

Planning Commission  
Monday, March 11, 2019 7:00 PM  
Council Chambers  
1369 25 Avenue  
Columbus, NE 68601

{{Name: Agenda Item Name}}

{{Rationale: Agenda Item Rationale}} {{AgendaItemEnd}}

1. **Statement of Compliance with Open Meetings Act and roll call.**
2. **Minutes of February 11, 2019, meeting.**
3. **Public hearing - Application of Pillen Holdings II, LLC for final plat and development agreement of Pillen Addition (southeast corner of Lost Creek Parkway and 48 Avenue intersection)**
  - A. Public hearing - Determine whether Pillen Addition should be included within corporate city limits.
4. **Public hearing - Application of Triple S Real Estate, Inc. to rezone property at 4620 23 Street from "ML/C-1" (Limited Industrial District) to "B-2" (General Commercial District) and amend the Future Land Use Map of the Comprehensive Plan. (This public hearing was continued from the February 11th meeting.)**
5. **Public hearing - Application of McHanson Properties to rezone property at 2308 and 2312 4 Street from "R-2 (b)" (Urban-Family Residential District with an agricultural overlay district) to "R-3" (Multiple-Family Residential District) and amend the Future Land Use Map of the Comprehensive Plan. (This public hearing was continued from the February 11th meeting. A request was received to continue this public hearing to the April 8th meeting.)**
6. **Public hearing - Application of Shelby Lumber Company, Inc. to rezone property on 43 Avenue north of 31 Street from "R-1" (Single-Family Residential District) and "R-3" (Multiple-Family Residential District) to "R-2" (Urban-Family Residential District) and amend the Future Land Use Map of the Comprehensive Plan.**
7. **Public hearing - Redevelopment Plan for the 23rd Street Corridor Redevelopment Area (4J Capital Redevelopment Project - Area 6).**
8. **Building report for February 2019.**
9. **Adjournment**

**NOTICE OF HEARING  
TO ALL PARTIES IN INTEREST AND CITIZENS OF  
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, March 11, 2019, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the final plat and development agreement of Pillen Addition, tracts of land located as described: **TRACT I** – A tract of land located in the NW 1/4, SW 1/4 of Section 12, T17N, R1W of the 6<sup>th</sup> P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the northwest corner of Wolfe’s Subdivision to the City of Columbus, Platte County, Nebraska, and assuming the north line of Wolfe’s Subdivision to have a bearing of N 89°56’15” W; thence N 00°28’22” W, a distance of 624.04 feet, on the east right-of way line of 48<sup>th</sup> Avenue to a point on the south right-of-way line of Lost Creek Parkway; thence N 89°59’31” E, a distance of 1272.43 feet, on the south right-of-way line of said Lost Creek Parkway to the east line of said NW 1/4, SW 1/4; thence S 00°23’48” E, a distance of 625.60 feet, on the east line of said NW 1/4, SW 1/4 to the northeast corner of said subdivision; thence N 89°56’15” W, a distance of 1271.61 feet, on the north line of said subdivision to the point of beginning, said tract containing 18.25 acres, more or less; and **TRACT II** – A tract of land located in the NW 1/4, SW 1/4 of Section 12, T17N, R1W of the 6<sup>th</sup> P.M., Platte County, Nebraska, more particularly described as follows: Commencing at the northwest corner of Wolfe’s Subdivision to the City of Columbus, Platte County, Nebraska, and assuming the north line of Wolfe’s Subdivision to have a bearing of N 89°56’15” W; thence N 89°56’15” W, a distance of 17.00 feet, to the point of beginning; thence N 89°56’15” W, a distance of 33.00 feet, to the west line of the NW 1/4, SW 1/4 of Section 12, T17N, R1W; thence N 00°29’00” W, a distance of 343.13 feet, to a point on said west line of the NW 1/4, SW 1/4; thence S 89°56’15” E, a distance of 33.00 feet; thence S 00°29’00” E, a distance of 343.13 feet, to the point of beginning, said tract containing 0.21 acres, more or less (southeast corner of Lost Creek Parkway and 48 Avenue intersection) and at said time and place you may appear and be heard.

In addition, you are hereby notified that at the same time and place, the Planning Commission will hold a separate public hearing as to whether said Subdivision as described above should be included within the corporate limits of the City of Columbus and become a part of said municipality for all purposes whatsoever, and at said time and place you may appear and be heard.

Dated this 28 day of February, 2019.

CITY OF COLUMBUS, NEBRASKA  
By: Janelle Kline  
City Clerk

Publish: 02:28:19  
Two Affidavits of Publication

The City of **Columbus**

**MEMORANDUM**

**DATE:** March 6, 2019  
**FROM :** Richard J. Bogus, City Engineer  
**TO:** Tara Vasicek, City Administrator  
**RE:** Pillen Addition – Final Plat

**RECOMMENDATION:**

I recommend the approval of the final plat and annexation of Pillen Addition as it is consistent with the preliminary plat; amenable with the adjacent land use consisting of residential development, future land use; and is in accordance with the Land Development Ordinance 96-08 as amended.

**DISCUSSION:**

Development consist one lot for an office complex. It is zoned B2. Streets, storm sewer, water and sanitary sewer will be extended as part of a City SID, WED, and SED with benefiting properties assessed. The property will be voluntary annexed into the City by the owner as part of the requirements of utility extensions and plat approvals. Internal roads and utilities are private and will be called Old Mill Court.

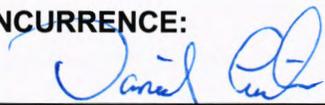
**FISCAL IMPACT:**

Minor costs for associated utility main extensions.

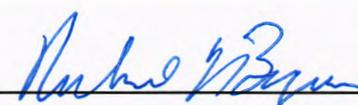
**ALTERNATIVE:**

Do not approve.

**CONCURRENCE:**

By:  \_\_\_\_\_

**SIGNATURE:**

By:  \_\_\_\_\_

Approved By:  \_\_\_\_\_

**MAJOR SUBDIVISION / ADDITION APPLICATION**

**PRELIMINARY (FINAL) (Circle One)**

DATE: 2-20-19

NAME OF SUBDIVISION: Pillen Addition

NAME OF APPLICANT: Pillen Holdings II, LLC

ADDRESS OF APPLICANT: 3214 25<sup>th</sup> Street, Columbus, NE 68601

NUMBER OF LOTS IN SUBDIVISION: 1

ADDRESS OF SUBDIVISION: Approximately 4185 48<sup>th</sup> Ave., Columbus, NE

I hereby apply for a major subdivision and have paid the \$125.00 application fee, and \$100.00 review fee plus \$10.00 per lot review fee.

  
\_\_\_\_\_  
Owner or Owner's Representative

**FILED**

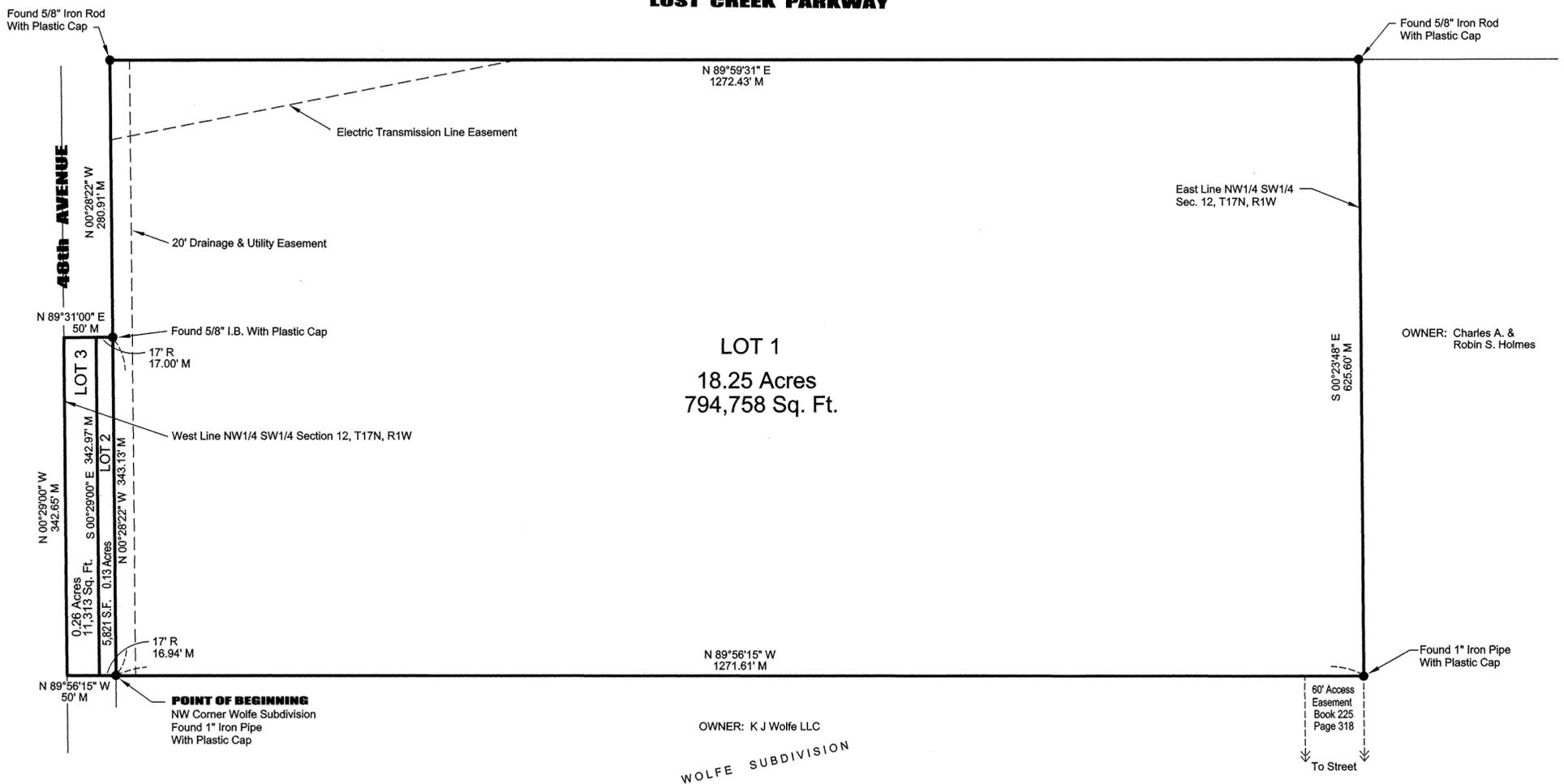
FEB 20 2019

**CITY CLERK  
COLUMBUS, NEBR.**

# FINAL PLAT PILLEN ADDITION

A tract of land located in the NW1/4 SW1/4 of Section 12, T17N,  
R1W of the 6th P.M., Platte County, Nebraska

## LOST CREEK PARKWAY

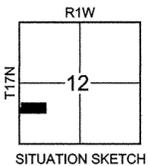


OWNER/DEVELOPER: Pillen Holdings II, LLC  
3214 25th Street  
Columbus, NE 68601

SURVEYOR/ENGINEER: Gilmore & Associates, Inc.  
2670 33rd Avenue  
Columbus, NE 68601

EXISTING ZONING - B-2

**LEGEND**  
● - Monument Found  
M - Measured Distance



CITY COUNCIL

STATE OF NEBRASKA )  
COUNTY OF PLATTE ) ss  
CITY OF COLUMBUS )

The foregoing plat approved by the City Council of Columbus, Nebraska, by Resolution No. \_\_\_\_\_ duly passed by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor, City of Columbus

PLANNING COMMISSION

STATE OF NEBRASKA )  
COUNTY OF PLATTE ) ss  
CITY OF COLUMBUS )

This plat of PILLEN ADDITION to the City of Columbus, Nebraska, approved by the Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chairman

SCHOOL BOARD APPROVAL

STATE OF NEBRASKA )  
COUNTY OF PLATTE ) ss

The above plat approved by School District No. 001, of Platte County, Nebraska.

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

This survey was prepared at the request of Olsson Associates, Lincoln, Nebraska.

