commission recommend the approval of the rezone request of Block 7, Five Oaks subdivision by the City Council.



Proposed Changes

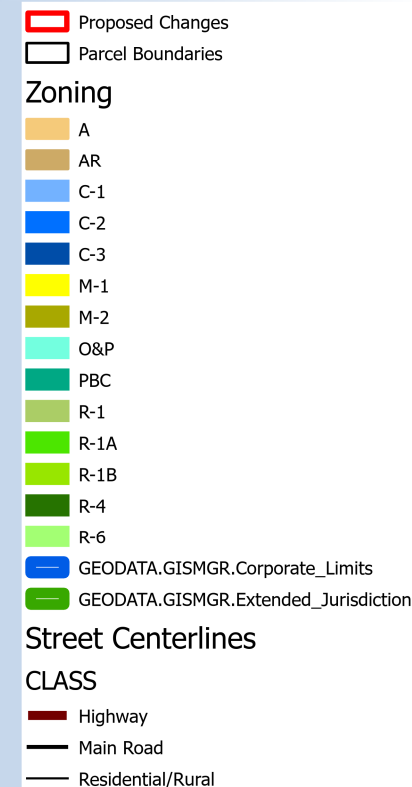
Street Centerlines

CLASS

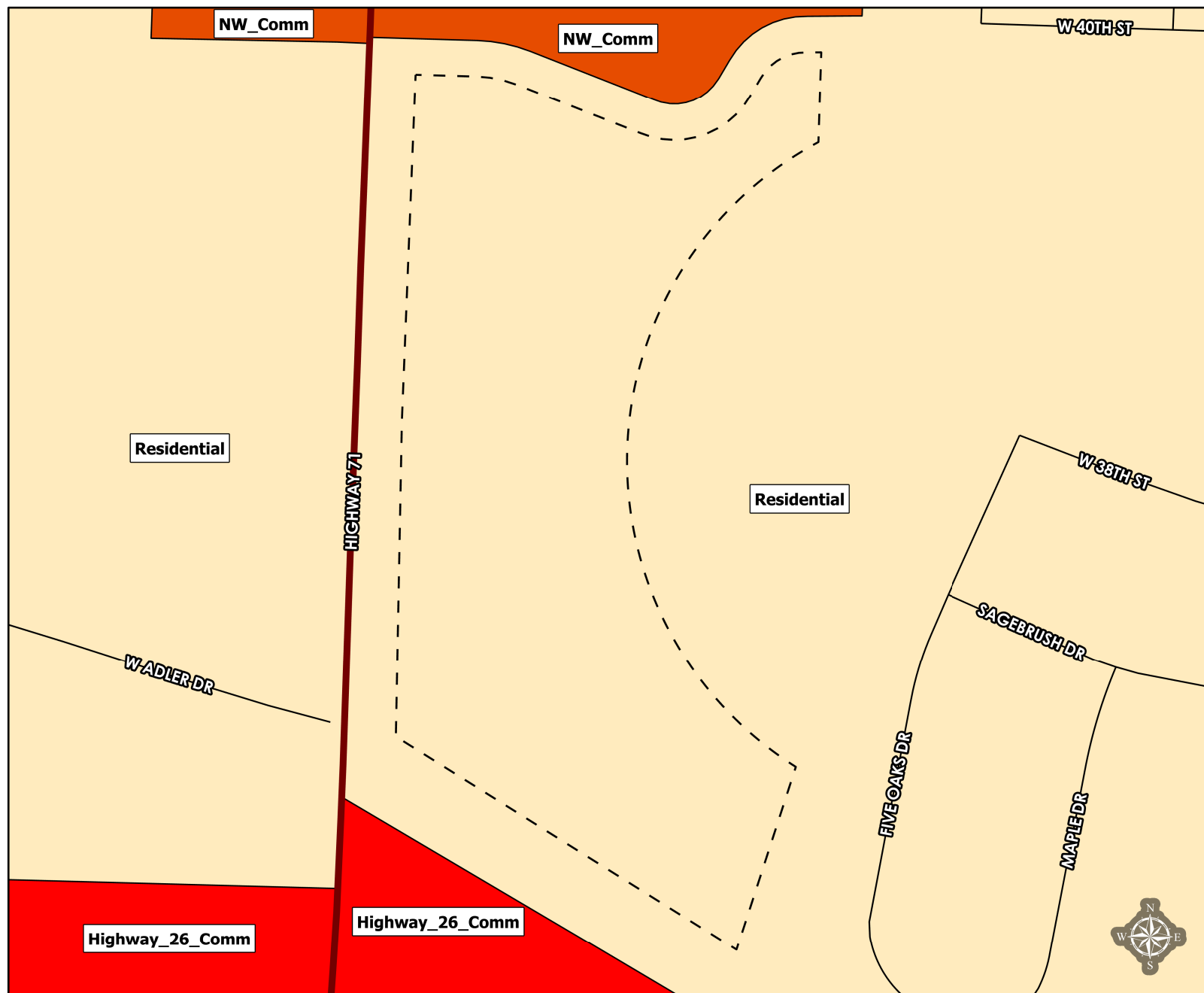
- Highway
- Main Road
- Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
Created on January 28th, 2022
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.



Scottsbluff



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

- Highway
- Main Road
- Residential/Rural

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Proposed Changes

Building

Parcel Boundaries

Street Centerlines

CLASS

Highway

Main Road

Residential/Rural

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