

Planning Commission
Monday, April 12, 2021 7:00 PM
Council Chambers
1369 25 Avenue
Columbus, NE 68601

1. **Statement of Compliance with Open Meetings Act and roll call.**

OPEN MEETINGS ACT

**NEBRASKA
REVISED STATUTES
84-1407 THROUGH 84-1414**



**EFFECTIVE
NOVEMBER 14, 2020**



This is a complimentary copy of the Open Meetings Act - Nebraska Revised Statutes 84-1407 through 84-1414. We hope you find it helpful when conducting your public meeting.

There were revisions made to the Open Meetings Act in the 2020 Nebraska State Legislature. The most recent version of the Open Meetings Act in this manual is in effect as of November 14, 2020.

This manual is provided to Nebraska municipalities by the League of Nebraska Municipalities (LONM) and the League Association of Risk Management (LARM).



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84-1407. ACT, HOW CITED. SECTIONS 84-1407 TO 84-1414 SHALL BE KNOWN AND MAY BE CITED AS THE OPEN MEETINGS ACT.

**84-1408. DECLARATION OF INTENT;
MEETINGS OPEN TO PUBLIC.**

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. TERMS, DEFINED. FOR PURPOSES OF THE OPEN MEETINGS ACT, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions.

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

**84-1410. CLOSED SESSION; WHEN; PURPOSE;
REASONS LISTED; PROCEDURE; RIGHT TO
CHALLENGE; PROHIBITED ACTS; CHANCE
MEETINGS, CONVENTIONS, OR WORKSHOPS.**

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;
- (b) Discussion regarding deployment of security personnel or devices;
- (c) Investigative proceedings regarding allegations of criminal misconduct;
- (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
- (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
- (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open

Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. MEETINGS OF PUBLIC BODY; NOTICE; METHOD; CONTENTS; WHEN AVAILABLE; RIGHT TO MODIFY; DUTIES CONCERNING NOTICE; VIDEOCONFERENCING OR TELEPHONE CONFERENCING AUTHORIZED; EMERGENCY MEETING WITHOUT NOTICE; APPEARANCE BEFORE PUBLIC BODY.

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site.

(ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by:

(A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or

(B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state coun-

cil, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given as provided in subsection (1) of this section;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and

(e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or

(ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public

power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given as provided in subsection (1) of this section which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:

(i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

84-1412. MEETINGS OF PUBLIC BODY; RIGHTS OF PUBLIC; PUBLIC BODY; POWERS AND DUTIES.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

- (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;
- (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;
- (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;
- (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;
- (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;
- (f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and
- (g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. MEETINGS; MINUTES; ROLL CALL VOTE; SECRET BALLOT; WHEN.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

**84-1414. UNLAWFUL ACTION BY PUBLIC BODY;
DECLARED VOID OR VOIDABLE BY DISTRICT COURT;
WHEN; DUTY TO ENFORCE OPEN MEETING LAWS;
CITIZEN'S SUIT; PROCEDURE;
VIOLATIONS; PENALTIES.**

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

EFFECTIVE DATE – NOVEMBER 14, 2020

**DISTRIBUTED BY THE
LEAGUE OF NEBRASKA MUNICIPALITIES AND THE
LEAGUE ASSOCIATION OF RISK MANAGEMENT.**



**LEAGUE OF NEBRASKA
MUNICIPALITIES
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**1335 L STREET
LINCOLN, NE 68508**



**LEAGUE ASSOCIATION OF
RISK MANAGEMENT
WWW.LARMPPOOL.COM**

2. **Minutes of March 8, 2021, meeting.**

PLANNING COMMISSION

March 8, 2021

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on March 8, 2021, 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 members of the 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 Anderson 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 included City Attorney Gene Schumacher, City Engineer Rick Bogus, Community Development Director Dan Curtis, and Assistant City Clerk Robin Efta.
2. **Minutes of February 8, 2021, meeting:** The minutes were approved as presented 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.
3. **Public hearing - Application of M & M Hanson Properties for preliminary plat of Sunside 2nd Subdivision (east of Kozy Drive, south of Keene Drive, and south of Johannes Additions):** John Zwingman, Advanced Consulting Engineering Services on behalf of the applicant, explained the plans for development and drainage for the 29 residential lots. No public testimony was heard. The public hearing closed 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. A recommendation was made to the mayor and council to approve the preliminary plat of Sunside 2nd Subdivision with a motion by Lopez and a second by Bray as it is amendable with the adjacent land use, future land use, and is in accordance with the Unified Land Development Ordinance. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.
4. **Public hearing - Application of JAMB Properties, LLC to rezone property located at 3309 Brunken Street from "R-2" (Urban-Family Residential District now known as Two-Family Residential District) to "R-3" (Multiple-Family Residential District):** Joe Citta, 13940 265 Avenue, explained that the property was purchased as a three-plex and this rezoning will bring the property into compliance with the Unified Land Development Ordinance. Curtis described the zoning of the area and said it complies with the Future Land Use Map. No public testimony was heard. 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 council to approve the rezoning application of JAMB Properties, LLC with a motion by Elsasser and a second by Lopez as the rezoning from R-2 to R-3 will bring the property into compliance with the Unified Land Development Ordinance and an R-3 zoning complies with the Future Land Use map. Anderson, Bray, Elsasser, Hoefler, Kucera, Lopez, Mueller, and Ogle voted "Aye" and none voted "Nay". Spawn was absent.

5. **Public hearing - Application of Richard R. Hoppe to rezone property located approximately one mile west of Columbus north of Highway 81 and west of 63 Avenue from "RR" (Rural Residential District) to "ML/C-1" (Light Industrial District):** Thomas Maul, attorney on behalf of the applicant, stated that the property is approximately a 12 acre tract that lies between the Loup substation and Wish Bone properties and he explained the owner's plans for the irrigation business. No public testimony was heard. The public hearing closed with a motion by Mueller 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 council to approve the rezoning application of Richard R. Hoppe with a motion by Elsasser and a second by Ogle as it is in conformance with the Future Land Use Map and 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.
6. **Building report for February 2021:** The building report was 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.
7. **Adjournment:** The meeting adjourned at 7:25 p.m.

