

# **City of Scottsbluff, Nebraska**

**Monday, November 14, 2022**

**Regular Meeting**



## **Item New Bus2**

**Planning Commission to conduct a Public Hearing to consider and take action on a Special Use Permit Application by Transwest Inc. for Auto Sales and Service at 1515 E. 20th Street**

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



## City of Scottsbluff, Nebraska Special Use Permit Application

Date: 11/8/2022			<b>DO NOT WRITE IN THIS BLOCK</b>	
Address (Location) of requested Special Use: 1515 E. 20th Street, Scottsbluff NE			<b>Permit Number:</b>	
Applicant's Name: Transwest Inc. - Kyle Schmidt			<b>Special Use Permit</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Applicant's Address: 20770 I-76 Frontage Road			<b>Date Issued:</b>	
City: Brighton	State: CO	Zip: 80603	Comp. Plan Land Use:	Zone:
Telephone: 303-301-7436	Mobile: 303-829-2964	Email: kschmidt@transwest.com	<b>Attached:</b> Plot Plan <input type="checkbox"/> Legal Description (in word) <input type="checkbox"/> \$100.00 filing fee <input type="checkbox"/> \$250.00 for PUD (planned unit dev) <input type="checkbox"/> \$3.00 per property owner within 300-feet <input type="checkbox"/> Receipt # _____	
Property Owner: GEP Investments Inc.				
Property Owner's Address: 20770 I-76 Frontage Rd				
City: Brighton	State: CO	Zip: 80603		
Telephone: 303-301-7500	Mobile:	Email: geidsness@transwest.com		
Description of the nature of the use for which the Special Use Permit is requested (Why and What): Continue sales, service, retail operations of the current Ford Dealership. The Ford dealership is located in the C-2 Neighborhood and Retail Commercial Zoning District. Auto sales and service are a special permit use in the C-2 district. Transwest needs to apply and be granted a new special permit for auto sales and service at 1515 E 20th Street in Scottsbluff.				
Legal Description: LT 2A, BLK 8 QUINDT COMMERCIAL TRACTS REPLAT 1515 E 20TH ST SCOTTSBLUFF NE 69361				
Zoning Ordinance Section pertaining to Special Use Permit: C-2 Neighborhood and Retail Commercial Zoning District.				
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 checked="" 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: 11-8-22	
Applicant's Signature: 			Date: 11/8/22	
Remarks: (Insert here any information not covered above)				

**Legal Description**

LT 2A, BLK 8 QUINDT COMMERCIAL TRACTS REPLAT  
1515 E 20TH ST SCOTTSBLUFF NE 69361



# 1515 E 20th St - Aerial Property Boundary





# City of Scottsbluff Planning Commission

## Development Services Staff Report – Zachary Glaubius

Prepared on: November 8, 2022

For Hearing of: November 14, 2022



### I. GENERAL INFORMATION

- A. Applicant:** Transwest Inc. – Kyle Schmidt  
20770 I-76 Frontage Road  
Brighton, CO 80603
- B. Property**  
**Owner:** GEP Investments Inc.  
20770 I-76 Frontage Road  
Brighton, CO 80603
- C. Proposal:** Special Use Permit to sell automobiles and motorcycles at 1515 E. 20<sup>th</sup> Street
- D. Legal Description:** Lot 2A, Block 8, Quindt Commercial Tracts Replat
- E. Location:** 1515 E. 20<sup>th</sup> Street
- F. Existing Zoning & Land Use:** C-2 Neighborhood & Retail Commercial
- G. Size of Site:** Approximately 235,343 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	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Highway 26 Expressway, Shari's
East	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Highway 26 Expressway
South	Highway 26 Commercial	PBC – Planned Business Center	Murdoch's and other commercial buildings
West	Highway 26 Commercial	C-2 Neighborhood & Retail Commercial	Auto Body Shop & Carr Trumbull Lumber

#### B. Relevant Case History

1. This property is currently a legal non-conforming auto sales and repair shop.
2. Per Ordinance 3398, this property was zoned as C-3 in 1994.

