

**City of Scottsbluff, Nebraska**  
**Monday, January 8, 2024**  
**Regular Meeting**

**Item Appr. Min.1**

**December 11, 2023**

**Staff Contact:**

PLANNING COMMISSION MINUTES  
REGULAR SCHEDULED MEETING  
December 11th, 2023  
SCOTTSDLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, December 11, 2023 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 general circulation in the city, on November 30, 2023. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Planning Commission can modify the agenda at the meeting if it is determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member

- 1 Chair Becky Estrada called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Henry Huber, Angie Aguillo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert "Absent": None. "Excused": Linda Redfern (alternate) City Officials present were Zachary Glaubius, Development Services Director, Taylor Stephens, GIS Analyst, Gary Batt, Code Administrator II, Tom Schingle, Fire Chief, Chris Perales, Fire Prevention Officer, and John Selzer, City Attorney.
- 2 Estrada 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 November 13, 2023 meeting were reviewed. **Conclusion:** a motion was made by Stricker and seconded by Weber to approve the minutes from November 13, 2023 meeting. "Yeas:" Becky Estrada, Henry Huber, Angie Aguillo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None "Absent": None. The motion carried.
- 6 Estrada introduced Item 6A regarding removing from the table the consideration of the Preliminary Plat of Lots 1-4, Block 1, Triple Peaks Subdivision.
- 7 **Conclusion:** Motion by Weber to remove from the table the consideration of the Preliminary Plat of Lots 1-4, Block 1, Triple Peaks Subdivision, seconded by Stricker. "Yeas:" Becky Estrada, Henry Huber, Angie Aguillo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None "Absent": None. The motion carried.
- 8 Estrada introduced Item 6B regarding a recommendation on the annexation request by Deidra Bruner and Wilbert L. Quindt Living Trust & Vicki S. Quindt Living Trust for Lots 1-4, Block 1, Triple Peaks Subdivision. Glaubius stated that the property owners have requested annexation into the city that is voluntary allowing for this to forego the public hearing. Glaubius stated he expects this to go before City Council in January. Glaubius stated that due to the city street being within the plat that the City would recommend a positive recommendation from the Commission to City Council pertaining to the annexation.
- 9 **Conclusion:** Motion by Stricker to make a positive recommendation to the City Council for the voluntary annexation of for Lots 1-4, Block 1, Triple Peaks Subdivision, seconded by Palu. "Yeas:" Becky Estrada, Henry Huber, Angie Aguillo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None "Absent": None. The motion carried.

- 10 Estrada introduced Item 7A regarding a public hearing for the purpose of reviewing and obtaining comment on the Redevelopment Plan for the TGR Trust/Reganis Dealership Project Tax Increment Financing at. Estrada Opened the public hearing at 6:04 PM. Selzer introduced the document of the proposal of the development plan for a new dealership. Selzer informed the Commission that their job is to review the document and make a recommendation to the CRA and City Council that the plan conforms to the comprehensive plan. Selzer informed the Commission the project is North of HWY 26 near the college and is in the HWY 26 district. Selzer stated what the HWY 26 district principals are for development. Selzer stated that the HWY 26 district calls for C-2 Zoning which the property in question is currently zoned as C-2. Selzer stated that his office believes that this project conforms with the comprehensive plan. Estrada closed the public hearing at 6:06 PM. Weber asked Selzer about which comprehensive plan was used for the plan. Selzer responded that the 2016 comprehensive plan was used which is the latest plan. Weber questioned Glaubius when the next comprehensive plan will be done. Glaubius stated the RFP for the new plan was just finalized and will be going out to bid in the near future. Weber asked if there are any expected changes that would affect the plan before the Commission. Glaubius stated he does not foresee any changes to this area. Wayman asked Weber if he was referring to blighted/substandard areas of the city and Weber stated he just was verifying that this area is expected to remain the same with its principal use.
- 11 **Conclusion:** Motion by Weber to recommend approval of item 7B, a resolution recommending approval of the Redevelopment plan for the TGR Trust/Reganis Dealership Project, seconded by Stricker. "Yeas:" Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. "Nays": None "Absent": None. The motion carried.
- 12 Estrada introduced Item 7C regarding a public hearing for the purpose of reviewing and obtaining comment on the Amended Redevelopment Plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project. Estrada opened the public hearing at 6:09 PM. Selzer introduced the document of the proposal of the development plan. Selzer stated that this project does not plan for any change of use but more for further rehabilitation of the properties. This plan includes changes internally of the mall and creating pad sites around the mall property and filling those. Selzer informs the Commission that they job of the Commission is to ensure that this plan abides to the comprehensive plan. Selzer stated that the property is zoned PBC and that this complies with the comprehensive plan. Selzer stated this his office believes that this redevelopment plan conforms with the comprehensive plan. Estrada closed the public hearing at 6:11 PM.
- 13 Stricker stated after reviewing the plan that he appreciated the smart use of the existing property. Stricker stated that after reviewing the 2016 comprehensive plan that the Frontage Road entrance off of 27<sup>th</sup> Street does not facilitate smooth traffic. Stricker asked if there would be an opportunity to reconfigure the North entrance off of 27<sup>th</sup> St. Selzer stated that it is appropriate to recommend that to the developer. Selzer stated that the project is broad in nature to allow for changes when the project is underway. Selzer said that the City can work with the developer about this possible change. The Rockstep representative Mr. Stewart stated discussions have taken place concerning the aforementioned concerns and Rockstep would be open to discussions about this with the City. Stricker stated that he tries to give heads up to developers of issues that he sees so it can be considered. Selzer stated that through the Tax Increment Financing process that there is also an occupation tax bond that will be involved. Selzer stated that the bond does not supersede or replace the need for the developer to get approval from the City. Wayman stated a question to Selzer if there is a time limit after approval of the plans. Selzer said that when the plan is approved is not time limited but when the