OFFICE OF THE CITY CLERK
: Robin Efta

- 3. Public hearing - Application of Granville Custom Homes, Inc. to rezone property on a tract of land located on the east side of E 14 Avenue and north of Armory Drive from "RR" (Rural Residential District) to "R-2" (Two-Family Residential District).**

**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, April 12, 2021, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone a tract of land located in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., in the City of Columbus, Platte County, Nebraska, more particularly described as follows: Beginning at the northwest corner of the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., in the City of Columbus, Platte County, Nebraska, and assuming the west line of said N 1/2 of the NW 1/4 of the SW 1/4 to have a bearing of N 00°08'15" W; thence N 89°53'20" E, on the north line of said N 1/2 of the NW 1/4 of the SW 1/4, 1323.14 feet, to the northeast corner of the N 1/2 of the NW 1/4 of the SW 1/4; thence S 00°02'39" E, on the east line of the N 1/2 of NW 1/4 of the SW 1/4, 605.06 feet, to a point 60.00 feet north of the southeast corner of the N 1/2 of the NW 1/4 of the SW 1/4 ; thence S 89°53'53" W, and parallel with the south line of the N 1/2 of the NW 1/4 of the SW 1/4, 1272.16 feet, to the southwest corner of Lot 2, New Frontier Subdivision; thence N 00°08'15" W, on the west line of said Lot 2, 95.28 feet, to the northwest corner of said Lot 2; thence N 88°19'54" E, 160.03 feet, to a point on the west line of Lot 2, Block A, Frontier Park Addition to the City of Columbus said point also being the northeast corner of Lot 1, New Frontier Subdivision; thence N 00°07'57" W, on said west line of Lot 2, 106.82 feet, to the northwest corner of said Lot 2, Block A, Frontier Park Addition to the City of Columbus; thence N 89°07'43" W, on the north line of a tract of land previously surveyed by Bruce L. Gilmore, L.S. #96, dated February 29, 1988, 209.99 feet, to the west line of the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska; thence N 00°08'15" E, on said west line, 394.79 feet, to the point of beginning, said tract of land containing 17.72 acres, more or less and including Lots 1 through 14, Block A, Frontier Park Addition to the City of Columbus, Platte County, Nebraska, and Lots 1 and 2 of New Frontier Subdivision (tract of land located on the east side of 14 Avenue and north of Armory Drive) from "RR" (Rural Residential District) to "R-2" (Two-Family Residential District) and at said time and place you may appear and be heard.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 04:01:21
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: April 7, 2021
FROM: Daniel Curtis
TO: City Administrator Tara Vasicek
RE: Rezoning from RR to R-2 (Granville Custom Homes)

RECOMMENDATION:

I recommend approval of this rezoning, it is conformance with the Future Land Use map and I believe R-2 is a good use of the property.

DISCUSSION:

We have received an application from Granville Custom Homes to rezone a tract of land from RR to R-2. If the rezoning is approved the applicant intends to construct single-family homes and townhomes.

FISCAL IMPACT:

None

ALTERNATIVE:

Deny the Rezoning

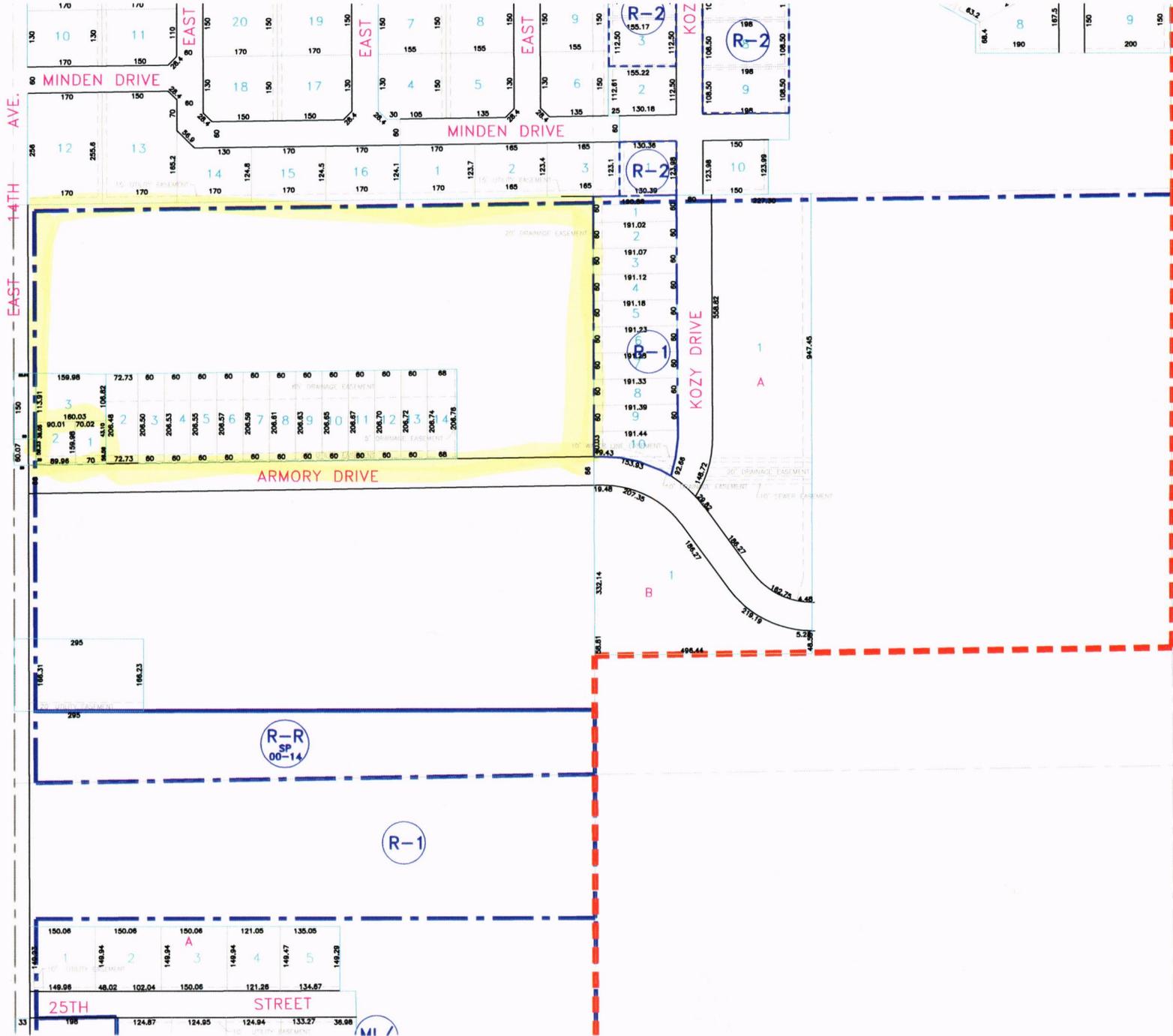
SIGNATURE:

By: _____



Approved By: _____





R-R

FILED

FEB 19 2021

**CITY CLERK
COLUMBUS, NEBR.**

RE-ZONING APPLICATION

Applicant's Name: Granville Custom Homes, Inc.

