



CITY OF SCOTTSBLUFF
Scottsbluff City Hall Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
PLANNING COMMISSION AGENDA
Monday, September 13, 2021
6:00 PM

- 1. Roll Call:**
- 2. Nebraska open Meetings Act:** For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the south wall of the council chambers.
- 3. Notice of Changes in the Agenda by the City Manager:** Additions may not be made to this agenda less than 24-hours before the beginning of the meeting unless added under item 4 of this agenda.
- 4. Citizens with Items not Scheduled on the Regular Agenda:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.
- 5. Approval of the Planning Commission Minutes From:**
A August 9, 2021
- 6. New Business :**
 - A Kersch Powerhouse Renovation Project**
 - i. Conduct public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Kersch, LLC for the Kersch Powerhouse Renovation Project. The area to be redeveloped under the Redevelopment Plan is described as Lots 17 and 18, Block 2, Original Town Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, commonly known as 1721 Broadway, Scottsbluff, Nebraska.
 - ii. Review and take action on a resolution recommending approval of the Redevelopment Plan for the Kersch Powerhouse Renovation Project submitted by Kersch, LLC.
 - B Zoning Text Amendment**
 - i. Chapter 25 Article 2
 1. 25-2-40 "Family"
- 7. Adjourn**

City of Scottsbluff, Nebraska
Monday, September 13, 2021
Regular Meeting

Item Appr. Min.1

August 9, 2021

Staff Contact: Zachary Glaubius, Planning Administrator

PLANING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
August 9, 2021
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, August 9, 2021, at 6:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of local circulation in the City, on July 30, 2021. The notice stated the date, time, and location of the meeting, and that the meeting was open to the public, that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda is kept current and available for public inspection at the Development Services office provided; the Planning Commission can modify the agenda at the meeting, if the business was determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chairman Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Mark Westphal, Henry Huber, Dana Weber, Callan Wayman, Jim Zitterkopf, Angie Aguillo "Absent": Anita Chadwick, Dave Gompert, Becky Estrada, Linda Redfern (Alternate). City Officials present were Zachary Glaubius, Secretary/Planning Administrator, Gary Batt, Code Administrator II, and Anthony Murphy, Fire Prevention Officer.
- 2 Chairman Weber informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the July 12, 2021 meeting were reviewed. Conclusion, a motion was made by Zitterkopf and seconded by Wayman to approve the minutes from January 25, 2021 meeting. "Yeas": Westphal, Huber, Wayman, Zitterkopf, Weber Aguillo, "Abstained": None, "Absent": Chadwick, Gompert, Estrada, Redfern. The motion carried.
- 6 Chairman Weber asked Commissioner Westphal to state his conflict of interest with the Final Plat of Lots 7A and 7B, Block 1, Quindt Commerical Tracts. Westphal stated he stand down from commenting as he has a conflict of interest. Weber stated Westphal is involved in the transaction and therefore excusing himself from voting, but that Westphal could comment as a member of the public. Weber stated Westphal could remain at the chamber platform, which the Planning Commission members agreed to.
- 7 Chairman Weber opened the public hearing for the Final Plat of Lots 7A & 7B of Block 1, Quindt Commercial Tracts. Weber asked Glaubius for an overview of the final plat. Glaubius stated the area is currently zoned C-2 and currently used as a convenience warehouse storage facility. Glaubius stated the lot is located at 2001 E. 20th Street, has an area of approximately 20,038 sq. ft. and is surrounding by C-2 zoning. Glaubius stated the parcel was issued a certificate of occupancy by the city on July 20, 2021 for convenience warehouse storage facility. He continued that the 2016 Comprehensive Plan shows the future land use of the area as Highway 26 Commercial. Glaubius stated the current access to the lot is frontage to E. 20th Street, which would remain the same the proposed lots with the addition of a 20' access easement. Glaubius commented on the definition of a convenience warehouse storage facility as per 25-2-27.1, and stated the current use has an off-street parking requirement of one stall per 1000 sq. ft of building. Glaubius stated the proposed Lot 7B will not meet the criteria of a convenience warehouse storage facility if on a separate lot as single bay storage is a not a permitted use in

the C-2 zoning district. He also stated no sidewalks are in the lot which is in conflict with 21-1-36. Glaubius stated the findings of facts to recommend the approval of the final plat. He stated the comprehensive plan identifies the area as commercial, which it will remain if the subdivision is approved. He also stated there are no applicable setbacks or lot coverages in the C-2 zoning district, and that the 20' access easement will provide access to the off-street parking of Lot 7B and the majority of off-street parking 7A. Glaubius stated the current usage of Lot 7 and proposed Lot 7A will meet the off-street parking requirements. Glaubius stated Lot 7B will meet the parking requirements and be a permitted use if used as a convenience warehouse storage facility per the letters in the agenda packet from the applicant and future owner. Glaubius stated the findings of facts to not recommend approval. Glaubius stated the existing Lot 7 currently has enough space for both warehouse use and general commercial use, which is one space per every 500 sq. ft. of building, and by splitting the lot, both Lot 7A and Lot 7B will be restricted to only warehousing and wholesaling uses. Glaubius stated the building on Lot 7B will be a single bay storage building, which is not a permitted use in the C-2 district, and as a non-permitted use, it would be required to meet the general commercial off-street parking requirements of 1 space per 500 sq. ft. of building. Glaubius stated that Lot 7B does not have enough space for additionally parking. Glaubius stated that the parking of Lot 7B cannot be accessed without crossing onto Lot 7A. Glaubius then stated the comprehensive plan defines Highway 26 Commercial as motorized-vehicle oriented and given a vehicle cannot access off-street parking on Lot 7B, it is not motorized-vehicle oriented. Glaubius stated the small area of Lot 7B is not in character with lot sizes of the neighborhood which range from 12,000 sq. ft. to 50,000 sq. ft. Glaubius stated per analysis from the City of Scottsbluff GIS Department that there are 197 C-2 parcels in the corporate limits and only two other C-2 parcels are smaller than Lot 7B in the city and both are used as paved accesses. Glaubius stated that staff recommends the Planning Commission make a negative recommendation on the approval of the Final Plat of Lots 7A and 7B, Block 1, Quindt Commercial Tracts.

- 8 Chairman Weber asked if there was a representative for the Final Plat of Lots 7A and 7B, Block 1, Commercial Tracts. Jack Baker of Baker and Associates stated he was assisting Mr. Westphal and Mr. Mackrill, the future owner of Lot 7B, on the subdivision process. Baker stated the subdivision is limited by the constraints of existing buildings. Baker stated Mr. Mackrill has leased the building on the proposed Lot 7B from Mr. Westphal. Baker stated Mackrill and Westphal have come to agreement to sell Lot 7B to Mackrill. Baker stated Mackrill then intends to lease out part of the building to Mackrill's son and Mackrill's brother to comply with the convenient warehouse storage facility use which would comply with the C-2 zoning code and single parking stall requirement. Baker stated the 20' access easement will provide access and no variances are required. Baker stated the proposed subdivision meets all the city's requirement and should receive a positive recommendation. Baker stated that nothing on the lot would change from how it is today, which includes the parking. Baker went through the findings of fact. Baker stated in regards to limiting the use of Lots 7A and Lot 7B to wholesaling and warehousing, that the existing lot was built for warehousing and wholesaling which meets and will meet the parking requirements if approved. Baker stated if the use of the lot were to change and need more parking, the lot would need many more improvements. Baker stated a change in future use of the property should have no bearing on this final plat. Baker stated that the structure on Lot 7B is a rented space, and due to this no work could be done to make it a convenience warehouse facility. Baker stated Mackrill has plans already in place and a signed copy of a lease with his son to make the structure a convenience warehouse facility as soon as Mackrill owns the property. Baker stated In regards to V.B.4 on the staff report, the access easement on Lot 7A is there to permit access to Lot 7B, which is permissible. Baker stated in

regards to V.B.5, that nothing was changing on the lot and the access easement will provide access to the off-street parking. Baker stated in regards to the small size of the lot that it is a different, but there is no minimum lot size in the C-2 district. Baker stated that the reason for the small size is due to existing conditions and if it were a new lot, it would be done differently.

- 9 Wayman asked Baker what the width of the street frontage for both Lot 7A and Lot 7B. Wayman then stated that the lots can only provide the minimum parking requirements. Baker stated 14-15 stalls could be squeezed onto the lot, but typically there are only a few vehicles on site. Huber stated he received a call from the neighboring property owner to the west that several vehicles parking on the neighboring property. Huber stated the owner had concern about parking on Lot 7, and Huber inquired to the Planning Commission if anyone else was aware of parking issues there. Huber asked Baker why vehicles from Lot 7 are parking on the adjoining lot if there is ample parking currently. Baker stated he did not know why, and Westphal stated that should not be happening. Wayman stated that it is common with commercial properties to have vehicles park on nearby lots, and that could happen at any C-2 lot or the downtown area.
- 10 Wayman asked for clarification on V.A.5 which stated the Lot 7B will have a permitted use and meet the parking requirements while V.B.2 and V.B.3 state Lot 7B will not be a permitted use and not meet the parking requirements. Baker stated the use will not change. Glaubius stated that currently the structure on proposed Lot 7B is an accessory structure so it is a permitted use as there are other storage units in the main building. Glaubius stated the letters of intent state the building on Lot 7B will have separate units in it to meet the convenience warehouse storage facility definition. Wayman asked if additional doors would be need to access the different bays in the building proposed Lot 7B. Glaubius stated it would need to have separate accesses to each storage bay. Glaubius stated the reason for the V.B.2 and V.B.3 is due to the current configuration of the building on Lot 7B and no certificate of occupancy could be issued until it is in compliance. Baker stated there is already a separate loft in the building on the proposed Lot 7B that would be used as a storage unit. Zitterkopf asked if the city would enforce the sidewalk requirement and if it would be for the whole block or just these lots. Glaubius stated it would be required for these two lots. Glaubius stated he was unsure if this would be enforced. Westphal asked Baker how many feet are between the building and the curb of E. 20th Street. Baker stated he was unsure as that is past the property line. Westphal and Aguallo stated it was 14' feet per the final plat. Wayman stated that there were no neighbors present, and he looks to see if the neighbors would be affected by it. Wayman stated the neighbors seem to be unaffected, and if anyone would be detrimentally affected by the subdivision it would be Westphal who currently owns Lot 7A. Wayman made a positive recommendation. Zitterkopf seconded this.
- 11 Weber stated he had a few more questions, and he relies on experts to provide information and the city providing its view. Weber asked if everything would be in compliance with code if the applicants' follow through with their letters of intent. Aguallo asked if this should be a condition on the motion. Baker stated he thought this would be controlled by the city's issuance of a certificate of occupancy. Glaubius stated no certificate of occupancy could be issued to the building on the proposed Lot 7B until it is in compliance with the requirements of city code. Weber asked Glaubius that if the applicant's followed through with requirements including the sidewalks and permitted use, would it be a permitted use? Glaubius stated he cannot speak for the sidewalk as no plans have been submitted, but the letters of intent state the use of the building of proposed 7B would be permitted use. Weber asked how much of an issue would the sidewalks be. Glaubius stated this was included in the staff comments as it a requirement of the city's subdivision code. Weber stated he was inclined to pass the final plat to the city council; however, he does not want the Planning Commission to send anything out of compliance to the City Council and set a precedent that the Planning Commission is willing to violate city code.

