City of Scottsbluff, Nebraska

Monday, February 13, 2023 Regular Meeting

Item Pub Hear1

Planning Commission to consider and take action on a Special Use Permit Application by Rene Marquez

Staff Contact:

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: February 3, 2023 For Hearing of: February 13, 2023



I. GENERAL INFORMATION

A. Applicant: Rene Marquez

422 Avenue B Scottsbluff, NE

B. Property

Owner: Same as applicant

C. Proposal: Special Use Permit for residential use in the C-3 Heavy Commercial District

D. Legal Description: Lots 2A, Block 1, ASI Addition

E. Location: 422 Avenue B

F. Existing Zoning & Land Use: C-3 Heavy Commercial

G. Size of Site: Approximately 41,791 sq. ft.

II. BACKGROUND INFORMATION

A. General Neighborhood/Area Land Uses and Zoning:

Direction From	Future Land Use	Current Zoning	Surrounding
Subject Site	Designation	Designation	Development
North	South Broadway	PBC – Planned	Panhandle Coop Gas
		Business Center	Station
East	South Broadway	C-3 Heavy	Panhandle Humane
		Commercial	Society
South	South Broadway	C-3 Heavy	Andersen-Shaw
		Commercial	Construction Yard
West	South Broadway	C-3 Heavy	Parking
		Commercial	

B. Relevant Case History

1. Isaac Holscher, previous owner, was granted a special use permit for a residence in this building on March 9, 2020.

III. ANALYSIS

- **A. Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as South Broadway
- B. Traffic & Access:
 - 1. Access the property is via Avenue B and South Beltline Highway.

C. Zoning

1. Per 25-3-15 C, residential use ins permitted only within the confines of a building in which a permitted use is conducted by special use permit.

D. Off-Street Parking

1. The property has sufficient off-street parking room.

IV. STAFF COMMENTS

- A. The existing dwelling unit will be used. It will remain a single-family dwelling.
- **B.** While the comprehensive plan identifies this area as South Broadway, this land designation includes mixed use such as commercial/residential buildings.
- **C.** 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.
- **D.** Public Notice Letters to property owners within 300' were mailed out on January 31, 2022, and public notice for this ran in the, February 3, 2023 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 South Broadway which includes mixed use.
- **2.** A residential dwelling at this site 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 use is in accordance with the intents and purposes of the Code.

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

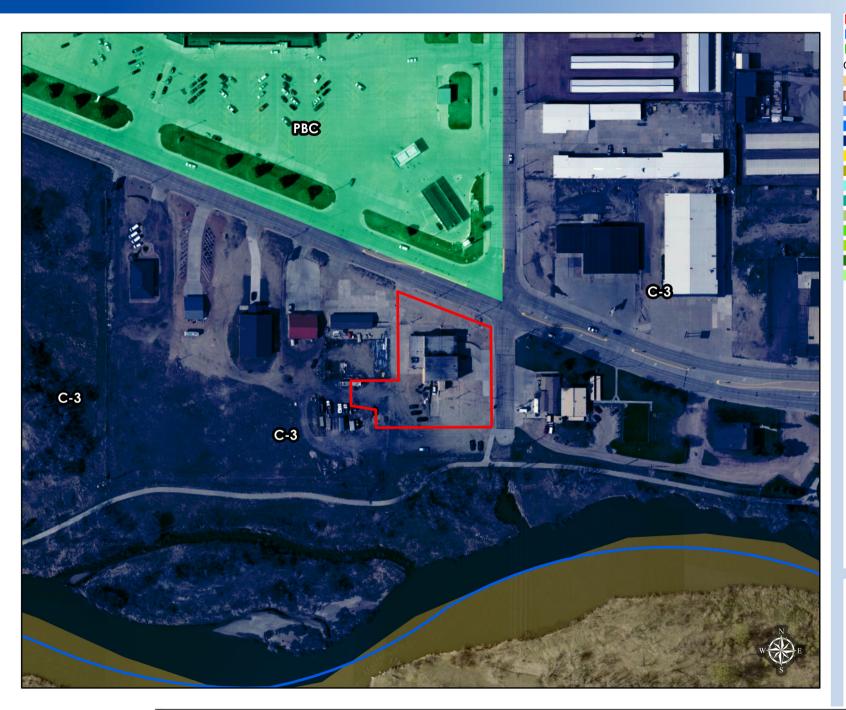
1. None

VI. STAFF RECCOMENDATION

H. Staff recommends Planning Commission recommend the approval of the special use permit to Rene Marquez for a residence in the C-3 district at 422 Avenue B.