Applicant's Address: 4514 Howard Blvd, Columbus, NE 68601

Applicant's Phone: Steven Ramaekers at 402-276-3476

Property Owner: Granville Custom Homes, Inc.

Address of Property: Not assigned. It is approximately 17 acres on the northeast corner of East 14th Avenue and Armory Drive.

Legal Description of Property: The North ½ of the North West ¼ of the SW ¼ of Section 15, Township 17, Range 1 East of the 6th PM, Columbus, Platte County, Nebraska.

Present Zoning: Rural Residential

Requested Zoning: R2

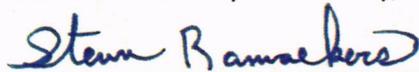
Reason for Re-zoning: Land is vacant. Applicant intends to construct homes on the property.

Nature and operating characteristics of the proposed use: Single family homes and townhomes

Graphic information: See Ex. A, site map.

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

Dated the 19th day of February, 2021



Granville Custom Homes, Inc.

By Steven Ramaekers, President

Exhibit A to Zoning Application of Granville Custom Homes
The North 1/2 of the North West 1/4 of the SW 1/4 of Section 15, Township 17, Range 1 East of the 6th PM,
Columbus, Platte County, Nebraska.



4. **Public hearing - Application of Woerth Properties, LLC to rezone property located at 1300 Block of 17 Avenue on the west side and south of the alley from "R-3" (Multiple-Family Residential District) to "ML/C-1" (Light Industrial District) and amend the Future Land Use Map of the Comprehensive Plan.**

**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, April 12, 2021, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone Lots 6, 7, and 8, Block 66, Original City of Columbus, Platte County, Nebraska; and part of 13th Street Right-of-Way and part of Block 75, Original all in the City of Columbus, Platte County, Nebraska described as follows: Beginning at the northwest corner Lot 4, Block 75, Original City of Columbus, Platte County Nebraska; thence north and on the extension of the west line said Lot 4, 40.00 feet to the centerline vacated 13th Street; thence east and on said centerline to the centerline of 16th Avenue; thence south and on said centerline to a point where said line intersects a line 100.00 feet northwesterly of and parallel to the centerline of the Union Pacific Railroad Right-of-Way; thence southwesterly and on said line to a point on the extension of the east line Lot 3 said Block 75; thence south and on said east line to a point 50.00 feet northwesterly of and perpendicular to the centerline Union Pacific Railroad Right-of-Way; thence southeasterly and on said line to a point on the west line Lot 4 said Block 75; thence north and on said west line to the point of beginning containing 17,148 square feet more or less (1300 Block of 17 Avenue on the west side and south of the alley) from "R-3" (Multiple-Family Residential District) to "ML/C-1" (Light Industrial District) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 04:01:21
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: April 7, 2021
FROM: Daniel Curtis
TO: City Administrator Tara Vasicek
RE: Rezoning From R-3 to ML/C1

RECOMMENDATION:

I recommend approval of this rezoning and to amend the Future Land Use map accordingly. The Property across the street to the east is zoned ML/C1 and the property to the south is the old C1 now combined ML/C1. If approved the applicant has been informed of the 30' landscaped buffer-yard and screening that will be required when a use is established.

DISCUSSION:

We have received an application to rezone lots 6,7 and 8, Block 66 Original City from R-3 to ML/C1. The property abuts C1 (ML/C1) zoning making this an extension of the district.

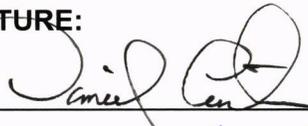
FISCAL IMPACT:

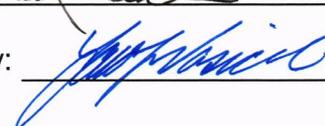
None

ALTERNATIVE:

Deny the Rezoning

SIGNATURE:

By: 

Approved By: 

RE-ZONING APPLICATION

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

Applicant's Name: Woerth Properties, LLC

Applicant's Address: PO Box 278
Columbus NE 68601

Applicant's Phone #: 402 / 276-1289

Applicant's Email: mwoerth72@gmail.com

Property Owner: Woerth Properties, LLC

Address of Property: Columbus, NE 68601

Legal Description of Property:

Lots 6, 7, and 8, Block 66, Original City of Columbus, Platte County, Nebraska; AND Part of 13th Street Right-of-Way and part of Block 75, Original all in the City of Columbus, Platte County, Nebraska described as follows: Beginning at the northwest corner Lot 4, Block 75, Original city of Columbus, Platte County Nebraska; thence north and on the extension of the west line said Lot 4, 40.00 feet to the centerline vacated 13th street; thence east and on said centerline to the centerline of 16th Avenue; thence south and on said centerline to a point where said line intersects a line 100.00 feet northwesterly of and parallel to the southwesterly and on said line to a point on the extension of the east line Lot 3 said block 75; thence south and on said east line to a point 50.00 feet northwesterly of and perpendicular to the centerline Union Pacific Railroad Right-of Way; thence southeasterly and on said line to a point on the west line Lot 4 said Block 75; thence north and on said west line to the point of beginning containing 17,148 square feet more or less ("Property").

Present Zoning Classification: R-3

Requested Zoning Classification: ML/C-1

Set forth a description of the reason for the re-zoning application:

To allow Applicant to use Property for Light Industrial District Uses including, but not limited to: Warehousing, Custom Manufacturing, Vehicle Storage and Construction Yard.

Set forth the nature and operating characteristics of the proposed use:

Please attach any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use to the approving agencies.

To allow Applicant to use the Property for a construction yard and the erection of future buildings for warehousing, custom manufacturing, vehicle storage or other light industrial uses.

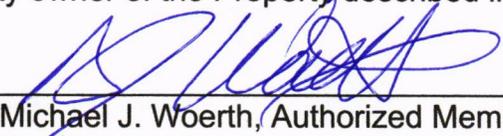
FILED

MAR 10 2021

**CITY CLERK
COLUMBUS, NEBR.**

I, the undersigned, am the Property owner of the Property described in this Application.

Dated: March 10, 2021.



Michael J. Woerth, Authorized Member, Woerth Properties, LLC

Prepared by:
Thomas M. Fehring, #21713
Fehring & Mielak, LLP
P. O. Box 400
Columbus, NE 68602-0400
402.563.9617 (PH)
402.563.9618 (Fax)

5. **Public hearing - Application of Kurtis Perry to rezone property located at 2315-2321 10 Street from "ML/C-1" (Light Industrial District) to "R-2" (Two-Family Residential District formerly known as Urban-Family Residential District) and amend the Future Land Use Map of the Comprehensive Plan.**

**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, April 12, 2021, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone property located on Lots 3 and 4. Block 129, Original City of Columbus, Platte County, Nebraska (2315-2321 10 Street) from "ML/C-1" (Light Industrial District) to "R-2" (Two-Family Residential District formerly known as Urban-Family Residential District) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 04:01:21
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: 04/06/2021
FROM: Dan Curtis
TO: City Administrator Tara Vasicek
RE: Rezoning Lots 3&4 Block 129 Original City From ML/C1 to R-2

RECOMMENDATION:

I recommend approval of this rezoning from ML/C1 to R-2 and to amend the Future Land Use map accordingly. The properties on each side of the rezoning are single-family dwellings and I believe the proposed use is a good fit for the area.

