

Planning Commission
Monday, August 12, 2019 7:00 PM
Council Chambers
1369 25 Avenue

{{Name: Agenda Item Name}}

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

1. **Statement of Compliance with Open Meetings Act and roll call.**
2. **Minutes of July 8, 2019, meeting.**
3. **Public hearing - Application of Meadow Ridge Properties, LLC for final plat and development agreement of Deer Run Estates Second Subdivision (5800 block of Shady Lake Road).**
4. **Public hearing - Application of Meadow Ridge Properties, LLC for special use permit to allow resource extraction in an "RR" (Rural Residential District) zone located in vicinity of 5400 block of 34 Street on the north side.**
5. **Public hearing - Application of Ron Jecha, on behalf of Randy Johnson, for permit to move a building from 4100 Adamy Street to 6021 60 Avenue.**
6. **Public hearing - Consider second supplement to redevelopment plan entitled "Amendment to the 33rd Avenue and U.S. Highway 30 Redevelopment Plan" for Phase II of the WHO Development Redevelopment Project.**
7. **Building report for July, 2019.**
8. **Adjournment**

PLANNING COMMISSION
July 8, 2019

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on July 8, 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 Hoefler announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Members Steve Anderson, Colleen Bray, Bob Elsasser, Kim Hoefler, Chad Kucera, Fernando Lopez, Jr., Josh Mueller, and Brent Ogle. Member Kristy Spawn was absent and excused. City staff members present included City Administrator Tara Vasicek, City Attorney Gene Schumacher, City Engineer Rick Bogus, Community Development Director Dan Curtis, and Assistant City Clerk Michaela Luckey. Also present were Mayor James Bulkley and Council Members Rich Jablonski and Ron Schilling.
2. **Minutes of June 10, 2019, meeting:** The minutes were approved as presented with a motion by Elsasser and a second by Lopez. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
3. **Public hearing - Application of Oborny Group, LLC to rezone property at 2311 and 2319 11 Street from "ML/C-1" (Limited Industrial District) to "B-1" (Central Business District):** Tom Maul, on behalf of the applicant, stated that Husker Bar has purchased the building to the west of their business for expansion and would like to add a single-family apartment on the second floor. Maul noted the rezoning is required before the special use permit can be approved. No public testimony was heard. The public hearing closed with a motion by Elsasser and a second by Anderson. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the rezoning application of Oborny Group, LLC with a motion by Anderson and a second by Lopez as this is appropriate for the area. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
4. **Public hearing – Application of Oborny Group, LLC for special use permit to allow a second floor single-family apartment in a "B-1" (Central Business**

District) zone located at 2311 11 Street: Tom Maul, on behalf of the applicant, requested this special use permit to allow for a second floor single-family apartment. No public testimony was heard. The public hearing closed with a motion by Anderson and a second by Mueller. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the special use permit application of Oborny Group, LLC with a motion by Mueller and a second by Bray as residential development in the downtown area is encouraged and this is good use of existing space. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

5. **Public hearing - Application of Panda, Inc. to rezone property located at 2518 and 2510 22 Street from "R-1" (Single-Family Residence District) to "B-2" (General Commercial District) and amend the Future Land Use Map of the Comprehensive Plan:** Member Hoefler requested to be excused from discussion on this agenda item and allowed to abstain from voting due to a conflict of interest. Hoefler was excused from discussion and allowed to abstain from voting on this agenda item with a motion by Ogle and a second by Mueller. Anderson, Bray, Elsasser, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Member Hoefler abstained from voting. Spawn was absent. Member Hoefler excused herself and left the meeting room. Tom Maul, on behalf of the applicant, stated that Panda, Inc. has purchased the lot to the south of their business and will close on the adjacent lot by the end of this week. The proposed plan will help control access and reduce traffic congestion on and off 26 Avenue for Arby's patrons by either moving the drive thru entrance on 26 Avenue or changing it to 22 Street. Maul indicated that a request to vacate the alley will be made in the future. Schumacher suggested the recommendation for approval be contingent upon the purchase of property being finalized. No public testimony was heard. The public hearing closed with a motion by Anderson and a second by Lopez. Anderson, Bray, Elsasser, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Member Hoefler abstained from voting. Spawn was absent. A recommendation was made to the mayor and city council to approve the rezoning application of Panda, Inc. and amend the Future Land Use Map contingent upon the purchase of property by Panda, Inc with a motion by Kucera and a second by Lopez as it will improve access and traffic flow for parking and drive-thru customers. Anderson, Bray, Elsasser, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Member Hoefler abstained from voting. Spawn was absent. Member Hoefler returned to the meeting room.
6. **Public hearing - Application of Foreman Lumber for special use permit to allow convenience storage in a "B-2" (General Commercial District) zone located at 3920 23 Street:** Jacqueline Tessendorf, on behalf of the applicant, stated that this is the old Bomgaars site where Foreman Lumber is relocating to and they are requesting a special use permit to allow convenience storage. It was noted that staff recommends all storage be within the building. No public testimony

was heard. The public hearing closed with a motion by Mueller and a second by Kucera. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the special use permit application of Foreman Lumber with all storage to be within the building and contingent upon all required easements being received with a motion by Elsasser and a second by Lopez. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

- 7. Public hearing - Application of Lance Lehr for special use permit to allow a campground in a "B-2" (General Commercial District) zone located at 3518 South 9 Street:** Nikki Preston, on behalf of Lance Lehr and Bonfire, LLC, indicated that a plan for the campground has been submitted with additional information as requested at the June meeting. Discussion was held regarding the conditions included in the staff recommendation that need to be met for the special use permit to be approved. Discussion followed regarding camping being limited to 7 days as opposed to the proposed 14 days and the fact that a sand point well it is not allowed and needs to be removed. Ms. Preston stated that ATV owners are allowed to access the river through this campground after completing a liability waiver; however, they do not camp overnight. Preston indicated that a gate to control access to the campground needs to be ordered with electricity hooked-up prior to installation and personnel will be hired to patrol the area. Discussion was also held regarding how the gate will work, how rescue personnel can access the campground, restricting the number of camping units to a maximum of 33, not allowing tents at this time, and liability waivers signed by anyone utilizing the campground. Schumacher confirmed that the terms and conditions recommended by the Planning Commission will be included in the ordinance that approves the special use permit. Doug Brackhan, 2611 Timber Edge Drive, stated that his concerns with sewage and storage containers have both been addressed. The public hearing closed with a motion by Elsasser and a second by Kucera. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the special use permit application of Lance Lehr to allow a campground with the following contingencies: A) Obtain approval from the State Fire Marshal; B) Removal of sand point well; C) Installation of gate at campground entrance; and D) Obtain a Flood Plain Development permit; and the following terms and conditions be included with the special use permit: 1) Campground rental is limited to 7 days; 2) Liability insurance coverage to be provided and updated annually; 3) Screening from the road with 6' to 8' evergreen trees (double row staggered); 4) No storage of any kind allowed; 5) No skirting of any kind allowed; 6) Maximum number of 33 units permitted; 7) Sewage system other than city sewer needs NDEQ approval; 8) No tents allowed; and 9) The owner grants the city the right to close the entrance and cause the property to be vacated by the occupants if the conditions are not followed with a motion by Mueller and a second by Elsasser. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

8. **Public hearing - Application of Meadow Ridge Properties, LLC for preliminary plat of Deer Run Estates Second Subdivision (5800 block of Shady Lake Road):** John Zwingman, on behalf of the applicant, stated that this property was previously platted with five lots and they are replatting to nine lots and the addition of a frontage road. No public testimony was heard. The public hearing closed with a motion by Anderson and a second by Elsasser. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the preliminary plat of Deer Run Estates Second Subdivision with a motion by Anderson and a second by Lopez as it is amenable with the adjacent land use consisting of residential development. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

9. **Public hearing - Application of Meadow Ridge Properties, LLC for final plat and subdivision agreement of Meadow View Addition (south of intersection of 51 Avenue and 37 Street):** John Zwingman, on behalf of the applicant, stated that the final plat is substantially consistent with the preliminary plat and noted the request for waiver of subdivision regulations for the length of the cul-de-sac was approved with the preliminary plat. Tom Mohning, 4924 36 Street, questioned whether this plat and the rezoning request on the agenda are for the same area. Todd Johnson, 3568 50 Avenue, stated that he is concerned with traffic for future development without a through street to 37 Street, and questioned where water will drain once these lots are developed. Zwingman referred to the development plan that was presented to the city when the land was purchased and the long-term plan for traffic and drainage. Jim Hansen, 3562 50 Avenue, inquired about the easement on his property and Zwingman verified that a 25 foot setback from the property line is required. The public hearing closed with a motion by Anderson and a second by Elsasser. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the final plat and subdivision agreement of Meadow View Addition with a motion by Anderson and a second by Bray as it is consistent with the preliminary plat. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

- 9.A. **Public hearing - Determine whether Meadow View Addition should be included within corporate city limits:** No public testimony was heard. The public hearing closed with a motion by Mueller and a second by Kucera. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council that Meadow View Addition be included within the corporate city limits with a motion by Lopez and a second by Mueller. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

10. **Public hearing - Application of Meadow Ridge Properties, LLC for final plat and subdivision agreement of Meadow Ridge Seventh Addition (west and north of the intersection of 42 Street and 54 Avenue):** John Zwingman, on behalf of the applicant, stated that this development has 10 lots that will extend 54 Avenue and 42 Street. Todd Johnson, 3568 50 Avenue, voiced his concern with 54 Avenue not being a through street. Zwingman stated that the street located on the half-mile line will be the through street that will eventually connect to Lost Creek Parkway. Tom Mohning, 4924 36 Street, stated that he is against connecting to the Lost Creek Parkway. The public hearing closed with a motion by Anderson and a second by Elsasser. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the final plat and subdivision agreement of Meadow Ridge Seventh Addition with a motion by Elsasser and a second by Mueller as it is consistent with the preliminary plat. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
- 10.A. **Public hearing - Determine whether Meadow Ridge Seventh Addition should be included within corporate city limits:** No public testimony was heard. The public hearing closed with a motion by Anderson and a second by Elsasser. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council that Meadow Ridge Seventh Addition be included within corporate city limits with a motion by Mueller and a second by Kucera. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
11. **Public hearing - Application of Meadow Ridge Properties, LLC to rezone property in vicinity of north of 54 Avenue and west of 42 Street from "RR" (Rural Residential District) to "R-1" (Single-Family Residential District) and amend the Future Land Use Map of the Comprehensive Plan:** John Zwingman, on behalf of the applicant, stated that this rezoning is the Meadow Ridge Seventh area and the requested zoning change is consistent with the land use in the area. The public hearing closed with a motion by Elsasser and a second by Lopez. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the rezoning application of Meadow Ridge Properties, LLC and amend the Future Land Use Map with a motion by Kucera and a second by Mueller as it is a good use of the property. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
12. **Public hearing - Application of Meadow Ridge Properties, LLC to rezone property in the vicinity of 3500 block of 51 Avenue from "RR" (Rural Residential District) to "R-2" (Urban-Family Residential District):** John Zwingman, on behalf of the applicant, stated that the requested zoning change is

consistent with the land use in the area. Todd Johnson, 3568 50 Avenue, spoke in opposition and stated that he would prefer this area be single-family homes. Tom Mohning, 4924 36 Street, inquired about the drainage and it was noted that the developer submits a drainage plan to the city with the platting process. The public hearing closed with a motion by Anderson and a second by Mueller. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent. A recommendation was made to the mayor and city council to approve the rezoning application of Meadow Ridge Properties, LLC with a motion by Anderson and a second by Lopez as it is a good fit for the area. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

13. **2019 - 2020 Capital Improvement Plan:** Vasicek stated that these are requests from departments and not all requested items will be included in the budget. Vasicek answered questions on funding sources, the city's purchasing policy, the Library project, splash pads, and various other requested projects. A recommendation was made to the mayor and city council to approve the 2020 Capital Improvement Plan with a motion by Elsasser and a second by Mueller. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
14. **Building reports for June, 2019:** The building report was approved as presented with a motion by Kucera and a second by Lopez. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
15. **Adjournment:** The meeting adjourned at 9:33 p.m. with a motion by Elsasser and a second by Mueller. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

OFFICE OF THE CITY CLERK
: Michaela Luckey

**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, August 12, 2019, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the final plat and development agreement of Deer Run Estates Second Subdivision, Deer Run Estates Subdivision to the City of Columbus, Platte County, Nebraska, (5800 block of Shady Lake Road) and at said time and place you may appear and be heard.

Dated this 1 day of August, 2019.

CITY OF COLUMBUS, NEBRASKA
By: Janelle Kline
City Clerk

Publish: 08:01:19
One Affidavit of Publication

The City of **Columbus**

MEMORANDUM

DATE: August 8, 2019
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Deer Run Estates Second Subdivision -- Final Plat

RECOMMENDATION:

I recommend the approval of the final plat of Deer Run Estates Subdivision 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:

The subdivision consists of 9 residential lots from the Deer Run Estates 5 lots and is located south of 23rd Street and west of 56th Avenue. The project will have a frontage road with limited driveway access. The storm water detention and treatment is the existing topography located along the south side of this subdivision. Sanitary Sewer Extension District No. 47 and Water Extension District No. 64 are currently in design phase to obtain estimated costs for formal creation. The City will be obtaining a part of Lot 1 for a sanitary sewer lift station which will be made part of the final plat.

Future improvements include the formation of a Street Improvement District.

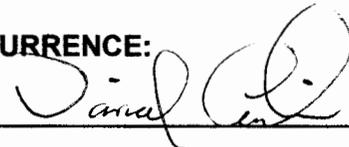
FISCAL IMPACT:

Minor costs for associated utility main extensions.

ALTERNATIVE:

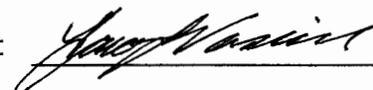
Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By: Richard J. Bogus _____

Approved By:  _____

MAJOR SUBDIVISION/ADDITION APPLICATION

PRELIMINARY / FINAL (Circle One)

DATE: July 22, 2019

NAME OF SUBDIVISION: Deer Run Estates Second Subdivision

NAME OF APPLICANT: Meadow Ridge Properties, LLC

ADDRESS OF APPLICANT: 4811 37th Street

Columbus, NE 68601

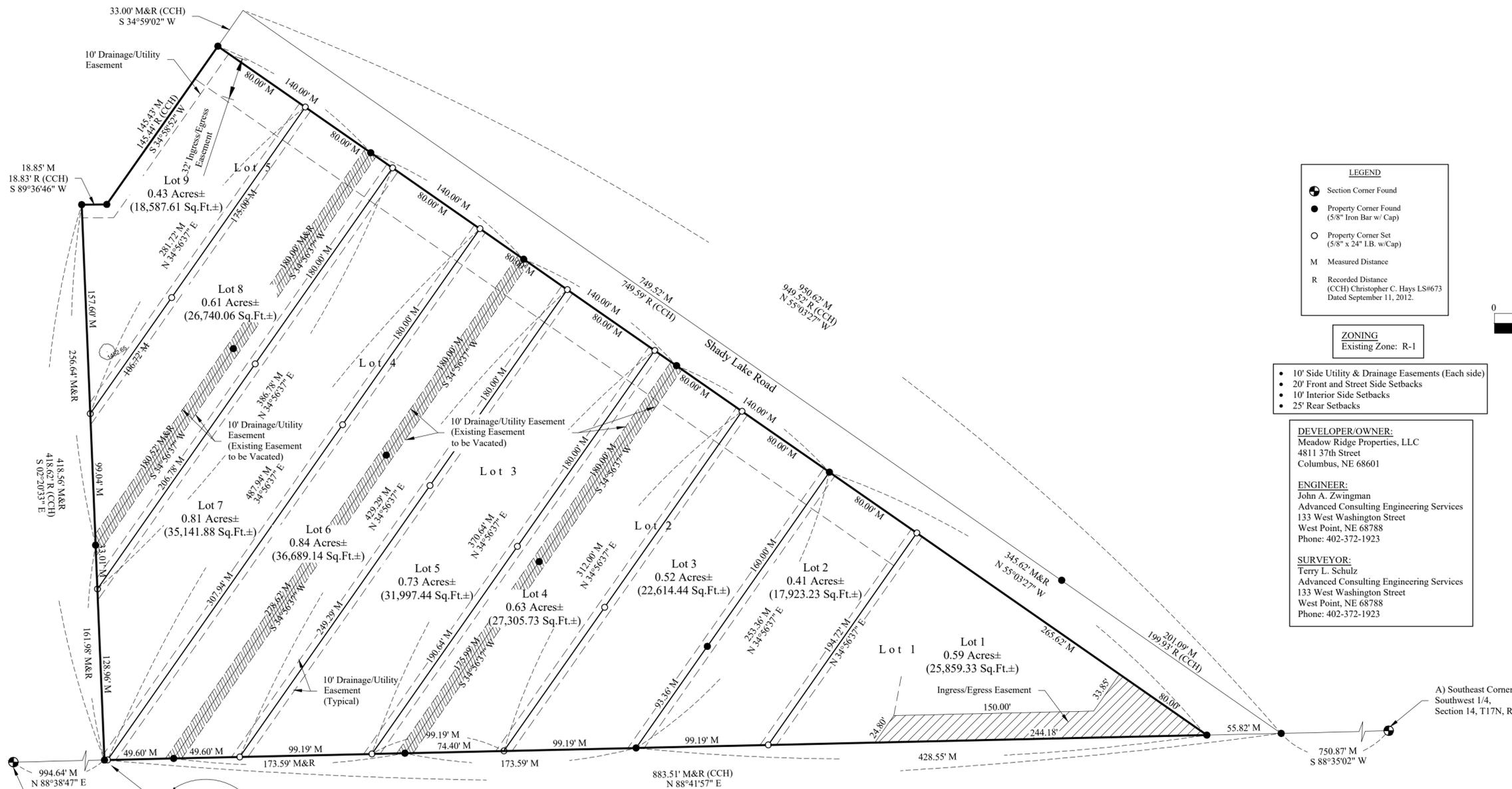
NUMBER OF LOTS IN SUBDIVISION: 9

ADDRESS OF SUBDIVISION: Deer Run Estates Subdivision

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.

John A. Zwingman, Project Engineer
Owner or Owner's Representative

DEER RUN ESTATES SECOND SUBDIVISION
A Replat of Deer Run Estates Subdivision to the City of Columbus, Platte County, Nebraska



LEGEND

- Section Corner Found
- Property Corner Found (5/8" Iron Bar w/ Cap)
- Property Corner Set (5/8" x 24" I.B. w/Cap)
- M Measured Distance
- R Recorded Distance (CCH) Christopher C. Hays LS#673 Dated September 11, 2012.

ZONING
Existing Zone: R-1

- 10' Side Utility & Drainage Easements (Each side)
- 20' Front and Street Side Setbacks
- 10' Interior Side Setbacks
- 25' Rear Setbacks

DEVELOPER/OWNER:
Meadow Ridge Properties, LLC
4811 37th Street
Columbus, NE 68601

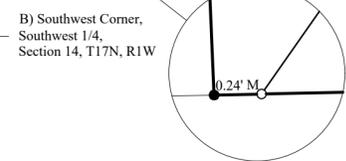
ENGINEER:
John A. Zwingman
Advanced Consulting Engineering Services
133 West Washington Street
West Point, NE 68788
Phone: 402-372-1923

SURVEYOR:
Terry L. Schulz
Advanced Consulting Engineering Services
133 West Washington Street
West Point, NE 68788
Phone: 402-372-1923

SCALE IN FEET
0 30 60 120

Situation Sketch
R-1-W
SECTION 14
Platte County, Nebraska

Drawn By: LRR
Date: June 17, 2019
Project Number: S-071-084
Scale: 1" = 60'



This survey was prepared at the request of Charles Seadschlag, Columbus, Nebraska.

FIELD NOTES

A) Southeast Corner, Southwest 1/4, Section 14, T17N, R1W: Found Steel Survey Marker. On Centerline of Asphalt East-West. On Range of Fence North. 44.83' NE to "X" Nails in Power Pole. 34.40' NNE to "X" Nails in Power Pole. 25.20' South to Centerline of Manhole. 35.89' North to Nail & Disc in Top of Corner Fence Post.

B) Southwest Corner, Southwest 1/4, Section 14, T17N, R1W: Found 2" Aluminum Cap. 0.5' South to Post. On Range of Fence South. On Range of Fence East-West. 11.04' East to Nail & Disc in Gate Post. 18.18' West to Nail & Disc in Gate Post.

LEGAL DESCRIPTION
Deer Run Estates Subdivision to the City of Columbus, Platte County, Nebraska.

SURVEYOR'S CERTIFICATE
I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me on June 17, 2019; also that all dimensions are in feet and are correct to the best of my knowledge and belief.

Terry L. Schulz, State of Nebraska, R.L.S. #550 Date

DEDICATION
I, Charles Seadschlag, Meadow Ridge Properties, LLC, owner of the described property, DEER RUN ESTATES SECOND SUBDIVISION hereby dedicate for the use and benefit of the public, the easements as designated and shown on this plat on this ___ day of ___, 2019.

Charles Seadschlag
Meadow Ridge Properties, LLC

STATE OF NEBRASKA) ss
COUNTY OF PLATTE)

On this ___ day of ___, 2019, before me, the undersigned, a Notary Public, personally appeared Charles Seadschlag, Meadow Ridge Properties, LLC, owner of the described property, DEER RUN ESTATES SECOND SUBDIVISION, to me personally known to be the identical person who executed the foregoing instrument and acknowledged the signing thereof to be their voluntary act and deed.

NOTARY PUBLIC

COLUMBUS NEBRASKA PLANNING COMMISSION
This Final Plat of DEER RUN ESTATES SECOND SUBDIVISION, to the City of Columbus, Platte County, Nebraska approved by the Planning Commission this ___ day of ___, 2019.

Chairman

COLUMBUS NEBRASKA CITY COUNCIL
This Final Plat of DEER RUN ESTATES SECOND SUBDIVISION, to the City of Columbus, Platte County, Nebraska approved by the City Council this ___ day of ___, 2019 by Resolution No. _____

Mayor City Clerk

COLUMBUS, NEBRASKA SCHOOL BOARD
This Final Plat of DEER RUN ESTATES SECOND SUBDIVISION to the City of Columbus, Nebraska is approved by the Columbus Public Schools on this ___ day of ___, 2019.

School Superintendent



RETURN TO: Thomas M. Fehring, Fehring & Mielak, LLP, PO Box 400, Columbus, NE 68602-0400
402/563-9617 (phone), 402.563.9618 (fax), thomas.fehring@fmflaw.com

DEER RUN ESTATES SECOND SUBDIVISION DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered on August ____, 2019, by and between MEADOW RIDGE PROPERTIES, LLC, a Nebraska 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 DEER RUN ESTATES SECOND SUBDIVISION, to the City of Columbus, Platte County, Nebraska, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; and

WHEREAS, Subdivider will not oppose the inclusion of the Area to be Developed into the corporate City Limits; 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, water, and storm sewers to be constructed within the Area to be Developed, to the sanitary sewer, water, and storm sewer systems 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 5.58 acres of property.

“Street intersections” shall be construed to mean the areas shown in the City policy for the same adopted by Resolution R96-78, which by this reference is made a part hereof.

SECTION I

Subdivider and City covenant the following public 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 shall install water, sanitary and storm sewer systems and street improvements, including sidewalks and trails in accordance with City standards. The Subdivider shall be responsible for the design, financing and construction of said public infrastructure improvements as detailed herein.

B. Concrete paving of internal streets, dedicated per plat (**Exhibit “A”**), all of said paving to be thirty-three (33) feet in width and six (6) inches thick, and shall be constructed according to City standards. The entire cost of paving and storm sewer system improvements except for intersections shall be paid by the Subdivider, with exception of intersection pavement and pavement in excess of thirty-three (33) feet in width and six (6) inches in thickness. In such case, the oversized cost shall be paid for by the City, subject to final approval of plans and specifications by the City.

C. The sanitary sewer system, including, but not limited to: mains, manholes and related appurtenances shall be constructed according to City standards within dedicated right-of-way and easements, per plat (**Exhibit “A”**), same to be located on sanitary sewer plan prepared by a Nebraska Licensed Civil Engineer. The entire cost of sanitary sewer system improvements shall be paid by the Subdivider, with exception of sanitary sewer mains located in a dedicated right-of-way or easement area that are greater than eight (8) inches. In such case, the cost over 8-inches shall be paid for by the City subject to the final approval of the plans and specifications by the City.

D. The storm water sewer system, including, but not limited to: mains, inlets, manholes, and related appurtenances shall be constructed according to City standards within dedicated right-of-way and easements, per plat (**Exhibit “A”**) to be located on storm water system plan prepared by a Nebraska Licensed Civil Engineer. The Subdivider shall be responsible for the design, financing and construction of said storm sewer system improvements. The entire cost of storm sewer improvements shall be paid by the Subdivider, with exception of storm sewer mains located in a dedicated right-of-way or easement area that are greater than 12-inches. In such case, the cost over 12-inches shall be paid for by the City subject to the final approval of plans and specifications by the City.

E. The water distribution system, including, but not limited to: mains, hydrants and valves shall be constructed according to City standards within dedicated right-of-way and easements per plat (**Exhibit "A"**) on water plan prepared by a Nebraska Licensed Civil Engineer. The Subdivider will be responsible for the design, financing and construction of said water distribution improvements. The entire cost of the water distribution improvements shall be paid by the Subdivider, with exception of water mains located in a dedicated right-of-way or easement area that are greater than six (6) inches. In such case, the cost over 6-inches shall be paid for by the City subject to the final approval of plans and specifications by the City.

F. Natural gas distribution mains, if any, shall be located within a dedicated street right-of-way dedicated per plat (**Exhibit "A"**), which Subdivider shall 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.

G. Subdivider shall 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.

H. Subdivider will arrange for street lighting for public streets dedicated per plat (**Exhibit "A"**) to be provided by Loup Power District at Subdivider's cost and at no cost to the City.

I. Subdivider shall install the concrete sidewalk four-feet wide and four-inches thick in accordance with the American's with Disability Act and per City Code on each lot within the Area to be Developed or shall contract with the builder to construct the same at the time each lot is developed. If Subdivider fails to do so, the lot owner along with the Subdivider shall be responsible for installing the sidewalk. If any lot remains a common area lot or is located adjacent to a designated arterial or collector, Subdivider shall install the sidewalk for said lot(s) as part of the initial construction.

