

City of Scottsbluff, Nebraska

Monday, May 1, 2023

Regular Meeting

Item Pub. Hear.1

Council to conduct a public hearing set for this date at 6:00 p.m. to consider the proposed Ordinance Text Change to Chapter 25 Article 3 regarding Planned Business Center Zoning District.

Staff Contact: Zachary Glaubius, Planning Administrator



Scottsbluff City Zoning Text Change Application

2525 Circle Drive, Scottsbluff, NE 69361
Telephone (308) 630-6243 Fax (308) 630-6204
www.scottsbluff.org

Project Information

Application Date: **3-17-23** Number (Office Use Only):

Comprehensive Plan Designation: **Highway 26 Commercial** Comprehensive Plan Amendment Required? **No**

Brief description of text change request:
Remove the minimum lot size in the PBC district and replace it with a minimum district size of 8 acres

Applicant Information

Applicant: **John Vornholt** Property Owner: **Scottsbluff KM Redevelopment LLC**
Address: **1445 N. Loop West Suite 625** Telephone: **713-554-7600**
City: **Houston** State: **TX** Zip: **77008** Alt. Telephone:

City Development Process and Requirements

- Staff Review Time:** Approximately 3 to 4 weeks prior to the Public Hearing date. Notice to the newspaper must be mailed out 2 1/2 weeks prior to the meeting 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
- Zoning Ordinance Text Change Fees \$100.00 plus cost of public hearing notice

- Desired Text Change - on disk or emailed to the City Development Service Department in Word format and any other supporting documentation.
- A Letter and/or packet from the petitioner that the proposed text change:
 - Would provide a service needed by the city and/or residents of the community and will be consistent with sound land use principles.
 - The text change will not be injurious to adjacent properties or uses throughout the city or environment.
 - Will the proposed text change create special hazards or problems.
 - Would the proposed text change be harmonious and consistent with the Comprehensive Plan.
 - Why the proposed text change is needed.

If any of these items are not submitted or answered with the application the City 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 text change request and either approve, approve with conditions or deny the request.

March 20, 2023

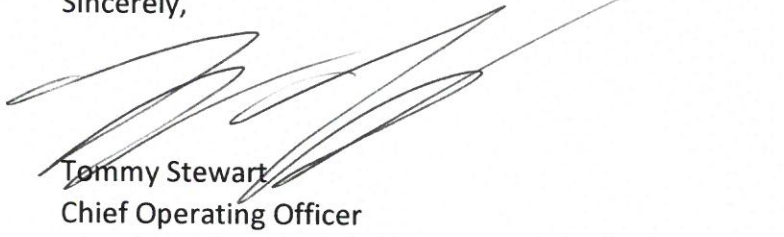
Mr. Zachary Glaubius
Development Services Director
City of Scottsbluff
2525 Circle Drive
Scottsbluff, NE 69361

Re: Zoning Text Amendment

Dear Mr. Glaubius:

Please find enclosed an application for a zoning text change. We ask that the language in the PBC district be revised to eliminate a minimum lot size and provide that the district must have a minimum size of 8 acres. This will allow the redevelopment of both the Uptown Mall and the former Kmart properties. This letter confirms the proposed text change will meet all of the checkboxes in the application.

Sincerely,



Tommy Stewart
Chief Operating Officer

Enc.