Weber stated he was in favor of a positive recommendation since there are assurances the final plat will meet the requirements of city code.

- 12 Westphal added he had to apply for a certificate of occupancy for both buildings to comply with the zoning code, and that everything cleared. Weber suggested the Planning Commission may need to look at the code as this final plat seems like a “no brainer” since there is an owner who wants to sell, and Aguallo added that the renter of the other building wants to buy. Weber questioned the negative staff recommendation. Glaubius stated staff was not only concerned about current use, but future use. Glaubius stated that due to the small size and lack of space for additional parking, these lots will strictly be limited to warehouse and wholesaling uses. Glaubius added that staff has concerns about access in the future as Westphal and Mackrill get along right now, but that may change in the future or with future owners of the land. Westphal asked Glaubius about the parking space south of the building on Lot 7B and putting down a concrete drive. Westphal stated he had asked Glaubius before, but did not understand why this would not be allowed. Glaubius stated the access concerns are for the access on the property and not from the right-of-way. Glaubius stated the parking south of the building on the proposed Lot 7B is in the right-of-way and therefore considered non-applicable on-street parking. Westphal stated that it would not be on-street parking as its not on the street. Batt informed Westphal that the property line sets back farther than curb.
- 13 Weber referred to Wayman’s motion, and Zitterkopf’s second to make a positive recommendation on the approval of the Final Plat of Lots 7A and 7B, Block 1, Quindt Commercial Tracts to City Council. “Yeas”: Huber, Wayman, Zitterkopf, Weber, Aguallo. “Abstained”: Westphal “Absent”: Estrda, Gompert, Chadwick, Redfern. The motion carried.
- 14 Chairman Weber asked if there was any further business, with there being none, he declared the meeting adjourned at 6:32 PM with the members to signify by saying Aye. Westphal, Huber, Wayman, Zitterkopf, Weber, Aguallo all signified by saying aye.

Chairman Dana Weber

Zachary Glaubius, Secretary

City of Scottsbluff, Nebraska

Monday, September 13, 2021

Regular Meeting

Item New Bus1

Kersch Powerhouse Renovation Project

i. Conduct public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Kersch, LLC for the Kersch Powerhouse Renovation Project. The area to be redeveloped under the Redevelopment Plan is described as Lots 17 and 18, Block 2, Original Town Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, commonly known as 1721 Broadway, Scottsbluff, Nebraska.

ii. Review and take action on a resolution recommending approval of the Redevelopment Plan for the Kersch Powerhouse Renovation Project submitted by Kersch, LLC.

Staff Contact: Zachary Glaubius, Planning Administrator

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ALLIANCE OFFICE
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Please Direct All
Correspondence
To Scottsbluff Office

To: City of Scottsbluff Planning Commission
From: John L. Selzer, Deputy City Attorney
Date: September 8, 2021
Re: Kersch Powerhouse Renovation Redevelopment Plan

Introduction: At your September 13, 2021 meeting you will conduct a public hearing regarding the Redevelopment Plan for the Kersch Powerhouse Renovation Project (the “Plan” and the “Project”). The Plan is currently a preliminary plan and there may be updates to the Plan. However, there are no updates expected which would change the issues addressed in this memo. The proposed Project is in an area that has been designated as blighted and substandard and in need of redevelopment. After the public hearing, you will make a recommendation regarding the Plan and Project to the Scottsbluff Community Redevelopment Authority (“CRA”) and City Council.

Standard of Review: The Planning Commission is tasked with reviewing and recommending whether the Project and Plan conform to the general plan for development of the City as a whole. Thus, you must analyze whether the Project and Plan conform to the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”).

Issues Relevant to Your Review: The Project Site is described as Lots 17 and 18, Block 2, Original Town Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska (Scotts Bluff County Parcel ID 010305203), commonly known as 1721 Broadway, Scottsbluff, Nebraska.

According to the 2016 Scottsbluff Comprehensive Plan, the Project Site is in the Downtown District and in the Central Business District Neighborhood. A theme for the Downtown District is to grow as a regional leader of commerce and economic activity. The Redeveloper’s development of an additional restaurant option in the downtown area, within close proximity to already established restaurants, provides an additional attraction to the downtown area. Principles for sustainable development for the Downtown District include retaining historical value of existing buildings and encouraging upper story housing to increase vitality to the Downtown District. The Central Business District Neighborhood contemplates active daytime, evening, and nighttime activities and C-1 as the appropriate zone. The Redeveloper’s development of the Project Site is consistent with the Comprehensive Plan.

The Project Site is zoned as C-1 (Central Business District) which includes restaurants, bars, taverns, professional and service offices, and rooming and residential use above the ground floor as principal permitted uses. Thus, no zoning changes are necessary.

Conclusion: If at the conclusion of the public hearing, the Planning Commission feels that the proposed Project and Plan conform to the Comprehensive Plan, it may recommend approval of the Plan and Project to the CRA and City Council. A proposed resolution has been provided.

CITY OF SCOTTSBLUFF REDEVELOPMENT PLAN
Kersch Powerhouse Renovation

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Attachments

Attachment 1: *Blighted and Substandard Maps*

Attachment 2: *Maps of Project Site*

Attachment 3: *Project Highlights*

Attachment 4: *Utilization*

Attachment 5: *Site Plan/Schematics/Layouts*

Attachment 6: *Existing Site Photographs*

Attachment 7: *Excerpts from Comprehensive Plan*

Attachment 8: *Proposed Cost-Benefit Analysis*

CITY OF SCOTTSBLUFF REDEVELOPMENT PLAN
Kersch Powerhouse Renovation

1. Introduction/Executive Summary

Kersch, LLC (the “Redeveloper”) submits this Redevelopment Plan (“Plan”) to the City of Scottsbluff City Council (the “City”), the City of Scottsbluff Planning Commission (“Planning Commission”), and the City of Scottsbluff Community Redevelopment Authority (the “CRA”), according to the Nebraska Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*

Under this Plan, the Redeveloper proposes to acquire, rehabilitate, and renovate the “Project Site” to provide for a new restaurant, office space, and furnished apartments (the “Project”). The Project Site has been declared to be blighted and substandard. The Redeveloper is requesting tax increment financing for certain eligible costs and expenses related to the Project.

2. Blighted and Substandard Condition of Project Site (NEB. REV. STAT. §§ 18-2103 (3) and (31) and 18-2109)

The City has declared the Project Site and surrounding areas as blighted and substandard as defined in the Nebraska Community Development Law. *See* Attachment 1.

3. Statutory Elements (NEB. REV. STAT. §§ 18-2103(27) and 18-2111)

- A. *Boundaries of the Project Site:*** The Project Site is described as Lots 17 and 18, Block 2, Original Town Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska (Scotts Bluff County Parcel ID 010305203), commonly known as 1721 Broadway, Scottsbluff, Nebraska. Aerial maps of the Project Site are attached as Attachment 2.
- B. *Land Acquisition:*** The Redeveloper has a purchase agreement for the Project Site with the current owner.
- C. *Land Uses:*** The Redeveloper proposes to rehabilitate and renovate the “Project Site” to provide for a new restaurant, office space, and furnished apartments. *See* Attachments 3-5.
- D. *Land Coverage and Building Intensities:*** The Project Site is approximately 7,000 square feet. The footprint of the building on the Project Site is approximately 5,000 square feet. The building has a basement and four above-ground floors. Paving on the east side of the Project Site comprises approximately 2,000 square feet.
- E. *Site Plan:*** *See* Attachment 5.
- F. *Existing Uses and Condition:*** The first floor of the building on the Project Site had a banquet space, but is now vacant. The second floor is comprised of 50% occupied office space. The third floor has unoccupied office space. The fourth floor has unoccupied open space with unfinished remodeling. *See* Attachment 4. *See* Attachment 6 for Existing Site Photographs.
- G. *Demolition and Removal of Structures:*** No demolition is required for this Project.

- H. Population Densities:* The Plan does not contemplate a change in population densities around the Project Site. Increased traffic to and use on the Project Site will likely result due to the increased employment, occupancy, and customers on the Project Site.
- I. Zoning Changes:* The Project Site is zoned as C-1 (Central Business District) which includes restaurants, bars, taverns, professional and service offices, and rooming and residential use above the ground floor as principal permitted uses. Thus, no zoning changes are necessary.
- J. Additional Public Facilities and Utilities:* No additional public facilities and utilities are anticipated.
- K. Street Layouts, Street Levels, and Grades:* No changes to street layouts, street levels, and grades are needed for this Plan.
- L. Ordinance and Building Code Changes:* No ordinance or building code changes are contemplated by the Plan.

4. **Conformity to General Plan of the City (NEB. REV. STAT. §§ 18-2112, 18-2113(1), and 18-2116(1)(a)).**

The Planning Commission, City, and CRA are all tasked with determining whether this Plan conforms to the general plan for the development of the City as a whole. NEB. REV. STAT. §§ 18-2112, 18-2113(1), and 18-2116(1)(a).

