

**City of Scottsbluff, Nebraska**  
**Monday, October 11, 2021**  
**Regular Meeting**

**Item Appr. Min.1**

**September 13, 2021**

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

PLANING COMMISSION MINUTES  
REGULAR SCHEDULED MEETING  
September 13, 2021  
SCOTTSDLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, September 13, 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 September 3, 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, Jim Zitterkopf, Angie Aguallo "Absent": Anita Chadwick, Dave Gompert, Becky Estrada, Callen Wayman Linda Redfern (Alternate). City Officials present were Zachary Glaubius, Secretary/Planning Administrator, Gary Batt, Code Administrator II, Anthony Murphy, Fire Prevention Officer, Tom Schingle, Fire Chief, and John Selzer, Deputy City Attorney.
- 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 August 9, 2021 meeting were reviewed. Conclusion, a motion was made by Zitterkopf and seconded by Westphal to approve the minutes from August 9, 2021 meeting. "Yeas": Westphal, Huber, Wayman, Zitterkopf, Weber Aguallo, "Abstained": None, "Absent": Chadwick, Gompert, Estrada, Redfern. The motion carried.
- 6 Members David Gompert and Becky Estrada arrived at 6:04 PM.
- 7 Chairman Weber opened the public hearing at 6:06 PM for the Kersch Powerhouse Renovation Project located at Lots 17 and 18, Block 2, Original Town Addition, commonly known at 1721 Broadway.
- 8 Deputy City Attorney John Selzer presented the application to the Planning Commission. Selzer stated that Simmons Olsen Law Firm represents the redevelopers, however when it comes to a TIF project, Simmons Olsen Law Firm represents the City of Scottsbluff. Selzer stated this is application for Tax Increment Financing for the building at 1721 Broadway commonly known as the Powerhouse Building. Selzer stated that it is the Planning Commissions responsibility to review TIF applications and redevelopment plans for compliance with the city's Comprehensive Plan. Selzer states the plan for the building is to renovate it for a restaurant, office space, and apartments. Selzer stated the area the building is located is referred to as the Central Business District in the comprehensive plan. The goal of the district is to grow it as a regional commercial center. Selzer stated furthermore the intent of the district is to foster businesses such as restaurants and above ground floor residences. Selzer stated it is zoned C-1 which permits all proposed uses, so no zoning changes are necessary. Selzer stated it is the opinion of Simmons Olsen that the plan conforms to the city's comprehensive plan. Westphal asked Glaubius why the plan was being brought to the Planning Commission if it meets the zoning requirements.

Selzer answered and informed Westphal that all TIF applications must be approved by the Planning Commission. Weber asked Glaubius if he anything to add. Glaubius stated he did not. Weber asked the applicant, Dave Schaff, if he anything to add. Schaff stated the plan does a good job explaining the proposal, and he is looking to finish the plans for the property from the previous owner. Weber closed the public hearing at 6:10 PM. Conclusion, a motion was made by Zitterkopf, seconded by Aguillo to make a positive recommendation to approve the resolution drafted by Simmons Olsen. "Yeas": Westphal, Huber, Wayman, Zitterkopf, Weber, Aguillo, Estrada, Gompert "Abstained": None, "Absent": Chadwick, Redfern (alternate).

- 9 Chairman Weber introduce Item 6.C. regarding a zoning text amendment to Municipal Code 25-2-40. Weber opened the public hearing at 6:12 PM. Weber asked Glaubius to provide a staff report. Glaubius stated that staff is reviewing the zoning code to see where updates are needed. Glaubius stated that the current definition of "family" as per 25-2-40 is specific and exclusionary. Glaubius stated the proposed definition is based off the definitions used by the City of Omaha, City of Norfolk, and City of Kearney, and the proposed definition has been deemed sufficient by City Attorney Kent Hadenfeldt. Weber inquired if the Planning Commission makes a positive recommendation to City Council that the proposed definition would replace the existing definition. Glaubius stated that it would after the ordinance has been passed. Weber closed the public hearing at 6:14 PM. Conclusion, a motion was made by Estrada, seconded by Westphal to make a positive recommendation to the City Council for the adoption the proposed definition under 25-2-40 "Family". "Yeas": Westphal, Huber, Wayman, Zitterkopf, Weber, Aguillo, Estrada, Gompert "Abstained": None, "Absent": Chadwick, Redfern (alternate).
- 10 Chairman Weber asked if there was any further business, with there being none, he declared the meeting adjourned at 6:15 PM with the members to signify by saying Aye. Westphal, Huber, Wayman, Zitterkopf, Weber, Aguillo, Estrada, Gompert all signified by saying aye.

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Chairman Dana Weber

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Zachary Glaubius, Secretary