**LEGAL DESCRIPTION**  
**TRACT I**

A tract of land located in the NW 1/4, SW 1/4 of Section 12, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows:

Beginning at the northwest corner of Wolfe's Subdivision to the City of Columbus, Platte County, Nebraska, and assuming the north line of Wolfe's Subdivision to have a bearing of N 89°56'15" W; thence N 89°56'15" W, a distance of 50.00 feet, to the west line of the NW 1/4, SW 1/4 of Section 12, T17N, R1W; thence N 00°29'00" W, a distance of 342.65 feet, to a point on said west line of the NW 1/4, SW 1/4; thence N 89°31'00" E, a distance of 50.00 feet, to the east right of way line of 48th Avenue; thence N 00°28'22" W, a distance of 280.91 feet, on the said east right-of way line of 48th Avenue to a point on the south right-of-way line of Lost Creek Parkway; thence N 89°59'31" E, a distance of 1272.43 feet, on the south right-of-way line of said Lost Creek Parkway to the east line of said NW 1/4, SW 1/4; thence S 00°23'48" E, a distance of 625.60 feet, on the east line of said NW 1/4, SW 1/4 to the northeast corner of said Wolfe subdivision; thence N 89°56'15" W, a distance of 1271.61 feet, on the north line of said Wolfe subdivision to the point of beginning, said tract containing 18.64 acres, more or less.

**SURVEYOR'S CERTIFICATE**

I, Clyde R. Flowers, Jr., a registered surveyor of the State of Nebraska, hereby certify that this survey was made under my direction on February 18, 2019; that all dimensions are in feet and are correct to the best of my knowledge and belief.



*Clyde R. Flowers, Jr.*  
Clyde R. Flowers, Jr., Nebraska L.S. #357  
GILMORE & ASSOCIATES, INC.

Please return to:  
Sarah Pillen and James Fehringer  
3214 25<sup>th</sup> St  
Columbus, NE 68601  
sarahsp@pillenfamilyfarms.com

DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered into this 21st day of January, 2019, by and between PILLEN HOLDINGS, II, LLC, a limited liability company, (hereinafter referred to as "Subdivider") and the CITY OF COLUMBUS, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City")

WITNESSETH

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as PILLEN ADDITION, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; and,

WHEREAS, the CITY requires public improvements in the Area to be Developed; and,

WHEREAS, the Subdivider wishes to connect the system of sanitary sewers and water to be constructed within, the Area to be Developed, to the sanitary sewer and water of the City.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

For the purpose of this Development Agreement, the following words and phrases shall have the following meanings:

The "cost" or "entire cost" of a type of improvement shall be deemed to include all construction costs, engineering fees, attorneys' fees, testing expenses, publication costs; financing costs and miscellaneous costs.

"Property benefited" shall mean property within the Area to be Developed (Exhibit "A"), which will comprise 18.25 acres of property.

## SECTION I

Subdivider and City covenant that the following improvements shall be installed and provided by Subdivider as set forth herein, at Subdivider's expense, subject to the exceptions and clarifications detailed herein:

A. The Subdivider requested a Water Extension District, Sewer Extension District, and Street Improvement District to address water, sanitary sewer, storm sewers and the paving/widening of 48<sup>th</sup> Avenue. Subdivider agrees not to object to the creation and/or extension of said districts, agrees that the Area to be Developed shall be subject to said districts, and agrees to execute any necessary instruments and perform any necessary actions needed to formalize said districts.

B. Natural gas distribution mains shall be located within dedicated street rights-of-way dedicated per plat (Exhibit "A"), which Subdivider will arrange to be installed by the local gas franchisee. Any additional cost participation required by the local gas franchisee for the installation of gas mains, if any, shall be borne by the Subdivider.

C. Subdivider will arrange for underground electrical service to each buildable lot within the Area to be Developed to be provided by Loup Power District at no cost to the City. If any relocation or adjusting of existing electrical mains are required the costs shall be borne by the Subdivider

D. Grading for the Area to be Developed shall be completed by the Subdivider at the Subdivider's expense pursuant to the drainage plan elevations to be provided by Olsson Associates and submitted with the Final Plat. Post construction storm water management systems shall be installed and maintained and fully functional in accordance with the City of Columbus Code of Ordinances, Chapter 53, a Subdivider's expense. Subdivider agrees to obtain a Nebraska Department of Environmental Quality, National Pollutant Discharge Elimination System, Construction Storm Water Notice of Intent (NOI), including the Storm Water Pollution Prevention Plan (SWPPP), prior to disturbing more than one acre. The Subdivider shall provide a copy of the NOI and SWPPP to the City as part of the City's Municipal Storm Sewer Separation System requirements.

E. Subdivider agrees to complete and submit to the City a Floodplain Development Permit prior to any disturbance or work within the FEMA designated floodplain.

## SECTION II

Subdivider and City covenant and agree that the Subdivider will abide by and incorporate into all of its construction contracts the provisions required by the regulations of the City, except as otherwise provided in this Development Agreement.

### SECTION III

A. Subject to the conditions and provisions hereinafter specified, the City hereby grants permission to the Subdivider to connect its sewer system to the sewer system of the City in such manner and at such place or places designated on plans submitted by the Subdivider's engineer and approved by the City.

B. Without prior written approval by the City, the Subdivider shall not permit any sewer lines or sewers outside the present boundaries of the Area to be Developed to connect to the sewer or sewer lines of the Area to be Developed, any sewers of the City, any outfall sewer of the City, or any sewage treatment plant of the City. The City shall have exclusive control over connections to its sewers whether inside or outside the boundaries of the Area to be Developed.

C. At all times, all sewage from and through said Area to be Developed into the City sewer system shall be in conformity with the ordinances, regulations, and conditions applicable to sewers and sewage within the City as now existing and as from time to time may be amended.

D. Before any connection from any premises to the sewer system of the Area to be Developed may be made, a permit shall be obtained for said premises, and its connection from the City, it being expressly understood that the City reserves the right to collect all connection charges and fees as required by city ordinances or rules now or hereafter in force; all such connections shall comply with minimum standards prescribed by the City.

E. Notwithstanding any other provisions of this Development Agreement, City retains the right to disconnect the sewer of any industry, or other sewer user within the Area to be Developed, which is discharging into the sewer system in violation of any applicable ordinance, statute, rule or regulations.

### SECTION IV

All buildings built in the Area to be Developed, shall be constructed in compliance with the most recent City of Columbus Building Requirements at the time of application for the building permits, in the extent possible.

### SECTION V

Installation of entrance signs or related fixtures, if any, shall be paid by the Subdivider. Plans for such proposed improvements that are to be located in public right-of-way and a proposed maintenance agreement for the improvements must be submitted to the City for review and approval prior to the installation of improvements.

No separate administrative entity or joint venture, among the parties, is deemed created by virtue of the Development Agreement.

The administration of this Development Agreement shall be through the offices of the undersigned officers for their respective entities.

This Development Agreement shall be binding upon parties, their respective successors and assigns.

This Development Agreement replaces and declares void any prior agreements or resolutions regarding the development of the Area to be Developed

This Development Agreement shall be recorded at the Platte County Register of Deeds office, at the Subdivider's expense, within 30 days of final plat approval.

IN WITNESS WHEREOF, we the executing parties, by ourselves or our respective duly authorized agents, hereby enter into this Development Agreement:

ATTEST:

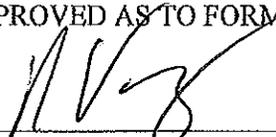
CITY OF COLUMBUS

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
Date

APPROVED AS TO FORM

  
\_\_\_\_\_  
CITY ATTORNEY

SUBDIVIDER

PILLEN HOLDINGS II, LLC

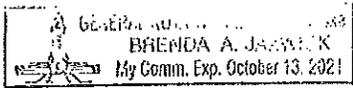
By  \_\_\_\_\_

Dated this 7th day of January, 2019.

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF PLATTE    )

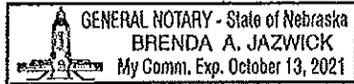
On this 7 day of March, 2019, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Sarah Allen, who is personally known by me to be the identical person whose name is affixed to the Development Agreement, and acknowledged the execution thereof to be his voluntary act and deed as such officer of said corporation.

Witness my hand and Notarial Seal the day and year last above written.



Brenda A. Jazwick  
Notary Public

(My commission expires: \_\_\_\_\_)



**NOTICE OF HEARING  
TO ALL PARTIES IN INTEREST AND CITIZENS OF  
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, March 11, 2019, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone Lots 1, 2, and 3 of Block A and Lots 4, 5, and 6 of Block B, Canaday-Beiermann Addition, a replat of part of Lot 1, Highland Park Ministry Subdivision, to the City of Columbus and part of the SE1/4 NW1/4 of Section 13, T17N, R1W of the 6th P.M., in Platte County, Nebraska (43 Avenue and North of 31 Street) from "R-1" (Single-Family Residential District) to "R-2" (Urban-Family Residential District) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

Dated this 28 day of February, 2019.

CITY OF COLUMBUS, NEBRASKA  
By: Janelle Kline  
City Clerk

Publish: 02:28:19  
Two Affidavits of Publication

**CITY OF COLUMBUS  
MEMORANDUM**

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**DATE:** March 6, 2019

**FROM:** Daniel Curtis

**TO:** City Administrator Tara Vasicek

**RE:** Rezoning Lots 1,2 and 3 Block A, and Lots 4,5 and 6 Block B, Canaday-Beirmann Addition from R-1 to R-2 and that portion of lots 4, and 5 Block B, currently zoned R-3 to R-2.

**RECOMMENDATION:**

I recommend approval of this rezoning and amending the Future Land Use map accordingly.

**DISCUSSION:**

We have received an application to rezone Canada-Biermann Addition from R-1 to R-2 and that portion of Lots 4, and 5 Block B, from R-3 to R-2. The purpose of the rezoning is to allow townhouse construction on the lots. I believe R-2 zoning for the property is appropriate and will be a good transition from the B-2 District to the north.

**FISCAL IMPACT:**

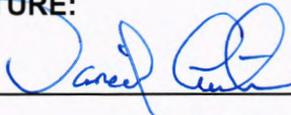
None

**ALTERNATIVE:**

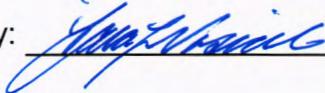
Deny the Rezoning

**SIGNATURE:**

By: \_\_\_\_\_



Approved By: \_\_\_\_\_



**FILED**

FEB 13 2019

**RE-ZONING APPLICATION**

**CITY CLERK  
COLUMBUS, NEBR.**

The following Application needs to be completed fully and submitted to the City Clerk at least twenty-one (21) calendar days before the Planning Commission Meeting at which the Application will be considered. Please complete the following:

1. Applicant's Name: Shelby Lumber Company, Inc., a Nebraska Corporation  
Applicant's Address: 2377 39th Avenue  
Columbus, NE 68601
2. Property Owner: Shelby Lumber Company, Inc., a Nebraska Corporation  
Address of Property: 43rd Avenue and North of 31st Street

Legal Description of Property: Lots 1, 2 and 3, Block A, and Lots 4, 5 and 6, Block B, Canaday-Beiermann Addition, A replat of part of Lot 1, Highland Park Ministry Subdivision, to the City of Columbus and part of the SE1/4 NW1/4 of Section 13, T17N, R1W of the 6th P.M., in Platte County, Nebraska

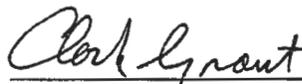
Present Zoning Classification: R-1 (Single-Family Residential)  
Requested Zoning Classification: R-2 (Urban-Family Residential)

3. Set forth a description of the nature and operating characteristics of the proposed use: The proposed use is for two unit town homes.
4. Please attach any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use to the approving agencies.