According to the 2016 Scottsbluff Comprehensive Plan, the Project Site is in the Downtown District and in the Central Business District Neighborhood. A theme for the Downtown District is to grow as a regional leader of commerce and economic activity. The Redeveloper's development of an additional restaurant option in the downtown area, within close proximity to already established restaurants, provides an additional attraction to the downtown area. Principles for sustainable development for the Downtown District include retaining historical value of existing buildings and encouraging upper story housing to increase vitality to the Downtown District. The Central Business District Neighborhood contemplates active daytime, evening, and nighttime activities and C-1 as the appropriate zone. The Redeveloper's development of the Project Site is consistent with the Comprehensive Plan. Relevant excerpts from the Comprehensive Plan are attached as Attachment 7.

5. Proposed Financing

A. Tax Increment Financing. The Redeveloper is requesting tax increment financing to pay for statutorily eligible expenses, to the extent such funds are available. The tax increment financing will be generated from the increased property taxes to be paid on the Project Site after development all according to NEB. REV. STAT. § 18-2147. The amount of the available proceeds from tax increment financing ("TIF Revenues") is estimated at approximately \$956,310.00 calculated as follows:

a. Estimated Base Value:	\$ 274,294.00
b. Estimated Project Completion Value:	\$3,000,000.00
c. Tax Increment (b minus a):	\$2,725,706.00
d. Estimated Levy:	2.339%
e. Annual Projected Shift (rounded):	\$ 63,754.00
f. Total TIF Available (e multiplied by 15)	\$ 956,310.00

Note: The above figures are based on estimated values, project completion/phasing timelines, and levy rates. Actual values and rates may vary materially from the estimated amounts.

The TIF Revenues will be used to make principal and interest payments toward a tax increment financing bond ("TIF Indebtedness") to be held or sold by the Redeveloper. The principal amount of the TIF Indebtedness will be based on the eligible expenses actually incurred. The interest rate will be established as set forth in the Redevelopment Contract.

Because the Plan proposes the use of tax increment financing, the City must find that the Plan would not be economically feasible without the use of tax increment financing and the Project would not occur in the blighted and substandard area without the use of tax increment financing. The City and the CRA must also find that the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed and been found to be in the long-term best interest of the community. NEB. REV. STAT. §§ 18-2113(2) and 18-2116(1)(b).

The Redeveloper certifies that the Plan would not be economically feasible and would not occur in the blighted and substandard area without the use of tax increment financing. Because of high acquisition and renovation costs, tax-increment financing is a necessary source of funding for the Project.

Notwithstanding the foregoing, the Redeveloper understands the liability of the CRA and City shall be limited to the TIF Revenues received by the CRA with respect to the Project available to pay the TIF Indebtedness issued for this Project and the Redeveloper shall look exclusively thereto for the payment on any TIF Indebtedness. The Redeveloper acknowledges that the above figures are, and any TIF Indebtedness will be set, based on estimates and assumptions, including expectations as to the completion of construction and valuations, suggested by the Redeveloper, which may alter substantially and materially, and/or certain project costs incurred by the Redeveloper, and that tax increment revenues may be altered or eliminated entirely based on future decisions of the Nebraska Legislature or the voters of the State of Nebraska or by future court decisions.

Below are the portions of the project, and estimated cost that the Redeveloper proposes to be paid for with TIF Revenues, to the extent available:

Description	Estimated Costs
Land Acquisition	\$ 950,000.00
Sitework	\$ 10,000.00
Fire Suppression	\$ 250,000.00
Plan Preparation/Legal	\$ 14,810.00
Total	\$ 1,224,810.00

B. Private Investment/Financing. The estimated TIF Revenues available will not be sufficient to cover the eligible costs. The Redeveloper will make a substantial private investment in and obtain private financing for the Project estimated at almost \$1,325,500.00.

C. Workforce Housing/Façade Grants. The Redeveloper is also budgeting for approximately \$380,000.00 in workforce housing and façade grants.

Below is a breakdown of estimated costs and expenses of the Project and the use of funds for each. A "TIF Adjustment" is made to show the TIF expenses that will not be covered by TIF, but rather private investment. This breakdown does not account for interest to be paid out of TIF funds.

Description	TIF Funds	Private Funds	
Land Acquisition	\$ 950,000.00		
Sitework	\$ 10,000.00		
Masonry		\$ 22,000.00	
Woods and Plastics		\$ 140,000.00	
Thermal Moisture		\$ 87,500.00	
Doors and Windows		\$ 85,000.00	
Finishes		\$ 147,000.00	
Specialties		\$ 16,000.00	
Fire Suppression	\$ 250,000.00		
Conveying System		\$ 209,500.00	
Mechanical		\$ 132,000.00	
Electrical		\$ 107,000.00	
Owner Supplied Items		\$ 38,500.00	
Indirect Construction Costs		\$ 11,000.00	
Permits, Taps, Impact Fees		\$ 3,000.00	
Telecommunication		\$ 3,500.00	
Commercial Equipment/Appliances		\$ 120,000.00	
Computers		\$ 7,500.00	
Supplies		\$ 12,500.00	
Decorative (FF&E)		\$ 165,000.00	
A/E Design		\$ 130,000.00	
Subtotals	\$ 1,210,000.00	\$ 1,437,000.00	\$ 2,647,000.00
Plan Preparation/Legal	\$ 14,810.00		
TIF Adjustment*	\$ (268,500.00)	\$ 268,500.00	Total Project Cost
Totals	\$ 956,310.00	\$ 1,705,500.00	\$ 2,661,810.00
Workforce Housing Grant/Façade Grant**		\$ (380,000.00)	
		\$ 1,325,500.00	
*Adjustment showing certain TIF costs estimated to not be covered by TIF proceeds			
**Shown for purposes of analyzing private investment			

Please note that all the figures in this Plan are estimates and tax increment financing granted will be based on actual costs incurred for eligible expenses, as limited by tax increment revenues received.

A proposed statutory Cost-Benefit Analysis of the Project is attached as Attachment 8.

6. Implementation of the Plan

Upon approval of this Plan, the Redeveloper will enter into a Redevelopment Contract with the CRA which shall govern the implementation of this Plan. All public improvements related to this Plan shall be according to (a) plans and specifications approved in writing by the City in advance of commencement of construction, (b) all ordinances and codes adopted by the City, as in effect at the time that the public improvements are constructed, and (c) any other agreement related to the public improvements between the Redeveloper and the City. The Redevelopment Contract between the Redeveloper and the CRA shall not replace or supersede the need for the Redeveloper to obtain other agreements, consents, permits, or licenses from the City related to the public improvements or other improvements as may be required by the City for the type of work to be performed on the Project Site.

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 1
Blighted and Substandard Maps**

Highway

Highway

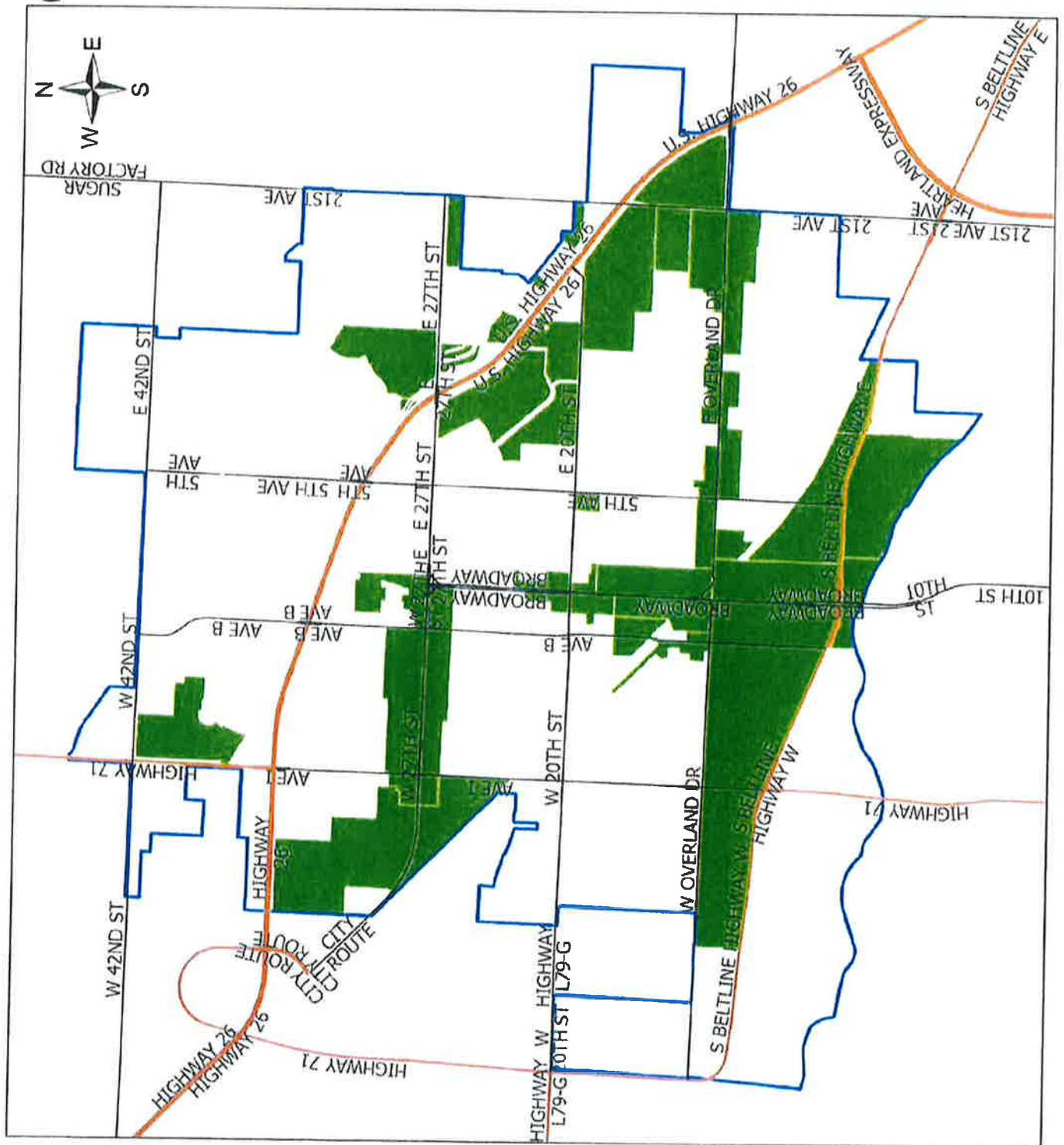
Main Road

Residential

Corporate Limits

Blight Areas

Taylor Stephens
City of Scottsbluff GIS
Created on April 19, 2021
Updated on June 23, 2021
Coordinate System:
NAD 1983 State Plane Nebraska
FIPS 2600 Feet
Lambert Conformal Conic



