

# **City of Scottsbluff, Nebraska**

**Monday, September 9, 2013**

**Regular Meeting**

## **Item NewBiz3**

### **Rezone - Proposed Lot 1, Block 2, Windbreak Subd**

*Rezone: from Agricultural to R-1 Rural Residential*

*Applicant: Anderson-Shaw Investments, LLC (M.C. Schaff)*

*Owner(s): Anderson-Shaw Investments, LLC*

*Location: N end of 17th Ave., W. of 21st Ave*

**Staff Contact: Annie Urdiales**

# ***SCOTTSBLUFF CITY***

## ***PLANNING COMMISSION STAFF REPORT***

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<b>To:</b>	Planning Commission	<b>Zoning:</b>	Ag currently
<b>From:</b>	Development Services Department	<b>Property Size:</b>	1.60 acres ±
<b>Date:</b>	September 9, 2013	<b># Lots/Units:</b>	1
<b>Subject:</b>	Rezone parcel from Ag to R-1		
<b>Location:</b>	West of Sugar Factory Road, end of 17 <sup>th</sup> Ave.		

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### **Procedure**

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

**Public Notice:** This item was noticed in the paper and a notice was posted on the property

### **Background**

The applicant(s), Anderson-Shaw Investments, LLC, have requested a rezone for proposed Lot 1, Block 2, Windbreak Subdivision a survey plat situated in the SE¼ of Section 13, T22N, R55W. This parcel is in currently in the City's extra territorial jurisdiction and situated north of 17<sup>th</sup> Avenue and west of Sugar Factory Road. The applicants are requesting a change from Ag – Agricultural to R-1 Single Family Residential. The applicants are also proposing to annex this parcel into the City's corporate limits. The purpose of the rezone & subdivision is to allow for transfer of ownership.

Zoning districts to the northeast is Ag, Ag Residential to the northwest, southwest it's R-, and R-1A to the southeast.

The parcel is currently part of a 54 acre parcel lying west of Sugar Factory Road and north of East 34<sup>th</sup> Street. The plan is to split a 1.60 acre parcel from the farmed land. The smaller parcel will not meet the minimum lot size requirements of the Ag district. Thus the request to change the zoning to R-1 single family residential, the 1.6 acre parcel meets the performance guidelines of this residential zoning district.

The Comprehensive Plan Future Land Use Map designates this property as Single Family Residential. There has been no comment received from the public.

**Staff Recommendation:** Approve the rezone of proposed Lot 1, Block 2, Windbreak Subdivision, to R-1 Single Family Residential, subject to the rezone becoming effective upon filing of the Plat.

**Findings of Fact** could include; Residential is a logical transition from Agricultural to Single Family Residential; the zoning is compatible with the Comprehensive Plan.

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## **RECOMMENDATION**

### **Approve**

Make a POSITIVE RECOMMENDATION to the City Council to rezone proposed Lot 1, Block 2, Windbreak Subdivision (1.60 acres±) from A- Agricultural to R-1 Single Family Residential subject to the following condition(s):

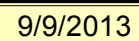
### **Deny**

Make a NEGATIVE RECOMMENDATION to the City Council to rezone proposed Lot 1, Block 2, Windbreak Subdivision (1.60 acres±) from A- Agricultural to R-1 Single Family Residential for the following reason(s):

### **Table**

Make the motion to TABLE the rezone request to rezone proposed Lot 1, Block 2, Windbreak Subdivision (1.60 acres±) from A- Agricultural to R-1 Single Family Residential for the following reason(s):

Ag to R-1



Map by A. Urdiales: City of Scottsbluff  
Coordinate System:  
NAD 1983 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.