J. Grading for the Area to be Developed shall be completed by the Subdivider at Subdivider's expense pursuant to the drainage plan elevations to be provided by Advanced Consulting Engineering Services 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, at 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.

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

L. Subdivider agrees to not object to the creation of a Street Improvement District to reconstruct and widen 23rd Street / Shady Lake Road.

M. Subdivider shall provide prior to any work, a Floodplain Development Permit for work in the floodplain and if applicable a separate permit for the floodway. No work shall be done in the floodway without a No Rise Certificate from a qualified State of Nebraska Registered Engineer.

N. 23rd Street / Shady Lake Road is a collector / arterial-type of roadway, thus driveway access will be limited to a maximum of two locations for the platted lots. Driveways may be shared at the common lot lines or a private frontage road along all of the lots.

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 pertaining to construction of public improvements, and testing procedures therefor, 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 and any median landscaping and 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.

SECTION VI

The Subdivider shall install all public improvements within a time period of two (2) years after the signing of this Development Agreement, except that sidewalks directly in front of houses (if residential) or businesses (if commercial) shall be constructed before the Occupancy Certificate is issued or within four (4) years after the signing of this Development Agreement, whichever comes first. An extension of this time period may be requested by the Subdivider and if said request receives a favorable

**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, August 12, 2019, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application for a Special Use Permit to allow resource extraction on the following described real estate in an "RR" (Rural Residential District) zone: beginning at the southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 14, T17N, R1W of the 6th P.M., Platte County, Nebraska; thence N 02°13'09" W on the west line of the Northwest 1/4 of said Northeast 1/4, 697.80 feet; thence N 87°49'23" E, 311.63 feet; thence S 02°01'27" E, 699.87 feet; thence S 88°12'27" W, 309.25 feet to the point of beginning, containing 4.98 acres more or less (in vicinity of 5400 block of 34 Street on north side) and at said time and place you may appear and be heard.

Dated this 1 day of August, 2019.

CITY OF COLUMBUS, NEBRASKA
By: Janelle Kline
City Clerk

Publish: 08:01:19
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: August 8, 2019
FROM: Daniel Curtis
TO: City Administrator Tara Vasicek
RE: Special Use Permit to Allow Resource Extraction

RECOMMENDATION:

I recommend approval of the Special Use permit for Meadow Ridge Properties to allow resource extraction in an RR zoning district. Resource Extraction is permitted in the RR zoning district with Special Use permit approval and the applicant will meet State and Federal regulations.

DISCUSSION:

We have received an application for a Special Use Permit to allow Resource Extraction on property that is zoned RR and located in the vicinity of the 5400 block of 34th Street on the north side. The applicant intends to use the fill for the development of residential properties.

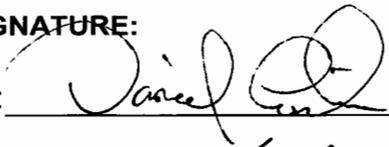
FISCAL IMPACT:

None

ALTERNATIVE:

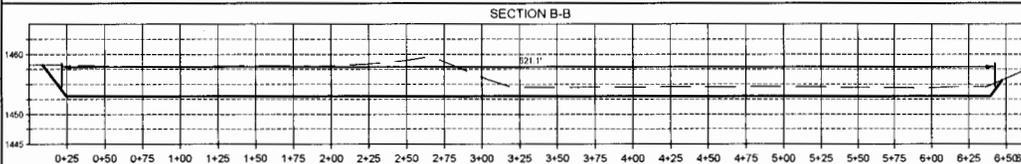
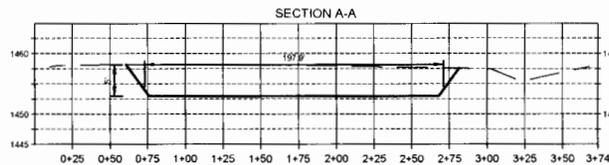
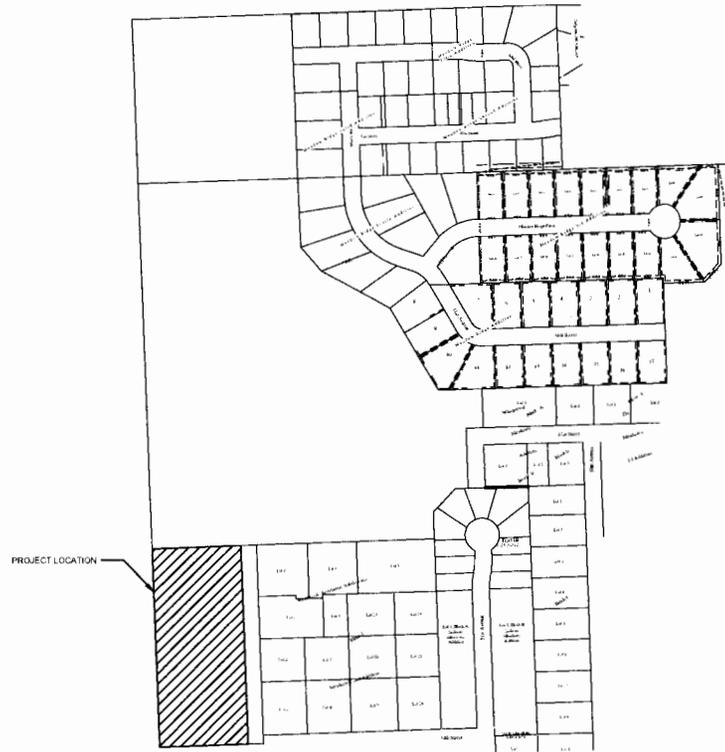
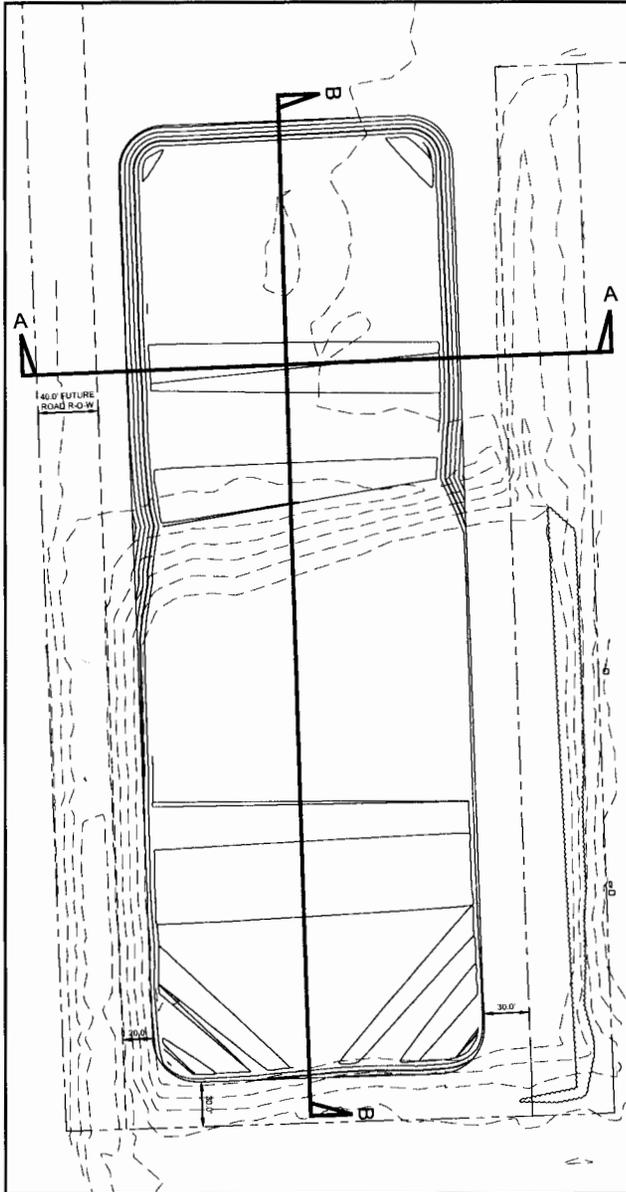
Deny the Permit

SIGNATURE:

By:  _____

Approved By:  _____

S:\PROJECTS\071070 MEADOWVIEW - WATER, SEWER, PAVING\DESIGN\BASE-DESIGN.dwg
7/26/2018 3:24:27 PM 1:2

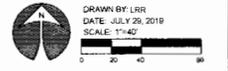


NO.	DATE	REVISIONS

COPYRIGHT 2016 ADVANCED CONSULTING ENGINEERING SERVICES. ALL RIGHTS RESERVED.
This drawing is the exclusive property of Advanced Consulting Engineering Services and the reproduction of any part without prior written consent from this office is a violation of applicable laws.
In no event shall Advanced Consulting Engineering Services be made liable to anyone for special, collateral, incidental or consequential liabilities in connection with the use of the electronic data source out of the said office.

COMMENTS:

DIGGERS HOTLINE OF NEBRASKA 1-800-331-5880



TITLE/LOCATION
MEADOW RIDGE PROPERTIES
BORROW SITE PLAN
2019

DESCRIPTION
PLAN & PROFILE

PROJECT NO.
071-080

SHEET NO.
1 OF 1

SPECIAL USE PERMIT APPLICATION

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

FILED

Applicant's Name: Meadow Ridge Properties, LLC

Applicant's Address: 4811 37th Street

JUN 17 2019

Columbus, NE

Applicant's Phone # 402-562-1102

Applicant's E-Mail charles@walkerfoundations.com

**CITY CLERK
COLUMBUS, NEBR.**

Property Owner: Meadow Ridge Properties, LLC

Address of Property: Meadow Ridge 7th Addition

Legal Description of Property:

See attached legal description.

Description of the nature and operating characteristics of the proposed use:

Borrow pit to supply fill dirt for the development of residential properties.

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 property owner of the property described in this Application or the property owner's authorized agent.

Dated the 17th day of June



Property Owner/Authorized Agent



NO.	DATE	REVISIONS

COPYRIGHT 2016 ADVANCED CONSULTING ENGINEERING SERVICES. ALL RIGHTS RESERVED.

This drawing is the exclusive property of Advanced Consulting Engineering Services and the reproduction of any part without prior written consent from this office is a violation of applicable laws.

In no event shall Advanced Consulting Engineering Services be liable to anyone for special collateral, incidental or consequential liabilities in connection with the use of the electronic data once out of the said office.

COMMENTS:

DIGGERS HOTLINE OF NEBRASKA: 1-800-331-5666

ADVANCED CONSULTING ENGINEERING SERVICES
 133 W. Washington St. • P.O. Box 218
 West Point, NE 68788
 Phone: (402) 372-1923

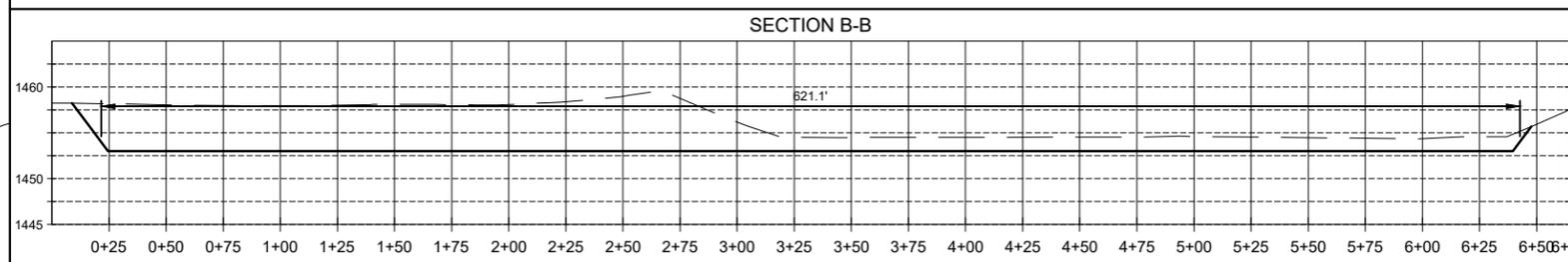
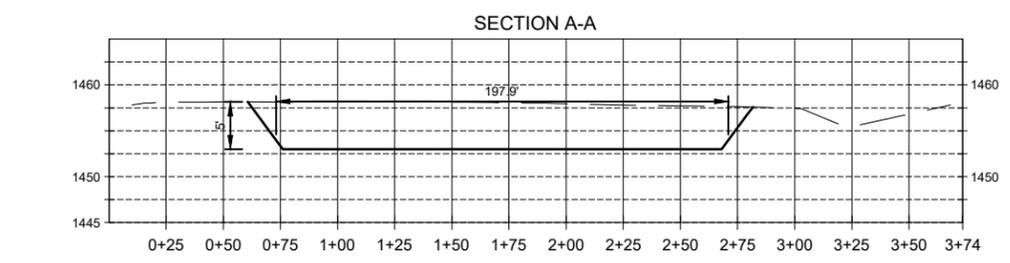
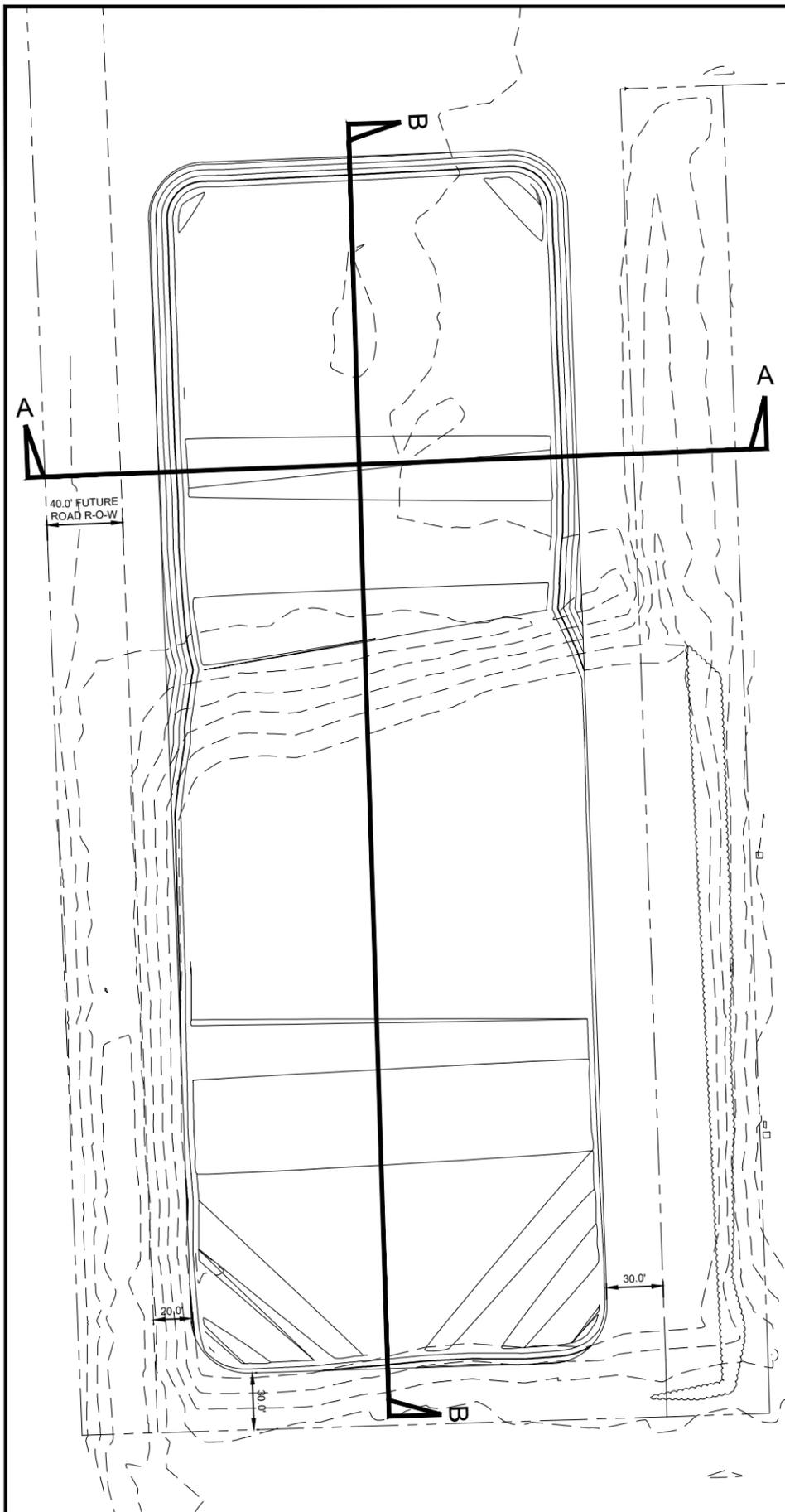
DRAWN BY: LRR
 DATE: JULY 29, 2019
 SCALE: 1"=40'

TITLE/LOCATION
**MEADOW RIDGE PROPERTIES
 BORROW SITE PLAN
 2019**

DESCRIPTION
PLAN & PROFILE

PROJECT NO.
071-080

SHEET NO.
1 OF 1



S:\PROJECTS\071-079 MEADOW VIEW - WATER, SEWER, PAVING DESIGN\BASE-DESIGN.dwg, 7/29/2019 3:24:27 PM, 1:2

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, August 12, 2019, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application for a permit to move a building from 4100 Adamy Street to a location outside of the city's jurisdiction on August 25, 2019, at 6 a.m. and at said time and place you may appear and be heard. Moving route is from 4100 Adamy Street north to 43 Avenue, 43 Avenue west to Highway 81, west on Highway 81 to 63 Avenue, 63 Avenue north to 53 Street, 53 Street east to 6021 60 Avenue.

Dated this 1 day of August, 2019.

CITY OF COLUMBUS, NEBRASKA
BY: Janelle Kline
City Clerk

Publish: 08:01:19
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: August 8, 2019
FROM: Daniel Curtis
TO: City Administrator Tara Vasicek
RE: Building Moving Permit

RECOMMENDATION:

I recommend approval of the building moving permit. The moving route has been approved by the required utility companies, Police Department and the County Sherriff's office.

DISCUSSION:

We have received an application on behalf of Randy Johnson to move a building from West Park School to 6021 60th Ave. In addition to the moving permit, Randy has been advised that a building permit will be required.

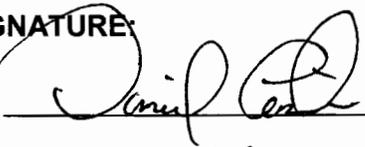
FISCAL IMPACT:

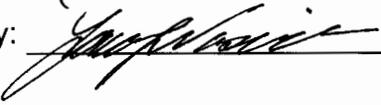
None

ALTERNATIVE:

Deny the Permit

SIGNATURE:

By: 

Approved By: 

FILED

JUL 19 2019

CITY CLERK
COLUMBUS, NEBR.

CITY OF COLUMBUS
APPLICATION FOR BUILDING MOVING

A PERMIT IS HEREBY REQUESTED TO MOVE THE FOLLOWING BUILDING OR STRUCTURE OUT OF WITHIN OR THROUGH THE CITY OF COLUMBUS, IN ACCORDANCE WITH TITLE XI, CHAPTER 114 OF THE COLUMBUS CITY CODE, ANY CHANGES FROM THE APPROVED MOVING DATE AND TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING OFFICIAL.

BUILDING MOVER AND EQUIPMENT

NAME Ron Jecha
ADDRESS 3040 X Road
CITY Brainard STATE Ne. ZIP 68626
TELEPHONE 402-890-7520
LICENSED YES NO INSURED: YES NO
(Per Section 114.05 of Columbus City Code)

TYPE OF EQUIPMENT TO BE USED IN MOVING: _____

Please attach a certificate from the County Treasurer showing that all taxes and special assessments then due against the building and lot on which the building stands have been paid. Check if attached.

BUILDING TO BE MOVED

DESCRIPTION OF THE BUILDING: 24' x 60' modular home
CURRENT ADDRESS OF BUILDING: 4100 Adams St. West Park School
CURRENT LEGAL DESCRIPTION: LOT NO. 15-18 BLOCK NO. A West Park School
ADDITION/SUBDIVISION _____
FLOOR AREA (Sq. Feet) 1,440 sq. ft.

A photograph of the building is required. Check if attached.

LOCATION TO BE MOVED TO

ADDRESS: 6021 60th Ave.
LEGAL DESCRIPTION; LOT NO, _____ BLOCK NO, _____ ADDITION/SUBDIVISION 2-17-1W-SE-SW TR 100' X 344' cont. - .79 AC
LOT SIZE: _____ X _____ = 1,440 SQUARE FEET
NUMBER OF STORIES WHEN COMPLETED: 1 story

PROPOSED USE OF THE BUILDING AT THE NEW SITE: single family rental

BUILDING OWNER

NAME Randy C. Johnson
ADDRESS 1904 55th St.
CITY Columbus STATE Ne. ZIP 68601
TELEPHONE 402-563-2419

The application shall be submitted to the City Clerk along with the required fee at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The City Clerk shall then schedule the application for public hearing before the Planning Commission and before the City Council. The Building Official will report on the application for a moving permit to the Planning Commission, which shall investigate the matter. The Planning Commission, following ten days notice as required by the Notice provisions set forth in Section 114.12 of Columbus City Code, shall hold a public hearing and following such public hearing, shall recommend to the City Council the granting or denial of the permit. The City Council, after the ten day notice and publication requirements of Section 114.12 of Columbus City Code have been complied with, shall hold a public hearing thereon, and following such public hearing shall grant or deny the permit.

NOTIFICATIONS AS REQUIRED

NOTIFICATION ACKNOWLEDGED BY:

DATE 7-17-19

TELEPHONE: ROBERTO JONES for Scott Eastman

402-649-9459 Joe

ELECTRICAL: Bade Gasper

402 910-2062

CABLE TV: _____

NATURAL GAS: Don

7-9-16 402-563-3100

POLICE DEPARTMENT: _____

STREET DEPARTMENT: _____

402-910-2724

FIRE DEPARTMENT: _____

COUNTY HIGHWAY DEPARTMENT IF APPLICABLE: NO

RAILROAD OR OTHER UTILITY THAT HAS LINES CROSSING THE PROPOSED ROUTE:

not applicable

COUNTY SHERIFF DEPARTMENT Carol

u/24/19

REQUIRED HEARING NOTICE AND PUBLICATION

Prior to consideration of a building moving application by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. Posted Notice: Notice shall be posted in a conspicuous place on or near the property to which said house or building is to be moved (unless it is being moved outside the City) and on or near the building to be moved at least ten (10) days prior to the date of such public hearing. Each notice shall not be less than eighteen inches (18") in height and twenty-four inches (24") in width, with black letters of not less than one and one-half inches (1 1/2") in height on yellow or white background. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period of time and in the event any sign is removed, the applicant to make sure the signs remain posted for the ten day period of time and In the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.

3. Notice of Publication: At least ten days before the date of the hearing the City Clerk, at the expense of the applicant, shall have published in a daily newspaper having a general circulation in the City of Columbus a notice of the time, place and subject matter of such hearing. Said notice shall also contain the designated moving route. Notice by Personal Service or Mail: The applicant for such moving permit shall either personally serve or mail to the owners of all real estate within 300 feet of the real estate onto which the building is to be moved a written notice of the request for moving permit, setting forth the legal description and address of the location of the property onto which the building is to be moved, along with the date, time and place of such hearing at least ten days prior to the date of such hearing.

4. Affidavit of Compliance: The applicant shall be responsible for filing with the City Clerk on the date of the hearing an Affidavit of Hearing Notice Compliance. Said Affidavit shall verify that all notice requirements of this section have been complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's Office,

The application shall be submitted to the City Clerk along with the required fee at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The City Clerk shall then schedule the application for public hearing before the Planning Commission and before the City Council. The Building Official will report on the application for a moving permit to the Planning Commission, which shall investigate the matter. The Planning Commission, following ten days notice as required by the Notice provisions set forth in Section 114.12 of Columbus City Code, shall hold a public hearing and following such public hearing, shall recommend to the City Council the granting or denial of the permit. The City Council, after the ten day notice and publication requirements of Section 114.12 of Columbus City Code have been complied with, shall hold a public hearing thereon, and following such public hearing shall grant or deny the permit.

NOTIFICATIONS AS REQUIRED

NOTIFICATION ACKNOWLEDGED BY:

DATE 7-17-19

TELEPHONE: ROBERT JONES ON SOUTH EASTERN

402-649-9459 Joe

ELECTRICAL: Bob Gasper

402 910-2062

CABLE TV: _____

402-429-6749 Todd Strain

NATURAL GAS: Don

7-9-16 402-563-3100

POLICE DEPARTMENT: _____

STREET DEPARTMENT: _____

402-910-2724

FIRE DEPARTMENT: _____

COUNTY HIGHWAY DEPARTMENT IF APPLICABLE: ~~X~~ Jane F Cromwell

RAILROAD OR OTHER UTILITY THAT HAS LINES CROSSING THE PROPOSED ROUTE:

not applicable

COUNTY SHERIFF DEPARTMENT Paul W

01/24/19

REQUIRED HEARING NOTICE AND PUBLICATION

Prior to consideration of a building moving application by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. Posted Notice: Notice shall be posted in a conspicuous place on or near the property to which said house or building is to be moved (unless it is being moved outside the City) and on or near the building to be moved at least ten (10) days prior to the date of such public hearing. Each notice shall not be less than eighteen inches (18") in height and twenty-four inches (24") in width, with black letters of not less than one and one-half inches (1 1/2") in height on yellow or white background. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period of time and in the event any sign is removed, the applicant to make sure the signs remain posted for the ten day period of time and In the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.

3. Notice of Publication: At least ten days before the date of the hearing the City Clerk, at the expense of the applicant, shall have published in a daily newspaper having a general circulation in the City of Columbus a notice of the time, place and subject matter of such hearing. Said notice shall also contain the designated moving route. Notice by Personal Service or Mail: The applicant for such moving permit shall either personally serve or mail to the owners of all real estate within 300 feet of the real estate onto which the building is to be moved a written notice of the request for moving permit, setting forth the legal description and address of the location of the property onto which the building is to be moved, along with the date, time and place of such hearing at least ten days prior to the date of such hearing.

4. Affidavit of Compliance: The applicant shall be responsible for filing with the City Clerk on the date of the hearing an Affidavit of Hearing Notice Compliance. Said Affidavit shall verify that all notice requirements of this section have been complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's Office.