DISCUSSION:

We have received an application to rezone Lots 3&4, Block 129 Original City from ML/C1 to R-2, if approved the applicant intends on constructing a single-family dwelling on each of the lots. Single-family dwellings are located on both sides of the two lots.

FISCAL IMPACT:

None

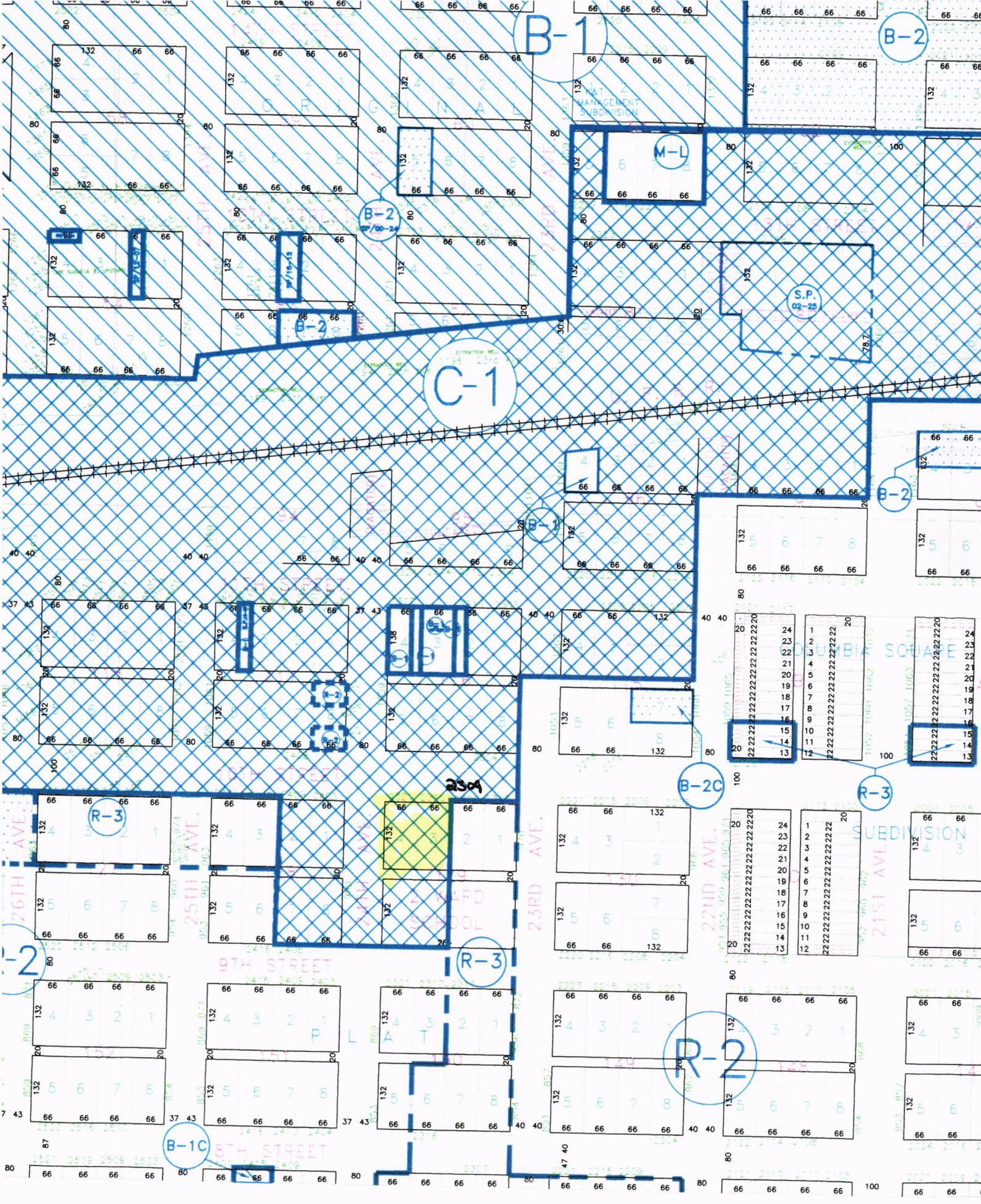
ALTERNATIVE:

Deny the rezoning

SIGNATURE:

By: *Daniel Curtis*

Approved By: 



B-1

B-2

B-2
87/00-24

C-1

M-L

S.P.
02-28

B-1

B-2

B-2C

R-3

R-3

R-2

B-1C

RE-ZONING APPLICATION

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

1. Applicant's Name: Kurtis Perry
Applicant's Address: 773 7th Ave., Columbus, NE 68601
Applicant's Phone #: 402-710-1524
Applicant's E-Mail: N/A

2. Property Owner: Mary L. Perry
Address of Property: 2321 10th Street, Columbus, NE 68601
Legal Description of Property:

Lots 3 and 4. Block 129, Original City of Columbus, Platte County, Nebraska

Present Zoning Classification: C-1 (Light Industrial District)

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

Description of the reason for the Re-zoning Application:
To place a single family residence on each lot.

3. Nature and operating characteristics of the proposed use:
(Please attach any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use to the approving agencies).

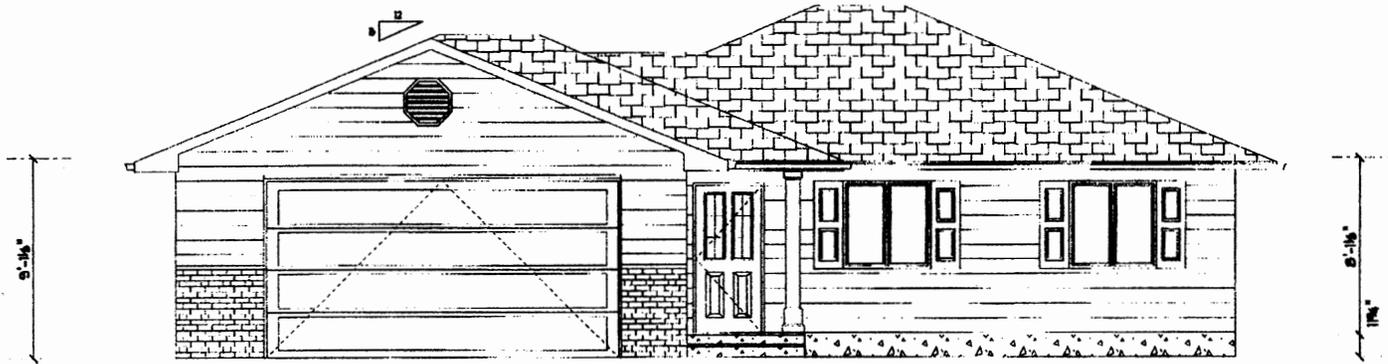
A single family residence on each lot.
See attached house plans.

