

# **City of Scottsbluff, Nebraska**

**Monday, March 14, 2022**

**Regular Meeting**



## **Item New Bus1**

**Planning Commission to conduct a Public Hearing to consider a Special Use Permit for Auto Sales and Service at Lots 11A, Block 10, Northwood Addition Replat of Lots 11-12 (and that portion of vacate alley), commonly identified as 821 W 33rd Street.**

**Staff Contact: Zachary Glaubius, Planning Administrator**



## City of Scottsbluff, Nebraska Special Use Permit Application

Date: 1/20/2022			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location) of requested Special Use: 821 West 33rd street			Permit Number:	
Applicant's Name Thunder Road Investments / Miller's Auto Service			Special Use Permit <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Applicant's Address: 821 West 33rd Street			Date Issued:	
City: Scottsbluff	State: NE	Zip: 69361	Comp. Plan Land Use: Comm.	Zone: C-2
Telephone: 308-632-3476	Mobile: 308-631-7384	Email: k.strey@charter.net	<b>Attached:</b> Plot Plan <input checked="" type="checkbox"/> Legal Description (in word) <input checked="" type="checkbox"/> \$100.00 filing fee <input type="checkbox"/> \$250.00 for PUD (planned unit dev) <input checked="" type="checkbox"/> \$3.00 per property owner within 300-feet <input type="checkbox"/> Receipt # <u>R00270053</u>	
Property Owner: Thunder Road Investments				
Property Owner's Address: 110066 Thunder Road				
City: Scottsbluff	State: NE	Zip: 69361		
Telephone: 308-631-7384	Mobile: 308-631-7384	Email: k.strey@charter.net		
Description of the nature of the use for which the Special Use Permit is requested (Why and What): Used car lot.				
Legal Description: LT 11A, BLK 10, Northwood Add Replat of LTS 11-12 BLK 10 (and that portion of vacated alley)				
Zoning Ordinance Section pertaining to Special Use Permit: C-2 zoning				
Please attach the following: <input checked="" type="checkbox"/> Copy of Plot Plan (showing property lines, dimensions, existing structures, proposed structures, easements, etc..) <input checked="" type="checkbox"/> Legal Description on a CD/Disk (in Word) <input type="checkbox"/> \$100.00 filing fee				
I, the undersigned, hereby certify that I agree to be bound by all requirements of the ordinances of the City of Scottsbluff and any other conditions that may be place concerning the use for which a Special Permit is requested. 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.				
Property Owner(s) of Record: 			Date: 1/20/2022	
Applicant's Signature: 			Date: 1/20/2022	
Remarks: (Insert here any information not covered above)				

Development Services Department

111 West 19<sup>th</sup>, Scottsbluff, NE 69361

(308) 630-6243

No Features Selected

↑ NORTH



## City of Scottsbluff Planning Commission

### Development Services Staff Report – Zachary Glaubius

Prepared on: February 25, 2022

For Hearing of: March 14, 2022



#### I. GENERAL INFORMATION

- A. Applicant:** Thunder Road Investments/ Miller's Auto Service  
821 W. 33<sup>rd</sup> Street  
Scottsbluff, NE 69361
- B. Property**  
**Owner:** Thunder Road Investments  
110066 Thunder Road  
Scottsbluff, NE 69361
- C. Proposal:** Special Use Permit to sell automobiles and motorcycles at 821 W. 33<sup>rd</sup> Street
- D. Legal Description:** Lot 11A, Block 10, Northwood Addition Replat
- E. Location:** 821 33<sup>rd</sup> Avenue
- F. Existing Zoning & Land Use:** C-2 Neighborhood & Retail Commercial
- G. Size of Site:** Approximately 25,301 sq. ft.