developer begins to pull taxes that starts a 15-year time limit. Selzer also stated that time limits are put into the plan by the developer but the city does not strictly enforce those from the TIF standpoint. Selzer stated the City is not out anything if the project does not start right away and the City can re-evaluate the plan if a significant amount of time has passed since approval. Mr. Stewart approached the Commission to give a brief overview of the expected development. Mr. Stewart said they are looking into some national tenants and that this process will take a few years.

- 14 **Conclusion:** Motion by Weber to recommend the approval of item 7D a resolution recommending approval of the amended redevelopment plan for the Uptown Mall and Former K-Mart Site Rehabilitation Project, seconded by Stricker. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. “Nays”: None “Absent”: None. The motion carried.
- 15 Estrada introduced Item 8A regarding a public hearing to consider the Preliminary Plat and Final Plat of Lots 1-4, Block 1, Triple Peakes Subdivision. Estrada opened the public hearing at 6:19 PM. Glaubius stated that in the November meeting that the preliminary plat was tabled at the request of the city to finalize the stormwater management. Glaubius stated that there will be a contract for public improvements with this project and that the City is working with the property owners on it. Glaubius stated that staff recommends a positive recommendation and to have the City Council review and approve the contract for public improvements since it is still in progress. Estrada closed the public hearing at 6:21 PM.
- 16 **Conclusion:** Motion by Stricker to make a positive recommendation to the City Council for the approval of the preliminary and final plat of Lots 1-4, Block 1, Triple Peakes Subdivision pending the approval of the contract for public improvements by the City Council, seconded by Palu. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. “Nays”: None “Absent”: None. The motion carried.
- 17 Estrada introduce item 8B regarding a public hearing to consider a final plat of Lot 1A, Block 1, Platte Valley Addition and Easement, Platte Valley Drive, and part of 13<sup>th</sup> Avenue Vacation, commonly identified as 1212 Circle Drive. Estrada opened the public hearing at 6:22PM. Glaubius stated that this is a replat of the Platte Valley Bank campus that is currently 5 lots. Glaubius stated that the plan is to make the property 1 lot as well as vacate Platte Valley Bank drive and the paved portion of 13<sup>th</sup> Avenue and retain the open space as Right-Of-Way due to the Scottsbluff Drain being underneath that portion. Glaubius stated that due to the consolidation of the lots that the need for the platted access easements no longer exists. Glaubius stated that the plat removes an empty utility easement and that part of the existing ROW will be rededicated as a utility easement. Glaubius stated that staff is recommending a positive recommendation of the plat including the vacation of Platte Valley Drive, the Western 40 ½ ft of 13<sup>th</sup> Avenue, and the various previously stated easements identified in the plat. Estrada closed the public hearing at 6:23 PM
- 18 **Conclusion:** Motion made by Stricker to make a positive recommendation to City Council to approve the final plat of Lot 1A, Block 1, Plate Valley Addition and Easement, Platte Valley Drive, and Part of 13<sup>th</sup> Avenue vacation, seconded by Aguallo. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. “Nays”: None “Absent”: None. The motion carried.
- 19 Estrada introduced item 9A to remove from the table Officer Elections for the October 2023 – September 2024 term. Motion by Weber to remove Officer Elections from the table, seconded by Stricker. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. “Nays”: None “Absent”: None. The motion carried.

- 20 Glaubius opened the floor for nominations for the Officer Elections for the October 2023 – September 2024 term. Palu nominated Stricker for Commission Chair, seconded by Stricker. Wayman nominated Estrada for Commission Chair, seconded by Huber. Ballot voting took place via pen and paper with Estrada receiving 7 votes and Stricker receiving 2 votes. Estrada was elected Commission Chair. Weber nominated Wayman for Commission Vicechair, seconded by Palu. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. “Nays”: None “Absent”: None. Wayman was elected to Commission Vicechair.
- 21 Planning Commission confirmed the next meeting date of January 8, 2024.
- 22 Sticker requested to see if Glaubius to provide any zoning updates and for Glaubius to draft a document for the process of public hearings.
- 23 Item 9: Adjournment
- 24 Adjournment: Motion by Stricker, seconded by Aguallo to adjourn meeting at 6:31PM. “Yeas:” Becky Estrada, Henry Huber, Angie Aguallo, Jerry Stricker, Callan Wayman, Dana Weber, Kendall Palu, Jim Zitterkopf, Dave Gompert. “Nays”: None “Absent”: None. The motion carried.

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Becky Estrada, Chairperson

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Zachary Glaubius, Secretary