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

Dated this 17 day of March, 2021.

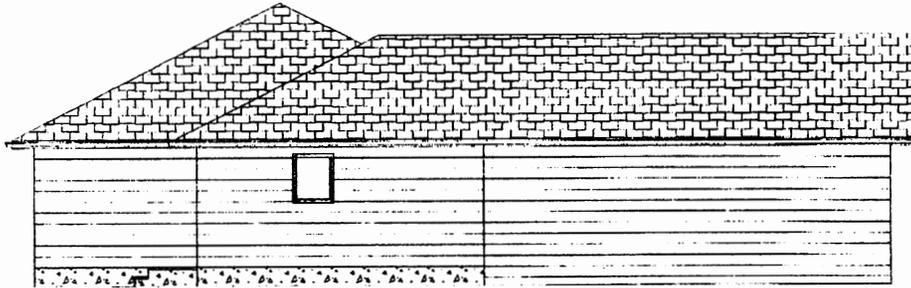


Property Owner/Authorized Agent

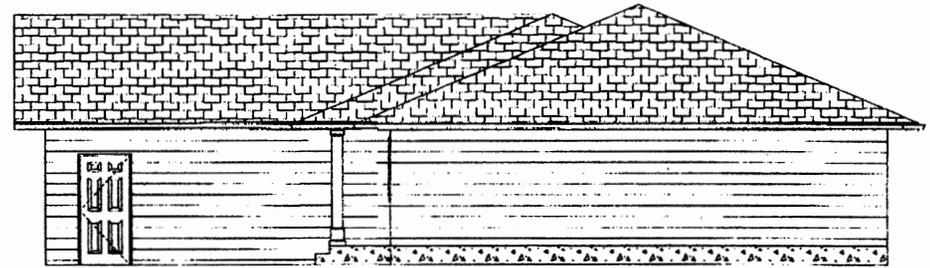


FRONT ELEVATION

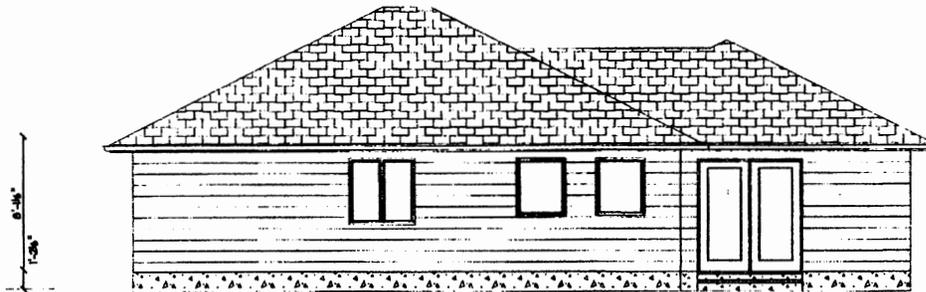
SCALE: 1/4" = 1'-0"