### III. ANALYSIS

- A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Highway 26 Commercial.

**B. Traffic & Access:**

1. Access to 821 W. 33<sup>rd</sup> Street is via South Frontage Road, 14<sup>th</sup> Avenue, and E 20<sup>th</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.

**IV. STAFF COMMENTS**

- A. Research on the property shows it was formerly C-3 which permits auto sales and service as a principal permitted use. A rezone between 1994 and 2010 resulted in the property becoming C-2 where a special use permit is needed for auto sales and service.
- B. The owner of the Ford Dealerships is changing from Fremont to Transwest. Under Fremont Ford, the car dealership was a legal non-conforming use. However, with the sale to Transwest, a special permit is needed to continue operating as auto sales and service in the C-2 District.
- C. A special permit is assigned to the business owner and not the land itself.
- 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.

**V. FINDINGS OF FACT**

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

1. The Comprehensive Plan identifies the area as Highway 26 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 approve the special use permit to Transwest Inc. for automobile sales and service at 1515 E. 20<sup>th</sup> Street.



# Special Use Permit Ford Dealership

## Zoning Overview



  Proposed Changes

### City Zoning

- (A)Agriculture
- (AR)Ag Residential
- (C-1)Central Business District
- (C-2)Neighborhood Com
- (C-3)Heavy Com
- (M-1)Light Man & Ind
- (M-2)Heavy Man & Ind
- (O-P)Office and Professional
- (PBC) Planned Business
- (R-1)Single Family
- (R-1A)Single Family Med Dens
- (R-1B)Rural Residential
- (R-4)Heavy Dens Multiple
- (R-6)Mobile Home