Zoning Overview



Property Location(s)

Corporate Limits

Extended Jurisdiction

Official City Zoning

(A) Agriculture

(AR) Agriculture Residential

(C-1) Central Business District

(C-2) Neighborhood Commercial

(C-3) Heavy Commercial

(M-1) Light Manufacturing & Industrial

(M-2) Heavy Manufacturing and Industrial

(O-P) Office and Professional

(PBC) Planned Business Center

(R-1) Single Family

(R-1A) Single Family Medium Density

(R-1B) Rural Residential Estate

(R-4) Heavy Density Multiple Family

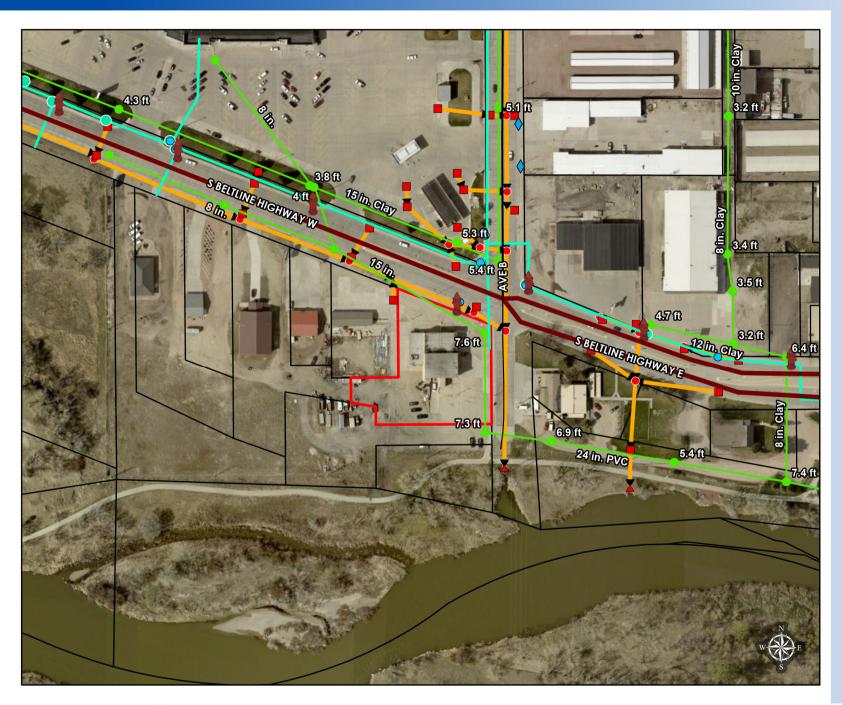
(R-6) Mobile Home

Taylor Stephens City of Scottsbluff GIS Created on 1/23/2023 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.



Utilities Overview



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

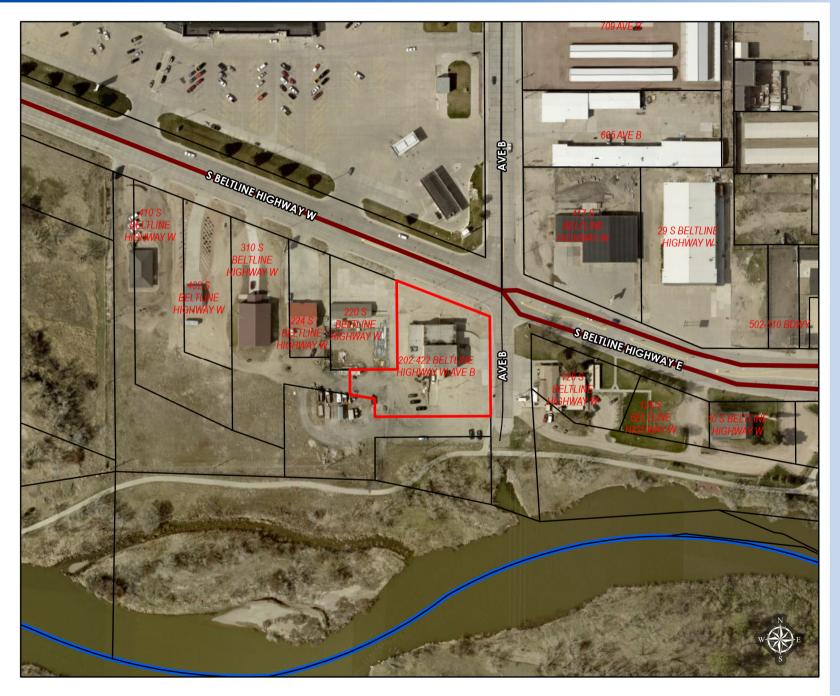
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Aerial Overview





- Corporate Limits
- Extended Jurisdiction
- Proposed Changes

Street Centerlines

CLASS

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

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2016 Comp. Plan Future Land Use Overview