LEFT ELEVATION



RIGHT ELEVATION



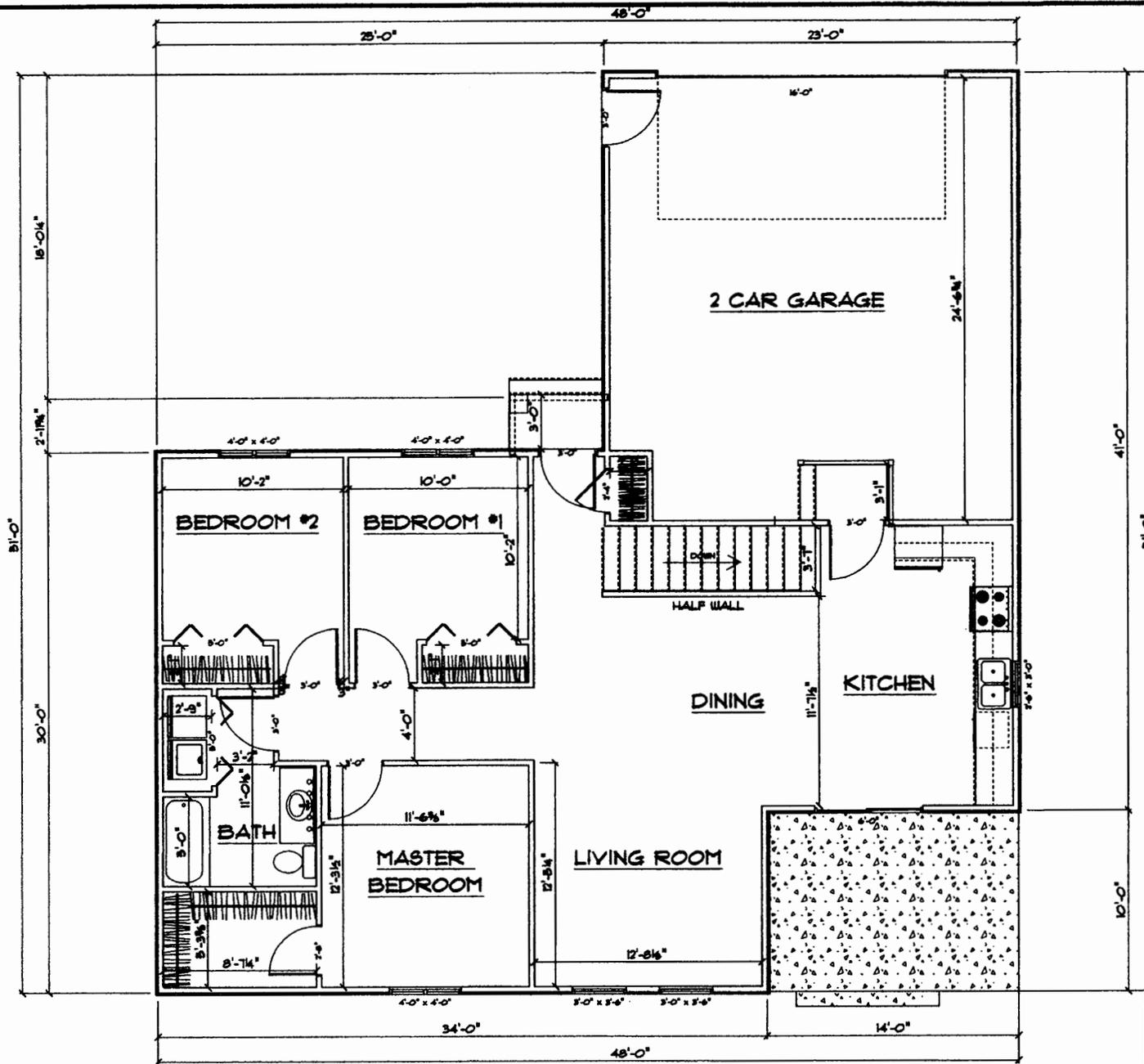
REAR ELEVATION

4704 ERNST ST.

SCALE: 1/4" = 1'-0"	SQUARE FOOTAGE	DRAWN BY: RENEE
DATE: 5/6/08	1202 SQ FT	REVISED: 03/26/09

ELEVATIONS

Mead Lumber	COLUMBUS NEBRASKA	DRAWING NUMBER
--------------------	----------------------	----------------



MAIN FLOOR LAYOUT
SCALE: 1/4" = 1'-0"

4704 ERNST ST		
SCALE: 1/4" = 1'-0"	SQUARE FOOTAGE: 1202 SQ FT	DRAWN BY: RENEE
DATE: 08/06/08		REVISED: 03/26/08
MAIN FLOOR PLAN		
Mead Lumber	COLUMBUS NEBRASKA	DRAWING NUMBER: 2

THIS DRAWING IS FOR CONCEPTUAL PURPOSES ONLY

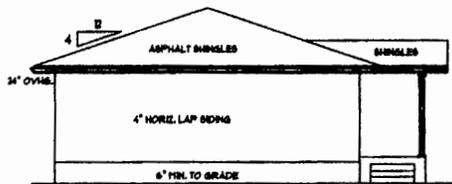


blue line design
201 south 84th
Lincoln, ne. 68510
483-0833

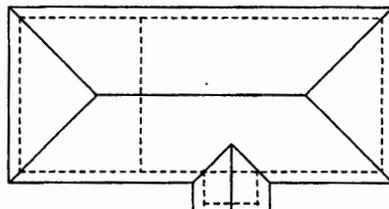
GENERAL NOTES

PROJECT

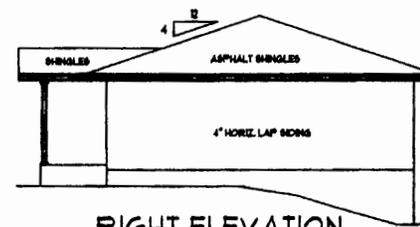
JOB # 00-0077



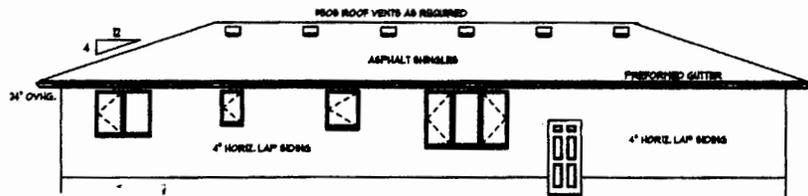
LEFT ELEVATION
SCALE 1/8"=1'0"



ROOF PLAN
SCALE 1/8"=1'0"



RIGHT ELEVATION
SCALE 1/8"=1'0"



REAR ELEVATION
SCALE 1/8"=1'0"

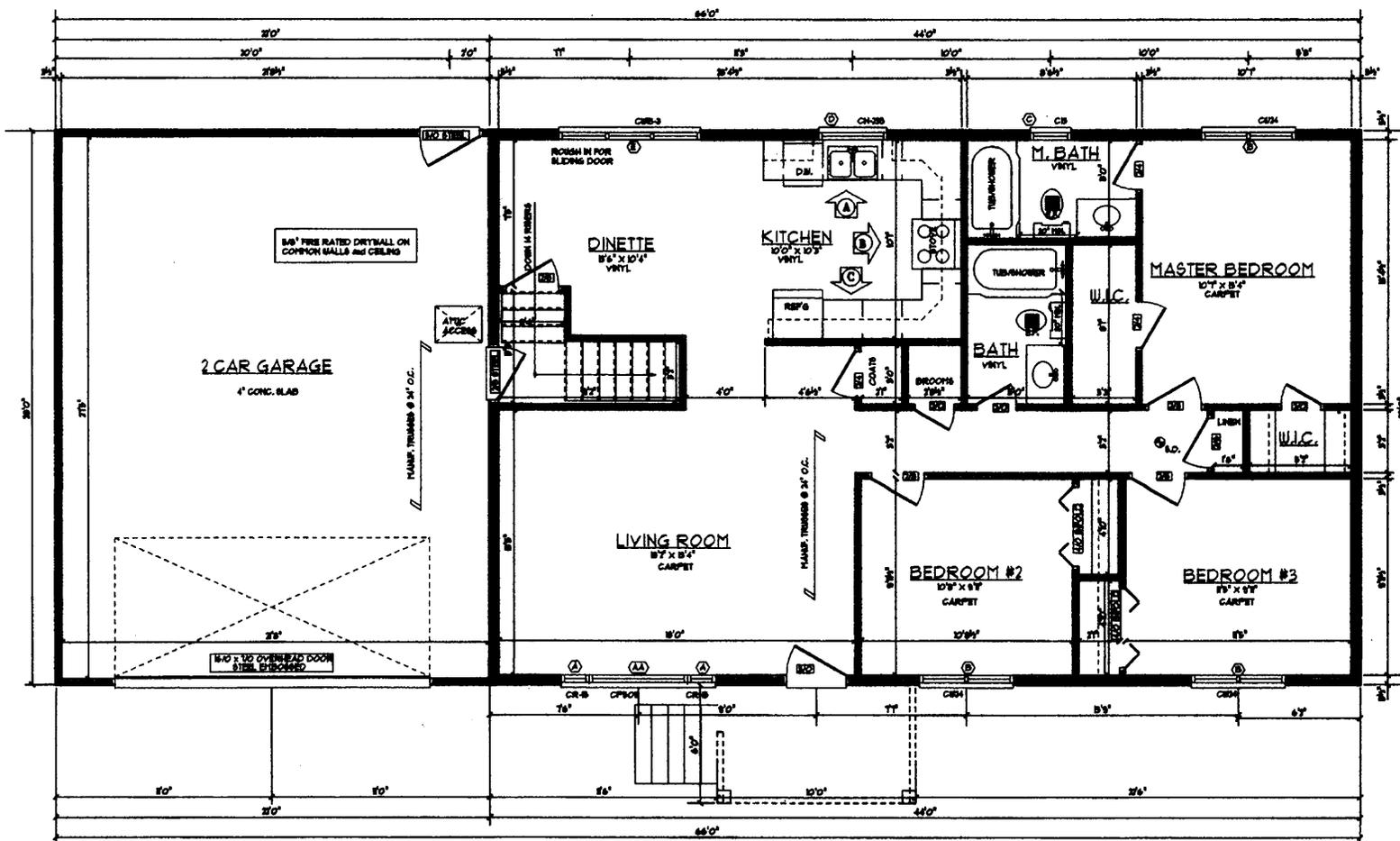


FRONT ELEVATION
SCALE 1/4"=1'0"