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 28, 2023

For Hearing of: April 10, 2023



I. GENERAL INFORMATION

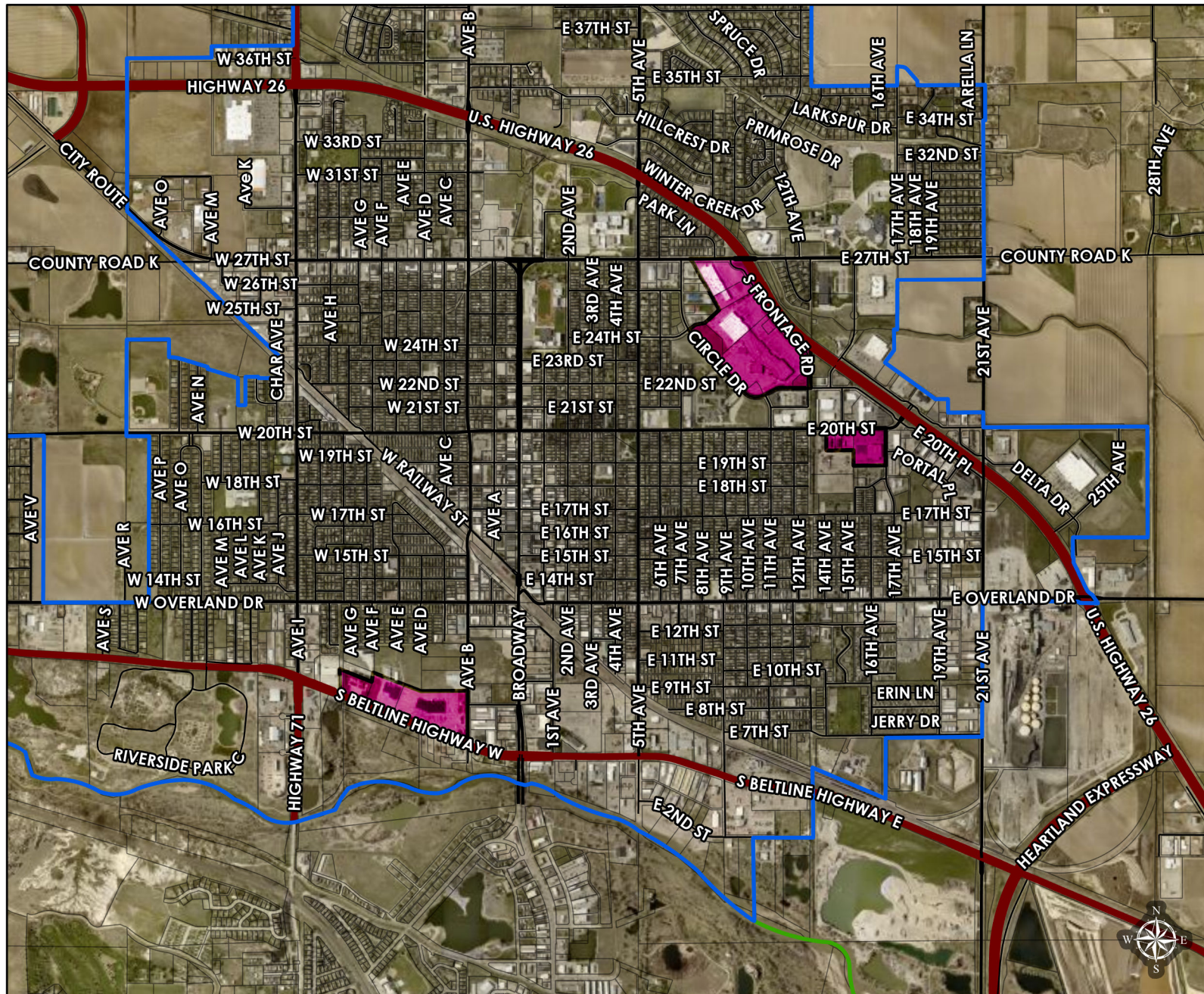
- A. On March 17, 2023, Rockstep Capital submitted an application for a zoning ordinance text change for 25-3-12 regarding minimum lot size of the Planned Business Center District (PBC).
- B. Currently, 25-3-12 requires lots in the PBC district to be a minimum of 5 acres.
- C. Rockstep Capital and the City of Scottsbluff Development Services Department agreed to the proposal of removing the minimum lot size and replacing it with a minimum district size.
- D. The minimum district size would be 8 acres.
 - i. There are three PBC districts in the City. The smallest is approximately 8.5 acres.
 - 1. Uptown Scottsbluff & Kmart: Approximately 46 acres
 - 2. Main Street Market: 24 acres
 - 3. Murdochs: approximately 8.5 acres

II. STAFF COMMENTS

- A. The current 5-acre minimum lot size prohibits the creation of small outlots around the former Kmart and Uptown Scottsbluff Mall, which limits the redevelopment of both sites.
- B. There are existing lots in the three PBC districts which do not meet this 5-acre minimum.
- C. All other commercial and industrial zoning districts of the City do not have a required minimum lot size.
- D. Staff reviewed the zoning code of other Nebraska cities to find equivalents of the City's PBC district.
 - i. Lincoln has a Regional Planned Business Center in which there is a minimum district size of 30 acres. There is no minimum lot size.
- E. This zoning text change would open up land currently underutilized as parking lot to redevelopment.
- F. The 8-acre minimum prevents the creation of any existing non-conforming PBC districts as the smallest PBC district is approximately 8.5 acres.
- G. The 8-acre minimum district size is consistent with the intent of the PBC district under 25-3-12 (A).