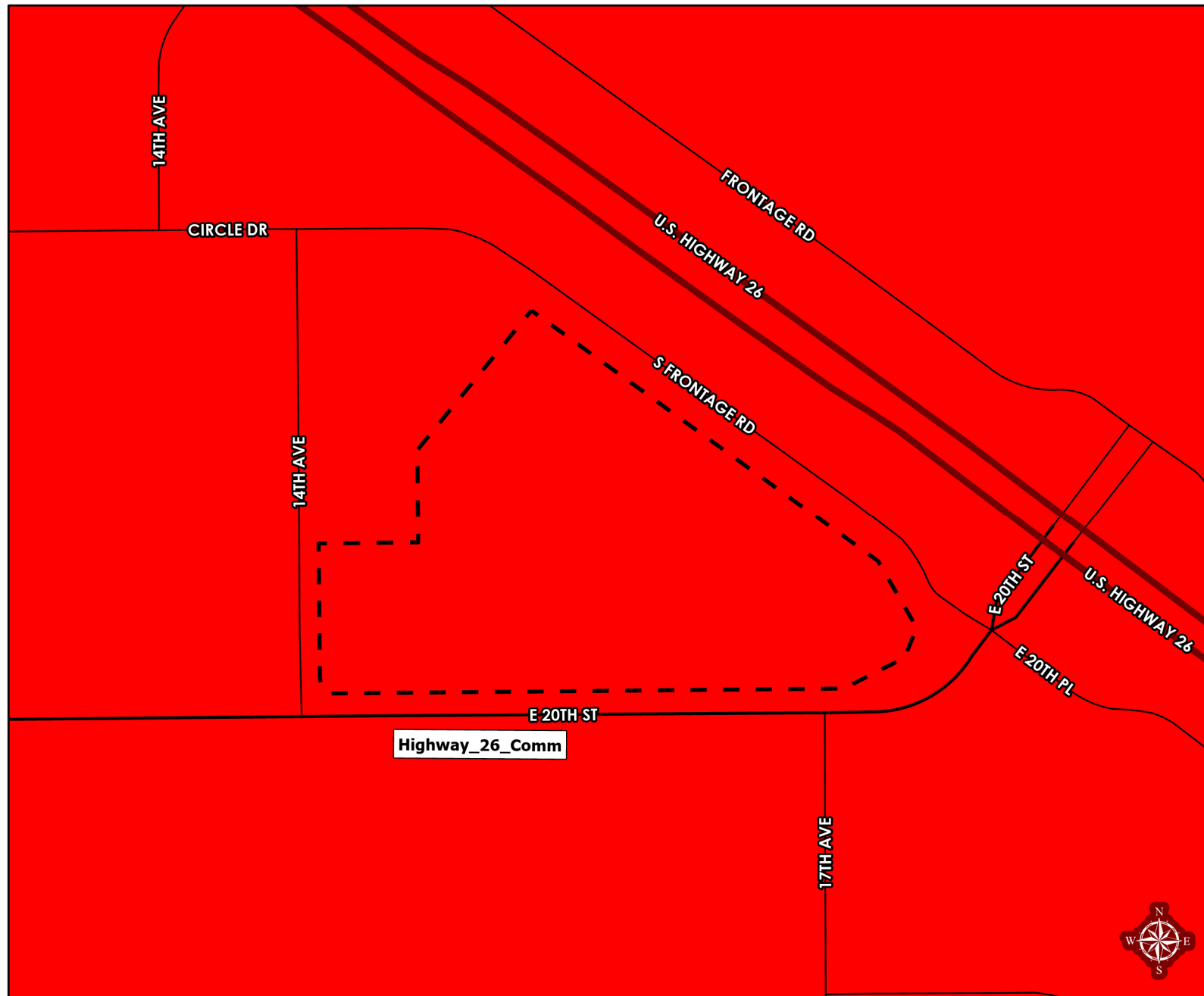
### Street Centerlines

- Highway
- Main Road
- Residential/Rural
- Parcels

Taylor Stephens  
City of Scottsbluff GIS  
Created on 11/9/2022  
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.