The application shall be submitted to the City Clerk along with the required fee at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The City Clerk shall then schedule the application for public hearing before the Planning Commission and before the City Council. The Building Official will report on the application for a moving permit to the Planning Commission, which shall investigate the matter. The Planning Commission, following ten days notice as required by the Notice provisions set forth in Section 114.12 of Columbus City Code, shall hold a public hearing and following such public hearing, shall recommend to the City Council the granting or denial of the permit. The City Council, after the ten day notice and publication requirements of Section 114.12 of Columbus City Code have been complied with, shall hold a public hearing thereon, and following such public hearing shall grant or deny the permit.

NOTIFICATIONS AS REQUIRED

NOTIFICATION ACKNOWLEDGED BY:

DATE

TELEPHONE: _____

402-649-9459 Joe

ELECTRICAL: Bobby Gussner

402 910-2062

CABLE TV: 1-800-451-1234

7-26-19 402 421 6316

NATURAL GAS: Don't Know

7-9-16 402-563-3100

POLICE DEPARTMENT: [Signature]

STREET DEPARTMENT: [Signature]

402-910-2724

FIRE DEPARTMENT: [Signature]

COUNTY HIGHWAY DEPARTMENT IF APPLICABLE: NO

RAILROAD OR OTHER UTILITY THAT HAS LINES CROSSING THE PROPOSED ROUTE:

not applicable

COUNTY SHERIFF DEPARTMENT [Signature]

01/24/19

REQUIRED HEARING NOTICE AND PUBLICATION

Prior to consideration of a building moving application by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. Posted Notice: Notice shall be posted in a conspicuous place on or near the property to which said house or building is to be moved (unless it is being moved outside the City) and on or near the building to be moved at least ten (10) days prior to the date of such public hearing. Each notice shall not be less than eighteen inches (18") in height and twenty-four inches (24") in width, with black letters of not less than one and one-half inches (1 1/2") in height on yellow or white background. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period of time and in the event any sign is removed, the applicant to make sure the signs remain posted for the ten day period of time and In the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.

3. Notice of Publication: At least ten days before the date of the hearing the City Clerk, at the expense of the applicant, shall have published in a daily newspaper having a general circulation in the City of Columbus a notice of the time, place and subject matter of such hearing. Said notice shall also contain the designated moving route. Notice by Personal Service or Mail: The applicant for such moving permit shall either personally serve or mail to the owners of all real estate within 300 feet of the real estate onto which the building is to be moved a written notice of the request for moving permit, setting forth the legal description and address of the location of the property onto which the building is to be moved, along with the date, time and place of such hearing at least ten days prior to the date of such hearing.

4. Affidavit of Compliance: The applicant shall be responsible for filing with the City Clerk on the date of the hearing an Affidavit of Hearing Notice Compliance. Said Affidavit shall verify that all notice requirements of this section have been complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's Office,

NOTICE OF MOVING ROUTE

- (A) Prior to the actual move of a building, the applicant for such moving permit shall provide Notice of the Move by publication in a daily newspaper having a general circulation in the City in a form as provided for in the Permit Application. The Notice shall be published at least seven (7) days before the scheduled move and shall contain the designated moving route and include notification that electrical power to the businesses or residences along the moving route may be affected by the move. The notice shall contain the name, address and telephone number of the following: the building owner, the building mover, and the utility companies. The notice shall also set forth the date of the move, an alternate date for such move, and a time frame within which the move is to take place.
- (B) The applicant shall be responsible for filing an Affidavit of Publication provided by the Columbus Telegram with the City Clerk. The affidavit shall be filed before the move commences and shall verify that the notice requirement of this section has been complied with.

INDEMNIFICATION AND HOLD HARMLESS

By signing and submitting this application, as the building mover I understand and agree that should my permit/license be granted: I shall fully protect the City for damages sustained to persons or property, resulting from the moving of any building or parts thereof within the City and shall indemnify and keep the City harmless from any and all suits, costs, judgments, exactions, executions and liabilities as to personal injuries or property damage in connection with, or related to, either directly or indirectly, any building move or the issuance of such permit/license.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS CORRECT AND THAT I AGREE TO ABIDE BY ANY AND ALL PROVISIONS MADE BY AUTHORIZED CITY OFFICIALS OR BOARDS OR ORDINANCES OF THE CITY OF COLUMBUS, UPON WHICH THIS APPLICATION IS BASED. THE UNDERSIGNED AGREES TO READ AND ABIDE BY ALL PROVISIONS OF THE CITY COAD REGULATING BUILDING MOVING, SECTIONS 114.01 TO 114.25.

DATE _____ Randy C. Johnson
OWNER OF BUILDING (Signature Required)

FEES _____ R.H. House moving by Ken Steiner
BUILDING MOVER (Signature Required)

RECEIPT NO. _____

BUILDING INSPECTION

BUILDING INSPECTED BY: KEN STEINER

CONDITION SATISFACTORY FOR MOVING: YES NO _____

Ken Steiner
BUILDING INSPECTOR

PLANNING COMMISSION APPROVED _____ DENIED _____ DATE _____

CITY COUNCIL APPROVED _____ DENIED _____ DATE _____

PERMIT NO. _____ ISSUED _____

WORK COMPLETED DATE: _____

MOVING DATE 8-25-19

DATE: ~~8-11-2019~~ TIME WHICH THE BUILDING WILL BE MOVED: early morning 6:00 AM

LENGTH OF TIME REQUIRED FOR MOVING: 1/2 hr

ROUTE (Attach map):

HEIGHT & WIDTH

HEIGHT (When Loaded): 16' FEET 2" INCHES

Should the building in its height exceed 18 feet, a request to allow the same shall be submitted along with the application for moving permit setting forth the height of the loaded building, The notices required under Section 114.12 shall include the proposed request to exceed the height limitation and shall set forth the loaded height of the building to be moved. After public hearings before each such body, the Planning Commission and the City Council shall take such action as set forth in Section 114.08. The Planning Commission and the Mayor and City Council shall take into consideration those factors set forth in Sections 114.14 and 114.15 of the City Code.

WIDTH (including any overhang or extension): 24' FEET 0" INCHES

The maximum width is the narrowest street or road width on the designated route. The street or road width shall be defined as the maintained surface. The width includes the eaves or any other extension of the building.

In addition, the following documents must accompany this application:

- _____ 1. A signed statement from electric, telephone and cable companies and also from any railroad, telegraph or other utility company that has lines crossing the proposed route that said move meets with their approval. If said move will interfere with said utility company, the signed statement must contain the nature and duration of the interference, the portions of the City to be affected and whether said utility company has approved the move.
- _____ 2. Certification from the Police Chief or designee that he or his designee has reviewed the date, time, and route along with any recommendations for the move.
- _____ 3. Verification that the Building Official has inspected the building to determine the feasibility of moving it and compliance with Chapter 14 of the City Code once relocated, and that following such inspection he has approved the building for the move subject to a list of what, if any, changes, alterations or corrections need to be made to the building once relocated. The building permit obtained for said relocated building shall require said list of changes, alterations or corrections to be complied with.
- _____ 4. Verification that the Building Official has ascertained that the size, condition, proposed use and proposed construction alterations are in accordance with the Zoning Regulations of the City.
- _____ 5. Verification that a building permit has been applied for and approved for the relocated building.
- _____ 6. A signed statement from a tree service insured and registered with the City of Columbus as provided for in Section 96-11 of the Columbus City Code stating that any needed trimming of trees or shrubbery will not damage or otherwise disturb said trees or shrubbery.



Planned Travel Route

From West Park School

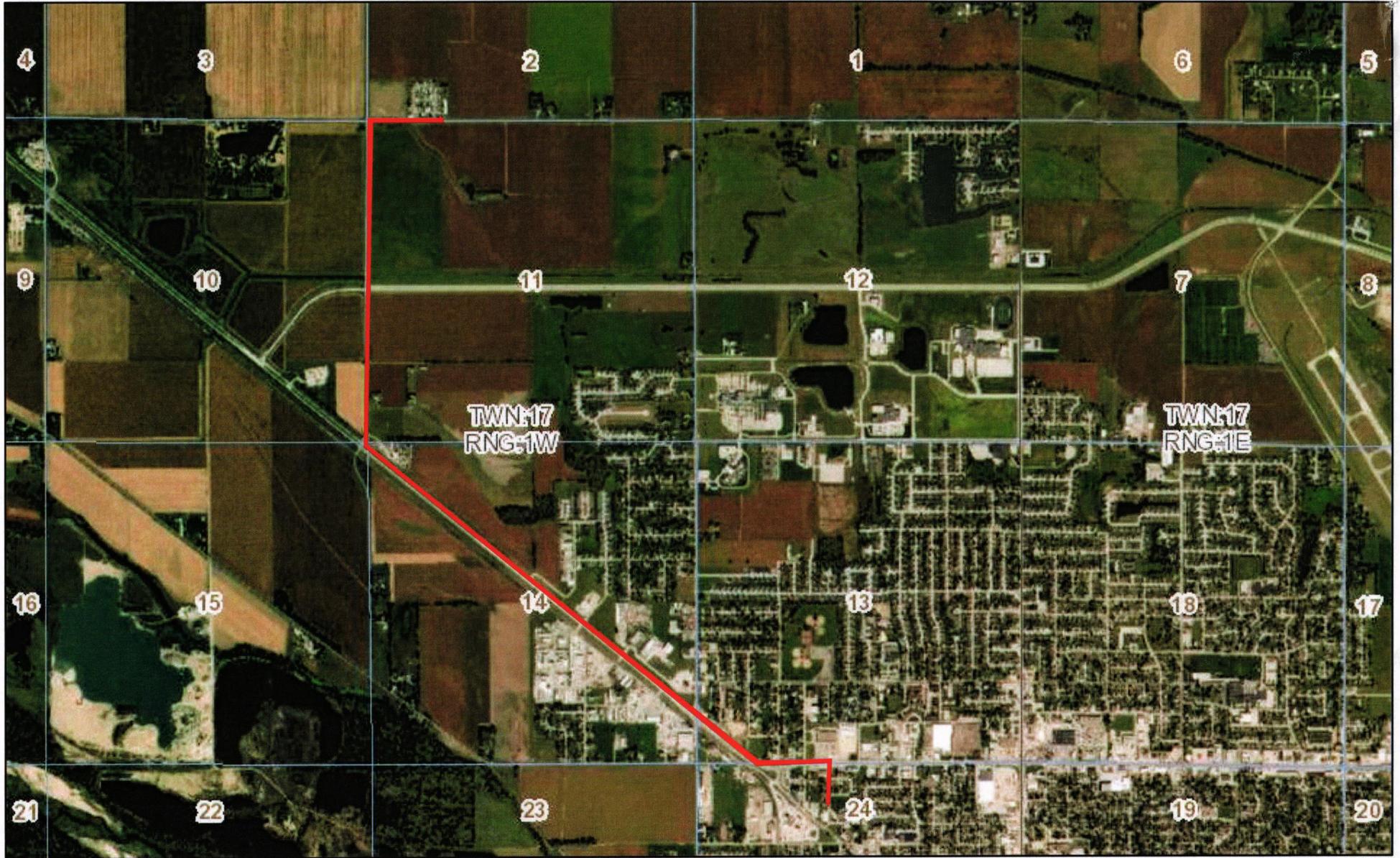
North on 43rd Avenue

West on HWY 81

North on 63rd Avenue

East on 53rd Street

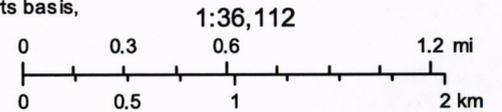
To College View Mobile Home Park 61st Avenue



June 24, 2019

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Townships
- Sections



Randy Johnson: 402-276-1324
Chase Johnson: 402-276-1529



Stump Grinding • Firewood • Landscaping • Custom Sawmilling • Mulch

Free Estimates • Fully Insured

office: 402-563-TREE (8733)

Columbus, NE

BILLING ADDRESS:

Nebraska Treeworks & Sawmilling LLC.

P.O. Box 401

Columbus, NE 68602

Terms:

NAME:	
ADDRESS:	CITY
PHONE (H):	CELL (C):
DATE QUOTED:	

No tree removal or trimming is required for this house move.

Randy C. Johnson

TOTAL:

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
CITY 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, August 12, 2019, at 7 P.M. in the City Council Chambers, 1369 25 Avenue, Columbus, Nebraska, to consider and possibly take action on a Second Supplement to the Redevelopment Plan entitled: "AMENDMENT TO THE 33RD AVENUE AND U.S. HIGHWAY 30 REDEVELOPMENT PLAN" for Phase II of the WHO Development Redevelopment Project for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, Sections 18-2101, et seq., within a portion of Redevelopment Area 1, a/k/a the West 23rd Street Corridor Area, located on Lot 4 Legacy Square Subdivision, a subdivision of Lots 1 and 2, Block A, Randall 3rd Addition, Columbus, Platte County, 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 in the office of the City Clerk.

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

Dated this 25 day of July, 2019.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish 07:25 and 08:01:19
One Affidavit of Publication



The City of *Columbus*

RESPONSIBLE • RESPONSIVE • REPUTABLE

Administration Office (402) 562-4232

Fax (402) 563-1380

memorandum

DATE: August 8, 2019
TO: Planning Commission
FROM: Tara Vasicek, City Administrator 
RE: Second Supplement to the Amended Master Redevelopment Plan for a portion of lots 1 & 2, Randall 3rd, Columbus. (The Old WalMart Property)

RECOMMENDATION:

Approval of a second supplement to the redevelopment plan amendment to the "33rd Avenue and U.S. Highway 30 Redevelopment Plan" to the Mayor and City Council.

DISCUSSION:

WHO Development, LLC, City staff and legal counsel have ensured that the plan meets the proposed land uses and building requirements in the redevelopment area as described in the Plan are 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.



**SECOND SUPPLEMENT TO THE REDEVELOPMENT PLAN ENTITLED:
AMENDMENT TO THE 33RD AVENUE AND U.S. HIGHWAY 30
REDEVELOPMENT PLAN
OF THE CITY OF COLUMBUS, NEBRASKA**

(PHASE II OF THE WHO DEVELOPMENT REDEVELOPMENT PROJECT)

The City of Columbus, Nebraska (the "City"), has undertaken a plan of redevelopment within the community pursuant to the adoption of a Redevelopment Plan for a portion of the City identified as the Redevelopment Area for the 33rd Avenue and U.S. Highway 30 Area, as amended (the "Master Redevelopment Plan"). The Master Redevelopment Plan was approved by the City Council of the City as of April 2, 2018, via Resolution No. R18-42, as supplemented by that certain First Amendment to the Redevelopment Plan, approved by the Mayor and City Council of the City as of July 2, 2018, via Resolution No. R18-85 (the "First Supplement"). Collectively, the Master Redevelopment Plan and First Supplement are referred to herein as the "Redevelopment Plan". A copy of the Redevelopment Plan is attached hereto and incorporated herein as Exhibit "7". All terms not otherwise defined herein shall have the meanings set forth in the Redevelopment Plan. Should anything in this Supplement conflict with the terms of the Redevelopment Plan, this Supplement shall control. This Supplement shall supersede all terms pertaining to the "Retail/Restaurant" phase of the Redevelopment Plan.

The Redevelopment Plan sets forth a phased redevelopment project (the "Master Project"). The primary purpose of this Supplement to the Redevelopment Plan ("Supplement") is to identify and provide detail as to the second phase of the Master Project. If the terms of the Redevelopment Plan and this Supplement conflict, the terms of this Supplement shall control. The City will consider additional supplements to the Redevelopment Plan for all additional phases constituting a substantial modification of the Redevelopment Plan.

The second phase of the Redevelopment Plan shall consist of the construction of an approximately 3,000 square foot restaurant. The space will initially be occupied by a Freddy's Frozen Custard & Steamburgs restaurant. The second phase will also include exterior improvements and finishes to the building, exterior signage, interior lighting, new flooring, new HVAC and plumbing, construction of public restrooms, and approximately 42 new parking stalls (collectively, the "Project"). Who Development, LLC, or its assignee ("Redeveloper"), will undertake construction of the Project.

As provided within the Redevelopment Plan and this Supplement, Redeveloper and the Community Development Agency of the City of Columbus, Nebraska (the "CDA"), anticipate the use of TIF for the Project. The Project would not proceed but for the use of TIF because:

1. According to Redeveloper, the costs of the building, cost of land, new exterior façade, interior bathrooms, walls, lighting, HVAC, electrical, etc. is expected to be significantly greater than the as-completed fair market value of the retail space, in the absence of TIF.

2. This Project is one phase of the overall Master Project, and the initial infrastructure for all of the phases could not be completed without TIF. Without the assistance of TIF for this Project and other phases of the Master Project, Redeveloper (or its assignees) would not be able to proceed with the substantial site improvements and infrastructure improvements that are required within the Redevelopment Area.
3. Redeveloper has entered into a contract to sell the Project Site (defined below) to TR Hospitality Group, LLC, contingent upon the approval of the Project to assist with the TIF-eligible costs associated with and allocated to this Project, including but not limited to the site grading/dirt work, public access drives, utility and detention improvements, and an allocated portion of the fair value of the site acquisition price that will not be paid by the purchase price. Redeveloper is only able to convey the project site contingent upon the availability of TIF to pay for these costs.
4. According to Redeveloper, no buyer or restaurant operator would be able to make a reasonable return on investment without the assistance of TIF to cover the cost of a portion of the eligible public improvements.

Accordingly, the Project would not be economically feasible without the use of TIF and the Project would not occur in the Redevelopment Area without the use of TIF.

A. The Redevelopment Area

The Redevelopment Area is unchanged from that set forth in Exhibit "A" of the Master Redevelopment Plan. The Project is located within the Redevelopment Area. The Redevelopment Area remains blighted, substandard and in need of redevelopment.

B. The Project Site

The project site for the Project is set forth in Exhibit "1" (the "Project Site").

C. Conformance with Comprehensive Plan

Paragraph A of the Redevelopment Plan sets forth an analysis of the Project's conformance with the City's Comprehensive Plan.

D. The Project

Redevelopment of the Project Site pursuant to this Supplement will eliminate the blighted and substandard conditions on the Project Site and will further the purposes of the Nebraska Community Development Law, Nebraska Revised Statutes Sections 18-2101 et seq. (the "Act"), in conformity with the Redevelopment Plan and the City's Comprehensive Plan. Additionally, the eligible public improvements that are part of the Project will facilitate the further development of the Redevelopment Area and surrounding areas.

Redeveloper intends to complete the following private and public improvements as part of the Project:

1. Project Description and Implementation

The Project involves the construction of an approximately 3,000 square foot restaurant. Redeveloper intends to initially lease the space to Freddy's Frozen Custard & Steakburgers restaurant. The improvements will include, but are not limited to, the following renovations and/or new construction:

- Construction of building;
- Improvements to exterior finishes;
- Construction of exterior signage;
- Installation of interior lighting;
- Installation of flooring;
- HVAC and plumbing improvements;
- Construction of public restrooms; and
- Creation of approximately 42 new parking stalls.

A site plan for the Project is attached hereto as Exhibit "2" and incorporated herein by this reference. Redeveloper estimates that the total cost of the Project (both public and private improvements) will be \$3,351,000, including furniture, fixtures and equipment. The estimated costs related to the Project are attached hereto and incorporated herein as Exhibit "3".

Redeveloper intends to begin construction on the Project upon approval of this Supplement. Construction is scheduled to conclude by May 1, 2020. No businesses or residents will be displaced as a result of the Project.

2. The Public Improvements

As part of the Project, the CDA will capture the available tax increment revenues generated by redevelopment of the Project Site to assist in paying for public improvements that are eligible expenditures under the Act. The anticipated costs of the Project eligible for reimbursement via TIF include, but are not limited to, land acquisition, construction or replacement of utilities, site work, construction of public parking, architectural and engineering fees (related to the public improvements), and legal fees. A breakdown of these estimated costs is attached hereto and incorporated herein as Exhibit "4".

The TIF-eligible costs of the Project provided under Exhibit "4" are estimates and preliminary projections. Final costs shall be determined upon receipt of bids for work and subsequent invoicing. Redeveloper will certify the final costs to the CDA upon completion of the TIF-eligible improvements associated with the Project.

As provided in the Redevelopment Plan, the improvements listed as TIF-eligible expenditures are necessarily upfront expenses that the Redeveloper will incur prior to the

implementation of redevelopment agreements for subsequent phases. The TIF-eligible improvements included as part of the Project may be reasonably allocated between the various phases of the Project and the TIF revenues generated from each phase of the Master Project may be used to assist with the payment of the eligible expenses of the entire Project; provided there is no duplication of costs.

The Project will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of safety from fire, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight.

E. Implementation and Financing of the Projects

The City and the CDA contemplate the use of TIF for 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 project redevelopment contract or in the resolution of the CDA 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.

Based upon the 2019 assessed value of \$87,175 for the Project Site and a post-redevelopment valuation of \$1,200,000 for the Project, Redeveloper and the CDA estimate that the Project will generate post-redevelopment annual TIF Revenues of approximately \$21,193. This equates to total estimated TIF Revenues of \$317,895 over the course of fifteen years. Of the estimated \$317,895 in TIF Revenues, the CDA and Redeveloper contemplate issuance of TIF bond or note ("TIF Indebtedness") not to exceed \$215,000 at an interest rate determined by the CDA and set forth in the redevelopment contract (as defined in the Act) or bond resolution for the Project. As shown on Exhibit 4, the anticipated TIF Indebtedness amount does not exceed the anticipated TIF-eligible costs.

The total estimated cost of the Project is \$3,351,000. Redeveloper anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity (approximately 25%) and a bank loan (approximately 75%). Redeveloper and the CDA will provide a more detailed breakdown of the TIF sources and uses in the redevelopment contract for the Project. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

Redeveloper and the Agency anticipate that upon approval of the Plan and redevelopment contract, Redeveloper will sell the Project Site and assign all obligations for construction of the Project under the redevelopment contract to TR Hospitality Group, LLC, but retain the TIF Indebtedness.

F. Statutory Elements

As detailed above, the Project contemplates the capture of the incremental taxes generated by the Project on the Project Site to pay for eligible expenditures under the Act. Attached as Exhibit "5" and incorporated herein by this reference is a consideration of the statutory elements under the Act.

G. Cost-Benefit Analysis

Pursuant to Section 18-2113 of the Act, the CDA must conduct a cost-benefit analysis for any redevelopment project that will utilize TIF. A Cost-Benefit Analysis for the Project is attached hereto and incorporated herein as Exhibit "6".

**EXHIBIT “1”
Project Site**

Legal Description:

LOT 4 LEGACY SQUARE SUBDIVISION A SUBDIVISION OF LOTS 1 & 2 BLOCK A
RANDALL 3RD ADDITION, COLUMBUS, PLATTE COUNTY, NEBRASKA.

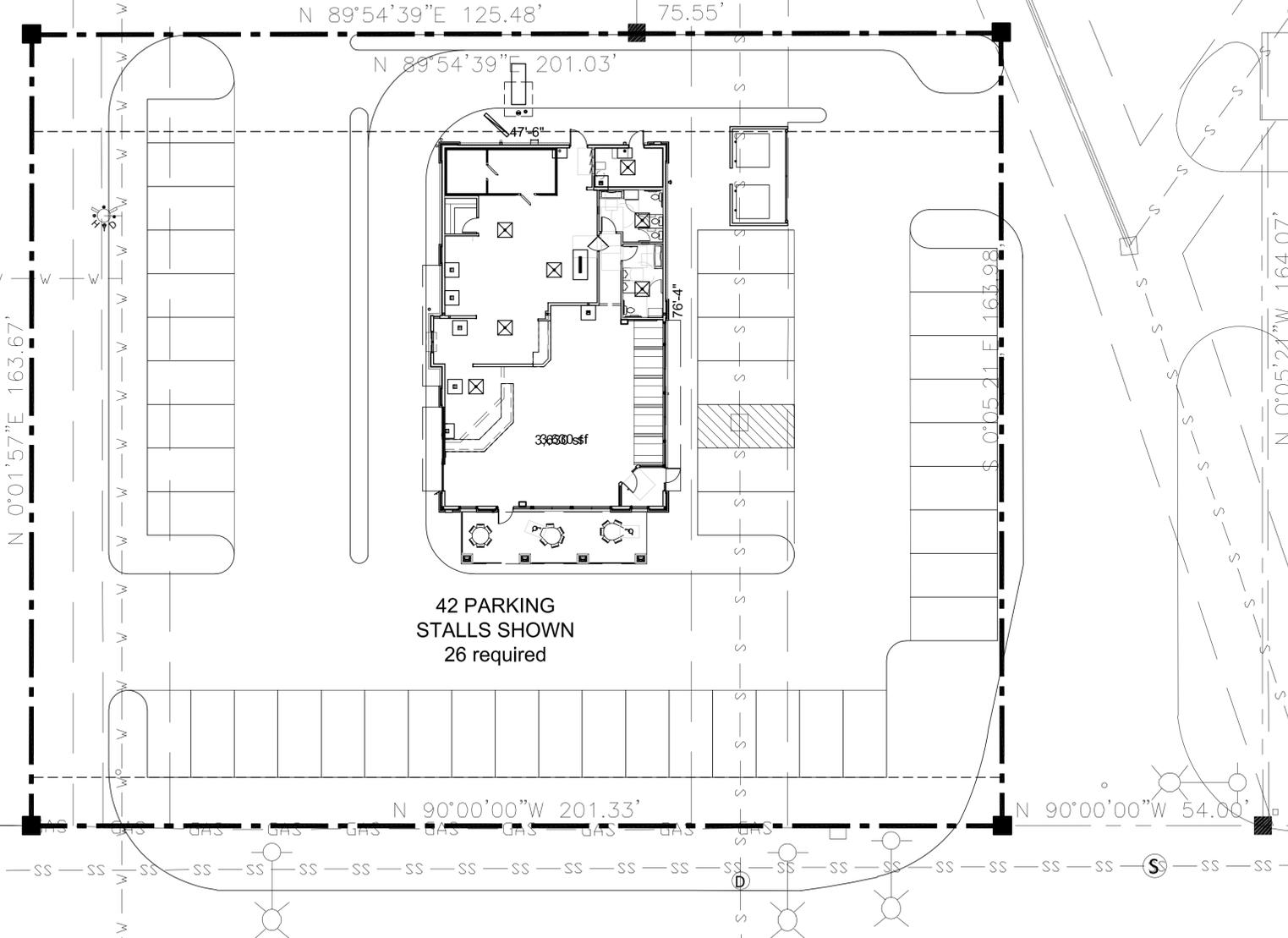
**EXHIBIT “2”
Project Site Plan**

[See attached]

* The attached site plan is preliminary in nature and subject to change.