III. STAFF RECCOMENDATION

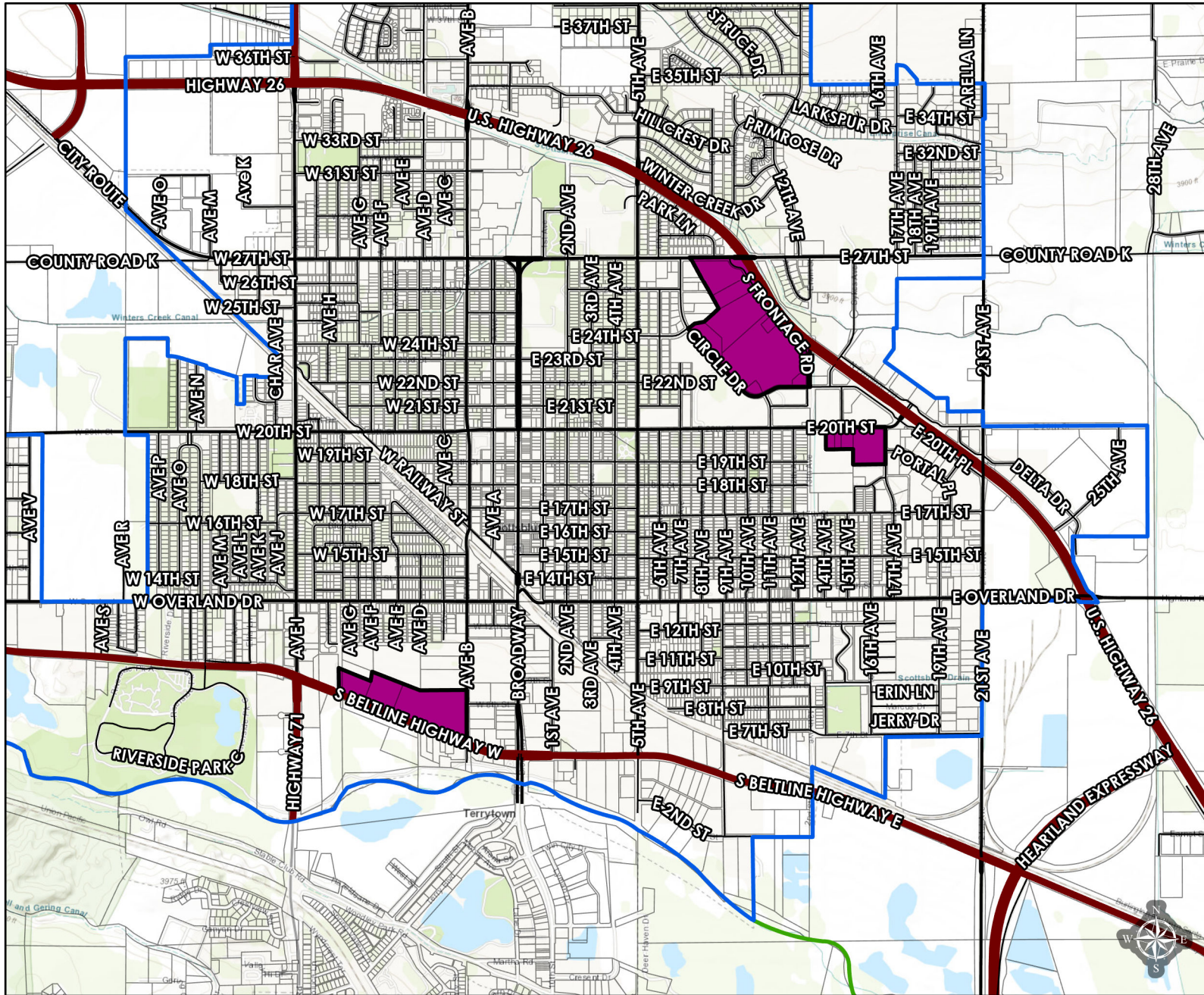
- A. Staff recommends the Planning Commission make a positive recommendation to City Council on the adoption of the revised 25-3-12 regarding the replacement of PBC lot minimum size to PBC district minimum size.



- Corporate Limits
- Extended Jurisdiction
- Parcel Boundaries
- Street Centerlines**
- Highway
- Main Road
- Residential/Rural
- 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 3/31/2023
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.



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