#### 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	Commercial Buildings
East	Northwest Commercial	C-3 Heavy Commercial	Commercial Buildings
South	Residential	R-1A Single-Family Residential	Northwood Park
West	Northwest Commercial	C-2 Neighborhood 7 Retail Commercial	Vacant Lot

##### B. Relevant Case History

1. This property is currently a legal non-conforming auto repair shop.

#### III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Northwest Commercial.
- B. Traffic & Access:**



1. Access to 821 W. 33<sup>rd</sup> Street is via 33<sup>rd</sup> Street
- C. Zoning**
  1. Per 25-3-14 C, Auto sales and service is a special permit use in the C-2 Neighborhood and Retail Commercial Zoning District.
- D. Off-Street Parking**
  1. Current off-street parking is fourteen stalls. Applicant needs 11 stalls to meet Off-Street Parking Requirements under 25-5-1

#### **IV. STAFF COMMENTS**

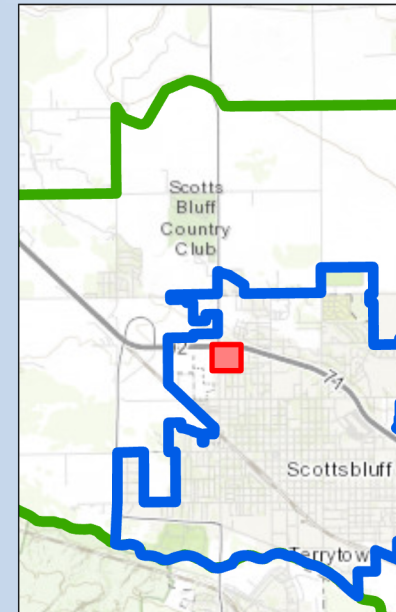
- A.** The applicant intends to pave the turfgrass areas for additional vehicle storage/showing.
- B.** The existing offices will be used for the auto sales.
- C.** While the land south of the property is zoned R-1A Residential, it is Northwood Park and no residences are in close proximity.
- D.** Per 25-13-3, the Planning Commission may issue a special permit for the use of a lot, tract of land, building, or structure in circumstances and a manner authorized by other articles of this chapter if the Commission finds the proposed use:
  - a. Provides a service required by the neighborhood or community and is consistent with sound principles of land use;
  - b. Will not be injurious to the use of neighboring lots, tracts of land, buildings, or structures;
  - c. Will not create special hazards or problems for the area in which it is located;
  - d. Is related to and harmonious with the general plan for the area in which it is located, as indicated by this chapter
  - e. Otherwise, is in accordance with the intents and purposes of this chapter. The Commission may make the use which is authorized in the special permit subject to reasonable conditions which in the discretion of the Planning Commission are necessary to carry out the intents and purposes of this chapter.
- E.** Public Notice Letters were sent out on February 28, 2022, and public notice for this ran in the March 3, 2022 edition of the Star-Herald.

#### **V. FINDINGS OF FACT**

- A. Findings of Fact to Recommend Its Approval May Include:**
  1. The Comprehensive Plan identifies the area as northwest commercial.
  2. Auto mobile sales and service represent services that are required by the community and the use is consistent with the surrounding zonings and uses.
  3. The use will not be injurious to neighboring uses.
  4. The use will not create special hazards or problems.
  5. The Comprehensive Plan Future Land Use Map supports the use.
  6. The use is in accordance with the intents and purposes of the Code.
  7. The special use permit will bring a legal non-conforming use into conformance as a special permit use.
- 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 special use permit to Thunder Road Investments for automobile sales and service at 821 W. 33<sup>rd</sup> Street.