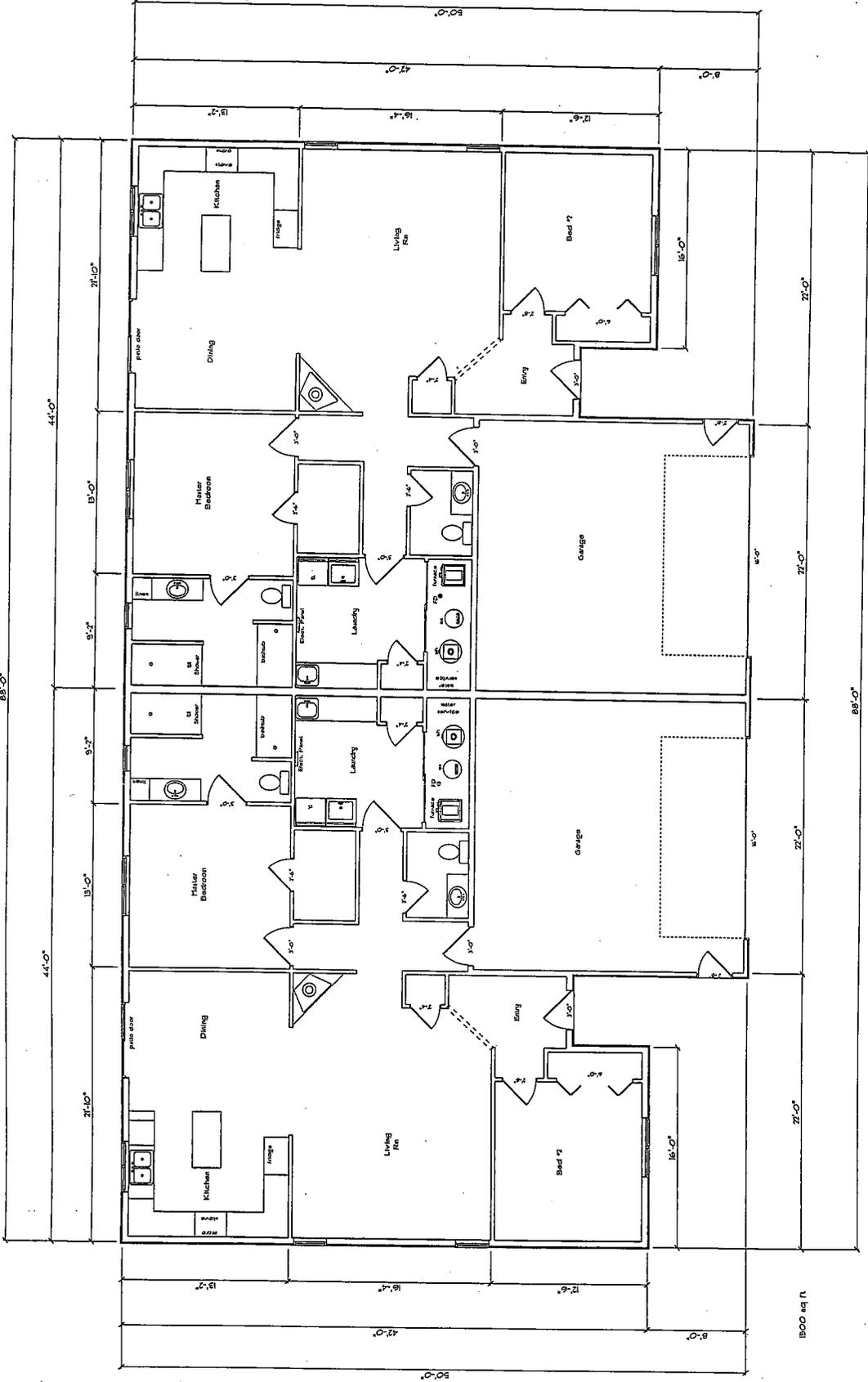
(See attached Exhibits A, B, C, D, E and F)

I, the undersigned, am the owner of the property described in this Application or the property owner's authorized agent.

Dated this 13<sup>th</sup> day of February, 2019.

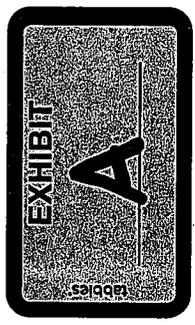


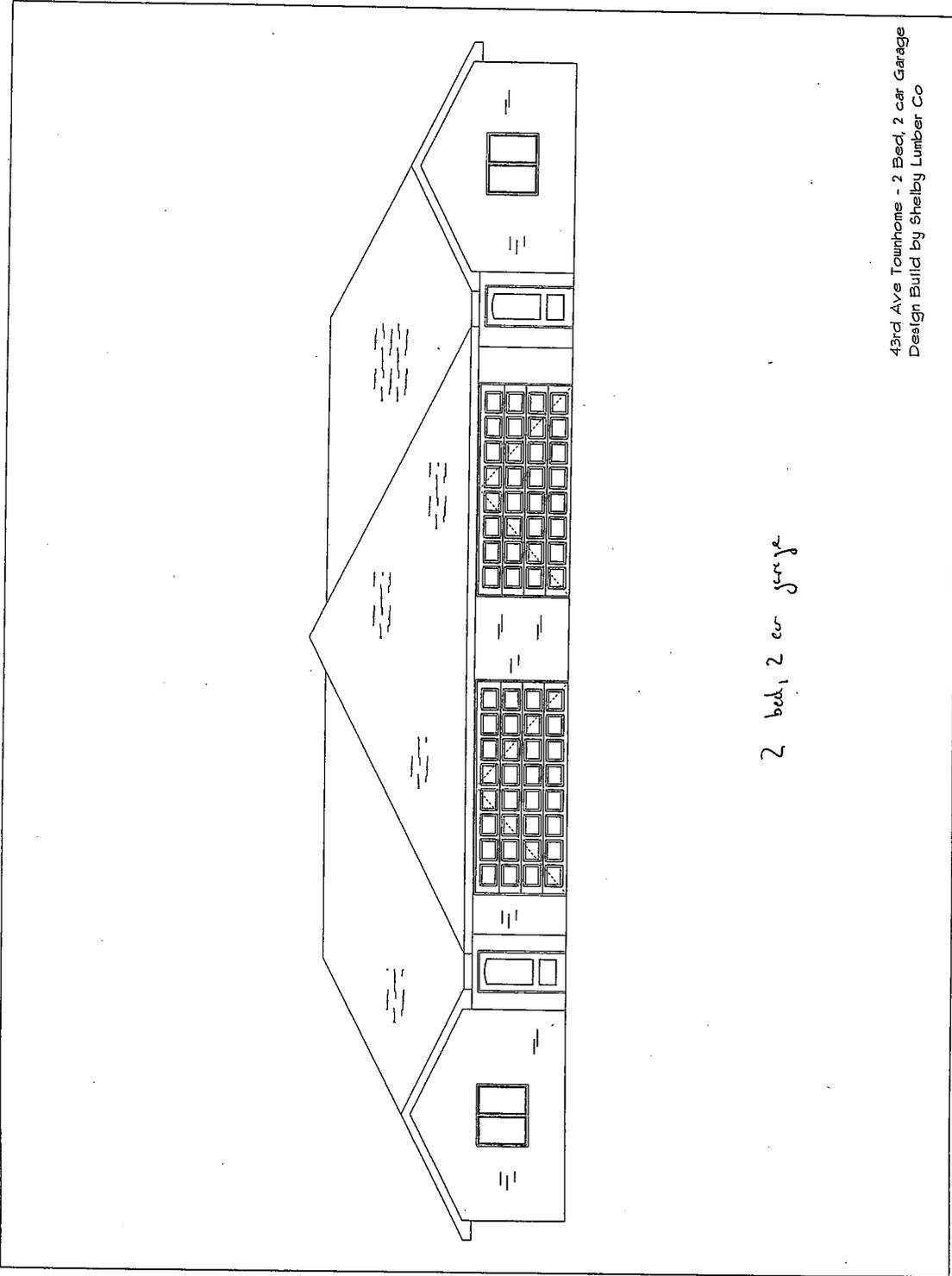
Property Owner/Authorized Agent



Main Floor  
Lot #1

43rd Ave Townhome - 2 Bed, 2 car garage  
 Design Build by Shelby Lumber Co  
 1/4"-1"=0'  
 JES 2/13/19

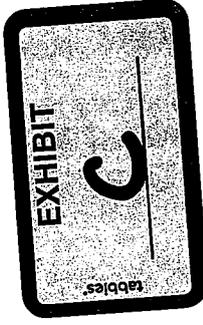




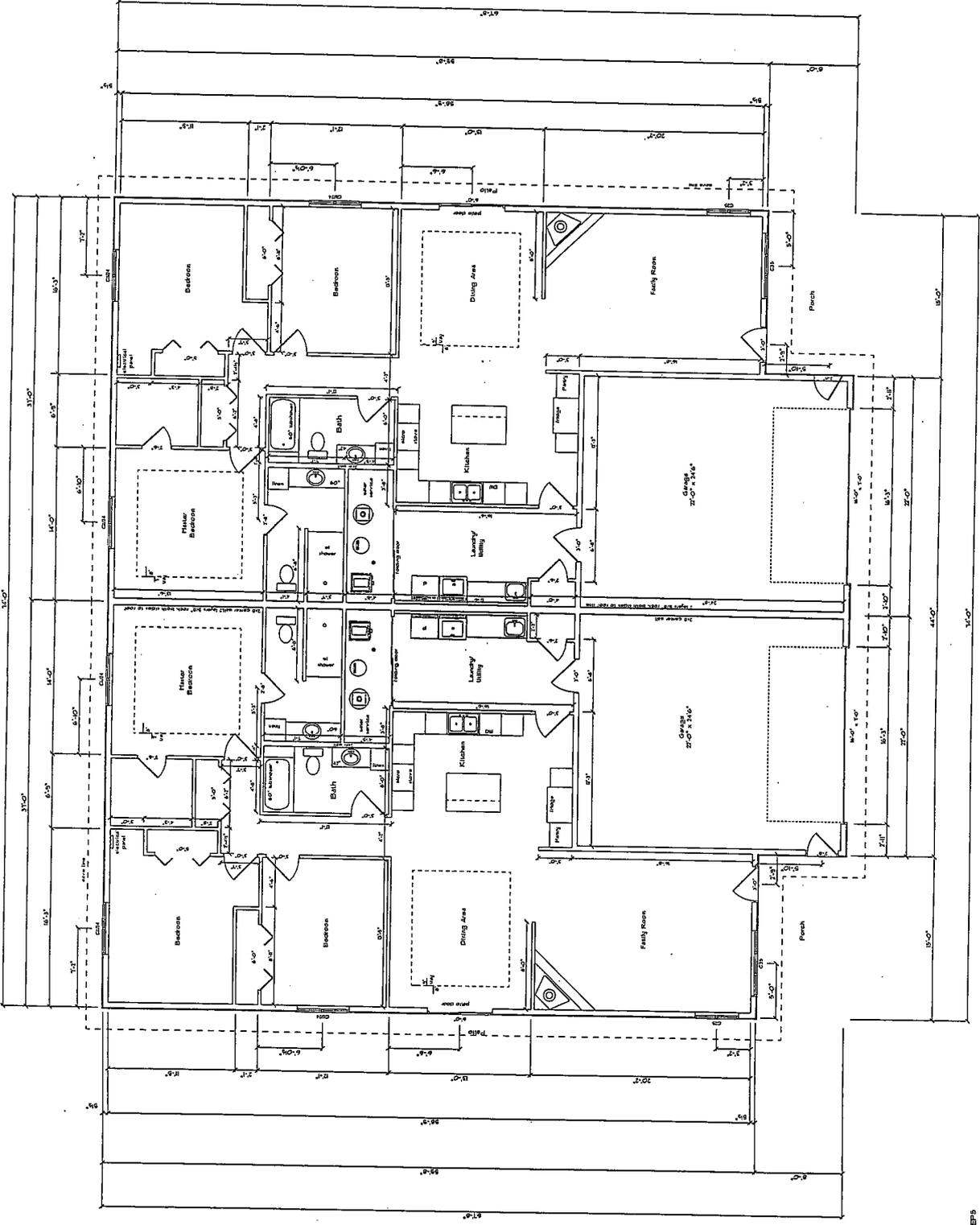
43rd Ave Townhome - 2 Bed, 2 car Garage  
Design Build by Shelby Lumber Co