FOR DISPLAY

1.46 ACRE



42 PARKING STALLS SHOWN
26 required

33680sf

23rd Street / HWY 81



A4 SITE PLAN OPTION 3
SCALE: 1/16"=1'-0"

PROGRESS PRINT

02.07.19

11 x 17 = 1/2 scale

SITE PLAN OPTION 3

23rd Street
Columbus, NE

Contract Date	
Rev No. 1	
Rev No. 2	
Rev No. 3	
Rev No. 4	
Rev No. 5	
Rev No. 6	
Project Number:	19.04
DWG File	BASE SITE
Designed By:	plan4
Drawn By:	CJH
Approved By:	plan4
Date:	

DISCLAIMER:
The information contained on these documents is NOT FOR CONSTRUCTION nor to take the place of construction documents, permitting or any regulatory approval thereof. This information is for feasibility, programming and conceptual purposes only and does not imply any final design or engineering. Plan 4 Architecture Design cannot be held responsible for the use or misuse of this information.

SHEET NUMBER

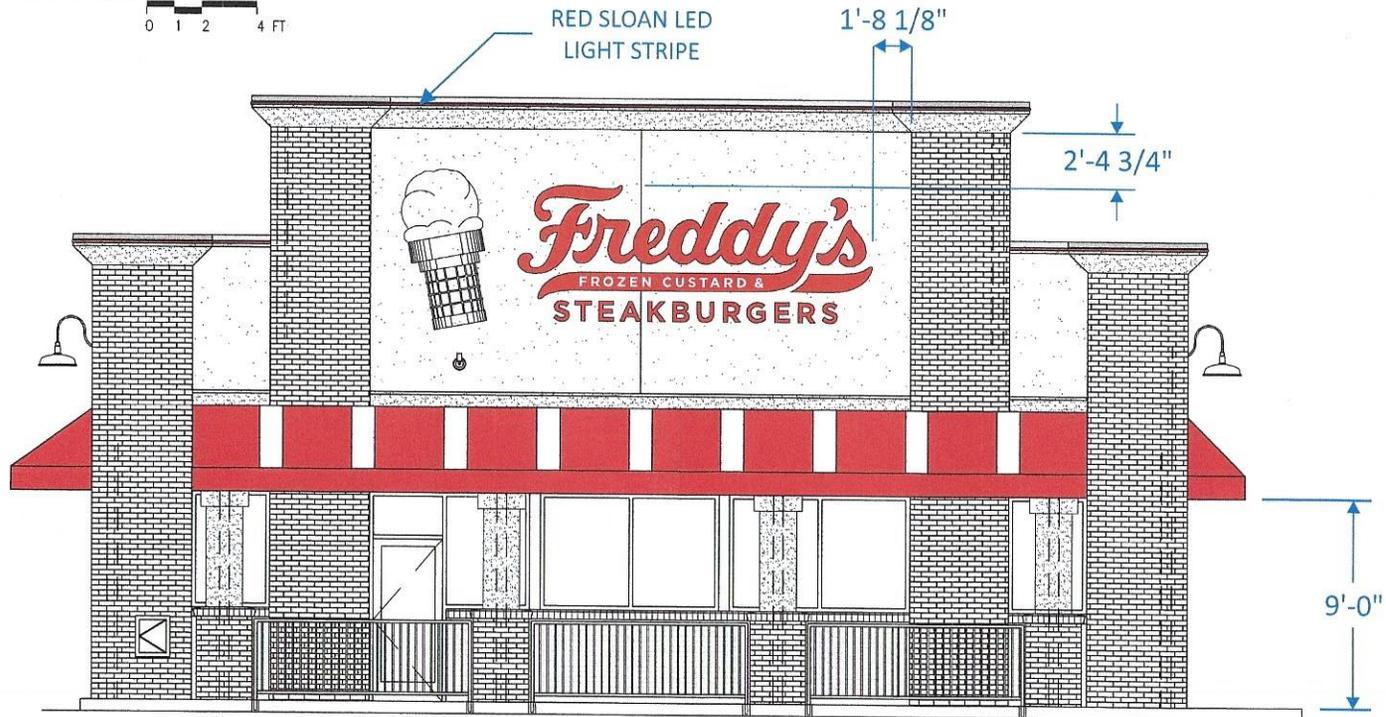
AS100

Architect hereby expressly reserves its common law copyright and other property rights in these plans. These plans and drawings are not to be reproduced, changed, copied or assigned to any third party, in any form or manner whatsoever without first obtaining the express written permission of Plan 4 Architecture Design.

plan4
ARCHITECTURE
900 east first st. ste b, mcpheerson kansas 620.241.4353
www.plan4arch.com

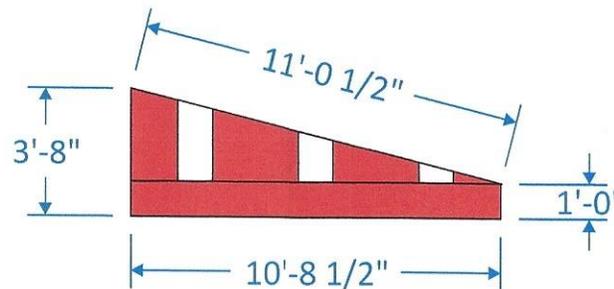
SOUTH ELEVATION

SCALE: 1/8" = 1'



LOGO CHANNEL LETTERS

SCALE: 3/16" = 1'



AWNINING DETAIL

SCALE: 3/16" = 1'

APPROXIMATE LENGTH:
38'-10"



RON'S SIGN COMPANY
1329 S. Handley St.
Wichita, KS 67213
Phone: 1.316.267.8914
Fax: 1.316.267.0811

JOB #: #
DATE: 01.24.18
DESIGNER: A. SMITH
SALES REP: J. SAINDON
PROJ MGR: .

ADDRESS: 3300 N. 27th St, Lincoln, NE 68521

(SIGNATURE)
CLIENT APPROVAL:

DATE:

CUSTOMER:

FREDDY'S FROZEN CUSTARD

DESIGN PHASE: PROPOSED

SHEET NUMBER:

1.0

EAST ELEVATION

SCALE: 1" = 10'



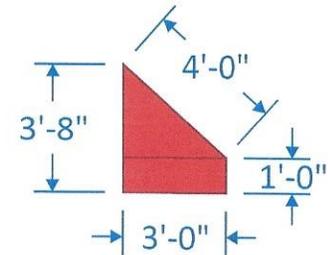
ITEM CHANNEL LETTERS

SCALE: 3/16" = 1'



ITEM CHANNEL LETTERS

SCALE: 3/16" = 1'



APPROXIMATE LENGTH:
35'-3"

AWNINING DETAIL

SCALE: 3/16" = 1'



RON'S SIGN COMPANY
1329 S. Handley St.
Wichita, KS 67213
Phone: 1.316.267.8914
Fax: 1.316.267.0811

JOB #: #
DATE: 01.24.18
DESIGNER: A. SMITH
SALES REP: J. SAINDON
PROJ MGR: .

ADDRESS: 3300 N. 27th St, Lincoln, NE 68521

(SIGNATURE)
CLIENT APPROVAL:

DATE:

CUSTOMER:

FREDDY'S FROZEN CUSTARD

DESIGN PHASE: PROPOSED

SHEET NUMBER:

2.0

WEST ELEVATION

SCALE: 1" = 10'



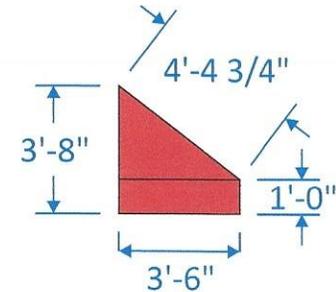
ITEM CHANNEL LETTERS

SCALE: 3/16" = 1'



ITEM CHANNEL LETTERS

SCALE: 3/16" = 1'



UNDER "TURTLE SUNDAES"

APPROXIMATE LENGTH:
25'-0"

UNDER LOGO SIGN

APPROXIMATE LENGTH:
17'-4"

AWNING DETAIL

SCALE: 3/16" = 1'



RON'S SIGN COMPANY
1329 S. Handley St.
Wichita, KS 67213
Phone: 1.316.267.8914
Fax: 1.316.267.0811

JOB #: #
DATE: 01.24.18
DESIGNER: A. SMITH
SALES REP: J. SAINDON
PROJ MGR: .

ADDRESS: 3300 N. 27th St, Lincoln, NE 68521

(SIGNATURE)
CLIENT APPROVAL:

DATE:

CUSTOMER:

FREDDY'S FROZEN CUSTARD

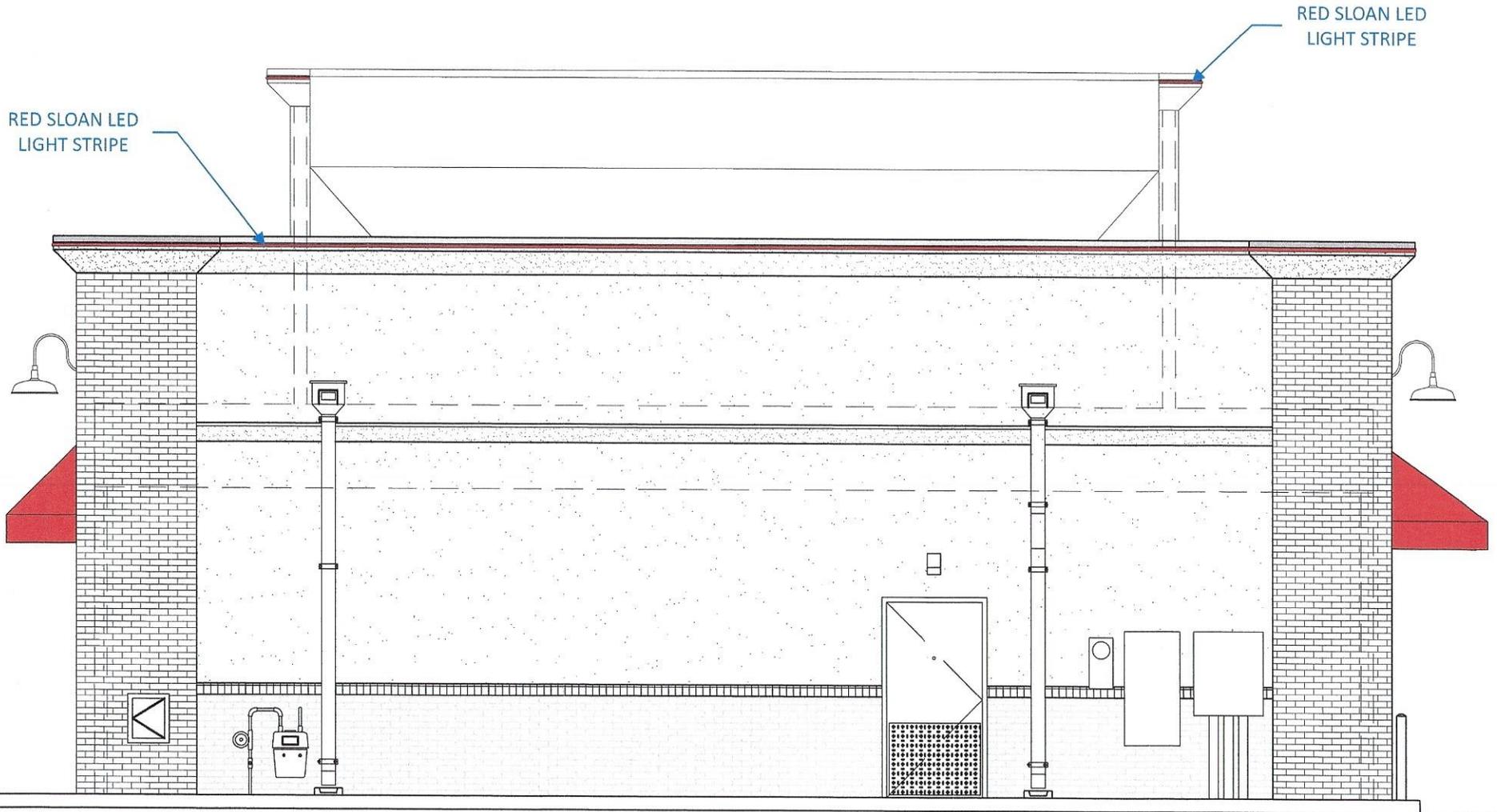
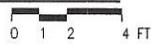
DESIGN PHASE: PROPOSED

SHEET NUMBER:

3.0

NORTH ELEVATION

SCALE: 3/16" = 1'



RON'S SIGN COMPANY
 1329 S. Handley St.
 Wichita, KS 67213
 Phone: 1.316.267.8914
 Fax: 1.316.267.0811

JOB #: #
 DATE: 01.24.18
 DESIGNER: A. SMITH
 SALES REP: J. SAINDON
 PROJ MGR: .

ADDRESS: 3300 N. 27th St, Lincoln, NE 68521
 (SIGNATURE)
 CLIENT APPROVAL: _____
 DATE: _____

CUSTOMER:
FREDDY'S FROZEN CUSTARD
 DESIGN PHASE: PROPOSED

SHEET NUMBER:
4.0

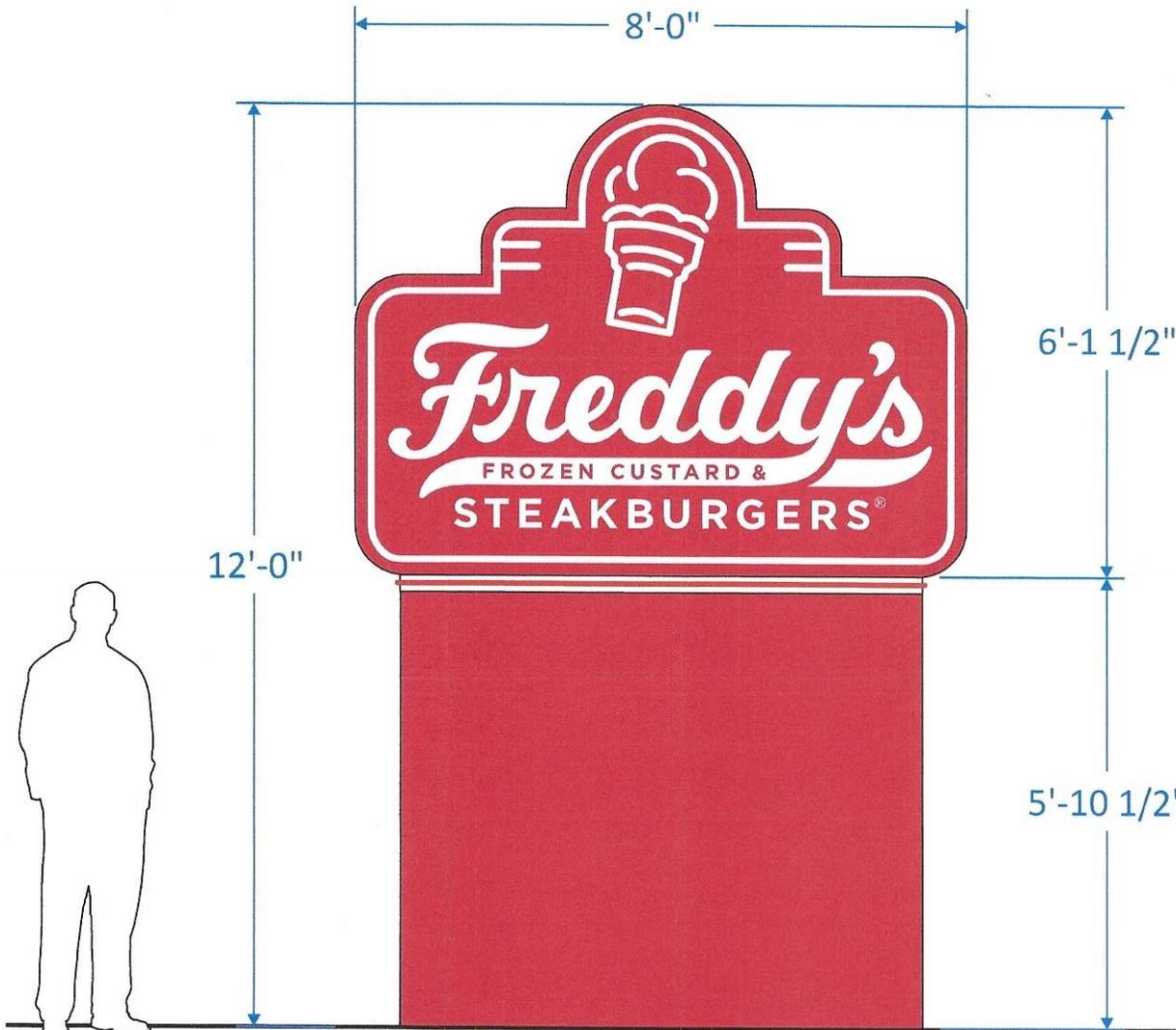
By signing this, you agree that all of the following is correct and satisfactory. This layout is the property of Ron's Sign Co. and may not be shown to anyone outside of your organization, nor is to be used, reproduced, copied, or exhibited in any fashion. Ron's Sign Co. will aim to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying surface materials and paint codes used. All sizes and dimensions are illustrated for client's view of the project and is not to be viewed as being exact size or exact scale.

STREET SIGN

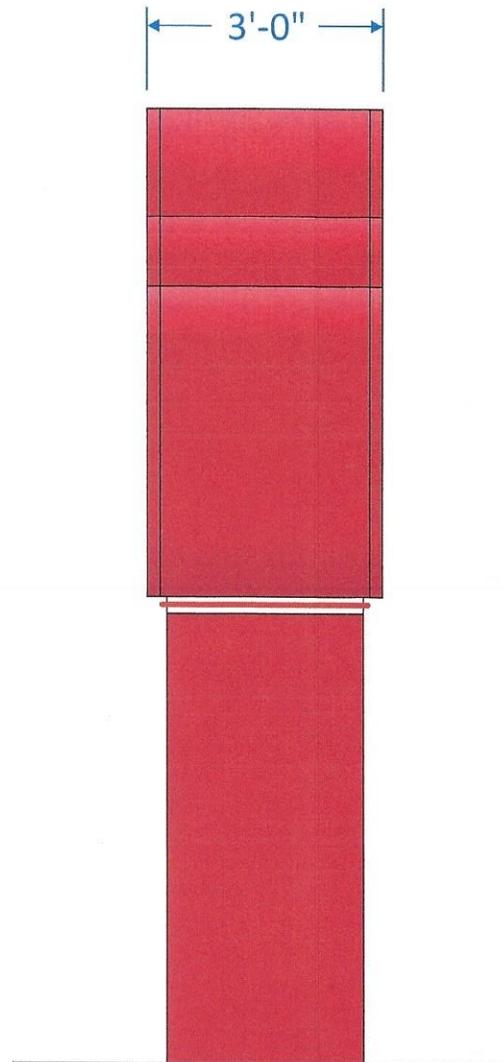
NEW LED LIGHTED STREET SIGN - FREDDY'S

SIGN CABINET SQ FT: 49 SQ FT
OVERALL HEIGHT: 12'-0"

SCALE: 1" = 28"



FRONT VIEW



SIDE VIEW



RON'S SIGN COMPANY
 1329 S. Handley St.
 Wichita, KS 67213
 Phone: 1.316.267.8914
 Fax: 1.316.267.0811

JOB #: #
 DATE: 01.24.18
 DESIGNER: A. SMITH
 SALES REP: J. SAINDON
 PROJ MGR: .

ADDRESS: 3300 N. 27th St, Lincoln, NE 68521
 (SIGNATURE) _____ DATE: _____
 CLIENT APPROVAL: _____

CUSTOMER:
 FREDDY'S FROZEN CUSTARD
 DESIGN PHASE: PROPOSED

SHEET NUMBER:
6.0

By signing this, you agree that all of the following is correct and satisfactory. This layout is the property of Ron's Sign Co. and may not be shown to anyone outside of your organization, nor is to be used, reproduced, copied, or exhibited in any fashion. Ron's Sign Co. will aim to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying surface materials and paint codes used. All sizes and dimensions are illustrated for client's view of the project and is not to be viewed as being exact size or exact scale.

EXHIBIT "3"
Estimated Costs of Project

Building & Land Acquisition	\$150,000
Site Development (itemize)	
Site Grading/Dirt Work	\$65,000
Utilities and Detention	\$35,000
Drives/ Parking	\$70,000
Traffic Engineering	\$14,000
Arch. and Engineering Fees	\$7,000
Legal Fees	\$10,000
<u>Construction Hard Costs & FF&E</u>	<u>\$3,000,000</u>
 Total:	 \$3,351,000

* The above values are preliminary estimates and subject to change.

EXHIBIT "4"
Estimated TIF-Eligible Costs for Project

Building & Land Acquisition	\$150,000
Site Grading/Dirt Work	\$65,000
Utilities and Detention	\$35,000
Drives/ Parking	\$70,000
Traffic Engineering	\$14,000
Arch. and Engineering Fees	\$7,000
Legal Fees	\$10,000
<hr/>	
Total estimated TIF-eligible project costs	\$351,000

* The above values are preliminary estimates and subject to change.

EXHIBIT “5”
Statutory Elements

A. Property Acquisition, Demolition and Disposal

No public acquisition, demolition or disposal of private property, or relocation of families or businesses is necessary to accomplish the Project.

B. Population Density

The Project will not affect population density.

C. Land Coverage

The Project Site is currently a vacant parking lot that previously served the old Walmart building. The new restaurant building will encompass approximately 3,000 square feet. The Project will comply with all applicable land coverage ratios required by the City.

D. Traffic Flow, Street Layouts and Street Grades

The CDA and Redeveloper anticipate that the Project will increase traffic to and from the Project Site. There will be additional traffic from employees and patrons traveling to and from the restaurant.

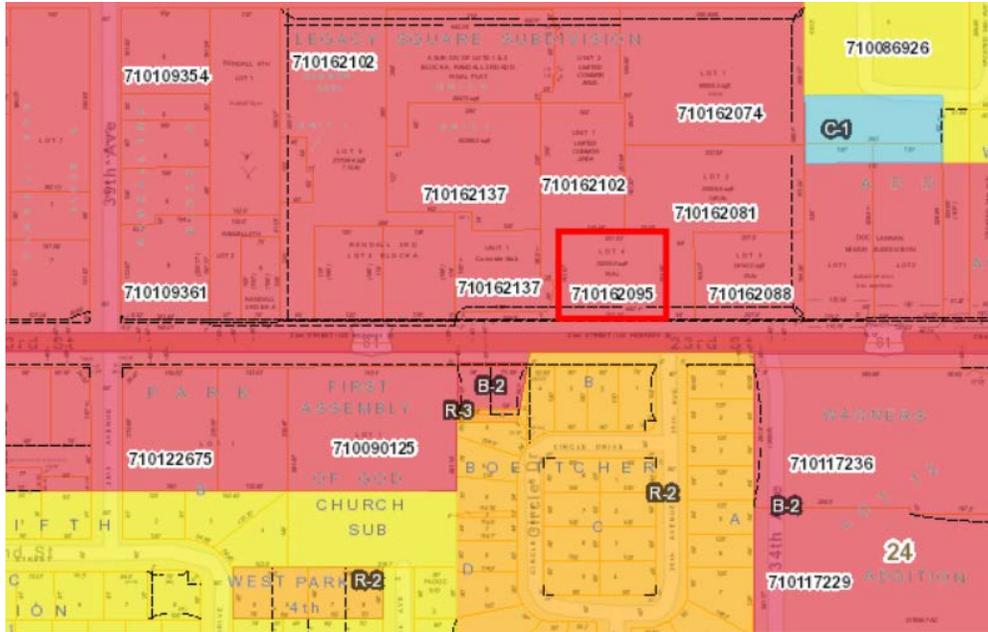
As part of the Project, Redeveloper will construct internal private roadways to address the increase in traffic and the accessibility of the private improvements. The CDA and Redeveloper do not anticipate that the Project requires modification of existing public rights-of-way. The public improvements for the Project will address any traffic and street infrastructure concerns that will otherwise be created by the Project. All streets and other public infrastructure constructed will be subject to review and approval by the City's engineer.

E. Parking

The Project includes the construction of approximately 42 public parking spaces. The Project will meet or exceed the parking requirements set forth in the applicable zoning district. The design and development of the Project should increase the efficiencies and beneficial traffic flow of the parking for all the uses located in and around Project Site.

F. Zoning, Building Code and Ordinances

The Project Site is currently located within the B-2 Zoning District. The Future Land Use Plan in the Comprehensive Plan of the City states that the Project Site is to remain as B-2 Zoning District. The applicable land use map is set forth below:



Freddy's Frozen Custard & Steakburgers restaurant is classified as a "Restaurant (Drive-In)" under the City's zoning ordinance, which is a permitted use within a B-2 Zoning District. As such, the Project does not require a zoning change. Notwithstanding, Redeveloper shall be responsible for any additional zoning, building code, or ordinances changes that are necessary for the Project.

**EXHIBIT “6”
Cost Benefit Analysis**

Supplement to the WHO Development Redevelopment Project

This cost-benefit analysis for this Supplement and the Project set forth therein has been undertaken pursuant to Neb. Rev. Stat. § 18-2113. Pursuant to the Master Redevelopment Plan, the CDA provides this cost-benefit analysis as a supplement with respect to the second phase of the Project.

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

The taxes generated by the current value of the Project Site will continue to be allocated between taxing jurisdictions pursuant to standard statutory requirements. Only the incremental taxes created by the Project will be captured to pay for eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Project, the true tax shift of the Project is a positive shift in taxes after fifteen years. Additionally, because of the need to demolish a portion of the former Walmart building on the Project Site and undertake extensive reconfiguration of the Project Site to prepare it for any new use, it is not anticipated that there will be any valuation increase on the Project Site without approval of a redevelopment project utilizing TIF. Accordingly, any valuation increase is deemed to be a benefit to the City, even considering the fifteen-year TIF period.