Blighted and Substandard Area Area Closeup

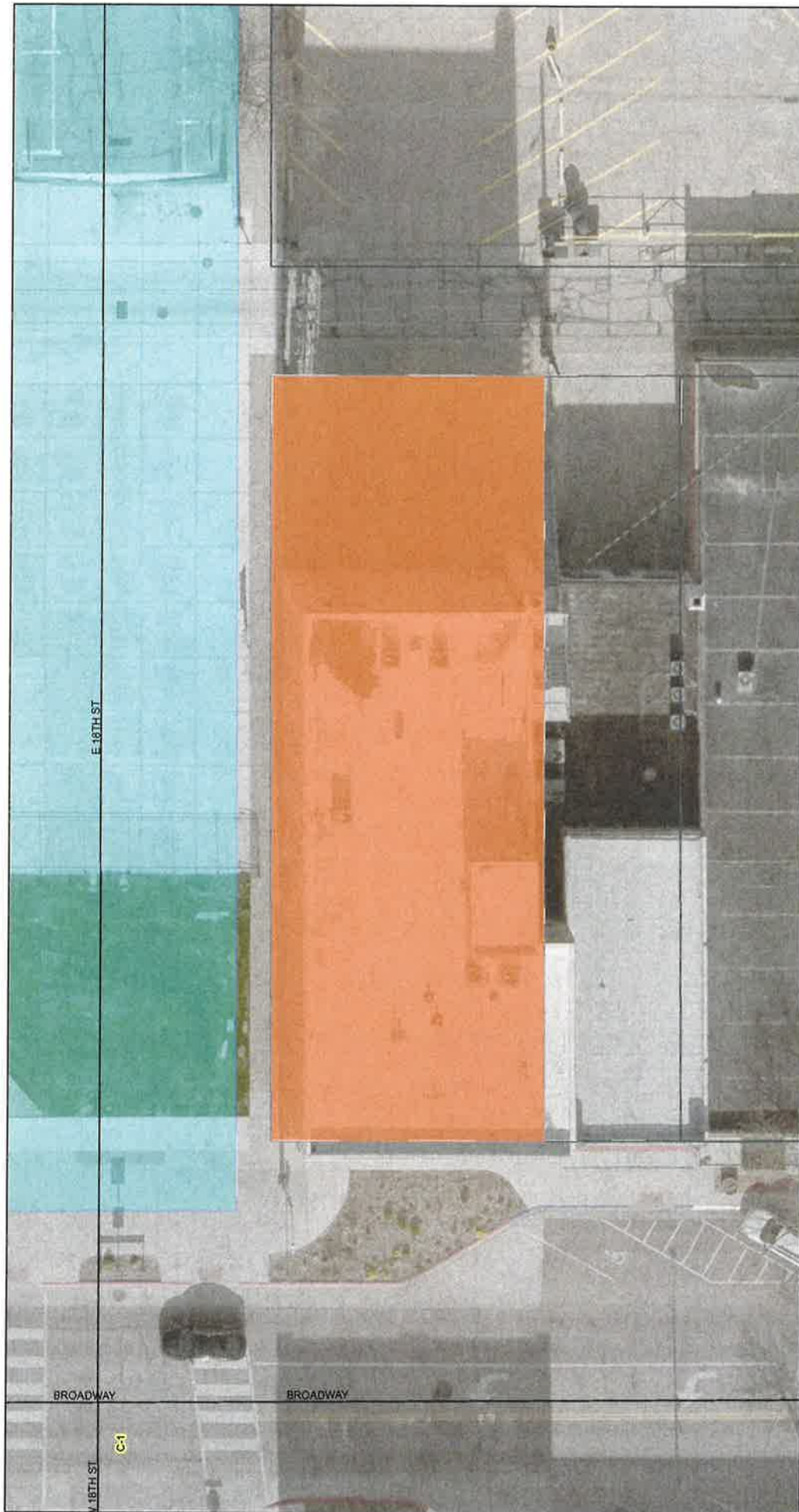


September 1, 2021

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 2
Maps of Project Site**



Project Site



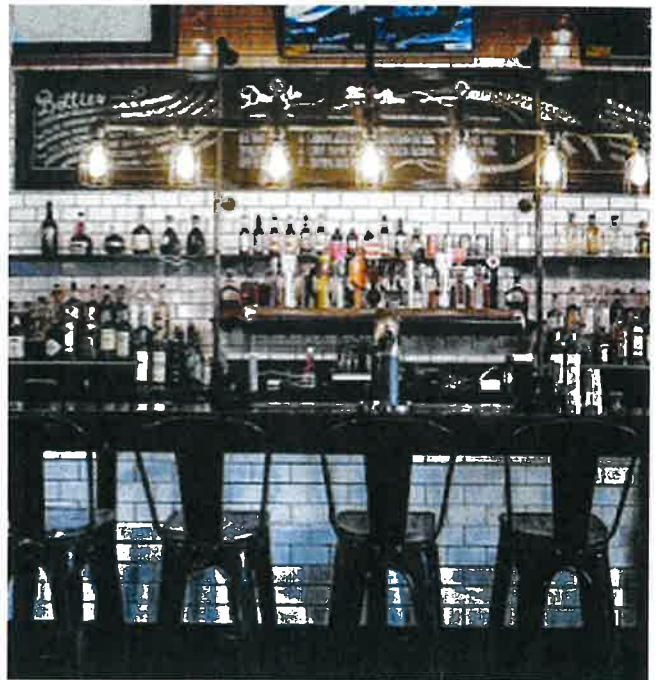
September 1, 2021

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 3
Project Highlights**

CONFIDENTIAL AND PROPRIETARY

TAB 4

PROJECT HIGHLIGHTS



POWERHOUSE - SCOTTSBLUFF

PROJECT HIGHLIGHTS

This market analysis and economic feasibility study represents our best judgment and professional opinion based on a thorough review of the building supply and demand of the Scottsbluff/Gering market area. This report was compiled by Dave Schaff, a local business executive with experience with commercial and residential properties in the region. Mr. Schaff has worked as a Civil Engineer in the Pacific Northwest as well as western Nebraska. He grew up in the area, went to school at the University of Wyoming and moved back to Scottsbluff over 20-years ago after living and working in the Seattle area. Mr. Schaff currently owns or is a partner in 7 corporations and is actively involved in all of them. His most recent venture included the Fairfield Inn and Suites in Scottsbluff, NE.

Below: Existing Restaurant Space



Here is an Executive Summary of our findings and conclusions:

Forecast of Future Performance

Based on economic indicators and market drivers, the proposed property (the Powerhouse) could achieve a permanent restaurant tenant on the first floor and a first year occupancy of 65.0% in the executive apartments with an average monthly revenue of \$27,593.00 (\$331,116.00 annually). We forecast the first year total gross operating profit of \$69,628 and cash available for debt service at 58% or \$192,160.20.

General Market Trends

The Scottsbluff/Gering area is the regional economic and social hub of the Nebraska panhandle. The market trends regarding housing, median household income, employment growth and new business growth provide a positive environment for the development of the downtown property. The only issue that we are concerned about is the labor situation in the Scottsbluff/Gering area. Unemployment is extremely low and filling the property with businesses at lower wage, entry level jobs have become somewhat difficult for existing businesses.

POWERHOUSE - SCOTTSBLUFF

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*The
Scottsbluff/
Gering area
is the regional
economic and
social hub of
the Nebraska
panhandle.*

An additional restaurant option in the downtown area, in particular within close proximity to already established, trendy restaurants in the area, is a viable opportunity that will help attract additional patrons to the downtown area. It is anticipated that a midscale dining opportunity would help attract additional patrons based on more variety, which will help other eating establishments close by.

The existing office space located on the second floor is currently 60% occupied. The high end furnishings and unique style provided by the building should be in high demand for small, one office, and professional style tenants. It is anticipated that the unoccupied space could be 65% utilized with some additional marketing and advertising.

Having hospitality ties to the area, it is evident that additional space, in particular extended stay properties are in demand. By having the five furnished apartments available in a highly desirable area providing F/B as well as entertainment and workout space, an occupancy of 65% should be attainable based on hotel trends in the area. The property will need to be creative in marketing techniques. By capitalizing on the existing base of business travelers, the apartments should be able to attract high quality tenants who will be somewhat transient in nature seeking stays in the area of 2-weeks or more.

Site and Surrounding Area

We studied the site and surrounding area in terms of location, traffic, access, visibility, zoning, adjacent land uses, and adjacent land owners. We want to point out several items: (1) the property is located directly adjacent to the 18th Street Plaza. This area has seen a number of improvements in recent years including abandoning 18th Street right of way and pavement directly north of the property. This area is slated to go through additional improvements and will be a huge benefit to the proposed use of the property. By providing open public space adjacent to the building, the area will become more inviting for longer stays in the direct vicinity of downtown. In addition, there is a proposed stage area for regular entertainment adjacent to the building. This will allow for open seating at the property which would enhance the dining experience of the first

Below: 18th Street Plaza



POWERHOUSE - SCOTTSBLUFF

floor use as a restaurant. The farmers market and other planned annual events taking place in the plaza, once again will be a huge benefit for the building. (2) The facility is anticipating making use of the rooftop as an additional event space or scheduled bar use. Being unique to the area, this space should be profitable with some expense. The use of the rooftop now makes the building a 6-story investment property. (3) The property is located at the heart of the downtown and is a dominant structure for the Downtown Business District. Its current underutilization has been a detriment to other businesses in the area and by refocusing the District to more of an entertainment area, the property has a significant upside. (4) The property is located in the direct vicinity of the Midwest Theatre. The events held at the theatre will provide additional use during the winter months as they host a number of seasonal entertainment options. Partnering with the theatre will provide an additional opportunity during down months in the area.