2 bed, 2 car garage





Design Build by Shelby Lumber Co  
1/4"=1'-0" 9/1/77

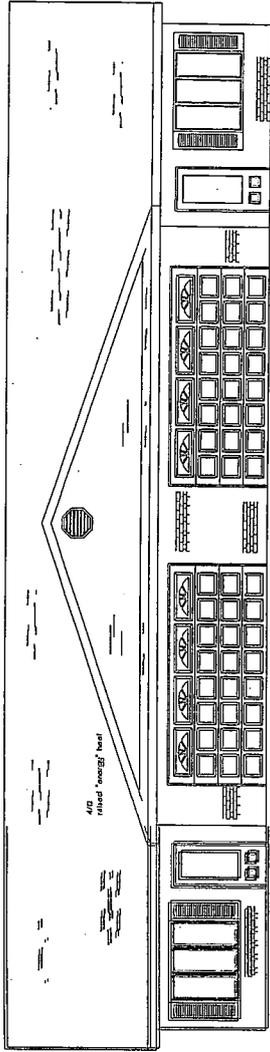


Floor Plan  
3 beds - 2 car garage

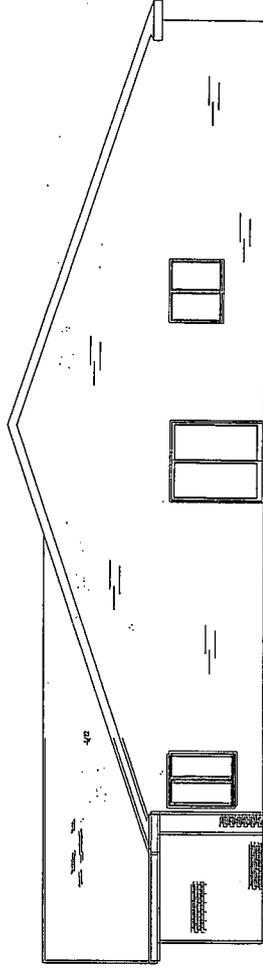
Notes:  
Allow for 2 layers of 5/8" on common wall  
No plastering inside of common wall  
Openings to go through where 1" long ceiling  
is not in wall

New building(s)  
to be similar  
but w/ dimension  
changes to fit lot

1846 sq. ft. living  
550 sq. ft. garage  
2396 total each side  
8" wall height  
Slab on Grade NO STEPS



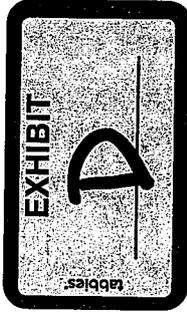
Front Elevation



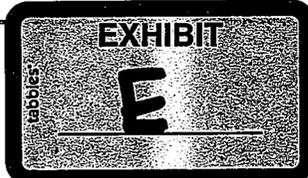
Right Side Elevation

3 bed - 2 car garage

Design Build by Shelby Lumber Co  
1/4"-1"=0' JB5 9/1/11



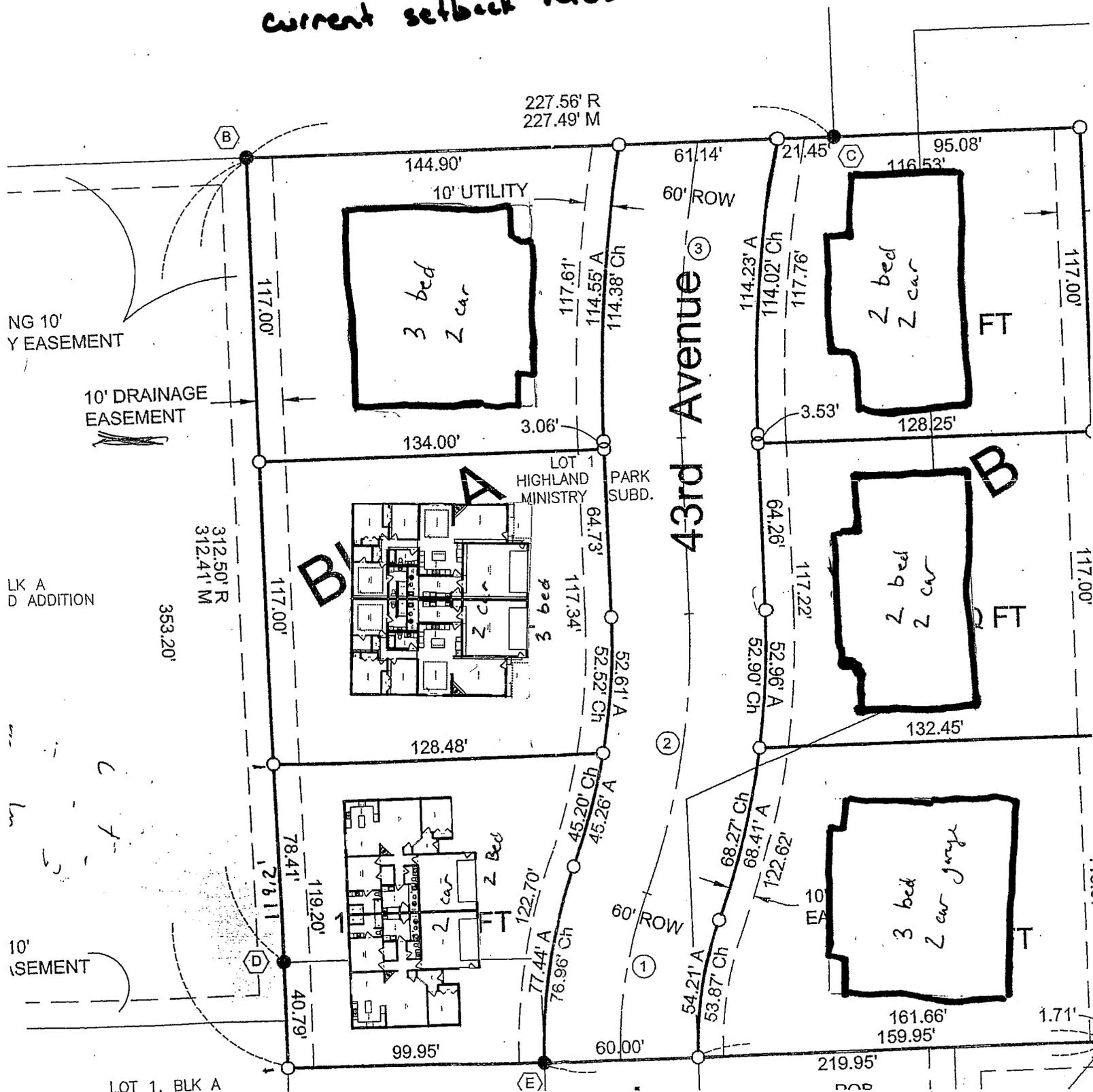
FINAL PLAT



CANADAY-BEIERMANN ADDITION

A REPLAT OF PART OF LOT 1, HIGHLAND PARK MINISTRY SUBDIVISION TO THE CITY OF COLUMBUS AND PART OF THE SE1/4 NW1/4 OF SECTION 13, T17N, R1W OF THE 6th P.M., IN PLATTE COUNTY, NEBRASKA

All lots to meet current setback rules



NG 10' Y EASEMENT

10' DRAINAGE EASEMENT

LK A D ADDITION

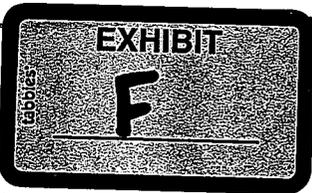
10' EASEMENT

LOT 1, BLK A

6  
C

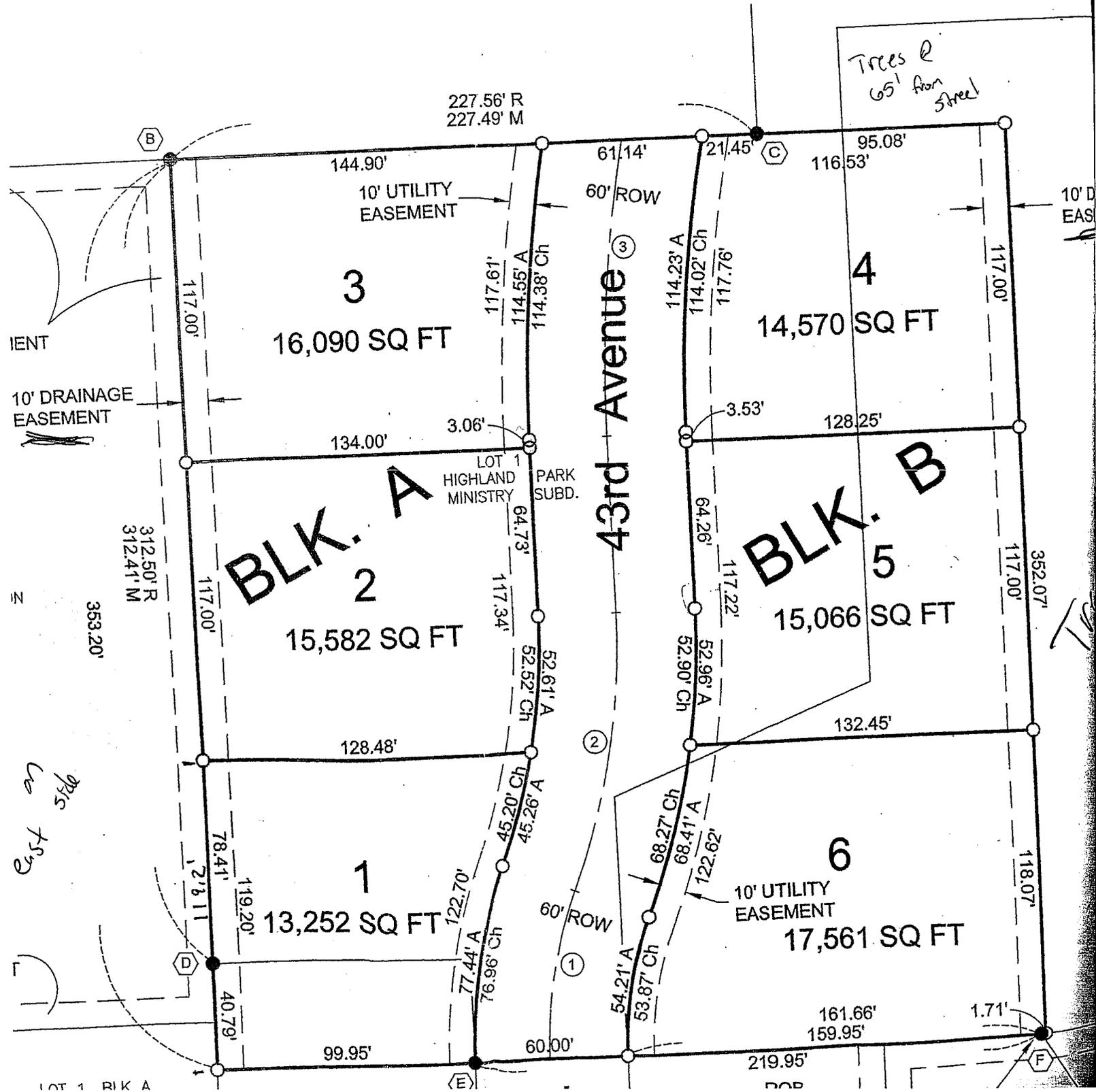
FINAL PLAT

# CANADAY-BEIERMANN ADDITION



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A REPLAT OF PART OF LOT 1, HIGHLAND PARK MINISTRY SUBDIVISION  
TO THE CITY OF COLUMBUS AND PART OF THE SE1/4 NW1/4 OF SECTION 13,  
T17N, R1W OF THE 6th P.M., IN PLATTE COUNTY, NEBRASKA



**NOTICE OF HEARING  
TO ALL PARTIES IN INTEREST AND CITIZENS OF  
COLUMBUS, NEBRASKA**

NOTICE IS HEREBY GIVEN that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, March 11, 2019, at 7 P.M. in the City Council Chambers, 1369 25 Avenue, Columbus, Nebraska, to consider and possibly take action on a Redevelopment Plan entitled: "Redevelopment Plan for the 23rd Street Corridor Redevelopment Area (4J Capital Redevelopment Project)," for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within the blighted and substandard 23 Street Corridor Area (a/k/a Redevelopment Area 6), located east of 33 Avenue and west of East 11 Avenue, between 19 Street and 27 Street, in Columbus, Nebraska, as depicted on the map of the redevelopment area, available in the office of the City Clerk at 2424 14 Street, Columbus, Nebraska, telephone number 402-562-4224. Additionally, the cost-benefit analysis for the redevelopment project set forth in the redevelopment plan is available for review at the office of the City Clerk.