With respect to the tax shifts for the Project:

a.	Anticipated Project Site Base Valuation (2019):	\$87,175
b.	Projected Completed Project Assessed Valuation:	\$1,200,000
c.	Projected Tax Increment Base (b. minus a.):	\$1,112,000
d.	Estimated Tax Levy:	1.92369
e.	Annual Projected Tax Shift:	\$21,193

Notes:

- 1. The Projected Tax Increment is 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 2019 levy rate. There has been no accounting for incremental growth over the 15 year TIF period.*

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

a. Public infrastructure improvements and impacts:

There are no anticipated negative public infrastructure impacts from the Project. The Project will require the construction or extension of utilities to serve the Project Site, but the Project should not create a burden on public resources. Redeveloper will construct internal private roadways or implement access easements within the Redevelopment Area between the Project Site and developments in prior and future phases to provide the necessary ingress and egress for the Project, but no additional public roads or work in the public right-of-way will be required for this project. Public storm sewer improvements and drainage and detention improvements required for the Project will be constructed as part of the Master Project or the Project.

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

The Project will include a significant amount of personal property that will be on the property tax rolls upon its acquisition and installation. The Project should create material tax and other public revenue for the City and other local taxing jurisdictions. Based on preliminary projections and the City's sales tax rate of 1.5%, Redeveloper estimates that the Project will generate approximately \$20,000 in sales tax per year. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Project, it is intended to create long-term benefit and a substantial increase in property taxes to the City and other local taxing jurisdictions.

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the Project Site:

Currently, there are no employers or employees within the larger Redevelopment Area encompassing the Project. As such, the CDA expects that the public and private improvements associated with the Project will attract businesses, employees and residents to the area.

Construction of the Project will require a number of construction employees and managers. Redeveloper intends to use as many local construction trades as possible during construction. Those contractors that come from outside the City will use other hotels, apartments, restaurants, gas stations and other services and facilities in the City during the approximately eleven-month construction time frame. Additionally, Redeveloper anticipates the creation of approximately eight full-time and ten part-time jobs via the restaurant. Bearing the above in mind, Redeveloper and the CDA anticipate that the Project will have a positive impact on employers and employees of firms locating or expanding within the boundaries of the Project Site.

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

The CDA does not anticipate that the anticipated use for the Project (i.e., a restaurant) will have an adverse material impact on other employers and employees within the City or immediately outside the area of the Project. Rather, it provides an additional dining option to the community as a whole and creates new jobs for the City's citizens.

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

The project will not impact student populations.

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

Redeveloper and the CDA anticipate the following relevant impacts on the City:

- The Project will occupy land that is vacant, has been determined to be blighted and substandard, and has limited assessed tax value in its current state.
- The Project should help promote the development of future projects within the western portion of the City along 23rd Street.
- Redeveloper and the CDA anticipate minimal to no impact on demand for community services stemming from the Project.

7. Cost Benefit Analysis Conclusion:

Based upon the findings presented in this supplemental cost-benefit analysis, the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the Mayor and Council of the City and have been found to be in the long-term best interest of the City.

EXHIBIT "7"
REDEVELOPMENT PLAN

[See attached]

RESOLUTION NO. R18-42

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN ENTITLED "33RD AVENUE AND U.S. HIGHWAY 30 REDEVELOPMENT PLAN."

WHEREAS, The Mayor and City Council of the City of Columbus approved Resolution No. R18-10 on February 5, 2018; and

WHEREAS, Section 10 of Resolution No. R18-10 declared the areas legally described in that Resolution which it referred to as "Redevelopment Areas" to be blighted and substandard and in need of redevelopment under the terms of Nebraska Revised Statutes sections 18-2103(10) and (11) and section 18-2109; and

WHEREAS, it is contemplated that the redevelopment of the Redevelopment Areas may occur in phases and will occur pursuant to one or more redevelopment plans; and

WHEREAS, the City finds based on substantial evidence in the record of this proceeding that the redevelopment of the Redevelopment Areas will result in the elimination and prevention of blight and aligns with the purposes of the Community Redevelopment Law and the general plan of the City; and

WHEREAS, it is anticipated and desired that any future redevelopment plans presented to the City for the Redevelopment Areas will comply with the general plan of the City; and

WHEREAS, the City previously approved a plan of redevelopment entitled the "33rd AVENUE AND U.S. HIGHWAY 30 REDEVELOPMENT PLAN" via Resolution No.R10-111 (the "Redevelopment Plan"); and

WHEREAS, attached hereto as Exhibit "A" is an amendment to the Redevelopment Plan for redevelopment within one or more of the Redevelopment Areas (the "Redevelopment Plan Amendment"); and

WHEREAS, the Planning Commission of the City of Columbus, Nebraska provided written findings on and recommended the City's adoption and approval of the Redevelopment Plan Amendment on March 12, 2018; and

WHEREAS, the Redevelopment Plan Amendment complies with the general plan of the City, and will result in the elimination and prevention of blight; and

WHEREAS, the redevelopment set forth in the Redevelopment Plan Amendment would not be economically feasible without the use of tax-increment financing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA:

Section 1. Any redevelopment plan presented to the City of Columbus for one or more of the Redevelopment Areas shall comply with the general plan of the City.

Section 2. The Redevelopment Plan Amendment attached as Exhibit "A" complies with the general plan of the City.

Section 3. Based on the substantial evidence in the record of this proceeding, the City accepts and adopts the findings of the Planning Commission of the City of Columbus, as follows:

(a) The proposed land uses and building requirements in the redevelopment area as described in the Redevelopment Plan Amendment are 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; that under the Redevelopment Plan Amendment adequate provision is made for traffic, vehicular parking, 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.

(b) The Redevelopment Plan Amendment contains a satisfactory 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 Redevelopment Plan Amendment; that there are no estimated proceeds or revenue expected to be obtained by the City from disposal of property to the redeveloper; that the Redevelopment Plan Amendment sets forth a satisfactory method of financing for the proposed redevelopment consisting of direct payment for public improvements or grant assistance to the redeveloper for the Redevelopment Areas, as designated in the Redevelopment Plan Amendment 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 Redevelopment Plan Amendment, which are currently expected to be displaced from such area.

(c) The cost-benefit analysis prepared in conjunction with the Redevelopment Plan Amendment 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 Redevelopment Plan Amendment.

Section 4. The redevelopment set forth in the Redevelopment Plan Amendment would not be economically feasible without the use of tax-increment financing; would not occur in the Redevelopment Areas without the use of tax-increment financing; and the costs and benefits of the Redevelopment Plan Amendment, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of all those impacted by the Redevelopment Plan Amendment.

Section 5. Based on the foregoing and substantial evidence in the record of this proceeding, the Mayor and City Council hereby approve and adopt the Redevelopment Plan Amendment.

INTRODUCED BY COUNCIL MEMBER Charlie Bahr

PASSED AND ADOPTED THIS 2 DAY OF April, 2018.

Janis Bally
MAYOR

ATTEST:

Janelle Heine
CITY CLERK

APPROVED AS TO FORM:

David C. Levy
DAVID C. LEVY, SPECIAL CITY ATTORNEY



**AMENDMENT TO THE 33RD AVENUE AND U.S. HIGHWAY 30
REDEVELOPMENT PLAN
OF THE CITY OF COLUMBUS, NEBRASKA**

(WHO DEVELOPMENT REDEVELOPMENT PROJECT)

The City of Columbus, Nebraska (the "City") has undertaken a plan of redevelopment within the community pursuant to the adoption of a Redevelopment Plan for a portion of the City previously identified as the 33rd Avenue and U.S. Highway 30 Area, as amended (the "Redevelopment Plan"). The Redevelopment Plan was approved by the City Council of the City (the City Council, in its capacity as the governing body of the City and the community development agency of the City, hereafter collectively referred to as the "City Council") as of December 20, 2010 via Resolution No. R10-111. Pursuant to Resolution No.R18-10, adopting new and amended blighted and substandard area designations within the City, approved by the City Council as of February 5, 2018, the redevelopment area identified in the Redevelopment Plan is now a part of Redevelopment Area 1, a/k/a the West 23rd Street Corridor Area (the "Redevelopment Area"). The Redevelopment Plan serves as a guide for the implementation of redevelopment activities within certain areas of the City, as set forth in the Redevelopment Plan.

The primary purpose of this Amendment to the Redevelopment Plan is to identify a specific redevelopment project that will cause the removal of blight and substandard conditions on a site located in the City, within a portion of the Redevelopment Area identified in the Redevelopment Plan and generally located within the commercial corridors of 23rd Street from 15th Avenue to 48th Avenue, and 33rd Avenue north of 13th Street and legally described on the attached and incorporated Exhibit "A" (the "Project Site").

A. The Project Site

The Project Site is blighted, substandard and in need of redevelopment. The City Council has considered whether redevelopment of the Project Site, and specifically, the WHO Development Redevelopment Project defined herein (the "Project"), will conform to the general plan and the coordinated, adjusted, and harmonious development of the City and its environs. The primary goal of the Redevelopment Plan was to strengthen the Redevelopment Area by "capturing a share of the anticipated private market activity within the region". The Redevelopment Plan further incorporated the goals, policies, and actions set forth in the Comprehensive Plan with respect to the Redevelopment Area. The Comprehensive Plan identifies the Project Site as a major commercial growth area and, among other goals, stresses the importance of infill commercial development and reuse of existing, vacant stores and tracts of land. In this consideration, the City Council finds that such a redevelopment of the Project Site will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of safety from fire, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds,

and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight.

The Project Site consists of approximately 12.23 acres of blighted and substandard land located in the Redevelopment Area and in need of redevelopment. An approximately 116,214 square foot former Wal-Mart building and 776 stall parking lot is currently located on the site, and the building's size and condition make the Project Site unusable in its current condition. An aerial view of the Project Site is included on the attached and incorporated Exhibit "A". Because of the current condition of the Project Site, it is necessary to undertake substantial demolition and reconfiguration of the Project Site in order to develop the property for any reasonable use. The blighted condition of the Project Site contributes to its inability to attract development. The initial upfront costs associated with demolition, site preparation, and constructing the necessary utility infrastructure makes development of the Project Site not feasible without tax-increment financing. In order to support private development, the Project Site and the Redevelopment Area are in need of redevelopment. The redevelopment of the Project Site pursuant to this Amendment to the Redevelopment Plan will include eligible expenditures under the Act and will further the purposes of the Act in conformity with the Redevelopment Plan.

The Project Site is currently located within the B-2 Zoning District. The Future Land Use Plan in the Comprehensive Plan of the City of Columbus states that the Project Site is anticipated to remain in the same B-2 Zoning District. The zoning requirements and the applicable land use map is set forth on Exhibit "C".

B. Description of the Redevelopment Project

WHO Development, LLC, a Nebraska limited liability company (the "Redeveloper") has submitted a proposal for the redevelopment of the Project Site. The Project will consist of the construction of a mixed-use development, incorporating commercial and residential uses.

The Redeveloper intends to complete the Project in multiple phases over a period of multiple years, which will allow the Redeveloper to maximize the tax increment financing resources available for public improvements in the Redevelopment Area. Each phase of the Project may have a different effective date for the purposes of Neb. Rev. Stat. § 18-2147. The implementation of the Project in multiple phases is crucial to the successful development of the Project. The phasing will allow the Redeveloper to construct the private improvements at a rate that the market can support, and to adapt subsequent phases of the Project to accommodate the changing needs of the community. For this reason, the size and scope of the Project, including, (i) the quantity and type of commercial, residential and civic buildings, (ii) the building area or quantities of land dedicated to a particular use, and (iii) the schedule for implementation of each phase of the Project, is subject to adjustment. The implementation of the Project in multiple phases is described in greater detail below. Nonetheless, this amendment generally encompasses all planned phases of the Project.

1. The Private Improvements

The Redeveloper will pay the costs of constructing the private improvements, including the commercial, residential and civic buildings, and associated improvements. The specific private improvements for the Project shall be determined on a phase-by-phase basis to meet the changing community needs and market demands as the Project is implemented. Redeveloper currently anticipates completing the Project in up to eight (8) phases.

The conceptual Site Plan for the Project is attached hereto as Exhibit "B". The Site Plan is conceptual in nature and subject to revision based on changes in community needs that may change over time, budgetary constraints, physical constraints or other factors, but it presents the general vision and the intended character of the Project. The Project will repurpose the former Wal-Mart site and parking lot with multiple, smaller uses and shared parking and drives. This will allow the reuse and infill of the Project Site in a feasible manner based on current commercial uses and business practices. A portion of the former Wal-Mart building will be demolished, and a portion of the Wal-Mart building will remain and be repurposed. While all phases are subject to change, the Project is projected to consist of the following phases/uses: (i) an approximately 75-85 room hotel, (ii) an approximately 3,000 square foot commercial space that may be used as a bank or other service business, (iii) an approximately 55,000 square foot commercial building with approximately 29,000 retail outdoor display space, (iv) multifamily residential buildings with approximately 40-80 apartment units, (v) an approximately 8,000 square foot commercial building that is intended for a restaurant or retail use, (vi) an approximately 20,000 square feet of office space, and (vii) approximately 38,700 square foot indoor storage facility. Land coverage and building intensities on the Project Site will be addressed with more specificity in the supplemental Redevelopment Plan amendment for each phase of the Project.

2. The Public Improvements

As part of the Project, the City will capture the available tax increment revenues generated by the redevelopment of the Project Site to assist in paying for public improvements that are eligible expenditures under the Act in the Redevelopment Area, including, but not limited to: site acquisition, demolition of the existing building, site preparation and grading, utilities, street infrastructure improvements, landscaping and streetscaping, public parking, and other improvements deemed feasible and necessary in support of the public health, safety, and welfare which qualify as eligible expenditures for public improvements under the Act. There are significant upfront costs of the public improvements that are necessary for the Project to be undertaken. These public improvements are necessary public improvements for each phase of the Project and shall be TIF eligible expenses for each phase of the Project. Additional eligible public expenditures may be identified in a supplemental Redevelopment Plan amendment for any phase of the Project.

The currently identified eligible public expenses for the Project and preliminary and general estimates of the costs are described below:

- Site acquisition costs - \$1,610,000
- Demolition of a portion of the existing Wal-Mart building - \$250,000
- Site preparation - \$250,000
- Utility and infrastructure improvements - \$400,000
- Landscaping and aesthetic enhancements to decrease blight and substandard conditions - \$150,000
- Public Parking improvements - \$400,000
- Capitalized interest and financing costs of eligible public expenses - \$150,000
- Engineering, architectural and legal fees necessary to develop the site – to be determined

The project costs stated above are estimates and preliminary projections. Final costs shall be determined upon project approval, final plan approval, and received bids for work. The final costs shall be certified to the City Council upon completion of the public improvements associated with the Project. These identified costs illustrate the significant upfront costs of the public improvements that are necessary for the Project to be undertaken. Each phase will likely include additional eligible public expenditures.

As stated above, the public improvements listed as eligible expenditures are necessarily upfront expenses that the Redeveloper will incur prior to the implementation of redevelopment agreements for subsequent phases of this Project. The existing building must be demolished and the general site preparation, grading, and utility improvement extension and construction for the entire Project Site will occur immediately and not on a phase by phase basis. However, these costs are necessary public improvements required for each phase of the Project. The Redeveloper would not complete these initial public improvements but for the approval of the entire Project and, likewise, the subsequent phases of the Project would not occur but for these initial public improvements. Accordingly, the costs and expenses of all the public improvements for the Project will be eligible TIF uses for each phase of the Project. The initial public improvements may be reasonably allocated between the various phases of the Project and the TIF Indebtedness generated from each phase of the Project shall be used to assist with the payment of the eligible expenses of the entire Project. The specific phasing of the Project and the TIF sources and uses for each phase will be further defined in the supplemental Redevelopment Plan amendment and/or redevelopment agreement for each phase of the Project. All division of taxes and identification of eligible expenditures will be done in accordance with the Act.

The specific public improvements that will be constructed may be revised over time based on changing community needs and available TIF and other financing. This Plan Amendment is intended to be flexible with respect to the specific details of the overall Project. Ease phase of the Project will be described in more detail in

a supplementary amendment to this Redevelopment Plan Amendment for each phase of the Project (each "Supplemental Plan Amendment").

The redevelopment of the Project Site pursuant to this Amendment to the Redevelopment Plan will eliminate the blight and substandard conditions on the Project Site and will further the purposes of the Act in conformity with the Redevelopment Plan. In addition, the eligible public improvements that are part of the Project will facilitate the further development of the Redevelopment Area and surrounding areas.

C. Implementation of the Project

As described above, the Redeveloper will complete the Project in multiple phases over an unknown period of years. It is possible that several phases will occur simultaneously, but each phase may have a different TIF effective date, as specified in the redevelopment agreement to each Supplemental Plan Amendment. The phased approach to construction of the Project will allow the Redeveloper to: (i) maximize the tax increment financing resources available to put toward construction of eligible public improvements, (ii) construct the private improvements at a rate that the market can support, and (iii) adapt the Project to the changing needs of the community.

The development of the Project Site for the Project shall require the developer to acquire the entire Project Site, site preparation and grading of the entire Project Site, development of common access point for ingress and egress, common parking improvements, utility infrastructure improvements for the entire Project Site, and other eligible public improvements that are required for the development of any and all phases.

Redeveloper intends to convey the specific lots in the Project Site to affiliated entities or third parties to develop the specific private improvements that will be part of each phase of the Project. A condition of any such conveyance shall be the obligation of the transferee to allow the Redeveloper to enter into a redevelopment agreement for that specific phase pursuant to a Supplemental Plan Amendment and to utilize tax increment financing to assist with paying for the eligible public improvements provided herein. Without TIF, the preparation of the Project Site would be cost prohibitive and Redeveloper could not prepare the Project Site to make any of the proposed phases feasible.

The proposed Phases of the Project are generally described below. Each phase of the Project will be governed by a separate redevelopment agreement between the City Council and the Redeveloper (or its successor or assign for the specific phase), which will describe the private improvements and the public improvements to be constructed by the Redeveloper as a part of such phase. Each redevelopment agreement shall implement this Amendment to the Redevelopment Plan and the Supplemental Plan Amendment. Depending on market demands and other factors, it is possible that the proposed phases will need to be revised, and any such revisions will be addressed in a Supplemental Plan Amendment

This Amendment to the Redevelopment Plan is intended to be flexible and to serve as a guide for development of the Project Site. The City Council acknowledges that each phase of the Project may include modifications to this Amendment to the Redevelopment Plan that will be addressed in a Supplemental Plan Amendment.

D. Proposed Phases of the Project

The redeveloper anticipates investing more than \$25,000,000.00 in the construction and development of the Project, in multiple phases. Redeveloper anticipates the following phases as part of the Project:

- **Hotel.** An approximately 75-85 room hotel will be constructed on the Project Site. The proposed Hotel will have a high end exterior and the developers will work to secure a hotel brands that will fit well within in the Columbus market. The hotel is anticipated to contain typical hotel amenities, such as an indoor swimming pool, meeting room, and fitness room, but the exact specifications and amenities will depend upon final design. It is anticipated that the Hotel will have an assessed value of approximately \$4,000,000 and will generate approximately \$1,000,000 in TIF.
- **Bank.** An approximately 3,000 square foot bank building with drive-through window will be constructed on the Project Site. It is anticipated that the Bank will have an assessed value of approximately \$2,000,000 and will generate approximately \$400,000 in TIF.
- **Retail.** Approximately 55,000 square feet of the former Wal-Mart building will be repurposed as commercial retail space. This retail space will also include an approximately 29,000 square foot outdoor retail display area. It is anticipated that this retail space will have an assessed value of approximately \$1,600,000 and will generate approximately \$150,000 in TIF.
- **Apartments.** Multifamily apartment buildings with approximately 40-80 apartment units will be constructed on the Project Site. The number of apartment units to be constructed will depend upon the available area and the size and parking requirements that will be determined as part of the subdivision process. The actual assessed value of the apartments will depend on the number of units, but it is anticipated that if there are 80 units constructed the Apartments will have an assessed value of approximately \$3,000,000 and will generate approximately \$510,000 in TIF.
- **Commercial Building.** Approximately 59,400 square feet of the former Wal-Mart building will be repurposed as additional commercial space. Currently, it is anticipated that this space will be used as follows: (i)

approximately 20,700 square feet will be used as office space and (ii) approximately 38,700 square feet will be used as an indoor storage facility. It is anticipated that this commercial building will have an assessed value of approximately \$1,000,000 and will generate approximately \$200,000 in TIF. Redeveloper contemplates the possibility of additional construction west of the former Wal-Mart building for indoor storage or other commercial uses as part of this phase. If such additional construction is deemed to be feasible, the projected cost, assessed value, and TIF amount would increase accordingly.

It is possible that this commercial building would be developed as two separate phases of the Project.

- **Retail/Restaurant.** Redeveloper intends to construct an approximately 8,000 square foot commercial building on the Project Site, which will be used for restaurant or retail purposes. It is anticipated that this building will have an assessed value of approximately \$1,000,000 and will generate approximately \$135,000 in TIF.

All of these phases require the public improvements set forth above and the Redeveloper shall utilize the TIF from each phase to assist with the financing and payment of the eligible public improvements for the Project.

Additional details on each phase may be added to this Plan Amendment in a Supplemental Plan Amendment. Each phase will be presented to the City Council for approval and subject to a separate redevelopment agreement with more detailed information and terms and conditions for said phase.

E. Statutory Elements

As described above, the Project envisions the capture of the incremental taxes generated by the Project on the Project Site to pay for eligible expenditures under the Act. Attached as Exhibit "C" and incorporated herein by this reference is a consideration of the statutory elements under the Act. No families will be displaced or relocated from the Project Site on account of this Project.

F. Cost-Benefit Analysis

Pursuant to Section 18-2113 of the Act, the City Council must conduct a cost-benefit analysis for any redevelopment project that will utilize TIF. A general preliminary Cost-Benefit Analysis for the Project is attached hereto as Exhibit "D", and a Supplemental Cost-Benefit Analysis for each specific phase of the Project will be prepared and approved as each phase is approved. The cost-benefit analysis for each phase of the Project shall recognize and account for the substantial benefit of the scope of the Project and the interconnectedness of the eligible public improvements between the phases.

EXHIBIT "A"
Project Site

Lots 1 and 2, Block A, Randall 3rd Addition, City of Columbus, Platte County, Nebraska

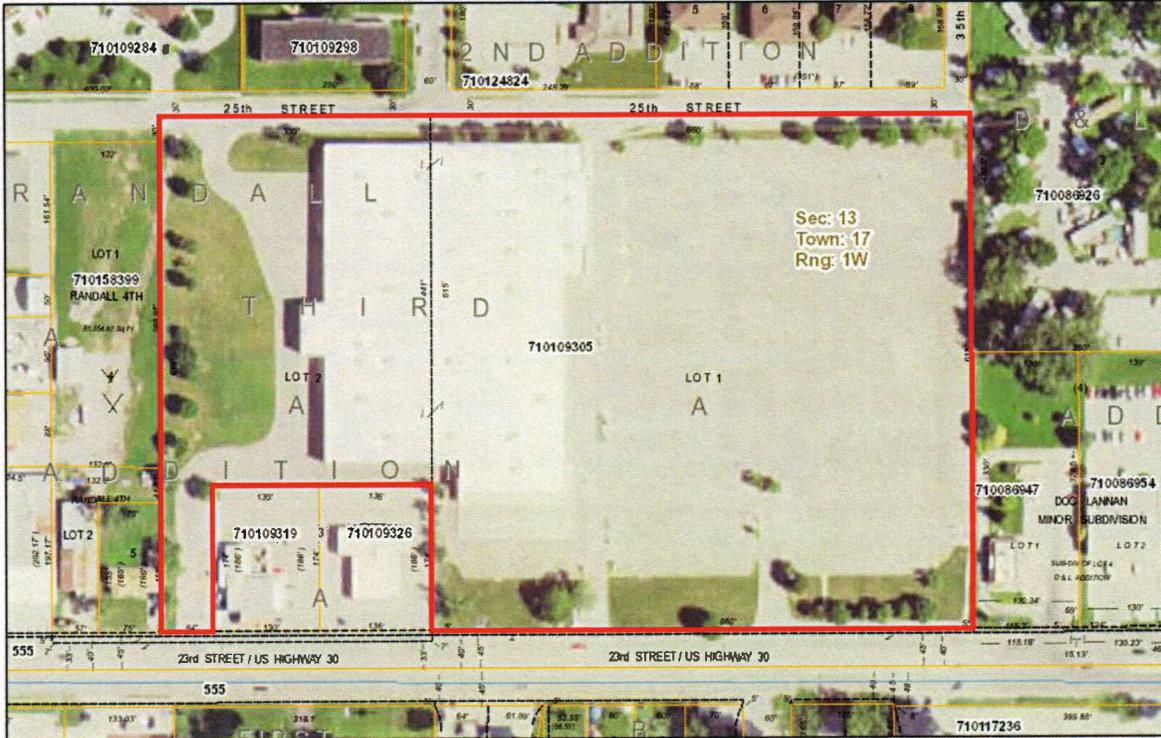


EXHIBIT "B"
Conceptual Site Plan (subject to modification)

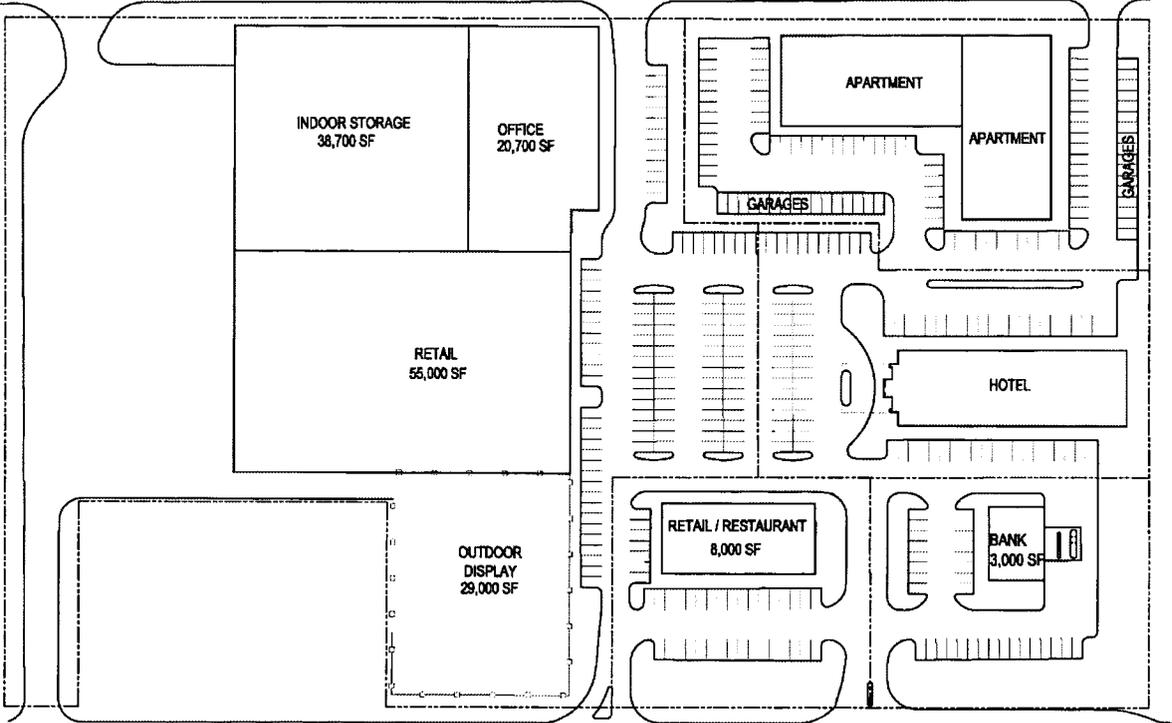


EXHIBIT "C"
Statutory Elements

A. Property Acquisition, Demolition and Disposal

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Project. The Redeveloper has the Project Site under contract and will acquire the Project Site from a third party owner as part of the Project.