Lodging Supply Analysis

There are twelve hotels in the Scotts Bluff County market area. They have a total of 700 guest rooms available per day and 254,405 available annually. Four hotels are considered primary competitors to the proposed property. Those hotels are the Fairfield Inn and Suites, (85 rooms), Hampton Inn & Suites Hotel and Conference Center (81 rooms), the Holiday Inn Express Hotel & Suites (70 rooms) and the Weborg 21 (newest property with 22 suites). The four hotels achieved an estimated 2018 year-end occupancy average of 65% and an estimated year-end average daily room rate of \$94.33. However, the only full suites available are in the Weborg 21 hotel located in an industrial area on the Scottsbluff/Gering highway.

Lodging Demand Analysis

The Scottsbluff/Gering area has a significant number of demand generators for lodging and the marketing should start the moment the property construction begins. The proposed apartments will have opportunities in every segment, in every season of the year. During the summer months, the leisure demand will provide the apartments with countless opportunities to fill space, we feel that once the property matures, the major extended stay generators will appreciate the location in downtown Scottsbluff along with its entertainment and eating opportunities.

Area businesses are generating demand and staying at hotels that are inadequate for their needs and creating negative guest experiences. This is pertaining primarily to the extended stay market that would prefer a fully furnished apartment. The Fairfield Inn, Hampton Inn and Holiday Inn Express have great guest scores, but very few others in the market do. We feel that the apartments should focus a significant effort on establishing themselves as a preferred extended stay lodging facility for the region and not just Scottsbluff. Niche marketing should be used to identify every type of visitor and to promote the apartments to each potential guest.

Below: Existing lodging supply examples in Scottsbluff/Gering area.

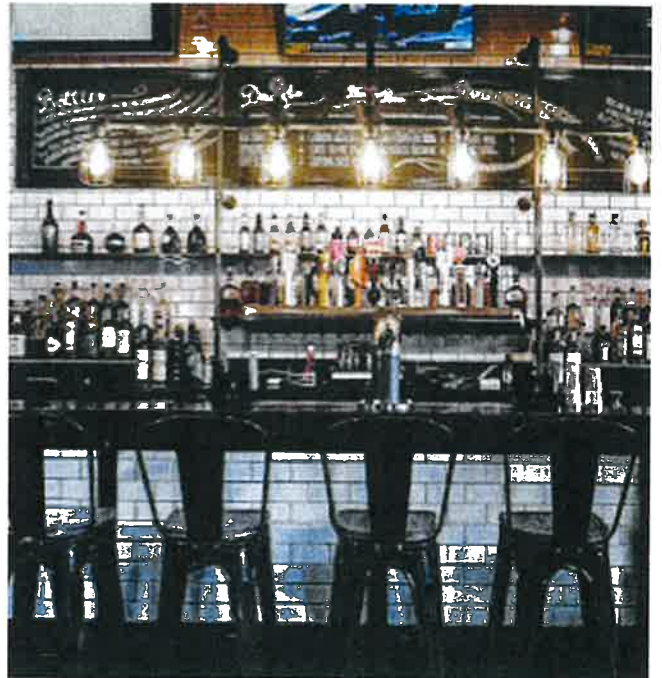


**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 4
Utilization**

CONFIDENTIAL AND PROPRIETARY

TAB 5

UTILIZATION



POWERHOUSE - SCOTTSBLUFF

UTILIZATION

All findings, estimates, assumptions, and conclusions discussed in this report are integral parts of the analyses and estimates which follow.

General

Based upon an assessment of the market demand and support for the redevelopment of the proposed property, we have estimated the potential utilization for the facility for the first five years of full-scale operation. All findings, estimates, assumptions, and conclusions discussed in this report are integral parts of the analyses and estimates which follow.

Occupancy

The property utilization is roughly 11% of the total square footage available. This rate is generated by suggesting that 1,700 square feet of space is occupied by current tenants of the 18,500 square feet available on floors 1-4.

The first floor is currently set up as "event" space which is used sparingly. The transition into a successful full time restaurant should be fairly easy by adding additional restrooms and a commercial kitchen. It is anticipated that the space could seat 120-200 capacity with some additional if an outdoor seating arrangement is developed on the plaza side of the building. We would anticipate a long term lease arrangement for the first floor. Additional restaurant projects are included in the proforma.

There are four additional offices on the second floor that are ready for renting. It is anticipated that with some effort, an additional 65% of that space could be

rented on a regular basis generating roughly \$1,100/month in additional revenue. The current leasers on the second floor are very reputable businesses which will generate interest from other small businesses as neighbors.

The third floor is currently set up as offices. Although somewhat usable, they would be difficult to lease at their current use. The property will be redeveloped into five studio or 2-bedroom furnished apartments with controlled access. With appropriate marketing techniques, it is anticipated that the occupancy of these apartments would be similar to the historic occupancies of local hotels at 65%. With an average rental rate of \$1,500 a month per apartment, the revenue generated on the third floor would be roughly \$4,940 a month. In addition, one of the fiber optic companies currently pays for a trunk line into the building which provides an additional \$2,000 per month lease and takes up minimal space.

The fourth floor was in the process of being remodeled. The original intent was to develop a "museum" of sorts for a doll collection. A number of walls have been removed and a few miscellaneous items added such as a bathroom. The options for this space are open, however, for purposes of this analysis we anticipate redeveloping the fourth floor into a "Penthouse" for the property. Providing a unique opportunity for urban living in downtown Scottsbluff would be a unique experience and generate a useful occupancy for the property.

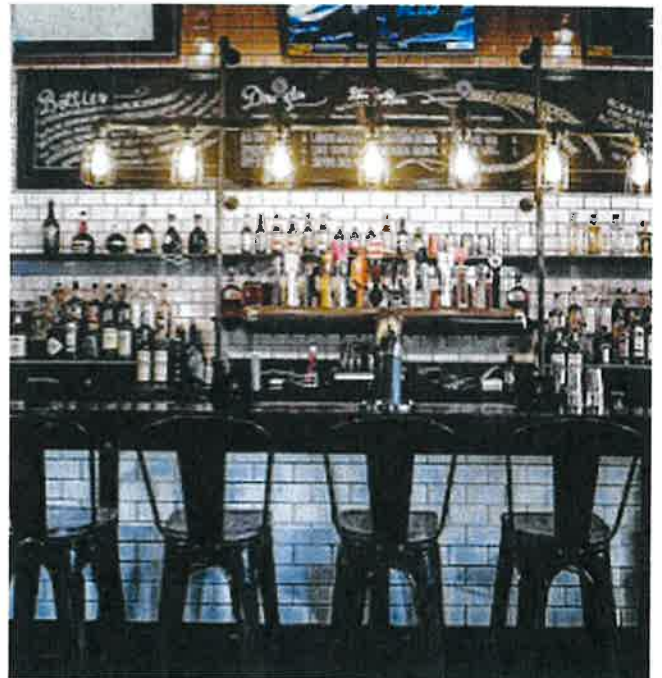
If the residential redevelopment would not be conducive to the project, the space could easily be converted to an event space usable for the restaurant tenant on the first floor. The space could then be rented by the hour or event. However, there is an abundance of event space available in the area and its utilization could be marginal.

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 5
Site Plan/Schematics/Layouts**

CONFIDENTIAL AND PROPRIETARY

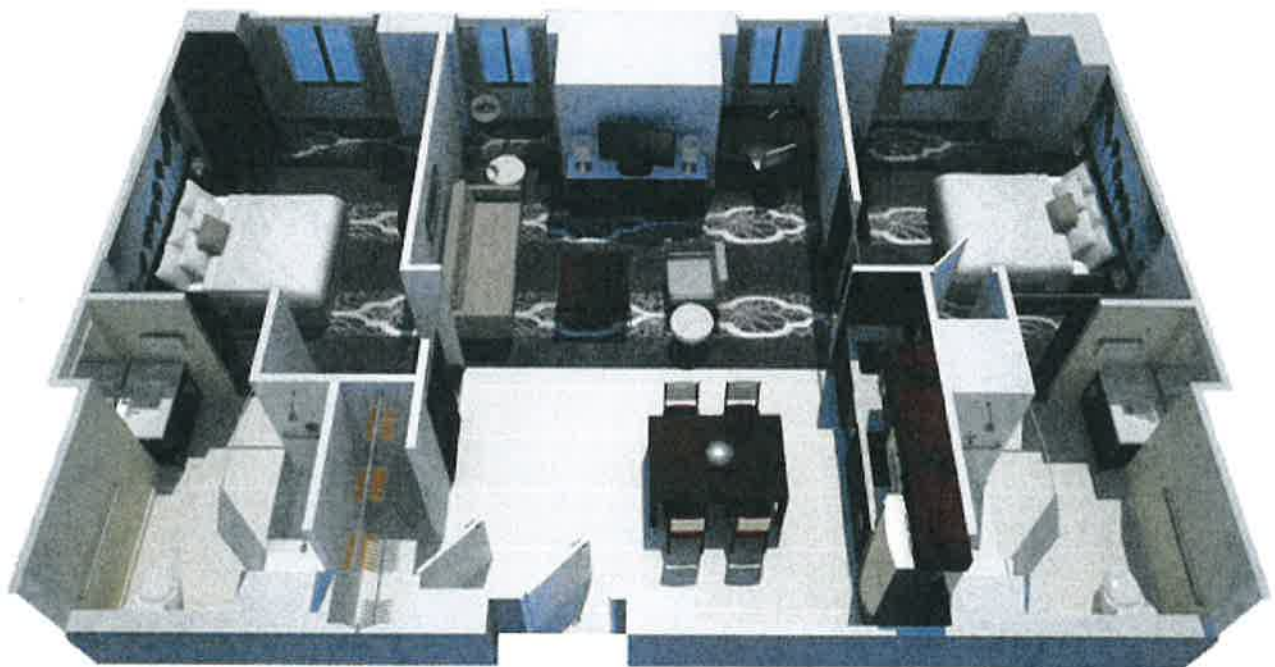
APPENDIX A

PROPERTY PROTOTYPE SCHEMATICS PRELIMINARY SITE LAYOUT



POWERHOUSE - SCOTTSBLUFF

PROPERTY PROTOTYPE SCHEMATICS



One-Bedroom Suite

Avg. 494 sq. ft.