At said time and place, all interested parties may appear and be heard.

Dated this 21 day of February, 2019.

CITY OF COLUMBUS, NEBRASKA  
By: Janelle Kline, City Clerk

Publish: 02:21, 28:19  
Two Affidavits of Publication



# The City of Columbus

RESPONSIBLE • RESPONSIVE • REPUTABLE

Administration Office (402) 562-4232

Fax (402) 563-1380

## memorandum

DATE: March 7<sup>th</sup>, 2019  
TO: Planning Commission Members  
FROM: Tara Vasicek, City Administrator  
RE: 4J Capital, Redevelopment Plan for Area 6

### RECOMMENDATION:

Approval of the redevelopment plan for blight and substandard 'Area 6' to the Mayor and City Council.

### DISCUSSION:

4J Capital, City staff and legal counsel have ensured that the plan meets the land uses in the redevelopment area as described in the Plan. The plan was designed with the general purpose of accomplishing, in conformance with the City's general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development. Under the Plan adequate provision is made for traffic, vehicular parking, and the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of populations. The provision of adequate transportation, water, sewage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds and the elimination of, or prevention of the recurrence of, insanitary or unsafe dwelling accommodations or conditions of blight.

The Plan contains a statement of the proposed method and estimated cost of acquisition and preparation for redevelopment of the redevelopment area; that no public improvements are required to be provided except as set forth in the Plan; that there are no estimated proceeds or revenue expected to be obtained by the City from disposal of property to Redeveloper; that the Plan sets forth the proposed method of financing for the proposed redevelopment consisting of direct payment for public improvements or grant assistance to the Redeveloper for the redevelopment area, as designated in the Plan which method of financing is the issuance by the City of its tax increment revenue bonds to provide funds to pay for the costs of certain public improvements directly or of public or private improvements by grant assistance and that there are no families currently living within the redevelopment area, as set forth in the Plan, which are currently expected to be displaced from such area.

It has also been determined that the cost-benefit analysis prepared in conjunction with the Plan and attached thereto sets forth the factors required under section 18-2113 of the Nebraska Revised Statutes and supports the City's adoption and approval of the Plan.



**REDEVELOPMENT PLAN FOR  
THE 23RD STREET CORRIDOR REDEVELOPMENT AREA  
(4J CAPITAL REDEVELOPMENT PROJECT)  
COLUMBUS, NEBRASKA**

**PREPARED FEBRUARY, 2019  
FOR  
THE COMMUNITY DEVELOPMENT  
AGENCY OF  
COLUMBUS, NEBRASKA**

## **A. Introduction**

This Redevelopment Plan for a blighted and substandard area of the City of Columbus, Nebraska ("Redevelopment Plan") is a guide for redevelopment activities to remove or eliminate blight and substandard conditions within the City of Columbus, Nebraska (the "City"). The Mayor and City Council of the City (the "Council"), recognizing that blighted and substandard conditions are a threat to the continued stability and vitality of the City, passed a resolution designating certain areas of the City to be blighted and substandard and in need of redevelopment pursuant to the requirements of section 18-2103 of the Nebraska Community Development Law, sections 18-2101 et. seq., as amended (the "Act"). One of the areas designated by the Council as blighted and substandard and in need of redevelopment is the area commonly referred to as "Redevelopment Area 6" a/k/a the "23rd Street Corridor Area" (referred to herein as the "Redevelopment Area").

This Redevelopment Plan submits the implementation of a redevelopment project in the Redevelopment Area utilizing the tax increment financing ("TIF") resources available for site acquisition, construction of eligible public improvements, and to remove existing and avoid future blighted and substandard conditions, as further described in paragraph D of this Redevelopment Plan (the "Redevelopment Project"). The Redevelopment Project contemplates the construction of an apartment complex consisting of approximately 180 market rate residential units, 303 parking stalls, and a 3,400 square foot clubhouse within the Redevelopment Area.

The Redevelopment Project is located within a small portion of the Redevelopment Area. Accordingly, the City anticipates that it will amend this Redevelopment Plan to set forth additional redevelopment projects in the future.

## **B. Redevelopment Area; Existing Conditions**

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries of the Redevelopment Area. The Redevelopment Area is identical to "Redevelopment Area 6," which the Council previously declared blighted and substandard and in need of redevelopment. The Redevelopment Area is approximately located east of 33rd Avenue and west of East 11th Avenue, between 19th Street and 27th Street.

## **C. Project Site**

Exhibit "B", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the area to be developed as part of the Redevelopment Project (the "Project Site"). The Project Site is completely engrossed within the blighted and substandard Redevelopment Area and is in need of redevelopment.

#### **D. Conformance with the Comprehensive Plan**

It is essential to the City's comprehensive plan that dilapidated, inadequate, or deteriorating portions of the City conform to the current and future needs of the City as it continues to grow and expand. The comprehensive plan recommends "contiguous growth of residential land use" throughout the neighborhood encompassing the Redevelopment Area.

Additionally, the "Envision Columbus 2040" plan states that the City's "inadequate housing supply remains one of the City's greatest challenges." The "2017 City of Columbus Housing Study" noted the need for additional housing. The study included the following conclusions, among many other findings:

- The City must produce additional housing options across all price-points to enable movement in the market.
- Like the desire for more affordable housing options, respondents indicated their strong desire for a variety of smaller housing options including small and mid-size single-family homes, townhomes, duplexes, apartments, and independent senior living opportunities.
- Many respondents expressed the desire for more quality housing units and for better property maintenance overall.

Redeveloper intends to develop the Project Site for the purpose of constructing a 180-unit apartment complex. The City's comprehensive plan and other plans for development and expansion of the City contemplate the need for housing, with specific emphasis on smaller housing options. This Redevelopment Plan and the Redevelopment Project described herein further those goals and comply with the City's comprehensive plan for land use and development.

Exhibit "C", attached hereto and incorporated herein, shows the future use map (showing the Redevelopment Area and surrounding areas) included within the City's comprehensive plan. The map sets forth a B-2 (General Commercial) designation for future use of the Redevelopment Area. Multi-family residential is a permitted use within B-2 zoning districts under the City's zoning ordinance. Accordingly, the Redevelopment Project complies with the City's future use map and comprehensive plan.

#### **E. Redevelopment Project Overview**

The Project Site is located directly west of East 6th Avenue, to the north of East 23rd Street. The Project Site is approximately 7.3 acres made up of three tax parcels. Redeveloper

may replat the Project Site into a single parcel. The Redevelopment Project will consist of approximately 180 residential apartment units, 303 parking stalls, and a 3,400 square foot clubhouse. Exhibit "D", attached hereto and incorporated herein, sets forth the proposed site plan for the Redevelopment Project.

Redeveloper does not yet own the real property within the Project Site but has entered into a purchase option agreement with the current owner. If Redeveloper exercises its option, it may purchase the Project Site for \$592,400. Redeveloper intends to exercise its purchase option upon the approval of this Redevelopment Plan (i.e., TIF is needed to assist with the cost of acquisition). No public acquisition of the Project Site is necessary. No families will be displaced as a result of the Redevelopment Project.

The Redevelopment Project will require infrastructure improvements and other public improvements, as well as private improvements, as described in paragraph F of this Redevelopment Plan. The anticipated "effective date" (as provided under section 18-2147 of the Act) for purposes of TIF is January 1, 2020. Redeveloper anticipates completion of 60% of the Redevelopment Project by December 31, 2019, and full completion by December 31, 2020.

**F. Existing Conditions**

**1. Existing Land Use**

Other than the public street adjacent thereto, the Project Site consists of vacant, undeveloped land.

**2. Existing Zoning**

The Project Site is currently zoned as B-2 (General Commercial). B-2 zoning permits multi-family residential development.

**3. Existing Public Improvements**

The street adjacent to the Project Site (East 5th Avenue) provides access to the Project Site. Water and sewer infrastructure exists in the areas adjacent to the Project Site and will be extended therefrom to serve the Project Site.

**G. Proposed Redevelopment**

**1. Public Improvements**

The Redevelopment Project will require infrastructure improvements and other public improvements. These improvements will include, but are not limited to:

a. Public Access; Traffic Flow, Street Layouts and Street Grades

The public street adjacent to the Project Site (East 5th Avenue) provides access to the Project Site. As shown on the site plan in Exhibit "D", Redeveloper will construct internal private roadways, parking lots and sidewalks for use by the apartment's employees, residents and their guests. Redeveloper will cooperate with the City to address any issues related to increased traffic flow and other street improvement issues created by the Redevelopment Project. All streets, sidewalks and other infrastructure constructed by Redeveloper will be subject to review and approval by the City's engineer or other designee of the City.

b. Construction of Water and Sewer Improvements.

Redeveloper will construct or extend water and sanitary sewer systems to provide appropriate service to the Project Site; and the Project Site will be filled and graded to provide for effective surface water runoff.

c. Other incidental improvements

The Project Site is currently undeveloped and will require grading to provide effective drainage throughout the area. The Project Site requires filling and grading to properly drain the ground water runoff and provide appropriate grading levels to erect the apartment complex. Redeveloper also anticipates the construction of electric utilities extending to the residences within the Project Site. Such public improvements (and costs related thereto) are listed in Exhibit "F", attached hereto and incorporated herein.

d. Additional public facilities or utilities

Other than the construction or extension of the utilities and infrastructure detailed above, Redeveloper and the City anticipate that the existing public facilities and utilities can adequately meet the demands of the Redevelopment Project.

e. Property Acquisition, Demolition and Disposal

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Redevelopment Project. Redeveloper intends to purchase the Project Site from the current owner subsequent to approval of this Redevelopment Plan. Pursuant to a purchase option agreement between Redeveloper and the current owner, the sale price of the Project Site will be \$592,400.

f. Population Density

The Project Site currently sits undeveloped and vacant. The Redevelopment Project will increase population density in the area. However, the City desires an increase in population density in the area to provide additional housing in the City. Adequate public infrastructure exists to accommodate the increase in population density anticipated in relation to the Redevelopment Project.

g. Land Coverage

Land coverage for the Project Site includes approximately 7.37 acres of undeveloped land. The Redevelopment Project will consist of the construction of an apartment complex consisting of approximately 180 residential units, 303 parking stalls, and a 3,400 square foot clubhouse, as shown on the site plan set forth in Exhibit "D". The Redevelopment Project will comply with all applicable land coverage ratios required by the City.

h. Parking

The Redevelopment Project includes the construction of 303 parking stalls, consisting of 84 attached garages, 84 tandem stalls, and 135 surface stalls. All parking facilities will comply with the City's zoning ordinance.

g. Zoning, Building Code and Ordinance

The Project Site is zoned as B-2 (General Commercial). A change of zoning is not necessary for the construction of a multi-family residential apartment complex. Notwithstanding the foregoing, Redeveloper will be responsible for all zoning, building code, or ordinance changes that are necessary for the Redevelopment Project.

### **3. Private Improvements**

Private improvements for the Redevelopment Project Area consist of the construction of an apartment complex consisting of approximately 180 residential units, 303 parking stalls, and a 3,400 square foot clubhouse. Redeveloper or other builders taking reconveyance from Redeveloper will construct the private improvements. Paragraphs E and I of this Redevelopment Plan details the anticipated implementation of the private improvements.

#### **H. Project Costs**

The total estimated costs of the Redevelopment Project are \$26,738,280. A breakdown of the estimated costs of the Redevelopment Project are attached and incorporated herein as Exhibit "E".

#### **I. Implementation**

The Project is a single-phase project. Redeveloper anticipates construction of both the private and public improvements to begin in the Spring of 2019. Redeveloper anticipates that it will complete sixty percent of construction by the end of 2019. Redeveloper anticipates that it will complete all construction by the end of 2020. The anticipated start date and completion date for the Project are preliminary and subject to change based upon market conditions, availability of materials, workforce availability and other extraneous factors.