Proposed Changes

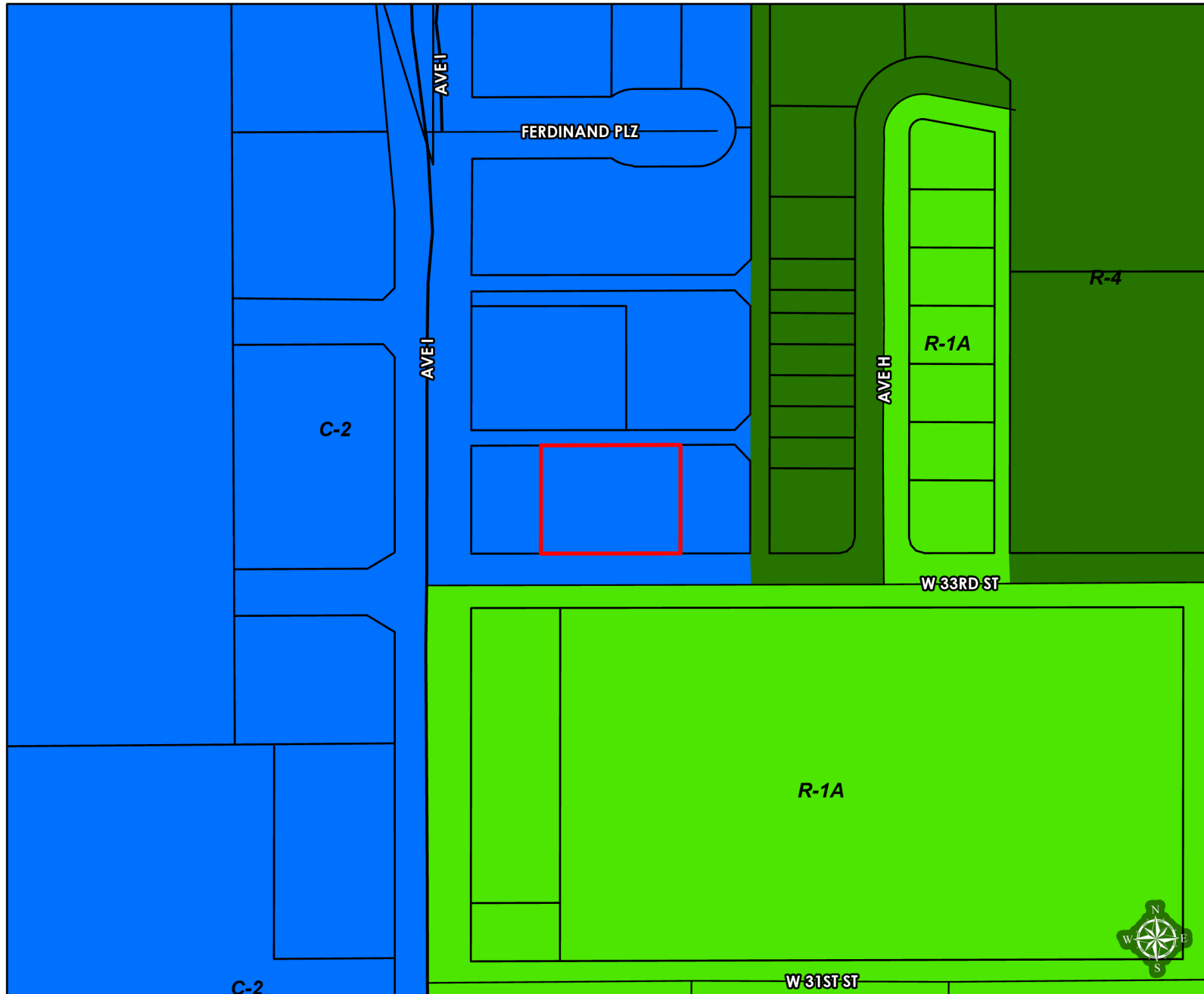
Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens  
City of Scottsbluff GIS  
Created on 2/25/2022  
Coordinate System:  
NAD 1983 (2011) StatePlane 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