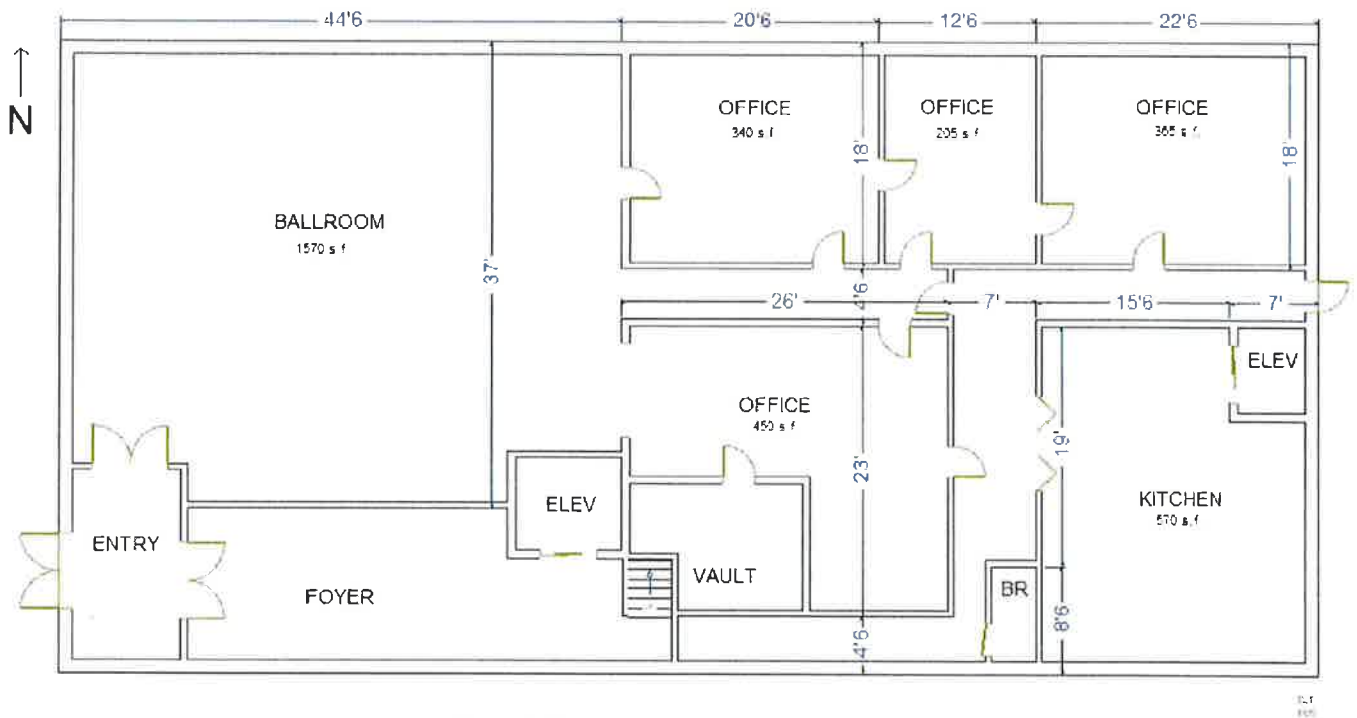
- Sleeps 1-4 people
- Spacious living room with sofa bed
- Separate bedroom
- In-room work space
- Fully equipped kitchen
- Dining area
- Bathroom with separate vanity area
- Luxury bedding and linens
- Free high-speed Internet
- 2 televisions



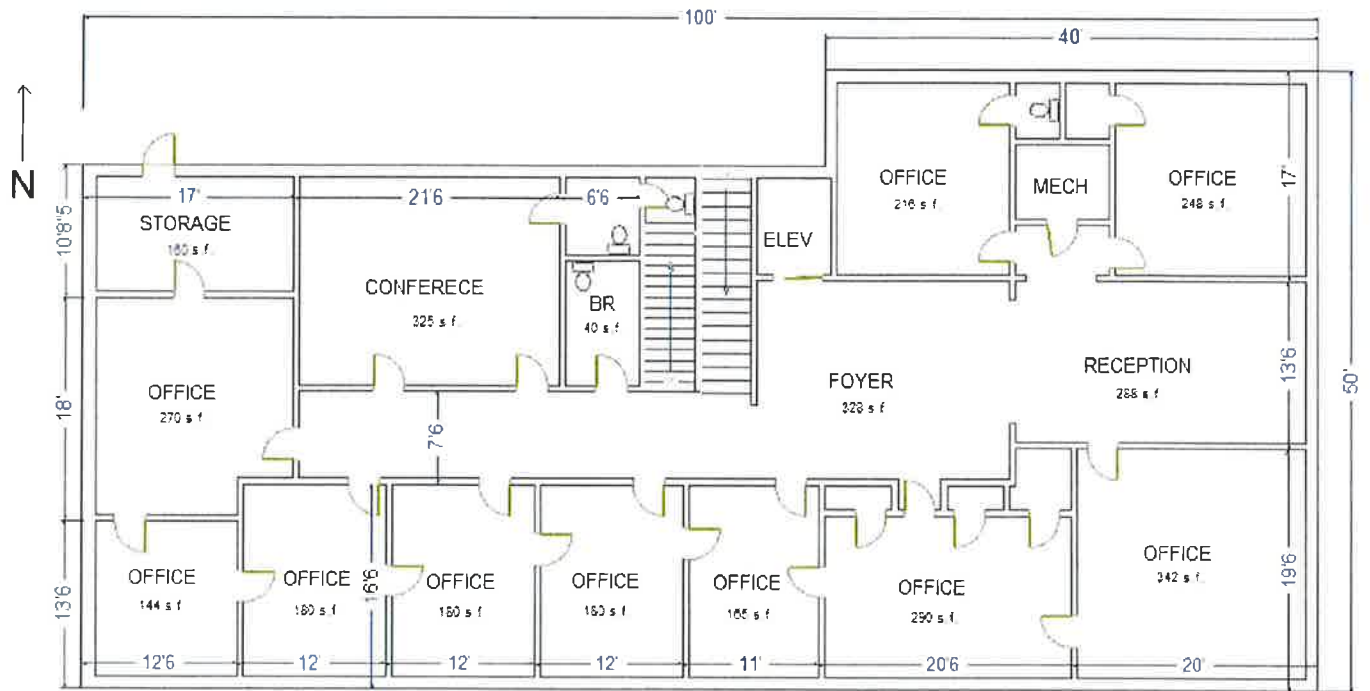
Floorplans can vary by location.