#### **J. Financing**

The City and the Community Development Agency for the City (the "Agency") contemplate the use of TIF for the Redevelopment Project. Section 18-2147 of the Act authorizes the use of TIF. It provides that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project shall be divided, for a period not to exceed fifteen years after the effective date as identified in the redevelopment contract, or amendment thereof, or in the resolution(s) of the authority authorizing the issuance of bonds pursuant to the Act, as follows:

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body ("Base Tax Amount"); and
- (b) That portion of the ad valorem tax on real property, as provided in the redevelopment contract or bond resolution, in the redevelopment project in excess

of the Base Tax Amount, if any, (referred to herein as "TIF Revenues") shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

With respect to the Redevelopment Project, the actual base tax year and Base Tax Amount will be set forth in the redevelopment contract and/or the resolution authorizing the TIF Indebtedness (defined below).

### **1. Necessity of TIF**

In Redeveloper's application requesting TIF, Redeveloper advised the City that it would not be economically feasible to develop the Redevelopment Project without TIF. According to Redeveloper, the cost to construct the apartment complex is significantly greater than the Redevelopment Project's as-completed fair market value. Further, without the assistance of TIF, the return on investment for the Redevelopment Project would be too low to attract prudent investors given the risks involved in preparing the site, constructing the apartment complex, stabilizing the occupancy rates in the apartments, and other business risks. Thus, according to the Redeveloper, the Redevelopment Project as designed would not be constructed without TIF.

### **2. Sources and Uses of Financing**

Based upon the projections provided in Exhibit "F", attached hereto and incorporated herein, the Agency and Redeveloper contemplate issuance of a TIF bond or note in an amount not to exceed \$2,866,500 (the "TIF Indebtedness").

As shown on Exhibit "F", the anticipated TIF Indebtedness amount does not exceed the anticipated TIF-eligible costs.

The total estimated cost of the Redevelopment Project is \$26,738,280. As such, the TIF Indebtedness will cover less than 11% of the total cost. Redeveloper anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by via mix of owner's equity (16%), traditional bank financing (71%), and a Rural Workforce Housing Fund loan (2%). Redeveloper and the Agency will provide a detailed breakdown of the TIF sources and uses in the redevelopment contract for the Redevelopment Project. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

**K. Cost-Benefit Analysis**

A cost-benefit analysis for the Redevelopment Project is attached as Exhibit "G" and incorporated herein.

Exhibits:

- Exhibit A: Redevelopment Project Area and Depiction of Existing Land Use
- Exhibit B: Project Site
- Exhibit C: Future Land Use
- Exhibit D: Site Plan
- Exhibit E: Estimated Construction Cost of the Redevelopment Project
- Exhibit F: Sources and Uses of TIF
- Exhibit G: Cost-Benefit Analysis

**EXHIBIT "A"**

**Redevelopment Area and Existing Land Use**

Depiction of Redevelopment Area (outlined in black):

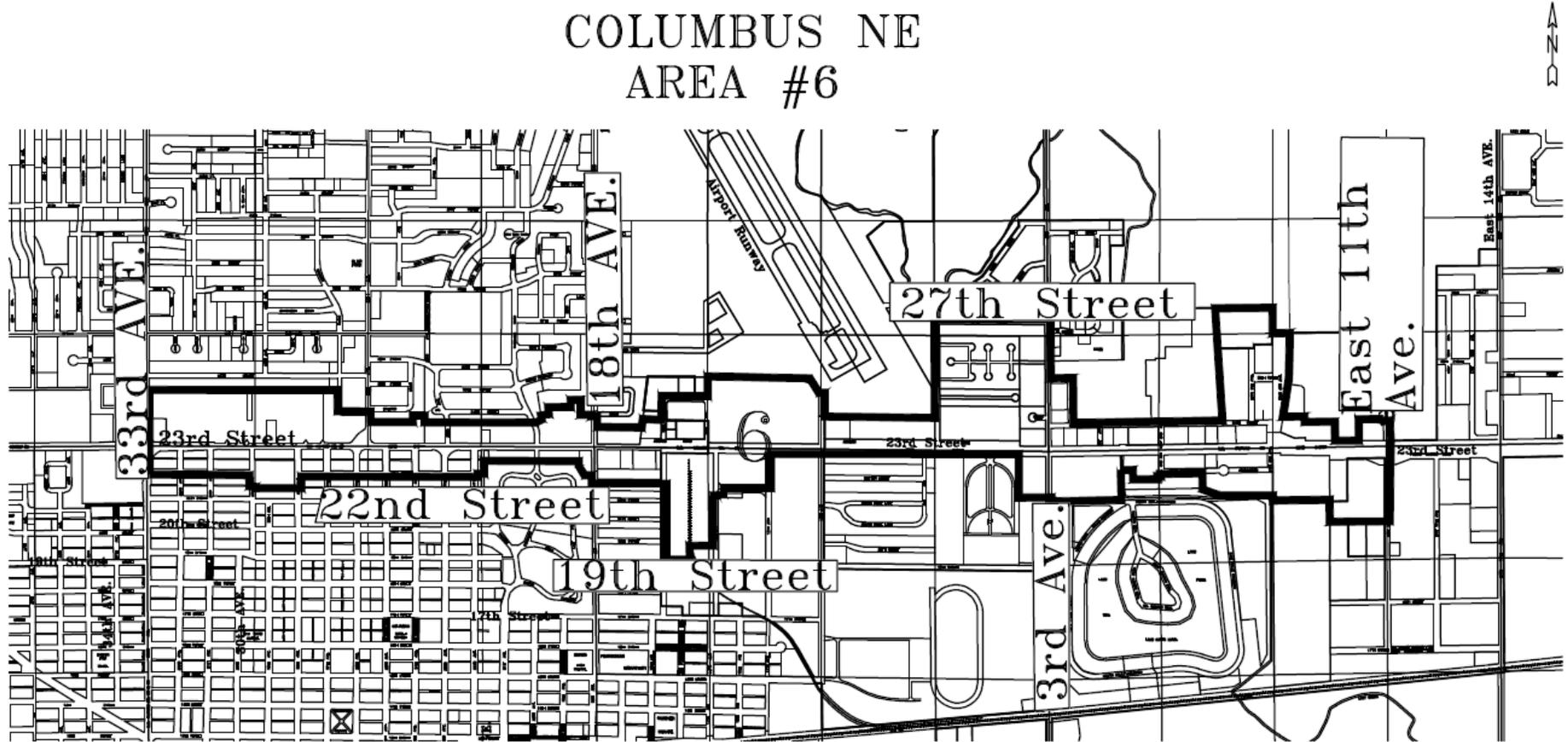


Exhibit "A"

Existing Conditions of Redevelopment Area and Surrounding Area:



Exhibit "A"

## **EXHIBIT "B"**

### **Project Site**

#### **Legal Description:**

Part of the Southwest Quarter of Section 16, Township 17 North, Range 1 East of the 6th P.M., Platte County, Nebraska, also described as Platte County Assessor parcel #710016933, except a parcel described as beginning at the northeast corner of Lot 9, Block A, Village 1st addition to the City of Columbus, Platte County, Nebraska, thence North on the west line of said parcel #710016933 a distance of 30 feet, thence west parallel to the North line of said parcel #710016933 a distance of 245 feet, thence south parallel to the west line of said Lot 9 a distance of 72 feet, thence east along the south line of said parcel #710016933 a distance of 30 feet, thence north along the west line of said Lot 9 a distance of 42 feet, thence east along the north line of said Lot 9 a distance of 215 feet to the point of beginning. And Lots 32 and 33, Block A, Village 1st Addition to the City of Columbus, Platte County, Nebraska, said legal description shall be subject to survey to determine exact boundaries.

#### **TOGETHER WITH**

All public rights-of-way contiguous thereto.

\* Subsequent to the approval of this Redevelopment Plan, the Redeveloper may replat the Project Site. Upon the occurrence thereof, the above legal description shall be replaced with the legal description provided in the replat of the Project Site approved by the City.

Depiction (outlined in red):

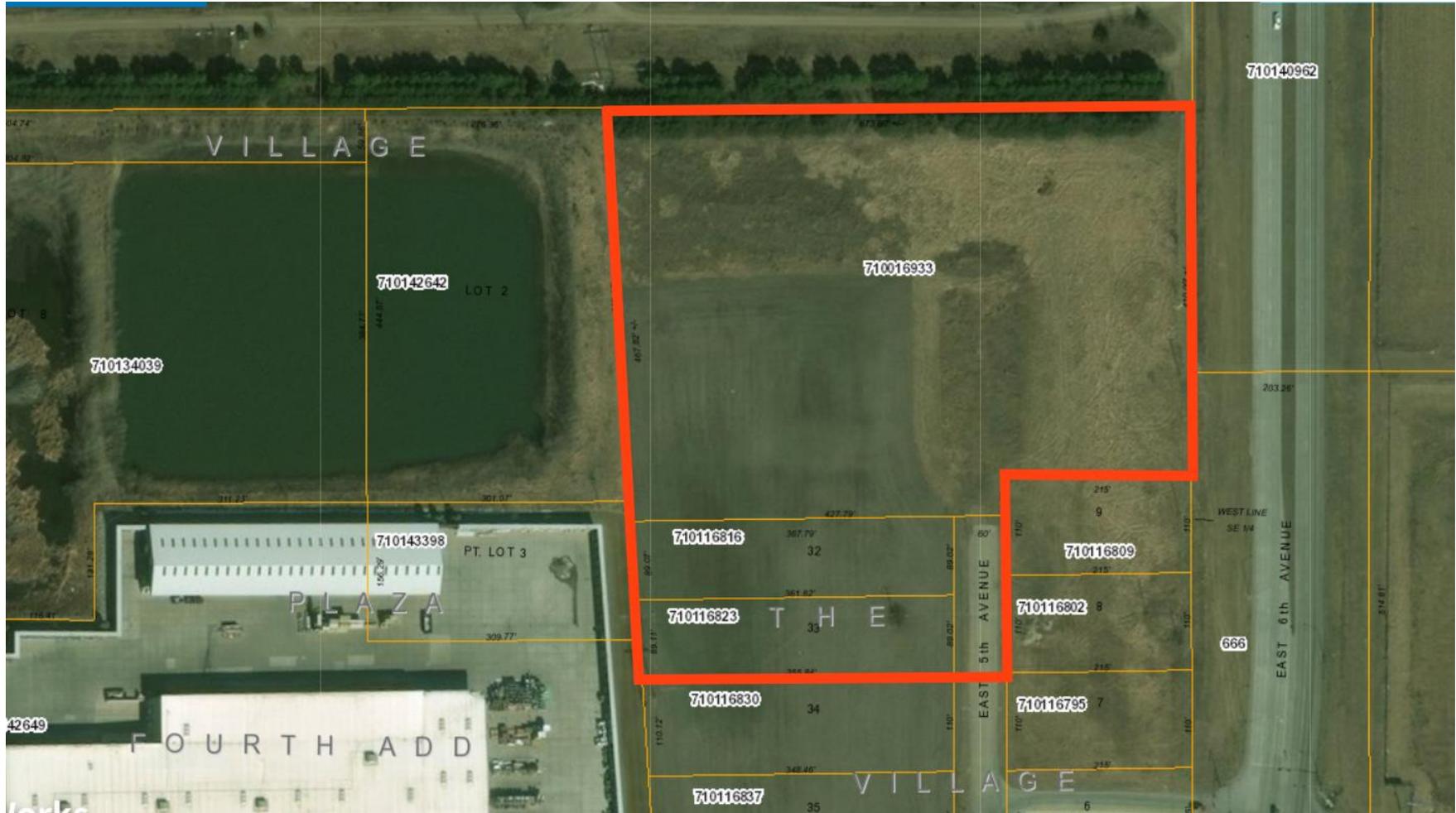
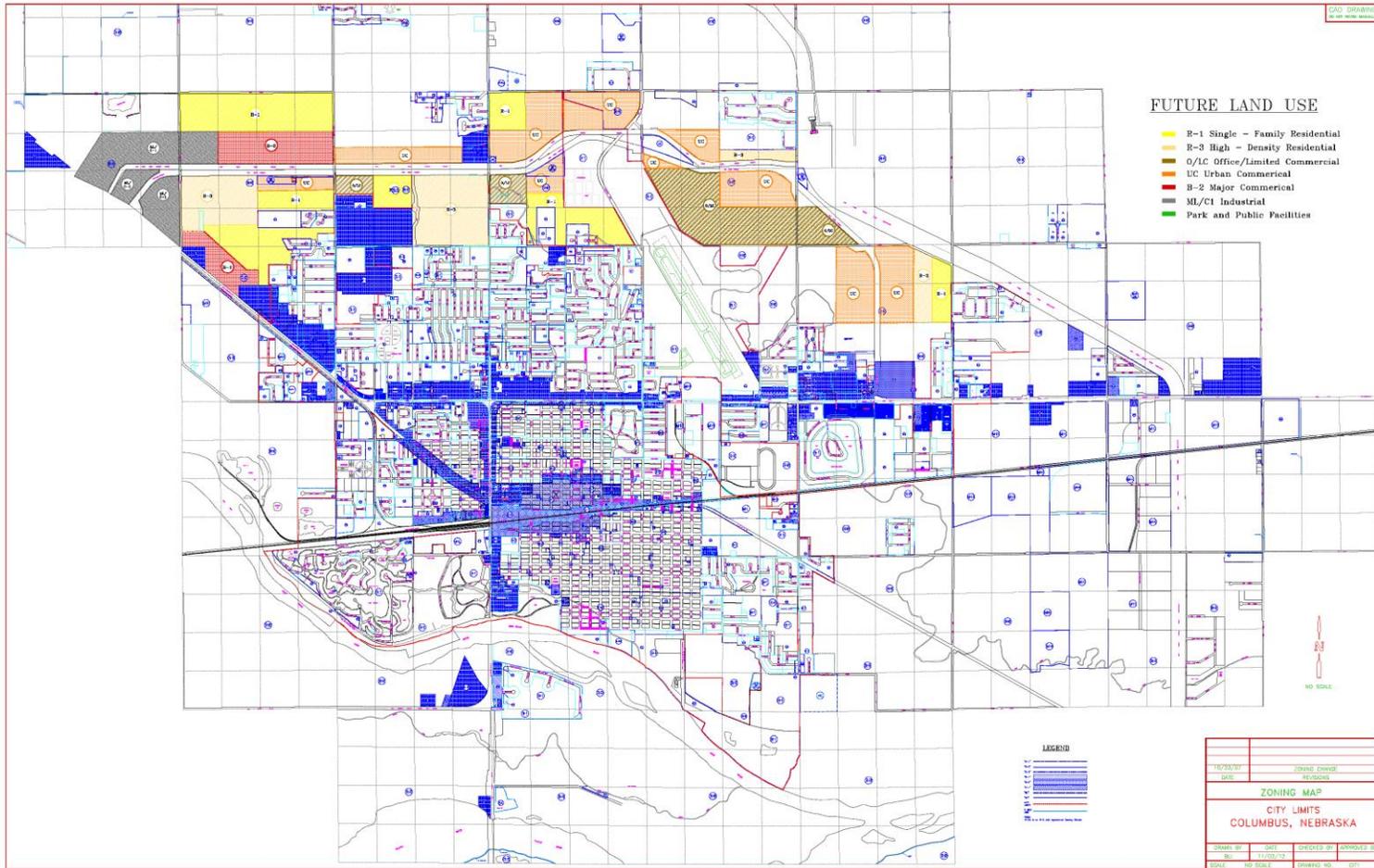