blue line design
201 south 84th
Lincoln, ne. 68510
488-0833

GENERAL NOTES



8'0" WALL HEIGHT

FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"
AREA 1238 SF

HEADER SCHEDULE

ALL EXTERIOR HEADERS SHALL BE 2" X 8" OR 2" X 10"

INTERIOR BEARING HEADERS AS FOLLOWS:

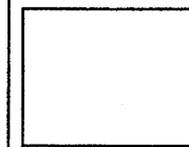
0'-4" DBL 2 X 6	6'-10" DBL 2 X 8
4'-6" DBL 2 X 8	OVER 10' NOTED

WINDOW SCHEDULE

MARK	LOCATION	UNIT #	ROUGH OPENING	SASH	UNIT DIML.	U VALUE	OPERATION
(A)	LIVING ROOM	CR-8	7'6" X 5'0" 3/8"	50	7'6" X 4'7" 3/8"	.30	CASEMENT
(AA)	LIVING ROOM	CPN-9	8'0" 3/8" X 8'0" 3/8"	50	4'8" 3/8" X 8'0" 3/8"	.30	CASEMENT
(B)	BEDROOM #2	CB-4	4'8" X 4'0" 1/2"	50	4'8" 1/2" X 4'0"	.30	CASEMENT
(C)	M. BATH	CB	2'0" 3/8" X 3'0" 1/2"	30	2'0" 3/8" X 2'7" 5/8"	.30	CASEMENT
(D)	KITCHEN	CH-26	3'8" 3/4" X 3'8" 3/8"	50	3'4" 3/4" X 3'4" 3/8"	.30	CASEMENT
(E)	DINING ROOM	CH-8	7'1" 3/8" X 8'0" 3/8"	50	7'1" 3/8" X 4'7" 3/8"	.30	CASEMENT

PROJECT

JOB # 08-007



6. **Public hearing - Amendment to Redevelopment Plan for the 23rd Street Corridor Redevelopment Area (23rd Street Corridor Area District TIF Project) located east of 33 Avenue and west of E 11 Avenue, between 19 Street and 27 Street, also known as Redevelopment Area 6.**

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

NOTICE IS HEREBY GIVEN that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, April 12, 2021, at 7 P.M., in the City Council Chambers, 1369 25 Avenue, Columbus, Nebraska 68601, to consider and possibly take action on a redevelopment plan entitled: "Amendment to the Redevelopment Plan for the 23rd Street Corridor Redevelopment Area (23rd Street Corridor Area District TIF Project)," for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within the blighted and substandard 23rd Street Corridor Redevelopment Area (a/k/a Redevelopment Area 6), approximately located east of 33 Avenue and west of East 11 Avenue, between 19 Street and 27 Street, in Columbus, Nebraska.

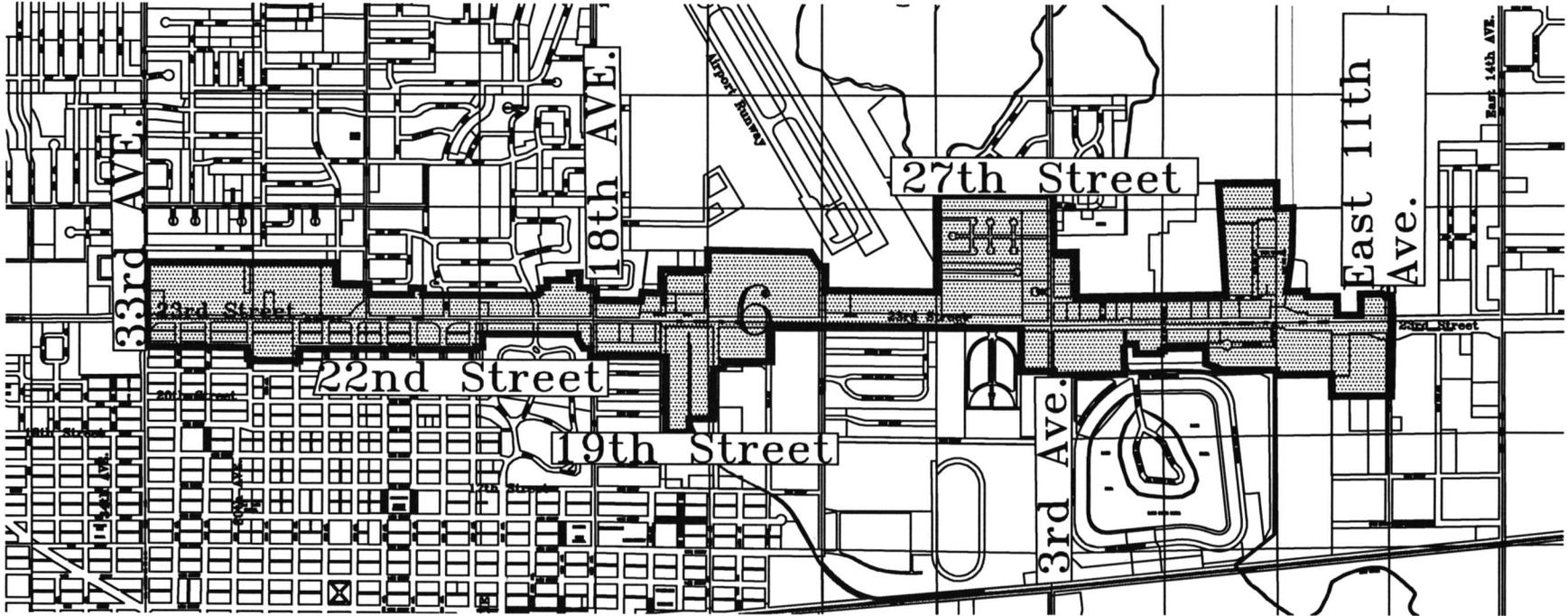
A map of the redevelopment area and the cost-benefit analysis for the redevelopment project(s) set forth in the redevelopment plan is available for review at the office of the City Clerk at 2424 14 Street, Columbus, Nebraska 68601, telephone number 402-562-4224.