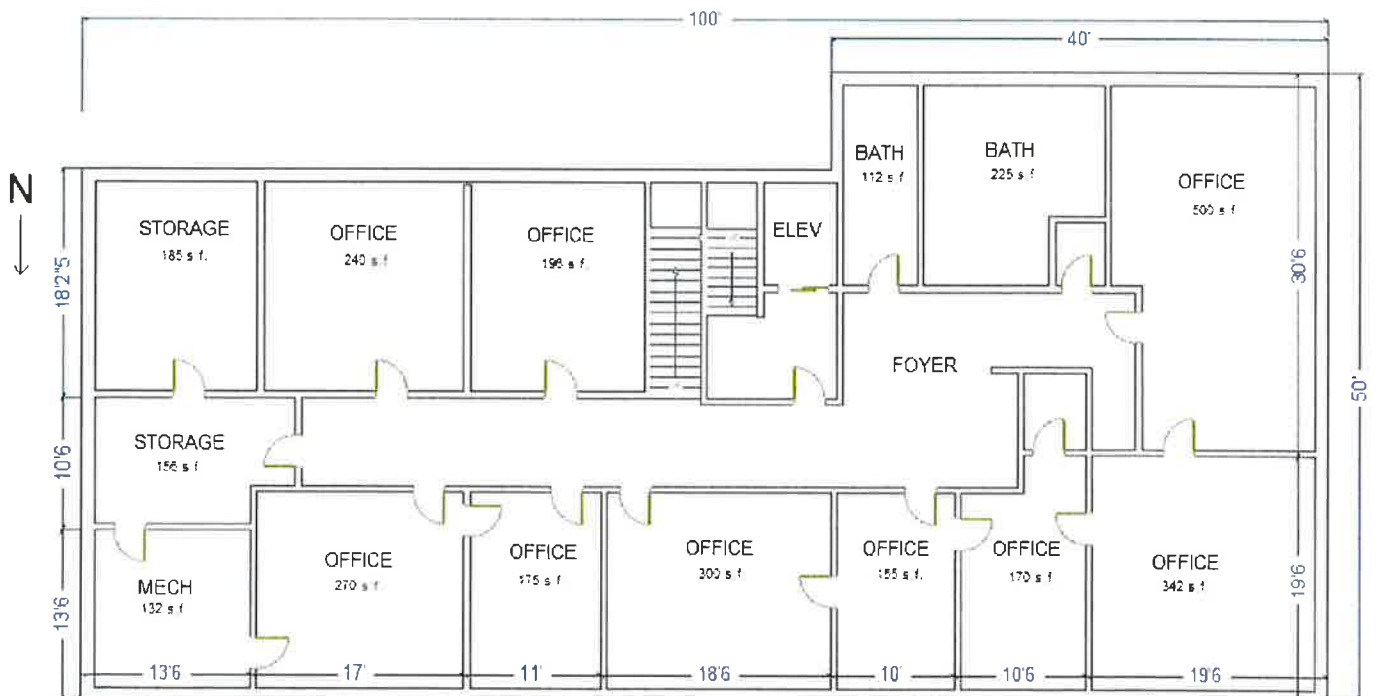
PRELIMINARY SITE LAYOUT



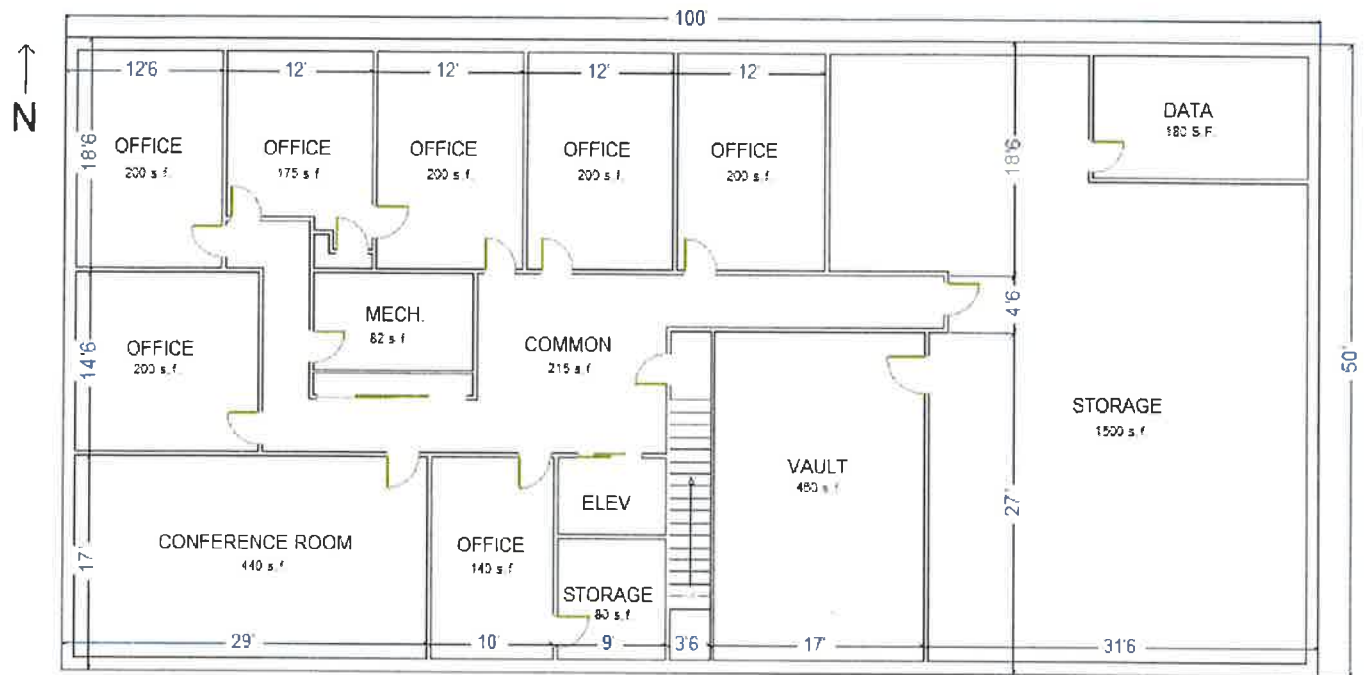
POWERHOUSE 1ST FLOOR



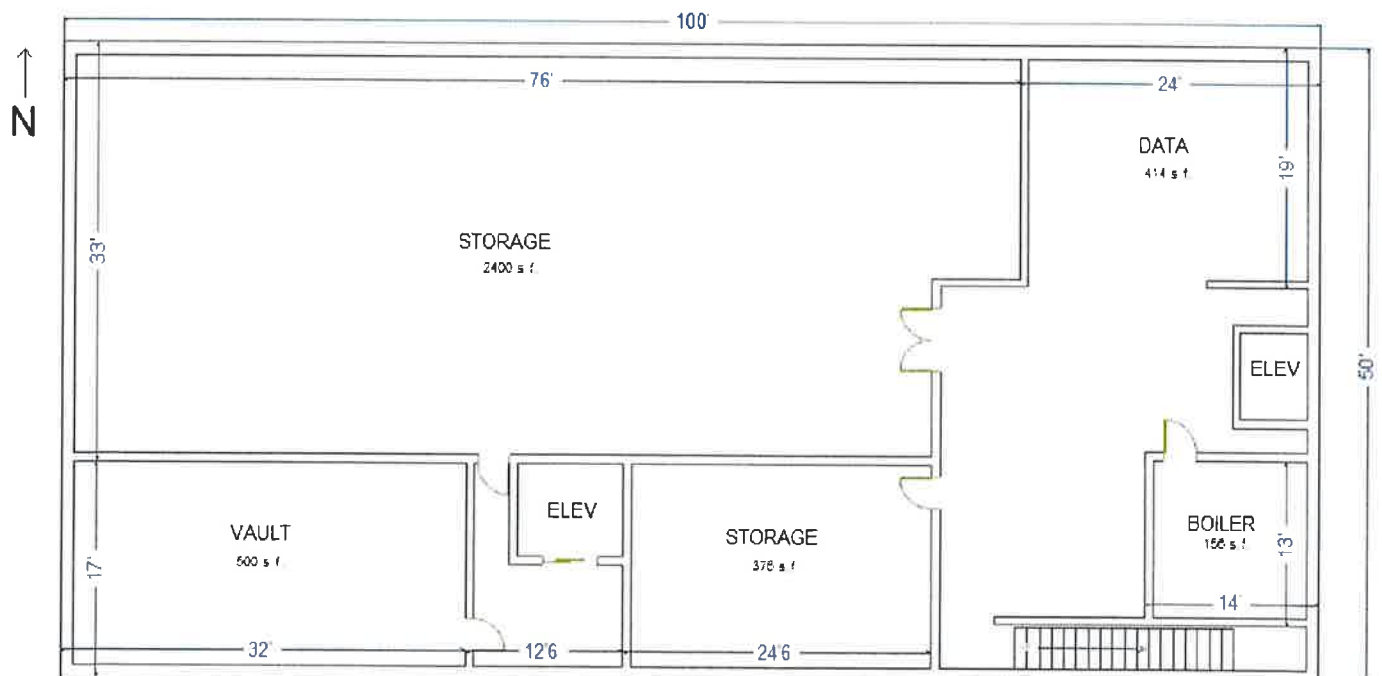
POWERHOUSE 2ND
FLOOR



POWERHOUSE 3RD
FLOOR



POWERHOUSE 4TH FLOOR



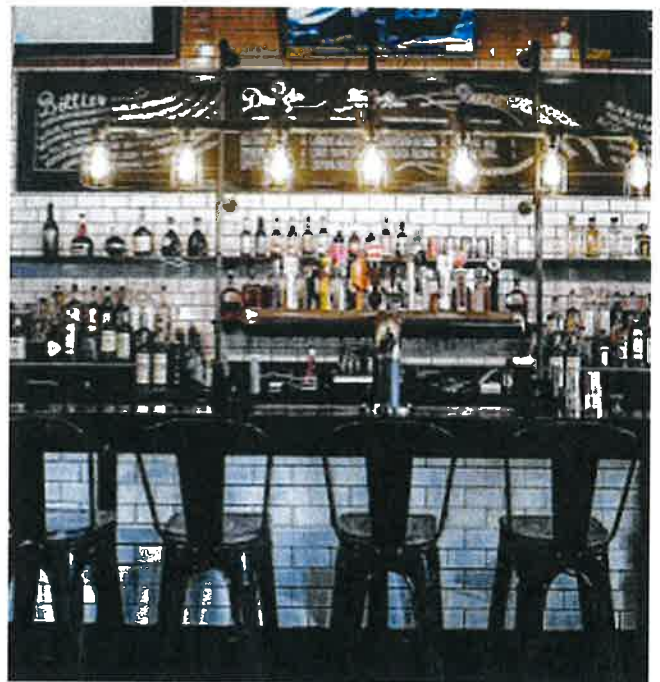
POWERHOUSE BASEMENT

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 6
Existing Site Photographs**

CONFIDENTIAL AND PROPRIETARY

APPENDIX F

EXISTING SITE PHOTOGRAPHS



POWERHOUSE - SCOTTSBLUFF

EXISTING SITE PHOTOGRAPHS



*Building
Exterior*

*Architectural detail
Front profile
Rear profile*



POWERHOUSE - SCOTTSBLUFF

Building Interior - First Floor



POWERHOUSE - SCOTTSBLUFF

Building Interior - First Floor



POWERHOUSE - SCOTTSBLUFF

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Building Interior - First Floor



POWERHOUSE - SCOTTSBLUFF

Building Interior - First Floor



Building Interior - Second Floor



POWERHOUSE - SCOTTSBLUFF

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Building Interior - Third Floor



POWERHOUSE - SCOTTSBLUFF

57

Building Interior - Third Floor



POWERHOUSE - SCOTTSBLUFF

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Building Interior - Third Floor



POWERHOUSE - SCOTTSBLUFF

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Building Interior - Fourth Floor



POWERHOUSE - SCOTTSBLUFF

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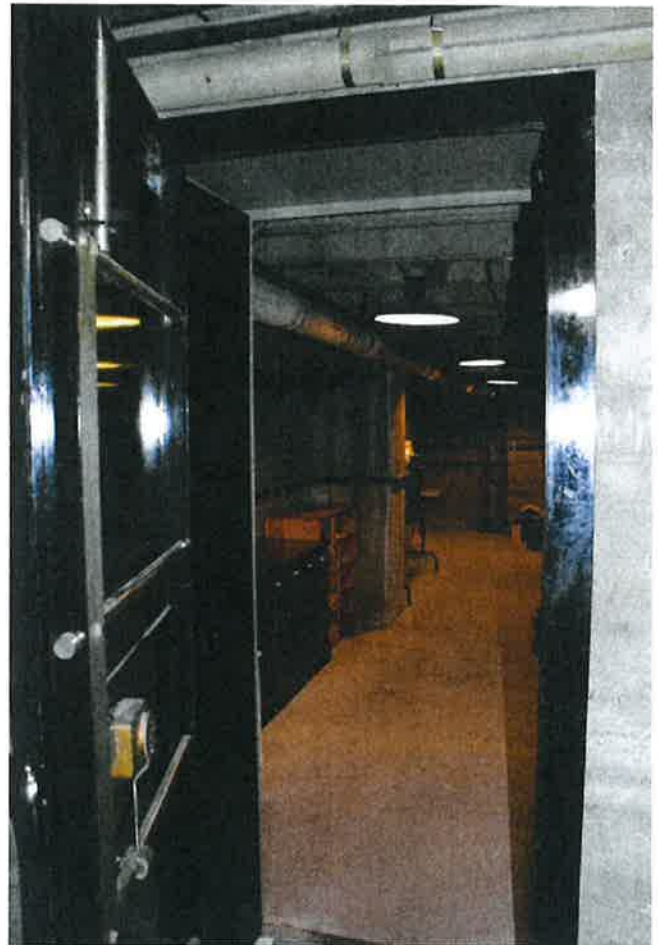
Building Interior - Fourth Floor



POWERHOUSE - SCOTTSBLUFF

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Building Interior - Basement



POWERHOUSE - SCOTTSBLUFF

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Building Interior - Rooftop



POWERHOUSE - SCOTTSBLUFF

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 7
Excerpts from Comprehensive Plan**

Downtown

Themes:

1. **Growing as a regional leader of commerce and economic opportunity**
 - Key area for light commercial (primarily retail) businesses.
2. **Living into our unique character of a city in the country**
 - Historic district with unique features. Cultural hub of the city with a focus on the arts.
3. **Promoting the health and happiness of all citizens**
 - Social, mental, physical well-being through prosperity, care, and physical environment conducive to activity.
4. **Inclusive Opportunities for participation in civic life**
 - Centralized gathering place for community events.