Exhibit "B"

# EXHIBIT "C"

## Future Land Use Map



\* A legible version of the above Future Land Use Map is available at the office of the City Clerk.

Exhibit "C"

**EXHIBIT "D"**

**Site Plan**

**(See attached)**

\* The attached depiction is a preliminary site plan and is subject to change.

Exhibit "D"

**EXHIBIT "E"**

**Estimate of Construction Costs**

Land acquisition	\$592,400
Site development	\$1,600,000
Building cost	\$19,365,220
Architectural/engineering fees	\$250,000
Legal fees	\$25,000
Financing costs	\$1,293,625
<u>Contingencies</u>	<u>\$3,612,035</u>
<b>TOTAL:</b>	<b>\$26,738,280</b>

\* The above figures are preliminary projections and subject to change.

**EXHIBIT "F"**

**Sources and Uses of TIF**

**SOURCES**

Assumptions:

Base Tax Amount of Project Site	\$217,230
Post-Redevelopment Valuation	\$14,624,071
Tax Levy	1.92369
TIF Revenues/Year	\$274,371
Total TIF Revenues	\$4,115,565

**USES**

Land acquisition	\$592,400
Facade Enhancements**	
Vinyl to Hardwood	\$323,220
Vinyl to Stone/Masonry	\$247,353
Site Preparation	
Earthwork/Surcharge	\$425,000
Utilities	\$375,000
Sidewalks	\$102,907
Energy Enhancements**	
13 SEER to 15 SEER	\$465,400
Architecture and Engineering fees	\$205,294
Legal fees	\$25,000
Construction Management General Conditions	\$128,309
<u>Construction Management fees</u>	<u>\$134,724</u>
<b>TOTAL:</b>	<b>\$3,024,607</b>

\* The above "sources" and "uses" for the Redevelopment Project are estimates based upon the assumptions of Redeveloper and are subject to change.

**EXHIBIT "G"**

**Cost-Benefit Analysis  
(Pursuant to Neb. Rev. Stat. § 18-2113)**

The cost-benefit analysis for the Redevelopment Project, as described in the attached Redevelopment Plan, which will utilize funds authorized by section 18-2147 of the Act, is provided below:

**1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:**

The taxes generated by the base value of the Project Site will continue to be allocated between the relevant taxing jurisdictions pursuant to the Act. Only the incremental taxes created by the Redevelopment Project will be captured to pay for the project's eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Redevelopment Project, the true tax shift of the Redevelopment Project is a positive shift in taxes after 15 years. However, for the purposes of illustrating the incremental taxes used for TIF, the estimated 15 year tax shift for the Redevelopment Project is set forth below:

Assumptions:

Base Tax Amount of Project Site	\$217,230
Post-Redevelopment Valuation	\$14,624,071
Tax Levy	1.92369
TIF Revenues/Year	\$274,371
Total TIF Revenues	\$4,115,565

*Notes:*

*The Base Tax Amount provided above is based upon the assessed value of the Project Site in 2018.*

*The projected TIF Revenues are based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2018 levy rate. The Post-Redevelopment Valuation accounts for estimated average over the entire 15 year period.*

**2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project:**

a. Public infrastructure improvements and impacts:

Redeveloper will construct or extend water and sewer systems to provide appropriate service to the Project Site; and the Project Site will be filled and graded to provide for effective surface water runoff. Redeveloper also anticipates the construction of electric utilities extending to the residences within the Project Site. It is the intent of this Redevelopment Plan that such infrastructure and site preparation be paid for by the Redeveloper with such cost to be reimbursed by TIF. Other than the construction or extension of the utilities and infrastructure detailed above, Redeveloper and the City anticipate that the existing public facilities and utilities can adequately meet the demands of the Redevelopment Project.

b. Local Tax impacts (in addition to impacts of Tax Shifts described above):

The Redevelopment Project should create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Redevelopment Project, the Redevelopment Project should generate immediate revenues for the City. The Redevelopment Project and new residences therein will require and pay for City services. Additionally, the City will be benefitted by the sales tax charged on materials used to construct the Redevelopment Project. It is not anticipated that the Redevelopment Project will have any material adverse impact on such City services, but will generate revenue providing support for those services.

**3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project:**

Other than the management and leasing offices for the apartment complex, it is not anticipated that any employers will locate within the Project Site. However, the Redevelopment Project is anticipated to provide additional housing for employees in the area. The Redevelopment Project is not anticipated to have an adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project.

**4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the area of the redevelopment project:**

The Redevelopment Project should have a material positive impact on private sector businesses surrounding the Project Site. The Redevelopment Project will provide much needed

housing in the community, which will benefit employers, employees, and the City in general. Further, the residences constructed as part of the Redevelopment Project should increase the need for services and products from existing businesses, such as household products and general consumer services.

The project is not anticipated to have a negative impact on local employers. Construction of the apartment complex should create a pool of additional employees in the City and/or additional housing options for current employees.

**5. Impacts on student populations of school districts within the City:**

The addition of school age children as a result of this Redevelopment Project will have an impact on the Columbus School District. Assuming each dwelling unit will result in 2.5 persons and there is a traditional family in each unit, a student population increase of .5 children per household is possible for a total of 90 new students. However, based upon the target demographic, the unlikelihood that all inhabitants will be new residents, and size of the apartments, Redeveloper and the City expects this number to be much lower. The school district will not receive taxes from the residences built during the time the increased taxes are utilized to pay the TIF Indebtedness. The school district has received state aid to education in the past. Part of the school aid formula involves assessed valuation in the school district. The valuation that generates the TIF Indebtedness payments is not included in the formula and does not count against the state aid that the school district would receive. Taxes on any increase in the base value of the land will benefit the school district. After the TIF Indebtedness is paid, or at the end of the respective 15 years of division of taxes, whichever is sooner, the increased valuation from the residential construction will be available to the school district.

**6. Other impacts determined by the Agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:**

The Project Site is blighted and contains substandard conditions that are a detriment to the City as a whole. The Redevelopment Project will revitalize and occupy a vacant space without negatively impacting the surrounding businesses or straining the public infrastructure. There are no other material impacts determined by the City or Agency relevant to the consideration of the cost or benefits arising from the Redevelopment Project. As such, the benefits of the Redevelopment Project outweigh the costs.

PLANNING COMMISSION  
February 11, 2019

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on February 11, 2019, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram with a copy of the proof of publication being on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor, members of the City Council, and Planning Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

- 1. Statement of Compliance with Open Meetings Act and Roll Call:** Chair Lippert announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Members Steve Anderson, Bob Elsasser, Kim Hoefler, John Lippert, Josh Mueller, and Brent Ogle. Members Dennis Hirschbrunner, Chad Kucera, and Fernando Lopez, Jr. were absent and excused. City staff members present included City Attorney Gene Schumacher, City Clerk Janelle Kline, City Engineer Rick Bogus, and Community Development Director Dan Curtis. Also present was Mayor James Bulkley.
- 2. Minutes of January 14, 2019, meeting:** The minutes were approved as presented with a motion by Elsasser and a second by Ogle. Anderson, Elsasser, Hoefler, Lippert, Mueller, and Ogle voted "Aye" and none voted "Nay". Hirschbrunner, Kucera, and Lopez were absent.
- 3. Public hearing - Application of Pillen Holdings II, LLC for preliminary plat of Pillen Addition (southeast corner of Lost Creek Parkway and 48 Avenue intersection):** Matt Langston, Olsson Associates, on behalf of the applicant, explained the plans for an office complex and said the property will be annexed into the city. It was noted that streets, storm sewer, water, and sanitary will be extended with benefitting property owners being assessed. No public testimony was heard. The public hearing closed with a motion by Elsasser and a second by Anderson. A recommendation was made to the mayor and council to approve the preliminary plat of Pillen Addition with a motion by Ogle and a second by Elsasser as it is amenable with adjacent land use and future land use and is in accordance with the Land Development Ordinance. Anderson, Elsasser, Hoefler, Lippert, Mueller, and Ogle voted "Aye" and none voted "Nay". Hirschbrunner, Kucera, and Lopez were absent.
- 4. Public hearing - Application of Triple S Real Estate, Inc. to rezone property at 4620 23 Street from "ML/C-1" (Limited Industrial District) to "B-2" (General Commercial District) and amend the Future Land Use Map of the Comprehensive Plan. (A request was received to continue this public**

**hearing to the March 11th meeting.):** The public hearing was continued to March 11, 2019, at 7 p.m. with a motion by Anderson and a second by Elsasser. Anderson, Elsasser, Hoefler, Lippert, Mueller, and Ogle voted "Aye" and none voted "Nay". Hirschbrunner, Kucera, and Lopez were absent.