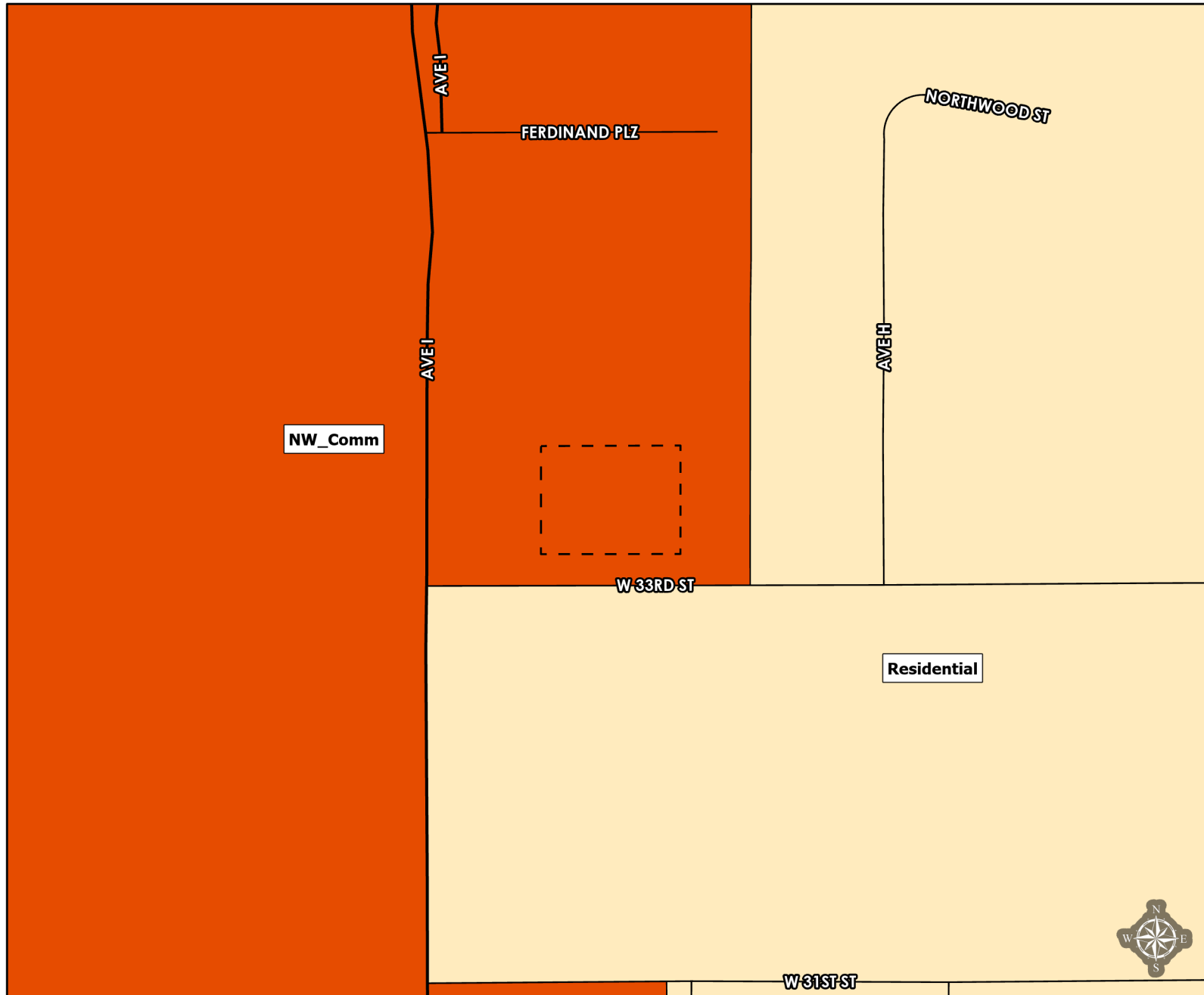
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Proposed Changes