B. Population Density

The proposed development at the Project Site is the construction of a mixed-use development, which may include multi-family residential uses that will inherently increase population density in the area. However, an increase in population density in the area is desired in order to provide additional housing in the City of Columbus. The Project will be properly platted to accommodate the increase in population density and adequate public infrastructure improvements to accommodate any increase in population density anticipated as part of the Project.

C. Land Coverage

An approximately 116,214 square foot former Wal-Mart building is currently located on the Project Site. A substantial portion of this building will be demolished and removed and certain new buildings will be constructed on the Project Site. The Project consists of the construction of multiple buildings for the uses identified in the Redevelopment Plan on the approximately 12.23 acre Project Site. Redeveloper shall be obligated to comply with the applicable land-coverage ratios and zoning requirements of the City of Columbus.

D. Traffic Flow, Street Layouts and Street Grades

The Project is anticipated to increase traffic to and from the Project Site. There will be additional traffic from residents traveling to and from the new apartment units constructed on the Project Site, as well as employees, customers, and visitors traveling to and from the commercial buildings constructed on the Project Site.

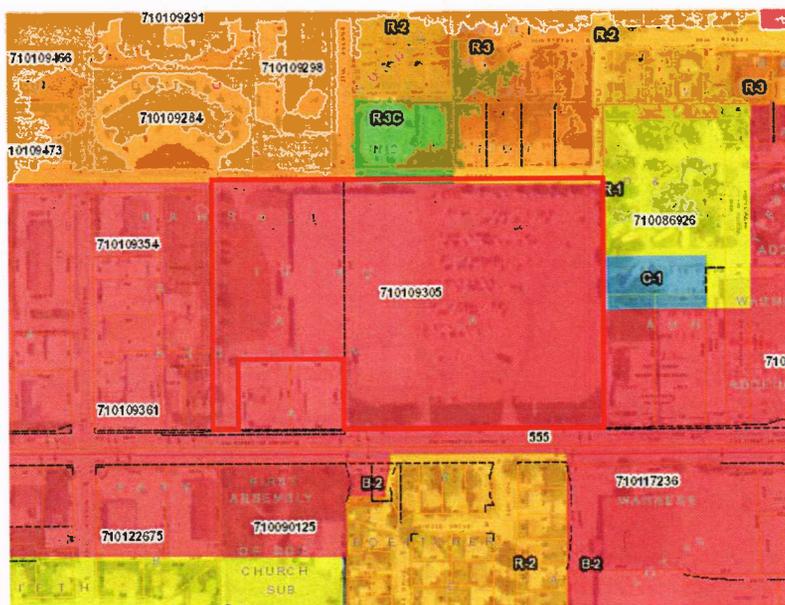
As part of the Project, the Redeveloper will construct internal private roadways to address the increase in traffic and the accessibility of the private improvements. The project is not anticipated to modify existing public rights-of-way. The public improvements, which will be constructed with the assistance of tax increment financing, shall address any traffic and street infrastructure concerns that would otherwise be created by the Project.

E. Parking

The construction of each phase of the Project will include parking facilities that will meet or exceed the parking requirements set forth in the applicable zoning district. The design and development of the Project as a single redevelopment project shall increase the efficiencies and beneficial traffic flow of the parking for all the uses located on the Project Site. The Project will also include designated public parking.

F. Zoning, Building Code and Ordinances

The Project Site is currently located within the B-2 Zoning District. The Future Land Use Plan in the Comprehensive Plan of the City of Columbus states that the Project Site is anticipated to remain in the same B-2 Zoning District. The applicable land use map is set forth below:



The following uses, among others, are permitted uses in the B-2 Zoning District:

- Apartments
- General Office
- Restaurants (drive-in and general)
- Lodging
- Consumer Services
- General Retail Services
- Civic Safety Services

Additionally, Convenience Storage is a permitted use in the B-2 zoning district with a special permit.

The Project Site will be subdivided and replatted. Redeveloper shall be responsible for any additional zoning, building code, or ordinances changes that are necessary for the Project or any phase of the Project. Redeveloper also intends to file a condominium declaration on the lot containing the former Wal-Mart Building to legally separate the building into two or more separate parcels.

EXHIBIT “D”
Cost Benefit Analysis

WHO Development Redevelopment Project

This Cost-Benefit Analysis for the WHO Development Redevelopment Project (“Project”) has been undertaken pursuant to Neb. Rev. Stat. § 18-2113. The Project will consist of the construction of a mixed-use development, incorporating commercial, residential and civic uses, and associated improvements. The location of the Project Site is set forth on Exhibit “A” to the Redevelopment Plan Amendment and the public and private improvements to be constructed as part of the Project are generally described in the Description of the Project section of the Redevelopment Plan Amendment.

The Project shall be implemented in phases and any specific cost and benefit information for each phase shall be addressed, if necessary, in the supplemental cost-benefit analysis for each phase of the Project (each, a “Supplemental Cost-Benefit Analysis”). A separate supplemental cost-benefit analysis shall be undertaken for each phase of the Project. However, because of the implementation of the Project as described herein and in the Redevelopment Plan Amendment for the Project, the initial analysis of the costs and benefits of the entire project as a whole is necessary.

The general cost-benefit analysis for the Project, which will utilize funds authorized by Neb. Rev. Stat. § 18-2147, can be summarized as follows:

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

The taxes generated by the current value of the Project Site shall continue to be allocated between taxing jurisdictions pursuant to standard statutory requirements. Only the incremental taxes created by each phase of the Project will be captured to pay for eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Project, the true tax shift of this Project is a positive shift in taxes after 15 years. Additionally, because of the need to demolish the former Wal-Mart building on the Project Site and undertake extensive reconfiguration of the Project Site to prepare it for any new use, it is not anticipated that there will be any valuation increase on the Project Site without approval of a redevelopment project utilizing tax increment financing. Accordingly, any valuation increase is deemed to be a benefit to the City, even considering the 15 year TIF period.

The specific projected tax shift for each phase shall be set forth in the applicable Supplemental Cost-Benefit Analysis, but as a preliminary overview, the following potential tax shift is considered at this time:

a.	Anticipated Project Site Base Valuation (2018):	\$1,600,000.00
b.	Projected Completed Project Assessed Valuation:	\$12,600,000.00

c.	Projected Tax Increment Base (b. minus a.):	\$11,000,000.00
d.	Estimated Tax Levy:	1.905293
e.	Annual Projected Tax Shift:	\$209,582.00

Notes:

1. *The Projected Completed Project Assessed Valuation is preliminary and subject to significant changes depending on the design of each phase and the approval of each phase. While this calculation is intended to present a general picture of the tax shift for the Project, the Supplement Cost Benefit Analyses can provide a much more accurate accounting of the tax shifts for the Project, if necessary.*
2. *The Projected Valuation Increment is the incremental value for all phases. This project is anticipated to be completed in multiple phases with different phases commencing in different years depending upon lot sales and absorption rates. The Project will have multiple effective dates based upon the construction completion date for each lot. Thus, the tax increment in any year will vary during the term of this redevelopment project. This will affect the overall amount of TIF Indebtedness based upon to-be-determined lending requirements.*
3. *The Projected Tax Increment is 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 2017 levy rate. There has been no accounting for incremental growth over the 15 year TIF 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:

It is not anticipated that the Project will have a material adverse impact on existing public infrastructure. The Project will require substantial infrastructure improvements, including extension and installation of sanitary sewer, public water, electrical service, gas and storm sewer lines. The required public infrastructure improvements shall be constructed and installed as part of the Project, and paid for in part utilizing tax increment financing. Redeveloper shall construct internal private roadways or implement access easements on the Project Site between phases of the Project to provide the necessary new roads for the Project.

The Redeveloper's investment in the overall project is anticipated to be more than \$25,000,000. In order to support that private investment, the preliminary projections indicate that this Project could require more than \$3,300,000 in eligible public improvements. Pursuant to the initial projections for this Project, tax increment financing would be used to pay for the cost of approximately \$2,400,000 of the eligible public improvements, although this amount will depend on the final projections for each phase of the Project.

These public infrastructure improvements for the Project could not be constructed and completed without the use of tax increment financing.

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

The Project will create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing will defer receipt of a majority of new ad valorem real property taxes generated by the Project, it is intended to create long-term benefit and a substantial increase in property taxes to the City and other local taxing jurisdictions.

The Project should also generate immediate tax growth for the City. While the specific private improvements have not yet been identified, the Project will involve the construction of a substantial number of commercial and/or residential units. The Project should include a significant amount of personal property that will be on the property tax rolls upon its acquisition and installation. Additionally, the City should realize revenue from sales tax paid by new residents of any housing units constructed on the Project Site and by customers purchasing goods from the businesses established in the commercial space constructed on the Project Site. The business customers may include out of town guests staying at a hotel. The commercial buildings and residential units that may be constructed as a part of the Project will attract new residents and business owners who will pay for City services, generating revenue to support such services.

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

The Project's anticipated impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project will be addressed in the Supplemental Cost-Benefit Analyses. The public and private improvements are expected to attract businesses and residents to adjacent property. There is a need for additional housing in the City of Columbus and any housing that is developed as part of the Project will provide needed additional housing for employees of firms locating or expanding in the area. The Project will also provide additional businesses and amenities that will make the area more desirable to potential employees for living and working. For example, the mixed-use development will promote an integrated neighborhood with amenities such as a bank, restaurant(s), and retail near residential units, providing residents with an opportunity to live, work, shop, and relax in a walkable radius.

The Project will be completed in phases, based upon absorption rates and market demand, which further protects against any negative effects of over-construction.

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 Project's impact on private sector businesses in and around the area outside the boundaries of the redevelopment project will be addressed in the Supplemental Cost-Benefit Analyses. In general, the Project will provide additional commercial and/or housing opportunities that are needed in the City and will benefit employers, employees, and the City in general. Anticipated uses include, without limitation and subject to revision, bank branch, hotel, restaurant, commercial/retail space, and other uses. The housing and commercial units constructed as part of the Project should increase the need for services and products from existing businesses, such as janitorial services, office and hardware supplies, household products and general consumer services, and similar products and services. The Project will also act as a catalyst for further development of the redevelopment area identified in the Redevelopment Plan.

5. Other impacts determined by the agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:

The Project consists of multiple phases of development that are all dependent upon the public improvement that will be undertaken by Redeveloper at the outset of the Project. Without all the anticipated phases of this project and the use of tax increment financing on each phase, Redeveloper would not undertake the public improvements for the Project Site. It is not feasible for the redeveloper to approach each phase as a separate redevelopment project because of the substantial public improvement costs required for this Project. Without undertaking all of the public improvements at the front end of the Project, no subsequent phases could be constructed. Thus, it is in the best interest of the City to approve the Project as a multiple phase redevelopment project that will allow the use of TIF on all phases to pay for the cost of the eligible public improvements that will be incurred at the beginning of the project or as part of a different phase of construction.

6. Cost Benefit Analysis Conclusion:

Based upon the findings presented in this preliminary cost benefit analysis, the benefits outweigh the costs of the proposed Project. The Cost Benefit Analysis may be supplemented with Supplemental Cost-Benefit Analyses, if necessary, which are anticipated to further support the findings of the Cost Benefit Analysis. However, each phase shall be considered in light of this Cost Benefit Analysis and the statements set forth in Section 5, above. More precisely, the benefit of the overall Project shall be considered with each Supplemental Cost Benefit Analysis.

RESOLUTION NO. R18-85

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, APPROVING A SUPPLEMENT TO THE REDEVELOPMENT PLAN ENTITLED "AMENDMENT TO THE 33RD AVENUE AND U.S. HIGHWAY 30 REDEVELOPMENT PLAN OF THE CITY OF COLUMBUS, NEBRASKA."

WHEREAS, the City Council of the City of Columbus, Nebraska (the "Council"), acts as the governing body of, and exercises all functions of, the Community Development Agency of the City of Columbus, Nebraska (the "Agency"); and

WHEREAS, the Mayor and Council previously approved a plan of redevelopment entitled the "AMENDMENT TO THE 33RD AVENUE AND U.S. HIGHWAY 30 REDEVELOPMENT PLAN" via Resolution No.R18-42 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan sets forth a redevelopment project undertaken in multiple phases (the "Redevelopment Project"); and

WHEREAS, the Redevelopment Plan prescribes that each phase of the Redevelopment Project shall be detailed in a supplement to the Redevelopment Plan; and

WHEREAS, pursuant to sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended, ("the Act"), the Mayor and Council must approve all supplements of the Redevelopment Plan that materially modify the Redevelopment Plan; and

WHEREAS, attached hereto as Exhibit "A" is a supplement to the Redevelopment Plan detailing the first phase of the Redevelopment Project (the "Plan Supplement"); and

WHEREAS, the Plan Supplement complies with the Comprehensive Plan of the City of Columbus, Nebraska (the "City"), and will result in the elimination and prevention of blight; and

WHEREAS, the redevelopment set forth in the Plan Supplement would not be economically feasible without the use of tax-increment financing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA:

Section 1. The Plan Supplement attached as Exhibit "A" complies with the Comprehensive Plan of the City.

Section 2. Based on the substantial evidence in the record of this proceeding, the Council finds as follows:

(a) The proposed land uses and building requirements in the redevelopment area as described in the Plan Supplement are designed with the general purpose of accomplishing, in conformance with the City's Comprehensive 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; that under the Plan Supplement adequate provision is made for traffic, vehicular parking, 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.

(b) The Plan Supplement contains a satisfactory 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 Redevelopment Plan and/or Plan Supplement; that there are no estimated proceeds or revenue expected to be obtained by the City from disposal of property to the redeveloper; that the Plan Supplement sets forth a satisfactory method of financing for the proposed redevelopment consisting of direct payment for public improvements or grant assistance to the redeveloper for the areas of redevelopment, as designated in the Plan Supplement 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 Supplement, which are currently expected to be displaced from such area.

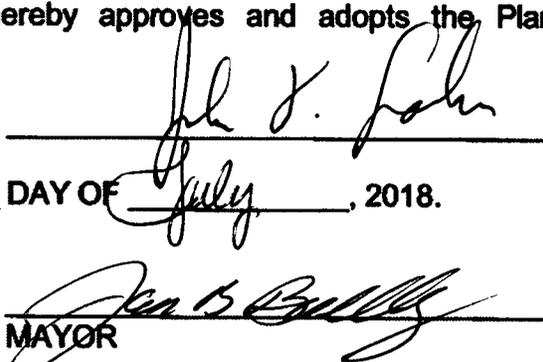
(c) The cost-benefit analysis prepared in conjunction with the Plan Supplement and attached thereto sets forth the factors required under section 18-2113 of the Act and supports the Council's adoption and approval of the Plan Supplement.

Section 3. The redevelopment set forth in the Plan Supplement would not be economically feasible without the use of tax-increment financing; would not occur in the redevelopment area without the use of tax-increment financing; and the costs and benefits of the Plan Supplement, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of all those impacted by the Plan Supplement.

Section 4. Based on the foregoing and substantial evidence in the record of this proceeding, the Mayor and Council hereby approves and adopts the Plan Supplement.

INTRODUCED BY COUNCIL MEMBER _____

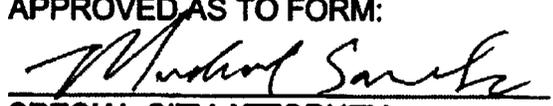
PASSED AND ADOPTED THIS 2 DAY OF July, 2018.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


SPECIAL CITY ATTORNEY



**SUPPLEMENT TO THE 33RD AVENUE AND U.S. HIGHWAY 30 REDEVELOPMENT
PLAN
OF THE CITY OF COLUMBUS, NEBRASKA**

(PHASE I OF THE WHO DEVELOPMENT REDEVELOPMENT PROJECT)

The City of Columbus, Nebraska (the "City") has undertaken a plan of redevelopment within the community pursuant to the adoption of a Redevelopment Plan for a portion of the City identified as the Redevelopment Area for the 33rd Avenue and U.S. Highway 30 Area, as amended (the "Redevelopment Plan"). The Redevelopment Plan was approved by the City Council of the City as of April 2, 2018, via Resolution No. R18-42. A copy of the Redevelopment Plan is attached hereto and incorporated herein as Exhibit "7". All terms not otherwise defined herein shall have the meanings set forth in the Redevelopment Plan.

The primary purpose of this Supplement to the Redevelopment Plan ("Supplement") is to identify and provide detail as to the first phase of the Project set forth in the Redevelopment Plan. If the terms of the Redevelopment Plan and this Supplement conflict, the terms of this Supplement shall control. The CDA will submit additional supplements to the Redevelopment Plan for all additional phases constituting a substantial modification of the Redevelopment Plan.

The first phase of the Redevelopment Plan includes three distinct projects carried out by three different redevelopers. The first project involves the rehabilitation of approximately 55,000 square feet of indoor space within the vacated Walmart building and an additional 35,000 square feet of outdoor display space. The space will be occupied by Bomgaars Supply, Inc., for retail use (collectively, the "Bomgaars Project"). Columbus Retail, LLC ("Retail LLC"), will undertake the Bomgaars Project as redeveloper.

As provided within the Redevelopment Plan and this Supplement, Retail LLC and the CDA anticipate the use of TIF for the Bomgaars Project. The Bomgaars Project would not proceed but for the use of TIF because the costs of renovating the vacated Walmart building, including new entrances, new exterior façade, new interior bathrooms, walls, lighting, HVAC, and electrical are expected to be significantly greater than the as-complete fair market value of the retail space in the absence of gap financing from the City.

The second project within phase I involves the construction of a prototype four-story interior corridor Hampton Inn hotel on approximately two acres of the vacated Walmart parking lot (the "Hotel Project"). Columbus Lodging, LLC ("Lodging LLC"), will undertake the Hotel Project as redeveloper.

As provided within the Redevelopment Plan and this Supplement, Lodging LLC and the CDA anticipate the use of TIF for the Hotel Project. The Hotel Project would not proceed but for the use of TIF because the costs of constructing the Hotel Project, including related infrastructure, paving, and utility work, is expected to be significantly greater than the as-complete fair market value of the real estate in the absence of gap financing from the City. Additionally, in the absence of TIF, the projected internal rate of return of the Hotel Project is

less than what investors would consider reasonable given the risks involved in preparing the site, constructing the hotel, stabilizing the occupancy rates of the hotel, and other business risks.

The third project within phase I involves construction of a four-story interior corridor apartment complex on approximately two acres of the vacated Walmart parking lot (the "Apartment Project"). Quantum Columbus, LLC ("Quantum"), will undertake the Apartment Project as redeveloper.

As provided within the Redevelopment Plan and this Supplement, Quantum and the CDA anticipate the use of TIF for the Apartment Project. The Apartment Project would not proceed but for the use of TIF because the costs of constructing the apartments, including related infrastructure, paving, and utility work, is expected to be significantly greater than the as-complete fair market value of the real estate in the absence of gap financing from the City. Additionally, in the absence of TIF, the projected internal rate of return of the Apartment Project is less than what investors would consider reasonable given the risks involved in preparing the site, constructing the apartments, stabilizing the occupancy rates of the apartments, and other business risks. Without TIF, there would be insufficient cash flow and partner return, making the project infeasible.

Collectively, the Bomgaars Project, the Hotel Project and the Apartment Project are referred to herein as the "Phase I Projects".

A. The Redevelopment Area

The Redevelopment Area is unchanged from that set forth in Exhibit "A" of the Redevelopment Plan. The Phase I Projects are located within the Redevelopment Area. The Redevelopment Area remains blighted, substandard and in need of redevelopment.

B. The Project Sites

The project sites for the Bomgaars Project (i.e., the "Bomgaars Site"), the Hotel Project (i.e., the "Hotel Site"), and the Apartment Project (i.e., the "Apartment Site") are set forth in Exhibits "1(a)" through "1(c)". The project sites for the Phase I Projects are collectively referred to herein as the "Phase I Project Sites".

C. Conformance with General Plan

Paragraph A of the Redevelopment Plan sets forth an analysis of the Phase I Projects' conformance with the City's general plan.

D. Phase I Projects

The redevelopment of the Phase I Project Sites pursuant to this Supplement will eliminate the blight and substandard conditions on the Phase I Project Sites and will further the purposes of the Act in conformity with the Redevelopment Plan and the City's general plan. In addition, the

eligible public improvements that are part of the Phase I Projects will facilitate the further development of the Redevelopment Area and surrounding areas.

Quantum, Lodging LLC, and Retail LLC (collectively referred to herein as "the Redevelopers") intend to complete the following private and public improvements as part of the Phase I Projects:

1. Project Descriptions and Implementation

Bomgaars Project

The Bomgaars Project involves the rehabilitation of approximately 55,000 square feet of indoor space within the vacated Walmart building and an additional 35,000 square feet of outdoor display space. Bomgaars Supply, Inc., will occupy the space for use as both a retail store and corporate offices. The improvements will include, but are not limited to, the following renovations and/or new construction:

- Partial demolition of existing building and parking lot
- Exterior improvement to entry area and exterior finishes
- Exterior signage
- Interior lighting
- New flooring
- New HVAC and plumbing
- New public restrooms
- Improved loading dock
- Over 115 parking stalls

A site plan for the Bomgaars Project is attached hereto as Exhibit "2(a)" and incorporated herein by this reference. Retail LLC estimates that the total cost of the Bomgaars Project (both public and private improvements) will be \$2,350,000. The estimated costs related to the Bomgaars Project are attached hereto and incorporated herein as Exhibit "3(a)".

Retail LLC intends to begin construction on the Bomgaars Project on or about June 15, 2018. Construction is scheduled to conclude on or about September 30, 2018. No businesses or residents will be displaced as a result of the Bomgaars Project.

Hotel Project

Lodging LLC intends to construct a prototype four-story interior corridor Hampton Inn hotel on approximately two acres of the vacated Walmart parking lot. The hotel will have an exterior finish insulation system and stone exterior with an entry porte cochere for dropping off guests and luggage. Hotel features will include:

- Indoor Swimming Pool
- Meeting room
- Large fitness center

- New Hampton Inn prototype
- 20 year franchise agreement

A site plan for the Hotel Project is attached hereto as Exhibit "2(b)" and incorporated herein by this reference. Lodging LLC estimates that the total cost of the Hotel Project (both public and private improvements) will be \$8,590,000. The estimated costs related to the Hotel Project are attached hereto and incorporated herein as Exhibit "3(b)".

Lodging LLC intends to begin construction on the Hotel Project on or about June 1, 2018. Construction is scheduled to conclude on or about May 1, 2019. No businesses or residents will be displaced as a result of the Hotel Project.

Apartment Project

Quantum proposes to build a four-story interior corridor apartment complex on approximately two acres of the vacated Walmart parking lot. Quantum will construct approximately 74 apartment units as part of the Apartment Project. The apartment building will have an exterior finish insulation system, stone or brick exterior, and contain an elevator. The unit mix will be eight studios, thirty-six one-bedroom units, twenty-seven two-bedroom units, and three three-bedroom units.

A site plan for the Apartment Project is attached hereto as Exhibit "2(c)" and incorporated herein by this reference. Quantum estimates that the total cost of the Apartment Project (both public and private improvements) will be \$7,951,000. The estimated costs related to the Apartment Project are attached hereto and incorporated herein as Exhibit "3(c)".

Quantum intends to begin construction on the Apartment Project on or about July 1, 2018. Construction is scheduled to conclude on or about May 1, 2019. No businesses or residents will be displaced as a result of the Apartment Project.

2. The Public Improvements

As part of the Project, the CDA will capture the available tax increment revenues generated by redevelopment of the Phase I Project Sites to assist in paying for public improvements that are eligible expenditures under the Act. With respect to the Phase I Projects, the anticipated public improvements include:

Bomgaars Project

The costs of the Bomgaars Project eligible for reimbursement via TIF include, but are not limited to, land acquisition, construction or replacement of utilities, detention, demolition of existing improvements, landscaping and exterior façade enhancements to prevent the return of blight and substandard conditions, construction of public parking, architectural and engineering fees (related to the public improvements), legal fees, financing costs, and capitalized interest. A breakdown of these estimated costs is attached hereto and incorporated herein as Exhibit "4(a)".

Hotel Project

The costs of the Hotel Project eligible for reimbursement via TIF include, but are not limited to, land acquisition, construction or replacement of utilities, detention, demolition of existing improvements, site preparation, landscaping and exterior façade enhancements to prevent the return of blight and substandard conditions, construction of public parking, architectural and engineering fees (related to the public improvements), legal fees, financing costs, and capitalized interest. A breakdown of these estimated costs is attached hereto and incorporated herein as Exhibit "4(b)".

Apartment Project

The costs of the Apartment Project eligible for reimbursement via TIF include, but are not limited to, land acquisition, site grading and preparation, construction or replacement of utilities and infrastructure, detention, construction of public parking, architectural and engineering fees (related to the public improvements), legal fees, financing costs, and capitalized interest. A breakdown of these estimated costs is attached hereto and incorporated herein as Exhibit "4(c)".

The TIF-eligible project costs provided under Exhibits 4(a) through (c) are estimates and preliminary projections. Final costs shall be determined upon received bids for work and subsequent invoicing. Redevelopers will certify the final costs to the CDA upon completion of the public improvements associated with the Phase I Projects.

As provided in the Redevelopment Plan, the public improvements listed as eligible expenditures are necessarily upfront expenses that the Redevelopers will incur prior to the implementation of redevelopment agreements for subsequent phases. The public improvements included as part of the Phase I Projects may be reasonably allocated between the various phases of the Project and the TIF Indebtedness generated from each phase of the Project shall be used to assist with the payment of the eligible expenses of the entire Project.