5. **Public hearing - Application of McHanson Properties to rezone property at 2308 and 2312 4 Street from "R-2 (b)" (Urban-Family Residential District with an agricultural overlay district) to "R-3" (Multiple-Family Residential District) and amend the Future Land Use Map of the Comprehensive Plan:** It was noted that the requirements for posting and mailing notices were not met. The public hearing was continued to March 11, 2019, at 7 p.m. with a motion by Elsasser and a second by Anderson. Anderson, Elsasser, Hoefler, Lippert, Mueller, and Ogle voted "Aye" and none voted "Nay". Hirschbrunner, Kucera, and Lopez were absent.
6. **Building report for January 2019.** The building report was approved as presented with a motion by Elsasser and a second by Ogle. Anderson, Elsasser, Hoefler, Lippert, Mueller, and Ogle voted "Aye" and none voted "Nay". Hirschbrunner, Kucera, and Lopez were absent.
7. **Adjournment:** The meeting adjourned at 7:11 p.m. with a motion by Elsasser and a second by Ogle. Anderson, Elsasser, Hoefler, Lippert, Mueller, and Ogle voted "Aye" and none voted "Nay". Hirschbrunner, Kucera, and Lopez were absent.

OFFICE OF THE CITY CLERK  
: Janelle Kline

**NOTICE OF HEARING  
TO ALL PARTIES IN INTEREST AND CITIZENS OF  
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 11, 2018, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone a tract of land located located on all that part of the SW1/4SW1/4 of Section 13, Township 17 North, Range 1 West of the 6th P.M., Platte County, Nebraska, lying Southwest of the O.N. & B.H.R.R. (4620 23 Street) from "ML/C-1" (Limited Industrial District) to "B-2" (General Commercial District) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

Dated this 31 day of January, 2019.

CITY OF COLUMBUS, NEBRASKA  
By: Janelle Kline  
City Clerk

Publish: 01:31:19  
Two Affidavits of Publication

**CITY OF COLUMBUS  
MEMORANDUM**

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**DATE:** February 6, 2019  
**FROM:** Daniel Curtis  
**TO:** City Administrator Tara Vasicek  
**RE:** Triple S Real Estate, Inc. Rezoning

**RECOMMENDATION:**

I recommend approval of rezoning of this property from ML/C1 to B-2, and to amend the Future Land Use map accordingly.

**DISCUSSION:**

We have received an application to rezone the property located at 4620 23<sup>rd</sup> Street from ML/C1 to B-2. If approved the B-2 zoning will allow auto sales as a Permitted Use along with other future retail uses compatible with B-2 zoning. The property across the street and some to the east are zoned B-2 and if approved this would be an extension of that district.

**FISCAL IMPACT:**

None

**ALTERNATIVE:**

Deny the Rezoning

**SIGNATURE:**

By:  \_\_\_\_\_

Approved By:  \_\_\_\_\_

## RE-ZONING APPLICATION

The following Application needs to be completed fully and submitted to the City Clerk at least twenty-one (21) calendar days before the Planning Commission Meeting at which the Application will be considered. Please complete the following:

1. Applicant's Name: Triple S Real Estate, Inc.  
Applicant's Address: 2476 33rd Avenue,  
Columbus, NE 68601
2. Property Owner: Triple S Real Estate, Inc  
Address of Property: 4620 23rd Street,  
Columbus, NE 68601

### Legal Description of Property:

All that part of the SW1/4SW1/4 of Section 13, Township 17 North, Range 1 West of the 6th P.M., Platte County, Nebraska, lying Southwest of the O.N. & B.H.R.R.

Present Zoning Classification: ML/C-1 (Light Industrial District)  
Requested Zoning Classification: B-2 (General Commercial)

3. Set forth a description of the nature and operating characteristics of the proposed use: Used car sales and other retail sales
4. Please attach any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use to the approving agencies.

I, the undersigned, am the owner of the property described in this Application or the property owner's authorized agent.

Dated this 7th day of January, 2019.

**FILED**

  
\_\_\_\_\_  
Property Owner/Authorized Agent

JAN 07 2019

**CITY CLERK  
COLUMBUS, NEBR.**

March 5, 2019

To Whom It May Concern:

**RE: MC Hanson Properties Rezoning 2308-2312 4<sup>th</sup> Street**

There will be a continuation meeting on April 8, 2019 with the Planning and Zoning Commission and April 15, 2019 with the City Council to discuss the rezoning of the property located at 2308-2312 4<sup>th</sup> Street to rezone from “R-2” to “R-3”.

Thank you,

Mark Hanson  
MC Hanson Properties, LLC

**NOTICE OF HEARING  
TO ALL PARTIES IN INTEREST AND CITIZENS OF  
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 11, 2018, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone a tract of land located on Lot 7, Block 220, Original City of Columbus, Nebraska, Platte County (2308 4 Street and 2312 4 Street) from "R-2" (Urban-Family Residential District) to "R-3" (Multiple-Family Residential District) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

Dated this 31 day of January, 2019.

CITY OF COLUMBUS, NEBRASKA  
By: Janelle Kline  
City Clerk

Publish: 01:31:19  
Two Affidavits of Publication

**CITY OF COLUMBUS  
BUILDING DEPARTMENT REPORT February 2019**

<b>BUILDING PERMITS</b>	<b>Current Month 2019</b>			<b>Current Month 2018</b>		
	<b>COUNT</b>	<b>VALUE</b>	<b>FEES</b>	<b>COUNT</b>	<b>VALUE</b>	<b>FEES</b>
<b>Business/Industry</b>						
Addition	1	598,700	1,802.50	2	6,193,000	12,551.25
Alteration	0	0	0.00	0	0	0.00
Fence	0	0	0.00	0	0	0.00
Miscellaneous (Other)	0	0	0.00	0	0	0.00
<b>New</b>	<b>1</b>	<b>5,500,000</b>	<b>10,893.75</b>	<b>2</b>	<b>7,015,000</b>	<b>0.00</b>
Repairs/Remodel	0	0	0.00	1	25,000	175.00
<b>Duplex/Townhouse (New)</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
Repairs/Remodel	0	0	0.00	0	0	0.00
<b>Garage/Utility</b>						
Addition	0	0	0.00	0	0	0.00
New	0	0	0.00	0	0	0.00
<b>Multiple Family (New)</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
Repairs/Remodel	0	0	0.00	0	0	0.00
<b>Residence</b>						
Addition	1	25,000.00	154.00	0	0	0.00
Alteration	0	0	0.00	0	0	0.00
Deck	1	500	25.00	0	0	0.00
Fence	0	0	0.00	0	0	0.00
Miscellaneous (Other)	0	0	0.00	2	52,000	313.50
<b>* New Residence</b>	<b>2</b>	<b>425,710</b>	<b>1,409.56</b>	<b>2</b>	<b>750,000</b>	<b>2,123.00</b>
<b>* New HUD Residence</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
Repairs/Remodel	2	82,680	406.88	1	15,000	99.00
<b>Public Owned</b>	<b>1</b>	<b>7,300,000</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
<b>SPECIAL PERMITS</b>						
Demolition	1	3,000	25.00	0	0	0.00
Electrical	0	0	0.00	7	33,000	640.00
Miscellaneous (Other)	0	0	0.00	0	0	0.00
Move Building	1	0	28.80	0	0	0.00
Plumbing	3	265,500	52.00	6	42,800	293.00
Signs	10	32,000	250.00	0	0	0.00
<b>TOTAL</b>	<b>24</b>	<b>14,233,090.00</b>	<b>15,047.49</b>	<b>23</b>	<b>14,125,800.00</b>	<b>16,194.75</b>

<b>BUILDING PERMITS</b>	<b>Year to Date 2019</b>			<b>Year to Date 2018</b>		
	<b>COUNT</b>	<b>VALUE</b>	<b>FEES</b>	<b>COUNT</b>	<b>VALUE</b>	<b>FEES</b>
<b>Business/Industry</b>						
Addition	2	9,448,700	1,802.50	3	6,411,720	13366.80
Alteration	0	0	0.00	0	0	0.00
Fence	0	0	0.00	0	0	0.00
Miscellaneous (Other)	0	0	0.00	0	0	0.00
<b>New</b>	<b>2</b>	<b>6,250,000</b>	<b>12,881.25</b>	<b>3</b>	<b>7,085,200</b>	<b>388.37</b>
Repairs/Remodel	3	1,381,000	3,689.37	4	620,195	2260.34
<b>Duplex/Townhouse (New)</b>	<b>2</b>	<b>482,876</b>	<b>1,535.31</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
Repairs/Remodel	0	0	0.00	0	0	0.00
<b>Garage/Utility</b>						
Addition	0	0	0.00	0	0	0.00
New	0	0	0.00	0	0	0.00
<b>Multiple Family (New)</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
Repairs/Remodel	0	0	0.00	0	0	0.00
<b>Residence (*See "New" Residences Below)</b>						
Addition	1	25,000	154.00	2	62,425	362.50
Alteration	0	0	0.00	0	0	0.00
Deck	2	10,500	90.00	1	4,000	50.00
Fence	3	5,131	75.00	1	1,945	25.00
Miscellaneous (Other)	0	0	0.00	2	52,000	313.50
<b>* New Residence</b>	<b>2</b>	<b>425,710</b>	<b>1,409.56</b>	<b>2</b>	<b>750,000</b>	<b>2,123.00</b>
<b>* New HUD Residence</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
Repairs/Remodel	4	127,680	670.88	3	133,751	625.62
<b>Public Owned</b>	<b>2</b>	<b>8,198,000</b>	<b>2,265.00</b>	<b>0</b>	<b>0</b>	<b>0.00</b>
<b>SPECIAL PERMITS</b>						
Demolition	3	18,000	75.00	0	0	0.00
Electrical	0	0	0.00	13	71,500	1205.00
Miscellaneous (Other)	0	0	0.00	0	0	0.00
Move Building	1	0	28.80	0	0	0.00
Plumbing	11	389,500	449.00	6	42,800	293.00
Signs	11	36,000	275.00	1	86,500	25.00
<b>TOTAL</b>	<b>49</b>	<b>26,798,097.00</b>	<b>25,400.67</b>	<b>41</b>	<b>15,322,036.00</b>	<b>21,038.13</b>

**CITY OF COLUMBUS  
BUILDING DEPARTMENT REPORT  
FEBRUARY 2019**

**CURRENT MONTH 2019**

**CURRENT MONTH 2018**

**YEAR TO DATE**

**BUILDING ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>9</b>
<b>INSPECTIONS PERFORMED:</b>	
FOOTINGS	0
FOUNDATION	2
FRAMING	32
MISCELLANEOUS	25
FINAL	24

**BUILDING ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>10</b>
<b>INSPECTIONS PERFORMED:</b>	
FOOTINGS	2
FOUNDATION	4
FRAMING	24
MISCELLANEOUS	13
FINAL	27

**BUILDING ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>23</b>
<b>INSPECTIONS PERFORMED:</b>	
FOOTINGS	7
FOUNDATION	6
FRAMING	69
MISCELLANEOUS	47
FINAL	47

**ELECTRICAL ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	
<b>INSPECTIONS PERFORMED:</b>	
ROUGH IN	
TEMPORARY POLE	
POWER	
MISCELLANEOUS	
FINAL	

**ELECTRICAL ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>7</b>
<b>INSPECTIONS PERFORMED:</b>	
ROUGH IN	25
TEMPORARY POLE	1
POWER	9
MISCELLANEOUS	8
FINAL	28

**ELECTRICAL ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	
<b>INSPECTIONS PERFORMED:</b>	
ROUGH IN	
TEMPORARY POLE	
POWER	
MISCELLANEOUS	
FINAL	

**PLUMBING ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>3</b>
<b>INSPECTIONS PERFORMED:</b>	
WATER AND SEWER	7
MISCELLANEOUS	13
ROUGH IN	29
FINAL	22

**PLUMBING ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>6</b>
<b>INSPECTIONS PERFORMED:</b>	
WATER AND SEWER	1
MISCELLANEOUS	8
ROUGH IN	20
FINAL	26

**PLUMBING ACTIVITY:**

<b>NEW PERMITS ISSUED</b>	<b>11</b>
<b>INSPECTIONS PERFORMED:</b>	
WATER AND SEWER	17
MISCELLANEOUS	29
ROUGH IN	58
FINAL	39

Respectfully Submitted,



Daniel Curtis  
Community Development Director