## 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

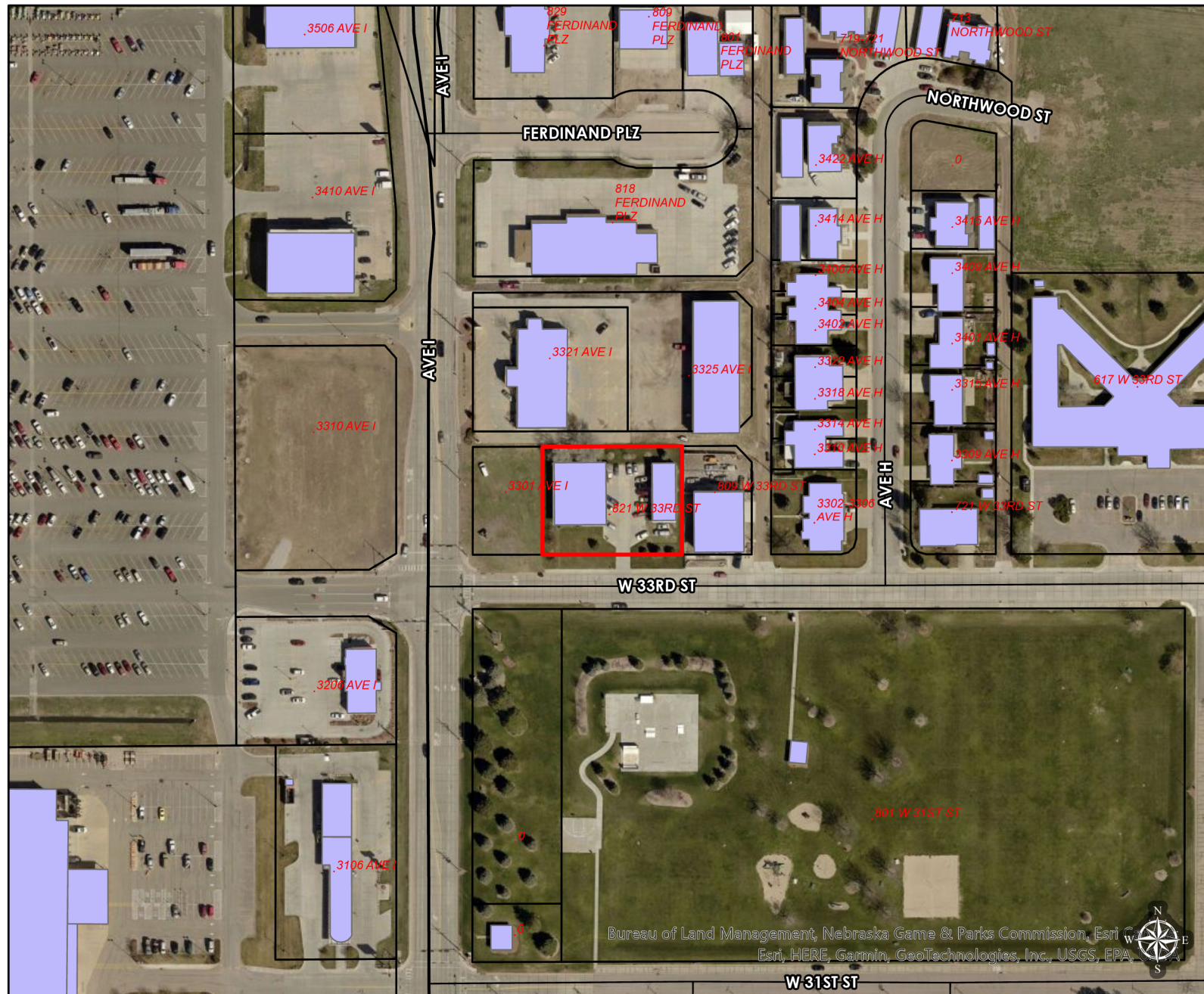
## Street Centerlines

### CLASS

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Proposed Changes

Building

Parcel Boundaries

Street Centerlines

CLASS

Highway

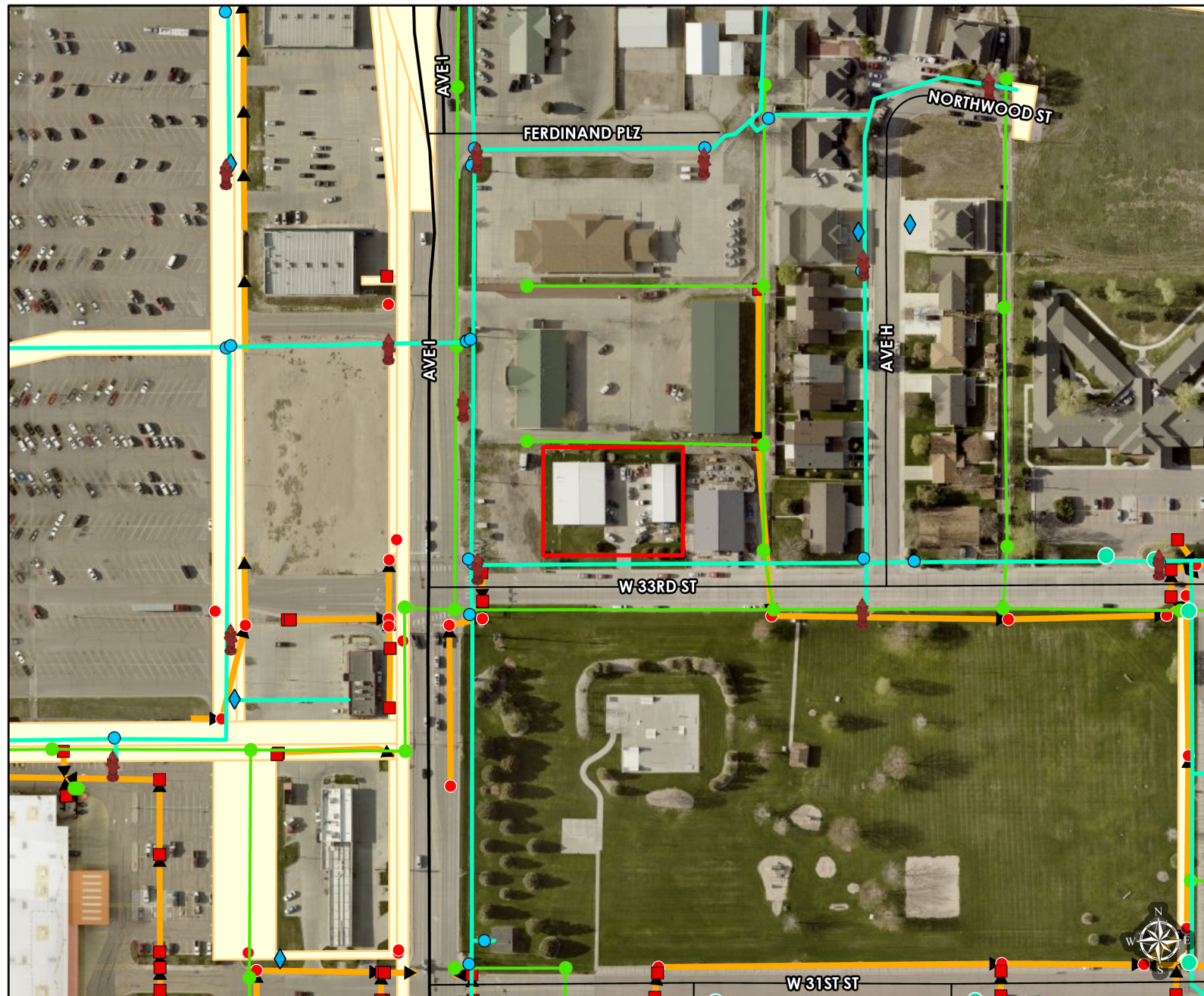
Main Road

Residential/Rural

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Proposed Changes

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- Water Curbstop
- Water Valve
- Water Manhole
- Verified\_Manhole
- Water Lines
- Wastewater Lines
- Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement

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