The Phase I Projects will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of safety from fire, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight.

E. Implementation and Financing of the Projects

The City and the CDA contemplate the use of TIF for Phase I Projects. 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 project redevelopment contract or in the resolution 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 Phase I Projects:

Bomgaars Project

Based upon an estimated Base Tax Amount of \$600,000 and a post-redevelopment valuation of \$2,250,000 for the Bomgaars Project, Retail LLC and the CDA estimate that the Bomgaars Project will generate post-redevelopment annual TIF Revenues of approximately \$31,149.96. This equates to total estimated TIF Revenues of \$467,249.40 over the course of fifteen years. Of the estimated \$467,249.40 in TIF Revenues, the CDA and Retail LLC contemplate issuance of TIF Indebtedness not to exceed \$375,000 at an interest rate determined by the CDA and set forth in the redevelopment contract (as defined in the Act) or bond resolution for the Bomgaars Project. As shown on Exhibit 4(a), the anticipated TIF Indebtedness amount does not exceed the anticipated TIF-eligible costs.

The total estimated cost of the Bomgaars Project is \$2,350,000. Retail LLC anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity (approximately 25%) and a bank loan (approximately 75%). Retail LLC and the CDA will provide a more detailed breakdown of the TIF sources and uses in the redevelopment contract for the Bomgaars Project. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

Hotel Project

Based upon an estimated Base Tax Amount of \$150,000 and a post-redevelopment valuation of \$4,000,000 for the Hotel Project, Lodging LLC and the CDA estimate that the Hotel Project will generate post-redevelopment annual TIF Revenues of approximately \$72,620.24. This equates to total estimated TIF Revenues of \$1,089,303.60 over the course of fifteen years. Of the estimated \$1,089,303.60 in TIF Revenues, the CDA and Lodging LLC contemplate issuance of TIF Indebtedness not to exceed \$975,000 at an interest rate determined by the CDA and set forth in the redevelopment contract or bond resolution for the Hotel Project. As shown

on Exhibit 4(b), the anticipated TIF Indebtedness amount does not exceed the anticipated TIF-eligible costs.

The total estimated cost of the Hotel Project is \$8,590,000. Lodging LLC anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity (approximately 20%) and a bank loan (approximately 80%). Lodging LLC and the CDA will provide a more detailed breakdown of the TIF sources and uses in the redevelopment contract for the Hotel Project. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

Apartment Project

Based upon an estimated Base Tax Amount of \$250,000 and a post-redevelopment valuation of \$6,675,000 for the Apartment Project, Quantum and the CDA estimate that the Apartment Project will generate post-redevelopment annual TIF Revenues of approximately \$121,190.93. This equates to total estimated TIF Revenues of \$1,817,863.95 over the course of fifteen years. Of the estimated \$1,817,863.95 in TIF Revenues, the CDA and Quantum contemplate issuance of TIF Indebtedness not to exceed \$1,225,000 at an interest rate determined by the CDA and set forth in the redevelopment contract or bond resolution for the Apartment Project. As shown on Exhibit 4(c), the anticipated TIF Indebtedness amount does not exceed the anticipated TIF-eligible costs.

The total estimated cost of the Apartment Project is \$7,951,000. Quantum anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity (approximately 20%) and a bank loan (approximately 80%). Quantum and the CDA will provide a more detailed breakdown of the TIF sources and uses in the redevelopment contract for the Apartment Project. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

F. Statutory Elements

As detailed above, the Phase I Projects anticipate the capture of the incremental taxes generated by the Phase I Projects on the Phase I Project Sites to pay for eligible expenditures under the Act. Attached as Exhibit "5" and incorporated herein by this reference is a consideration of the statutory elements under the Act.

G. Cost-Benefit Analysis

Pursuant to Section 18-2113 of the Act, the CDA must conduct a cost-benefit analysis for any redevelopment project that will utilize TIF. A Cost-Benefit Analysis for the Phase I Projects is attached hereto and incorporated herein as Exhibit "6".

EXHIBIT "1(a)"
Project Site for the Bomgaars Project

A portion of Lot 5, Legacy Square Addition, Columbus, Platte County, Nebraska.

Lot 5 will be subjected to a condominium regime, and the site for the Bomgaars Project shall be one unit of said condominium regime. A depiction of the approximate condominium unit is set forth below:

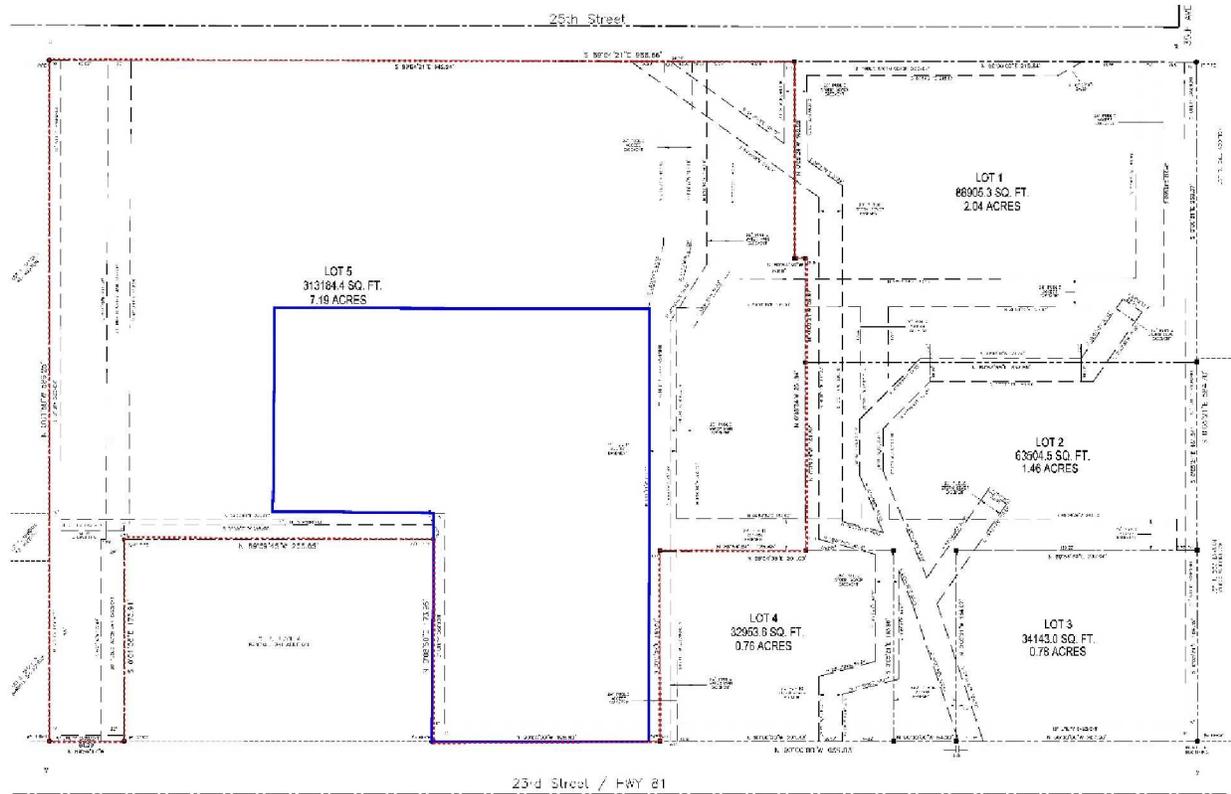


EXHIBIT "1(b)" Project Site for the Hotel Project

Lot 2, Legacy Square Addition, Columbus, Platte County, Nebraska.

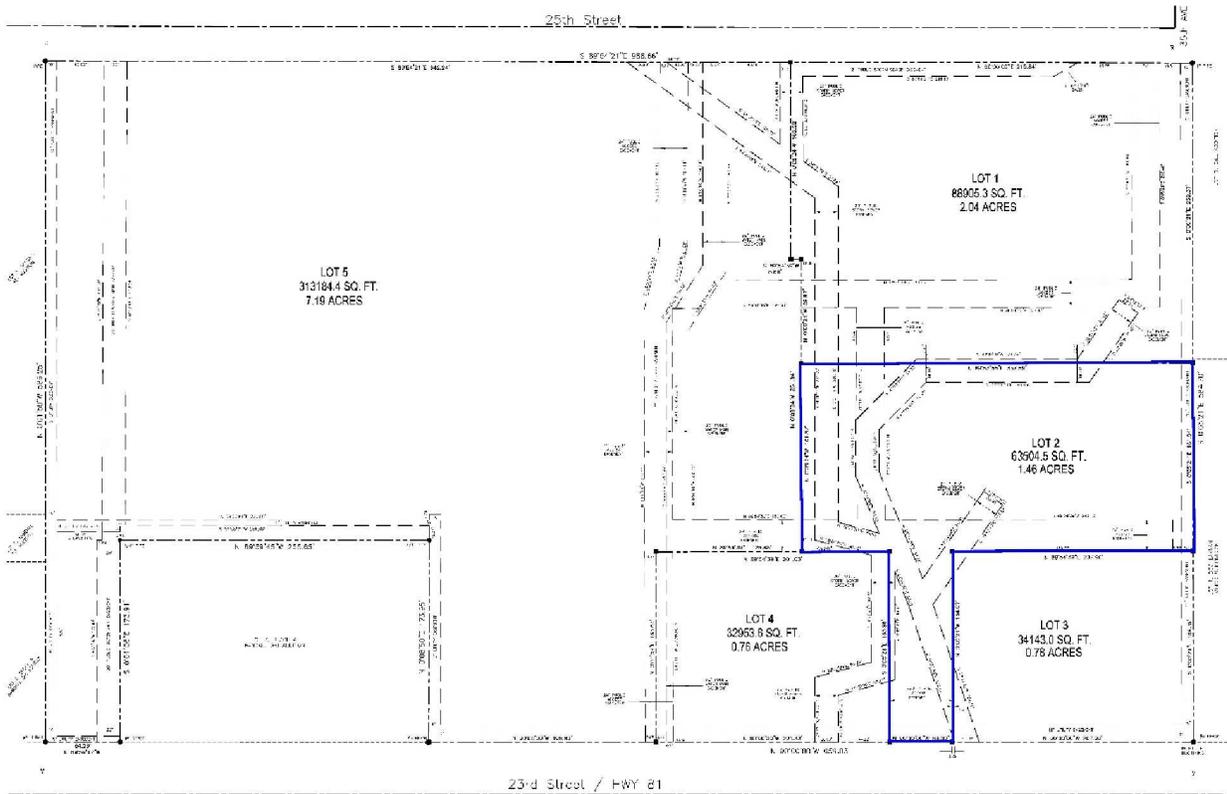
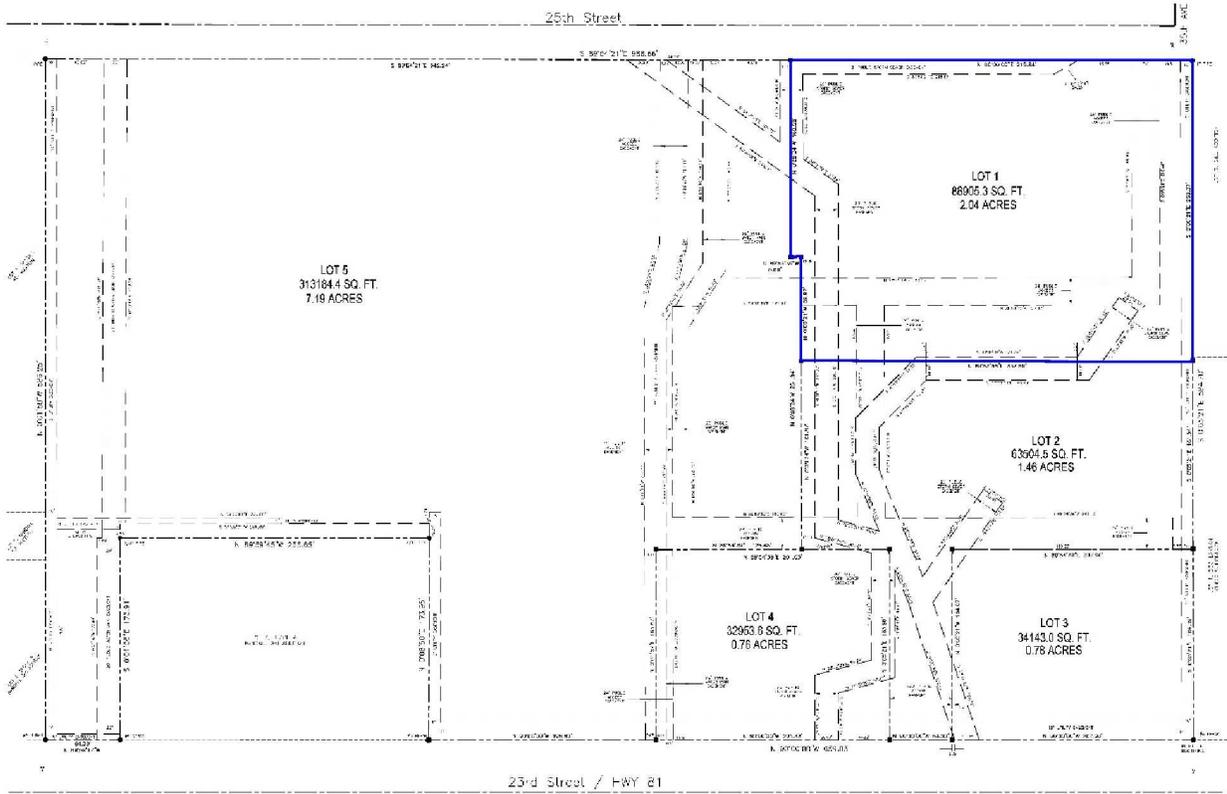


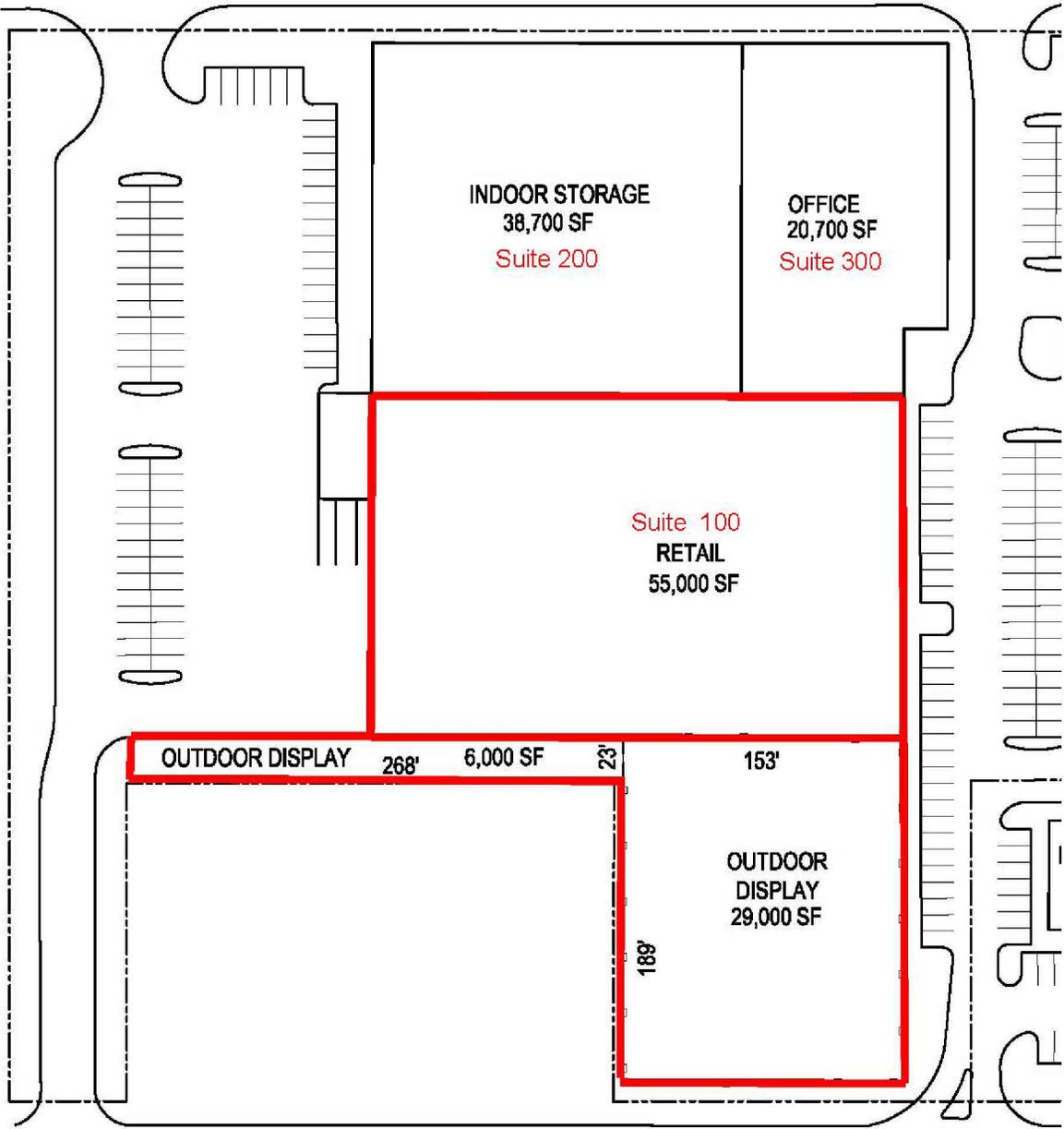
EXHIBIT "1(b)"

EXHIBIT "1(c)"
Project Site for the Apartment Project

Lot 1, Legacy Square Addition, Columbus, Platte County, Nebraska.

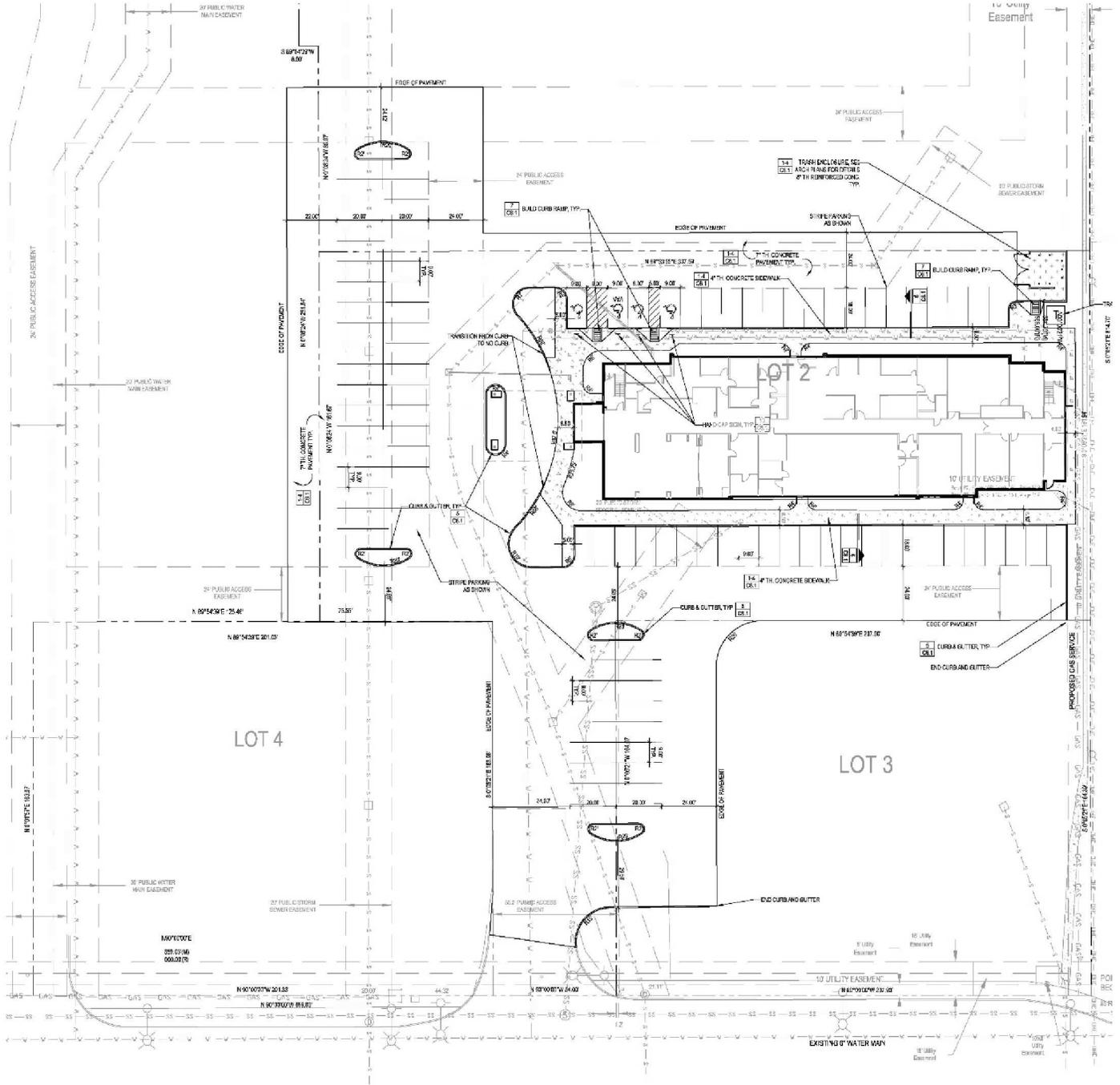


**EXHIBIT "2(a)"
Bomgaars Project Site Plan**



* Retail LLC anticipates receipt of a more detailed site plan for the Bomgaars Project upon creation of the condominium regime. Upon receipt, Retail LLC will provide the site plan to the CDA and such site plan shall supersede the site plan provided above.

EXHIBIT "2(b)" Hotel Project Site Plan

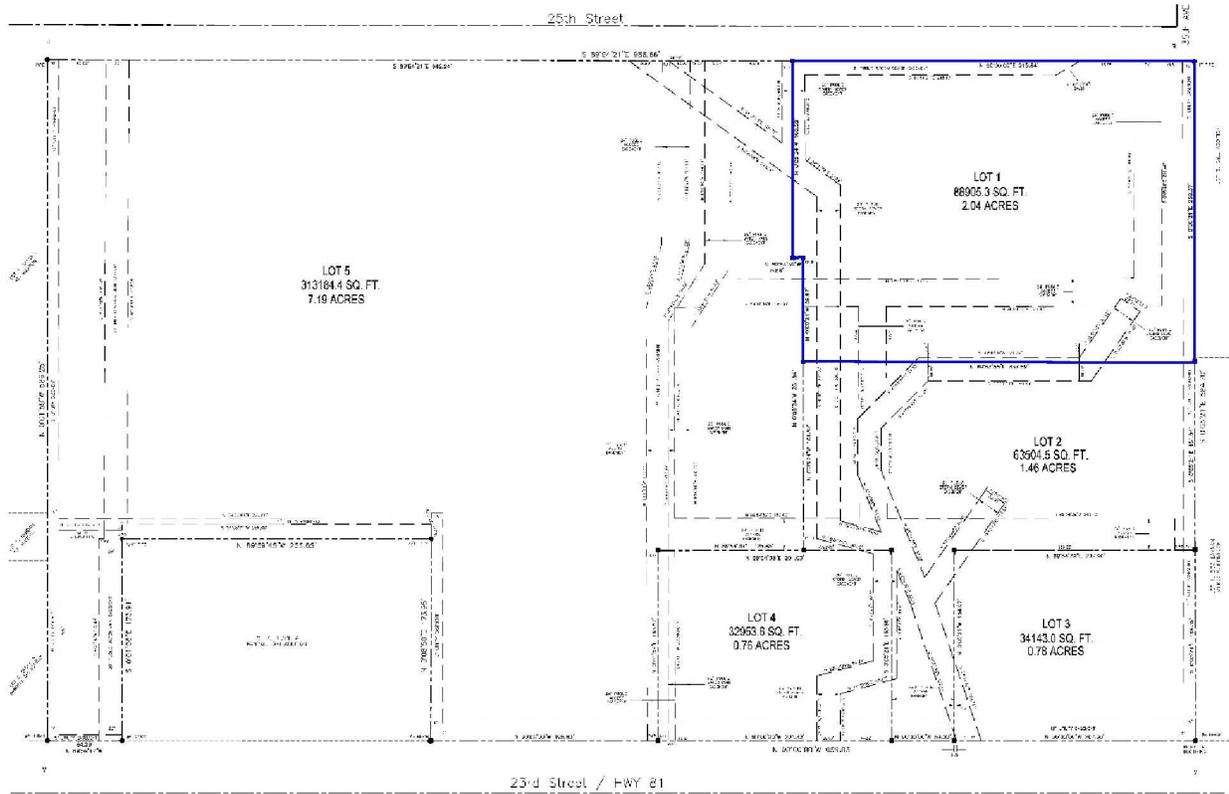


23rd Street / HWY 81
Public Right of Way

* The above site plan is preliminary in nature and subject to change.

EXHIBIT "2(b)"

EXHIBIT "2(c)" Apartment Project Site Plan



* The above site plan is preliminary in nature and subject to change.

EXHIBIT "3(a)"
Estimated Costs of Bomgaars Project

Building & Land Acquisition	\$600,000
Site Development (itemize)	
Demolition	\$35,000
Site Grading/Dirt Work	\$45,000
Drives/Parking	\$260,000
Utilities & Detention	\$45,000
Renovation Budget	\$1,250,000
Arch. and Engineering Fees	\$35,000
Legal Fees	\$10,000
Financing Costs	\$25,000
Capitalized Interest	\$20,000
FF&E	TBD
Contingencies	\$25,000

Total: **\$2,350,000 plus FF&E**

* The above values are preliminary estimates and subject to change.

EXHIBIT "3(b)"
Estimated Costs of Hotel Project

Land Acquisition	\$400,000
Site Development (itemize)	
Utilities & Detention	\$183,000
Demolition	\$86,000
Site work	\$137,000
Landscape & Ext Façade	\$116,000
Public Parking	\$210,000
Building Cost	\$5,318,000
Arch. and Engineering Fees	\$155,000
Legal Fees	\$ 20,000
Financing Costs	\$55,000
Capitalized Interest	\$60,000
FF&E	\$1,300,000
Contingencies	\$550,000
Total:	\$8,590,000

* The above values are preliminary estimates and subject to change.