# Special Use Permit Ford Dealership

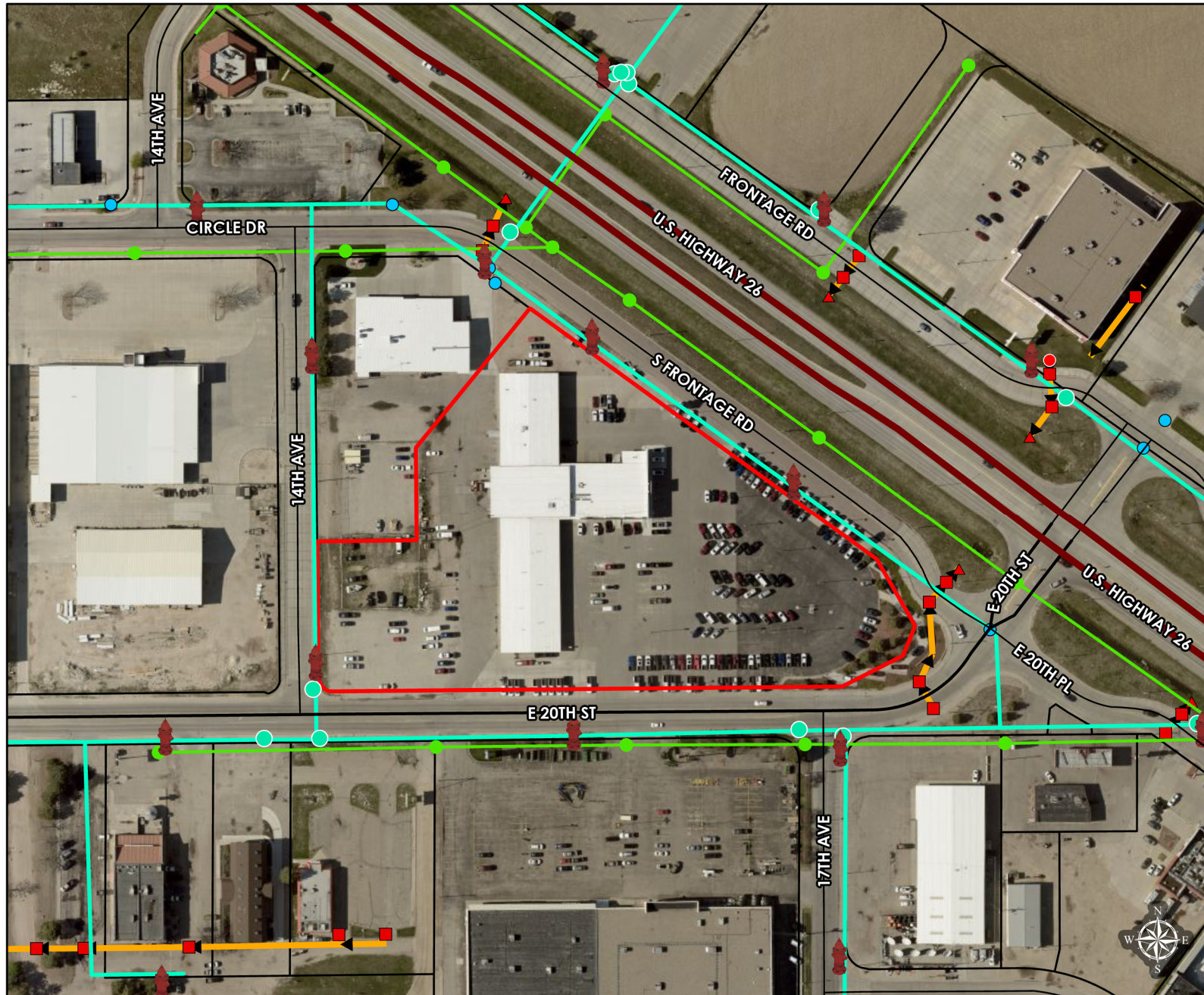


- Proposed Changes
- 2016 Comp. Plan Land Use
- Automobile Commercial
  - Avenue B and Hospital Campus
  - Central Business District
  - East Overland
  - Highway 26 Commercial
  - Northwest Commercial
  - Residential
  - Rural
  - Rural Residential
  - SE Industrial and Commercial
  - South Broadway
  - WNCC and Surrounding Area
- Street Centerlines
- Highway
  - Main Road
  - Residential/Rural
- 2016 Comp. Plan Development
- LTD (10 - 20 yrs)
  - NTD (Less than 5 yrs)
  - STD (5 - 10 yrs)

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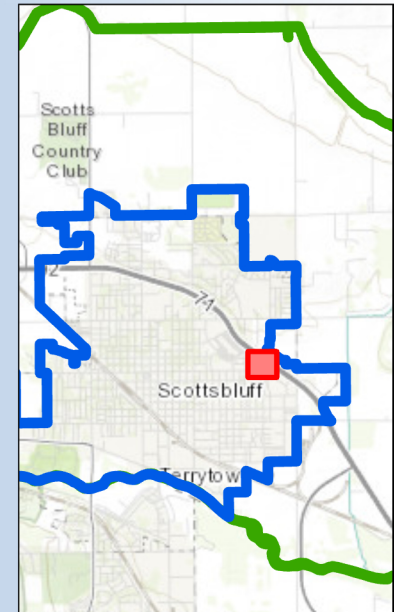
### Street Centerlines

- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- ◆ Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Wastewater MH
- Wastewater Lines
- ▲ Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Proposed Property
- Parcels

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- Corporate Limits
- Extended Jurisdiction
- Proposed Changes

Street Centerlines

**CLASS**

- Highway
- Main Road
- Residential/Rural
- Parcels
- Address

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