Principles:

5. **Interconnection of Neighborhoods and amenities**
 - a. Transportation amenities should prioritize pedestrians. Encourage residents to park and walk.
 - b. Connection to other services and areas of the city through multiple modes of safe transportation; bike lanes could connect to other pathways throughout the City.
6. **Sustainable development**
 - a. Reduce impervious cover- decrease stormwater runoff while providing aesthetically pleasing landscaped areas.
 - b. Focus on tree planting to help moderate temperatures and beautify public spaces.
 - c. Continue making public improvements in landscaping and other public facilities to encourage additional private investment.
 - d. Maintain landscaped areas to keep them attractive long-term.
7. **Access to culture and recreation**
 - a. Partner with Midwest Theater, Western Nebraska Arts Center to provide cultural opportunities downtown.
 - b. Access to walking paths; signage to encourage more walking downtown.
8. **Strong neighborhoods and places, rooted in our unique character**
 - a. Promote cultural hub of the community through built design of buildings
 - b. Retain historical value of existing buildings
 - c. Encourage upper-story housing to increase vitality of the district

Downtown Neighborhoods

Central Business District

Appropriate Zones: C-1

- **Hours:** Active daytime, evening, and nighttime activities
- **Auto:** Formalized bicycle and pedestrian accommodations. Pedestrian oriented along Broadway
- **Mass:** Allowable height up to 70 feet, zero setbacks. Buildings should take up entire lot-green space provided in public facilities.

- **Emissions:** High activity during the day, evening, and late night. Lights that reflect historical character of district.

**Kersch Powerhouse Renovation Redevelopment Plan
Attachment 8
Proposed Cost-Benefit Analysis**

COMMUNITY REDEVELOPMENT AUTHORITY, CITY OF SCOTTSBLUFF, NEBRASKA
Kersch Powerhouse Renovation
COST-BENEFIT ANALYSIS
(Pursuant to Neb. Rev. Stat. § 18-2113)

A. Project Sources/Use of Funds: An estimated \$956,310.00 of TIF Revenues are available for this Project. This public investment will leverage approximately \$1,325,500.00, in private sector investment; a private investment of approximately \$1.39 for every TIF dollar invested, plus potentially an additional \$380,000.00 in grants. Below is a breakdown of estimated costs and expenses of the Project and the use of funds for each. A “TIF Adjustment” is made to show certain TIF expenses that will not be covered by TIF, but rather private investment. This breakdown does not account for interest to be paid out of TIF funds.

Description	TIF Funds	Private Funds	
Land Acquisition	\$ 950,000.00		
Sitework	\$ 10,000.00		
Masonry		\$ 22,000.00	
Woods and Plastics		\$ 140,000.00	
Thermal Moisture		\$ 87,500.00	
Doors and Windows		\$ 85,000.00	
Finishes		\$ 147,000.00	
Specialties		\$ 16,000.00	
Fire Suppression	\$ 250,000.00		
Conveying System		\$ 209,500.00	
Mechanical		\$ 132,000.00	
Electrical		\$ 107,000.00	
Owner Supplied Items		\$ 38,500.00	
Indirect Construction Costs		\$ 11,000.00	
Permits, Taps, Impact Fees		\$ 3,000.00	
Telecommunication		\$ 3,500.00	
Commercial Equipment/Appliances		\$ 120,000.00	
Computers		\$ 7,500.00	
Supplies		\$ 12,500.00	
Decorative (FF&E)		\$ 165,000.00	
A/E Design		\$ 130,000.00	
Subtotals	\$ 1,210,000.00	\$ 1,437,000.00	\$ 2,647,000.00
Plan Preparation/Legal	\$ 14,810.00		
TIF Adjustment*	\$ (268,500.00)	\$ 268,500.00	Total Project Cost
Totals	\$ 956,310.00	\$ 1,705,500.00	\$ 2,661,810.00
Workforce Housing Grant/Façade Grant**		\$ (380,000.00)	
		\$ 1,325,500.00	
*Adjustment showing certain TIF costs estimated to not be covered by TIF proceeds			
**Shown for purposes of analyzing private investment			

B. Tax Revenues and Tax Shifts Resulting from the Division of Taxes.

Taxes from base value of the Project Site will be available to the local taxing jurisdictions regardless of the tax increment financing. The estimated current value of the Project Site is \$274,294.00. Taxes from the current value of the Project Site are approximately \$6,140.00 per year. The local taxing jurisdictions are the City, Scotts Bluff County, Scottsbluff Public Schools, WNCC, ESU 13, and North Platte NRD. The tax increment revenues from this Project will not be available to local taxing jurisdictions for up to 15 years after the effective date of the division of taxes. During those times, the tax increment revenues from the Project Site will be used to reimburse the Redeveloper for the eligible development costs (with interest) necessary for the Project. The estimated average annual tax increment revenues are calculated as follows:

a. Estimated Base Value:	\$ 274,294.00
b. Estimated Project Completion Value:	\$3,000,000.00
c. Tax Increment (b minus a):	\$2,725,706.00
d. Estimated Levy:	2.339%
e. Annual Projected Shift (rounded):	\$ 63,754.00
f. Total TIF Available (e multiplied by 15)	\$ 956,310.00

Note: The above figures are based on estimated values, project completion/phasing timelines, and levy rates. Actual values and rates may vary materially from the estimated amounts.

C. Public Infrastructure and Community Public Service Needs Impacts and Local Tax Impacts Arising from Project Approval.

The Project will rehabilitate and increase utilization of an underutilized building in the Downtown area of the City. Potential uses may include (1) extended stay lodging, which would increase hotel accommodation tax and relocate business travelers and tourists to the Downtown area and (2) apartments which would increase local housing. No negative tax impacts from public infrastructure costs are anticipated.

D. Impacts on Employers and Employees of Firms Locating or Expanding Within the Boundaries of the Redevelopment Project Area.

The Redeveloper anticipates including a restaurant, which will increase employment opportunities, and office space for businesses.

E. Impacts on other Employers and Employees within the City and immediate area located outside the Redevelopment Project Area.

None anticipated.

F. Impacts on Student Populations of School Districts within the City.

None anticipated.

G. Other Impacts.

Local contractors and consultants will perform the work.
Increase in personal property taxes due equipment and other personal property.

RESOLUTION _____

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
SCOTTSBLUFF, NEBRASKA:**

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a redevelopment plan titled *Kersch Powerhouse Renovation* by Kersch, LLC (the “Redevelopment Plan”) has been submitted to the Planning Commission.

b. The Planning Commission has reviewed the Redevelopment Plan as to its conformity with the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”).

Resolved:

1. The Planning Commission finds that Redevelopment Plan conforms to the Comprehensive Plan and recommends approval of the Redevelopment Plan to the Scottsbluff Community Redevelopment Authority and City Council.

2. All prior resolutions of the Commission in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

3. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on September ____, 2021

**PLANNING COMMISSION OF THE CITY
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: _____
Chair

By: _____
Recording Secretary

City of Scottsbluff, Nebraska

Monday, September 13, 2021

Regular Meeting

Item New Bus2

Zoning Text Amendment

i. Chapter 25 Article 2

1. 25-2-40 "Family"

Staff Contact: Zachary Glaubius, Planning Administrator

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: September 2, 2021 For Hearing of: September 13, 2021



I. GENERAL INFORMATION

- A. Staff met with legal about updating 25-2-40 regarding the definition of “family.” Several issues were discussed including the definition being outdated and simplifying the definition for both staff and the public.

II. CURRENT DEFINITION

A. Family

1. A group of natural persons consisting of a man, his wife, any children born to either him or his wife, legally adopted by either him or his wife, or placed with either him or his wife as foster children, or any combination of these persons.
2. A group of natural persons as defined in (1) plus not more than six (6) other persons, at least three (3) of which must be related to some one of the persons described in (1) by blood, marriage, or legal adoption, or
3. A group of not more than three (3) natural persons living together who are not related. (Ord. 3639, 2000; Ord. 1487, 2016; Ord. 4208, 2017)

III. NEW DEFINITION

A. Family

1. One or more persons living together and sharing common living, sleeping, cooking and eating facilities within an individual housing unit, no more than four of whom may be unrelated. The following persons shall be considered related for the purpose of this definition:
 - i. Persons related by blood, marriage, or adoption;
 - ii. Persons residing with a family for the purpose of adoption;
 - iii. Not more than eight persons residing in a foster house licensed and/or approved by the state of Nebraska;
 - iv. Person(s) living with a family at the direction of a court

IV. STAFF COMMENTS

- A. The current definition is outdated and excludes same-sex marriages and single parent families. Staff reviewed family definitions from other Nebraska cities. The proposed definition is a common definition shared by the City of Omaha, City of Norfolk, and City of Kearney.
- B. The proposed definition has been reviewed and found sufficient by the City’s legal counsel.

V. STAFF RECCOMENDATION

- A. Staff recommends the Planning Commission make a positive recommendation to City Council to approve the proposed ordinance text amendment changes to Chapter 25 Article 2, changing the definition.