EXHIBIT 3(c)
Estimated Costs of Apartment Project

Land Acquisition	\$300,000
Site Development (itemize)	
Site Grading/Dirt Work	\$225,000
Drainage/Detention	\$50,000
Drives/Parking	\$215,000
Utilities/Infrastructure	\$115,000
Building Cost	\$6,016,000
Arch. and Engineering Fees	\$155,000
Legal Fees	\$60,000
Financing Costs	\$55,000
Capitalized Interest	\$60,000
FF&E	\$150,000
Contingencies	\$550,000
Total:	\$7,951,000

* The above values are preliminary estimates and subject to change.

EXHIBIT 4(a)
Estimated TIF-Eligible Costs for Bomgaars Project

Land Acquisition	\$400,000
Utilities & Detention	\$45,000
Demolition	\$35,000
Landscape & Exterior Façade	\$150,000
Public Parking	\$260,000
Architectural/Engineering	\$12,500
Legal Fees	\$10,000
Financing Costs	\$15,000
<u>Capitalized Interest</u>	<u>\$20,000</u>
Total estimated TIF-eligible project costs	\$ 947,500

* The above values are preliminary estimates and subject to change.

EXHIBIT 4(b)
Estimated TIF-Eligible Costs for Hotel Project

Land Acquisition:	\$400,000
Utilities & Detention	\$183,000
Demolition	\$86,000
Site work	\$137,000
Landscape & Exterior	\$115,900
Public Parking	\$210,000
Architectural/Engineering	\$155,000
Legal Fees	\$20,000
Financing Costs	\$55,000
Capitalized Interest	\$60,000
<hr/>	
Total estimated TIF-eligible project costs	\$1,428,000

* The above values are preliminary estimates and subject to change.

EXHIBIT 4(c)
Estimated TIF-Eligible Costs for Apartment Project

Land Acquisition:	\$300,000
Site Grading/Dirt Work	\$225,000
Site Drainage/Detention	\$50,000
Site Drives/Parking	\$215,000
Site Utilities/Infrastructure	\$115,000
Architectural/Engineering	\$155,000
Legal Fees	\$50,000
Financing Costs	\$55,000
Capitalized Interest	\$60,000
<hr/>	
Total estimated TIF-eligible project costs	\$1,225,000

* The above values are preliminary estimates and subject to change.

EXHIBIT “5”
Statutory Elements

A. Property Acquisition, Demolition and Disposal

Bomgaars Project

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Bomgaars Project. Retail LLC has the project site for the Bomgaars Project under contract and will acquire the site from a third party owner as part of the Bomgaars Project. Part of the vacant Walmart building currently located on the site will be demolished as part of the Bomgaars Project.

Hotel Project

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Hotel Project. Lodging LLC has the project site for the Hotel Project under contract and will acquire the site from a third party owner as part of the Hotel Project.

Apartment Project

No public acquisition of private property or relocation of families or businesses is necessary to accomplish the Apartment Project. Quantum has the project site for the Apartment Project under contract and will acquire the site from a third party owner as part of the Apartment Project.

B. Population Density

Bomgaars Project

The Bomgaars Project will not affect population density.

Hotel Project

The Hotel Project will not affect population density.

Apartment Project

The Apartment 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. The Apartment Project will be properly platted to accommodate the increase in population density and adequate public infrastructure improvements to accommodate any increase in population density anticipated as part of the Apartment Project.

C. Land Coverage

Bomgaars Project

An approximately 116,214 square foot building is currently located on the site for the Bomgaars Project. Retail LLC will demolish a portion of this building as part of the Bomgaars Project. The new retail bay will encompass approximately 55,000 square feet of interior space and 35,000 of exterior display space. In addition, approximately 115 parking stalls will be located in the site. The Bomgaars Project will comply with all applicable land coverage ratios required by the City.

Hotel Project

The hotel will be located on approximately two acres previously occupied by the Walmart parking lot. The property will be four stories, with a footprint of approximately 16,000 to 17,000 square feet and a total square footage of approximately 50,000 square feet. The Hotel Project will comply with all applicable land coverage ratios required by the City.

Apartment Project

The apartments will be located on approximately two acres previously occupied by the Walmart parking lot. The property will be four stories, with a footprint of approximately 20,000 to 27,000 square feet and a total square footage of approximately 104,400 square feet. The Apartment Project will comply with all applicable land coverage ratios required by the City.

D. Traffic Flow, Street Layouts and Street Grades

The CDA and Redevelopers anticipate that the Phase I Projects will increase traffic to and from the Phase I Project Sites. There will be additional traffic from residents traveling to and from the apartments, as well as employees, customers, and visitors traveling to and from the hotel and Bomgaars store.

As part of the Phase I Projects, Redevelopers will construct internal private roadways to address the increase in traffic and the accessibility of the private improvements. The CDA and Redevelopers do not anticipate that the Phase I Projects require modification of existing public rights-of-way. The public improvements for the Phase I Projects will address any traffic and street infrastructure concerns that would otherwise be created by the Phase I Projects. All streets and other public infrastructure constructed will be subject to review and approval by the City's engineer.

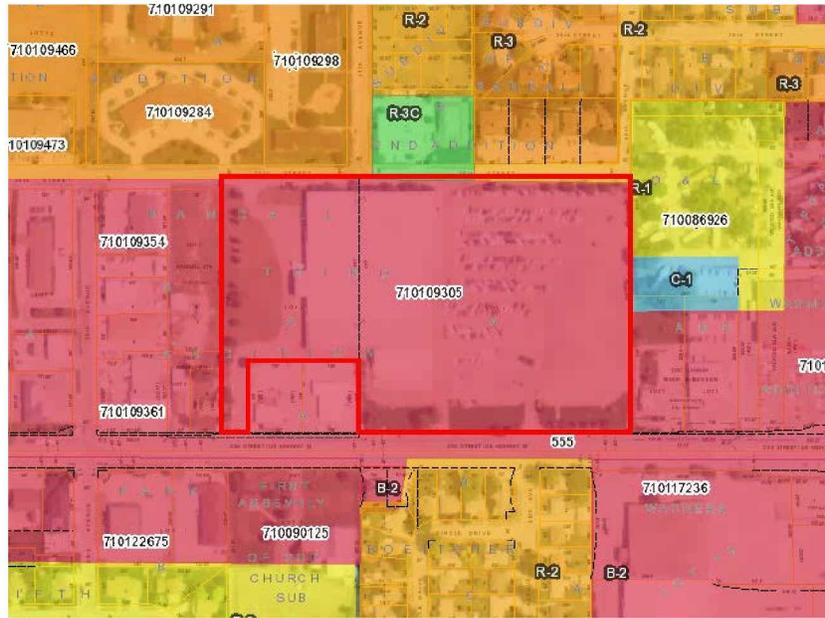
E. Parking

Each of the Phase I Projects will include parking facilities that will meet or exceed the parking requirements set forth in the applicable zoning district. The design and development of the Phase I Projects should increase the efficiencies and beneficial traffic flow of the parking for

all the uses located within the Phase I Project Sites. The Phase I Projects will also include designated public parking.

F. Zoning, Building Code and Ordinances

The Phase I Project Sites are currently located within the B-2 Zoning District. The Future Land Use Plan in the general plan of the City states that the Phase I Project Sites are to remain as B-2 Zoning Districts. The applicable land use map is set forth below:



The following uses, among others, are permitted uses in the B-2 Zoning District:

- Apartments
- General Office
- Restaurants (drive-in and general)
- Lodging
- Consumer Services
- General Retail Services
- Civic Safety Services

The Phase I Projects fall within the permitted uses in the B-2 Zoning District. Redevelopers shall be responsible for any additional zoning, building code, or ordinances changes that are necessary for the Phase I Projects. Retail LLC also intends to file a condominium declaration on the lot containing the former Walmart building to legally separate the building into two or more separate parcels.

**EXHIBIT “6”
Cost Benefit Analysis**

Supplement to the WHO Development Redevelopment Project

This cost-benefit analysis for this Supplement to the Redevelopment Plan and the Project set forth therein has been undertaken pursuant to Neb. Rev. Stat. § 18-2113. Pursuant to the Redevelopment Plan, the CDA provides this cost-benefit analysis as a supplement with respect to the first phase of the Project.

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

The taxes generated by the current value of the Phase I Project Sites will continue to be allocated between taxing jurisdictions pursuant to standard statutory requirements. Only the incremental taxes created by the Phase I Projects will be captured to pay for eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Phase I Projects, the true tax shift of the Phase I Projects is a positive shift in taxes after fifteen years. Additionally, because of the need to demolish the former Walmart building on the Bomgaars Site and undertake extensive reconfiguration of the Phase I Project Sites to prepare it for any new use, it is not anticipated that there will be any valuation increase on the Phase I Project Sites without approval of a redevelopment project utilizing tax increment financing. Accordingly, any valuation increase is deemed to be a benefit to the City, even considering the fifteen-year TIF period.

With respect to the tax shifts for the Phase I Projects:

Bomgaars Project

a.	Anticipated Project Site Base Valuation (2018):	\$600,000.00
b.	Projected Completed Project Assessed Valuation:	\$2,250,000.00
c.	Projected Tax Increment Base (b. minus a.):	\$1,650,000.00
d.	Estimated Tax Levy: 1.905293	
e.	Annual Projected Tax Shift:	\$31,149.96

Hotel Project

a.	Anticipated Project Site Base Valuation (2018):	\$150,000.00
b.	Projected Completed Project Assessed Valuation:	\$4,000,000.00
c.	Projected Tax Increment Base (b. minus a.):	\$3,850,000.00
d.	Estimated Tax Levy: 1.905293	
e.	Annual Projected Tax Shift:	\$72,620.24

Apartment Project

a.	Anticipated Project Site Base Valuation (2018):	\$250,000.00
b.	Projected Completed Project Assessed Valuation:	\$6,675,000.00
c.	Projected Tax Increment Base (b. minus a.):	\$6,425,000.00
d.	Estimated Tax Levy: 1.905293	
e.	Annual Projected Tax Shift:	\$121,190.93

Notes:

- 1. The assessed value of the entire 12 acre vacant Walmart site for January 1, 2018 was \$1,525,275. Of this amount, approximately \$1,000,000 is being attributed to the portion making up the Phase I Project Sites.*
- 2. The Projected Tax Increment is 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 2017 levy rate. There has been no accounting for incremental growth over the 15 year TIF 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:

Bomgaars Project

There are no anticipated negative public infrastructure impacts from the Bomgaars Project. The Bomgaars Project will require the extension and relocation of the public utilities to serve the lots in the development, but the Bomgaars Project should not create a burden on public resources. Retail LLC will construct internal private roadways or implement access easements within the Redevelopment Area between Bomgaars, the hotel, the apartments, and developments in future phases to provide the necessary ingress and egress for the Bomgaars Project, but no additional public roads or work in the public right-of-way will be required for this project. Public storm sewer improvements will be constructed as part of the Bomgaars Project. Drainage and detention improvements required for the Bomgaars Project will benefit the public and surrounding property.

Hotel Project

There are no anticipated negative public infrastructure impacts from the Hotel Project. The Hotel Project will require the extension and relocation of the public utilities to serve the lots in the development, but the Hotel Project should not create a burden on public resources. Lodging LLC will construct internal private roadways or implement access easements within the Redevelopment Area between the hotel, the Bomgaars store,

the apartments, and developments in future phases to provide the necessary ingress and egress for the Hotel Project, but no additional public roads or work in the public right-of-way will be required for this project. Public storm sewer improvements will be constructed as part of the Hotel Project. Drainage and detention improvements required for the Hotel Project will benefit the public and surrounding property.

Apartment Project

There are no anticipated negative public infrastructure impacts from the Apartment Project. The Apartment Project will require the extension and relocation of the public utilities to serve the lots in the development, but the Apartment Project should not create a burden on public resources. Quantum will construct internal private roadways or implement access easements within the Redevelopment Area between the apartments, the hotel, the Bomgaars store, and developments in future phases to provide the necessary ingress and egress for the Apartment Project, but no additional public roads or work in the public right-of-way will be required for this project. Public storm sewer improvements will be constructed as part of the Apartment Project. Drainage and detention improvements required for the Apartment Project will benefit the public and surrounding property.

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

Bomgaars Project

Retail LLC and the CDA anticipate that the Bomgaars Project will provide significant sales tax revenue to Platte County and the City. Based upon preliminary projections and at a city sales tax rate of 1.5 percent, additional sales taxes generated by the Bomgaars project should be approximately \$30,000 per year. Additionally, the Bomgaars Project will include a significant amount of personal property that will be on the property tax rolls upon its acquisition and installation.

The Bomgaars Project will 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 Bomgaars Project, it is intended to create long-term benefit and a substantial increase in property taxes to the City and other local taxing jurisdictions.

Hotel Project

Lodging LLC and the CDA anticipate that the Hotel Project will provide significant sales tax revenue to Platte County and the City. Based upon preliminary projections and at a city sales tax rate of 1.5%, sales taxes generated by the hotel should be approximately \$25,000 per year. Additionally, the Hotel Project will include a significant amount of personal property that will be on the property tax rolls upon its acquisition and installation.

Lodging LLC and the CDA anticipate that the Hotel Project will provide significant lodging tax revenue to Platte County and the City. Based on preliminary projections and at a combined lodging tax rate of 4%, lodging tax revenue generated by the hotel should be approximately \$60,000-\$70,000 per year.

Apartment Project

The City should realize revenue from sales tax paid by new residents of the apartments constructed as part of the Apartment Project. Additionally, the Apartment Project will include a significant amount of personal property that will be on the property tax rolls upon its acquisition and installation.

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

Bomgaars Project

Currently, there are no employers or employees within the larger Redevelopment Area encompassing the Bomgaars Project. As such, the CDA expects that the public and private improvements associated with the Bomgaars Project will attract businesses, employees and residents to the area. The Bomgaars Project will provide retail amenities to surrounding businesses and residences that will make the area more desirable to potential employees for living and working.

Construction of the Bomgaars site will require a number of construction employees and managers. Retail LLC intends to use as many local construction trades as possible during construction. Those contractors that come from outside the City will use other hotels, apartments, restaurants, gas stations and other services and facilities in the City during the approximately eleven-month construction time frame.

Retail LLC anticipates the creation of a number of new jobs. The Bomgaars store will be approximately 200% larger than the current Bomgaars store in the City, resulting in more jobs. Bearing the above in mind, Retail LLC and the CDA anticipate that the Bomgaars Project will have a positive impact on employers and employees of firms locating or expanding within the boundaries of the Bomgaars Site.

Hotel Project

Currently, there are no employers or employees within the larger Redevelopment Area encompassing the Hotel Project. As such, As such, the CDA expects that the public and private improvements associated with the Hotel Project will attract businesses, employees and residents to the area. The influx of visitors to the area created by the Hotel Project should create a boost to the surrounding businesses.

Construction of the hotel will require between 100-125 construction employees and managers. Lodging LLC intends to use as many local construction trades as possible during construction. Those contractors that come from outside the City will use other hotels, apartments, restaurants, gas stations and other services and facilities in the City during the approximately eleven-month construction time frame. Total payroll to construction workers will be in excess of \$3 million.

Lodging LLC anticipates that the Hotel Project will result in the creation of 6-8 full-time jobs and 8-12 part-time jobs. Bearing the above in mind, Lodging LLC and the CDA anticipate that the Hotel Project will have a positive impact on employers and employees of firms locating or expanding within the boundaries of the Hotel Site.

Apartment Project

Currently, there are no employers or employees within the larger Redevelopment Area encompassing the Apartment Project. As such, As such, the CDA expects that the public and private improvements associated with the Apartment Project will attract businesses, employees and residents to the area. The influx of residents within the area created by the Apartment Project should create a boost to the surrounding businesses.

Additionally, there is a need for housing in the City. As such, the Apartment Project will provide needed additional housing for employees of firms both within and outside of the Redevelopment Area.

Construction of the hotel will require between 100-125 construction employees and managers. Quantum intends to use as many local construction trades as possible during construction. Those contractors that come from outside the City will use other hotels, apartments, restaurants, gas stations and other services and facilities in the City during the approximately eleven-month construction time frame. Total payroll to these construction workers will be in excess of \$3 million.

Quantum anticipates that the Apartment Project will result in the creation of 1-2 full-time jobs and 2-6 part-time jobs. Bearing the above in mind, Quantum and the CDA anticipate that the Apartment Project will have a positive impact on employers and employees of firms locating or expanding within the boundaries of the Hotel Site.

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:

Bomgaars Project

The CDA does not anticipate that the Bomgaars Project will have an adverse material impact on other employers and employees within the City or immediately outside the area of the Bomgaars Project. The Bomgaars Site was previously occupied

by Walmart, so Bomgaar's occupancy (i.e., a smaller retailer) should not have a material effect on retailers and other employers located outside the area.

Hotel Project

The proposed hotel is an upper midscale hotel, which would complement the existing hotel options in the City. Lodging LLC engaged Core Distinction Group to prepare a feasibility study with respect to the hotel.

Core Distinction performed multiple community interviews to help determine the need for a new hotel:

- When Core Distinction Group asked individual businesses in the area if they had need for new, quality accommodations in the community, 84% identified specific a need.
- When Core Distinction Group asked individuals and businesses in the area if they there was a need in the City for a new hotel, 100% stated they did.

Core Distinction surveyed representatives from the Columbus Area Chamber of Commerce, the Columbus/Platte County Convention and Visitors Bureau, and numerous businesses in the community. Multiple interviewees noted that they see a great need for additional lodging generally, and a great need for a new hotel with additional amenities. There was substantial support for a new hotel and a consensus that additional hotel rooms were needed in the community. In addition to these interviews, Core Distinction performed independent research and determined there is additional need in the market from the large companies in the City and the surrounding area.

Based upon this information, Lodging LLC determined that the City could support a new hotel. Furthermore, based upon the stated need for a new hotel in the community, Lodging LLC does not anticipate a negative impact on surrounding businesses in the hospitality industry beyond healthy business competition.

Apartment Project

The CDA does not anticipate that the Apartment Project will have an adverse material impact on other employers and employees within the City or immediately outside the area of the Apartment Project. The City is in need of additional housing. Accordingly, the Apartment Project will benefit employees and employers outside of the area by providing needed housing options.

5. Other impacts determined by the CDA to be relevant to the consideration of costs and benefits arising from the redevelopment project:

Redeveloper and the CDA anticipate the following relevant impacts on the City:

Bomgaars Project

- The Bomgaars Project will occupy land that is vacant, has been determined to be blighted and substandard, and has limited assessed tax value in its current state.
- The Bomgaars Project should help promote the development of future projects within the western portion of the City along 23rd Street.
- Retail LLC and the CDA anticipate minimal to no impact on demand for community services stemming from the Bomgaars Project.

Hotel Project

- The Hotel Project will occupy land that is vacant, has been determined to be blighted and substandard, and has limited assessed tax value in its current state.
- The Hotel Project should help promote the development of future projects within the western portion of the City along 23rd Street.
- Lodging LLC and the CDA anticipate minimal to no impact on demand for community services stemming from the Hotel Project.
- The Hotel Project should bring significant consumer spending to other area businesses from hotel guests currently staying in other markets. Most notably, restaurants and gas stations will receive an immediate and direct benefit from the Hotel Project.

Apartment Project

- The Apartment Project will occupy land that is vacant, has been determined to be blighted and substandard, and has limited assessed tax value in its current state.
- The Apartment Project should help promote the development of future projects within the western portion of the City along 23rd Street.
- Redeveloper and the CDA anticipate minimal to no impact on demand for community services stemming from the Apartment Project.
- The Apartment Project should bring significant consumer spending to other area businesses from apartment residents currently living in other markets. The residential density will expand the need for existing services resulting in more employment by existing businesses within the area due to the increased demand for goods and services.

6. Cost Benefit Analysis Conclusion:

Based upon the findings presented in this supplemental cost-benefit analysis, the benefits outweigh the costs of the proposed Phase I Projects.

CITY OF COLUMBUS
BUILDING DEPARTMENT REPORT July 2019

BUILDING PERMITS	Current Month 2019			Current Month 2018		
	COUNT	VALUE	FEES	COUNT	VALUE	FEES
Business/Industry						
Addition	2	140,782	775.16	2	446,000	1,652.50
Alteration	0	0	0.00	0	0	0.00
Fence	0	0	0.00	0	0	0.00
Miscellaneous (Other)	0	0	0.00	1	31,000	205.00
New	4	7,607,717	16,339.46	2	2,475,000	5,787.50
Repairs/Remodel	0	0	0.00	3	536,700	2,004.25
Duplex/Townhouse (New)	3	655,496	2,151.59	0	0	0.00
Repairs/Remodel	0	0	0.00	0	0	0.00
Garage/Utility						
Addition	1	6,240	46.20	0	0	0.00
New	3	76,100	453.60	2	59,498	325.30
Multiple Family (New)	0	0	0.00	0	0	0.00
Repairs/Remodel	0	0	0.00	0	0	0.00
Residence						
Addition	5	100,557.00	602.88	3	60,538	357.67
Alteration	0	0	0.00	0	0	0.00
Deck	5	39,100	272.80	3	54,500	325.05
Fence	19	94,665	475.00	12	28,905	300.00
Miscellaneous (Other)	0	0	0.00	1	7,000	50.00
* New Residence	3	830,000	2,507.80	4	1,195,656	3,576.30
* New HUD Residence	0	0	0.00	0	0	0.00
Repairs/Remodel	2	6,000	67.50	1	1,000	27.50
Public Owned New	0	0	0.00	0	0	0.00
SPECIAL PERMITS						
Demolition	3	4,000	75.00	3	6,000	75.00
Electrical	0	0	0.00	32	191,850	3,120.00
Miscellaneous (Other)	5	13,000	85.00	2	5,000	34.00
Move Building	0	0	0.00	0	0	0.00
Plumbing	37	1,635,333	3,840.00	12	129,350	870.00
Signs	0	0	0.00	5	32,938	125.00
TOTAL	92	11,208,990.00	27,691.99	88	5,260,955.30	18,835.07

BUILDING PERMITS	Year to Date 2019			Year to Date 2018		
	COUNT	VALUE	FEES	COUNT	VALUE	FEES
Business/Industry						
Addition	9	37,765,180	57,679.41	6	6,894,572	15,253.56
Alteration	0	0	0.00	0	0	0.00
Fence	0	0	0.00	0	0	0.00
Miscellaneous (Other)	2	56,000	368.75	2	31,700	236.25
New	12	33,638,600	68,528.61	8	9,905,200	7,382.12
Repairs/Remodel	14	26,752,544	7,806.99	13	3,756,153	11,287.98
Duplex/Townhouse (New)	7	1,526,152	5,013.24	5	1,129,943	3,668.35
Repairs/Remodel	0	0	0.00	0	0	0.00
Garage/Utility						
Addition	1	6,240	46.20	0	0	0.00
New	16	301,508	1,786.69	12	353,703	1,998.23
Multiple Family (New)	0	0	0.00	0	0	0.00
Repairs/Remodel	0	0	0.00	1	25,840	179.20
Residence (*See "New" Residences Below)						
Addition	17	339,349	1,987.81	14	413,109	2,140.83
Alteration	0	0	0.00	0	0	0.00
Deck	20	116,447	894.54	8	77,960	548.63
Fence	76	238,816	1,900.00	62	125,246	1,550.00
Miscellaneous (Other)	2	40,500	245.00	13	256,400	1,508.90
* New Residence	32	8,147,039	25,387.49	24	6,821,994	20,524.88
* New HUD Residence	1	130,760	524.17	0	0	0.00
Repairs/Remodel	27	516,880	2,660.36	11	271,251	1,128.32
Public Owned	5	9,667,400	2,265.00	0	0	0.00
SPECIAL PERMITS						
Demolition	21	100,600	525.00	14	13,000	325.00
Electrical	0	0	0.00	127	2,009,500	13,945.00
Miscellaneous (Other)	25	64,000	416.00	16	40,000	272.00
Move Building	2	5,000	53.80	13	95,000	325.00
Plumbing	141	15,090,628	12,388.00	51	482,150	4,567.00
Signs	22	127,150	605.00	32	173,558	800.00
TOTAL	452	134,630,793.04	191,082.06	432	32,876,278.40	87,641.25

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

CURRENT MONTH 2019

CURRENT MONTH 2018

YEAR TO DATE

BUILDING ACTIVITY:

BUILDING ACTIVITY:

BUILDING ACTIVITY:

223

NEW PERMITS ISSUED	49
INSPECTIONS PERFORMED:	
FOOTINGS	33
FOUNDATION	11
FRAMING	32
MISCELLANEOUS	48
FINAL	27

NEW PERMITS ISSUED	34
INSPECTIONS PERFORMED:	
FOOTINGS	14
FOUNDATION	6
FRAMING	29
MISCELLANEOUS	17
FINAL	15

NEW PERMITS ISSUED	
INSPECTIONS PERFORMED:	
FOOTINGS	116
FOUNDATION	41
FRAMING	233
MISCELLANEOUS	277
FINAL	168

ELECTRICAL ACTIVITY:

ELECTRICAL ACTIVITY:

ELECTRICAL ACTIVITY:

NEW PERMITS ISSUED	
INSPECTIONS PERFORMED:	
ROUGH IN	
TEMPORARY POLE	
POWER	
MISCELLANEOUS	
FINAL	

NEW PERMITS ISSUED	32
INSPECTIONS PERFORMED:	
ROUGH IN	28
TEMPORARY POLE	8
POWER	22
MISCELLANEOUS	6
FINAL	18

NEW PERMITS ISSUED	
INSPECTIONS PERFORMED:	
ROUGH IN	
TEMPORARY POLE	
POWER	
MISCELLANEOUS	
FINAL	

PLUMBING ACTIVITY:

PLUMBING ACTIVITY:

PLUMBING ACTIVITY:

NEW PERMITS ISSUED	15
INSPECTIONS PERFORMED:	
WATER AND SEWER	13
MISCELLANEOUS	8
ROUGH IN	53
FINAL	16

NEW PERMITS ISSUED	12
INSPECTIONS PERFORMED:	
WATER AND SEWER	33
MISCELLANEOUS	8
ROUGH IN	32
FINAL	12

NEW PERMITS ISSUED	119
INSPECTIONS PERFORMED:	
WATER AND SEWER	88
MISCELLANEOUS	83
ROUGH IN	258
FINAL	128

Respectfully Submitted,



Daniel Curtis
Community Development Director