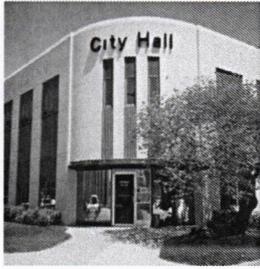
At said time and place, all interested parties may appear and be heard.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 03:25:21; 04:01:21
Two Affidavits of Publication

COLUMBUS NE
AREA #6





The City of Columbus

RESPONSIBLE • RESPONSIVE • REPUTABLE

Administration Office (402) 562-4232

Fax (402) 563-1380

memorandum

DATE: April 7, 2021
TO: Planning Commission
FROM: Tara Vasicek, City Administrator
RE: Pooled Tax Increment Financing for portion of Hwy 30 Reconstruction Costs

RECOMMENDATION:

Approval to the amendment to the redevelopment plan for the 23rd Street Corridor within Blight and Substandard Area 6.

DISCUSSION:

The reconstruction of Hwy 30 (23rd Street) from approximately 31st Avenue to East 11th Avenue is scheduled to bid in August of 2021 and begin significant construction in 2022. The City is responsible for paying 100% of betterment costs associated with the project and 20% of all other costs of the project. This totals over \$9,000,000.00. A detailed breakdown of those costs can be found in Exhibit "E".

Normally property valuations are raised by the Platte County Assessor every year. All property owners have to pay this increase, which is distributed to all taxing entities. If this redevelopment plan and project is approved, the City would capture that natural increase in tax revenue and utilize it only to pay for this project. Property owners will see direct improvements to their frontage road, utilities and streetscape but not pay any more taxes than they would have without the utilization of TIF.

As you can read in the plan, the City also wishes to utilize up to \$250,000 of these funds to provide direct grants to property owners for façade improvements, landscaping, etc. The City will take applications for these grants funds and award them to property owners as detailed in the plan.

Without the utilization of Tax Increment Financing in the amount of \$6,663,837.00 the City would have to use sales tax revenue to pay for this project. Every budget year sales tax supports capital purchases for all general fund departments including Fire & Rescue, Police, Parks & Recreation, Streets, Library, etc. Without the utilization of TIF to fund this project the City's investment and maintenance into these departments will be significantly negatively impacted as the City would have to expend over \$2,000,000 every year for the next four years into this one project.

FISCAL IMPACT:

TIF Bond in the amount of \$6,663,837.00



**AMENDMENT TO REDEVELOPMENT PLAN FOR
THE 23RD STREET CORRIDOR REDEVELOPMENT AREA
(23RD STREET CORRIDOR AREA DISTRICT TIF PROJECT)
COLUMBUS, NEBRASKA**

**PREPARED MARCH, 2021
FOR
THE COMMUNITY DEVELOPMENT
AGENCY OF
COLUMBUS, NEBRASKA**

I. 23rd Street Corridor Area General Redevelopment Plan

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

This Redevelopment Plan submits the implementation of redevelopment projects in the Redevelopment Area (defined below) utilizing the tax increment financing ("**TIF**") resources available for constructing eligible public improvements, and removing existing and/or avoiding future blighted and substandard conditions in the Redevelopment Area. In furtherance of these goals, this Redevelopment Plan contemplates the creation of a neighborhood redevelopment program under Nebraska Revised Statutes Section 18-2107(13), aimed at enhancing and beautifying the Redevelopment Area via the undertaking of certain redevelopment projects. Two such redevelopment projects are set forth in Section II of this Redevelopment Plan. Specifically, Section II(A) of this Redevelopment Plan contemplates a redevelopment project for the construction of necessary street improvements to 23rd Street/U.S. Highway 30 in the City (the “**Highway Improvement Project**”). Additionally, Section II(B) of this Redevelopment Plan contemplates the creation of a neighborhood redevelopment grant program to enhance and beautify the Redevelopment Area (the “**Neighborhood Beautification Grant Project**”). The Highway Improvement Project and the Neighborhood Beautification Grant Project are collectively referred to herein as the “**Projects**”. Additional redevelopment projects may be adopted via amendments to this Redevelopment Plan.

A. Redevelopment Area

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries of the “**Redevelopment Area**”. The Redevelopment Area is identical to Area 6, which the Council previously declared blighted and substandard and in need of redevelopment; excluding certain industrial parcels within Area 6 and the site of the redevelopment project set forth in the “Redevelopment Plan for the 23rd Street Corridor Redevelopment Area (4J Capital Redevelopment Project)”. The Redevelopment Area is approximately located east of 33rd Avenue and west of East 11th Avenue, between 19th Street and 27th Street. Notwithstanding the

foregoing, the City anticipates that opportunities for redevelopment projects (outside the scope of this Redevelopment Plan) on individual parcels within the Redevelopment Area may arise during the course of the Projects detailed herein. If the City wishes to adopt and approve such individual redevelopment projects, the City shall amend the boundaries of the Redevelopment Area, via administrative amendment to this Redevelopment Plan and amendment to the “Notice to Divide” for the Projects filed with the county assessor, to exclude such parcels so the excess ad valorem real estate taxes thereon may be divided and allocated toward the individual redevelopment project. Notwithstanding the foregoing, any individual redevelopment projects shall continue to contribute the TIF Revenues (defined below) associated with the assumed 2.25% natural property valuation increases for such parcel(s) toward the Projects set forth in this Redevelopment Plan. This continuing contribution shall be made a requirement in the “redevelopment contract” (as defined in the Act) for any such individual redevelopment project.

B. Redevelopment Area 6 Neighborhood Development Program

Section 18-2107(13) of the Act authorizes the Community Development Agency of the City (the “**Agency**”) to, “plan, undertake, and carry out neighborhood development programs consisting of redevelopment project undertakings and activities in one or more community redevelopment areas which are planned and carried out on the basis of annual increments in accordance with the Community Development Law for planning and carrying out redevelopment projects.” In accordance therewith, this Redevelopment Plan implements a development program for the Redevelopment Area to promote redevelopment of blighted and substandard conditions therein (the “**Redevelopment Area 6 Neighborhood Development Program**”). The objectives of the Redevelopment Area 6 Neighborhood Development Program will be carried out via the incorporation of redevelopment projects, the costs of which shall be reimbursable (in whole or in part) from the annual incremental ad valorem real estate taxes collected on the real property within the Redevelopment Area (the “**TIF Revenues**”). The TIF Revenues shall be used solely as grants toward reimbursement for eligible costs of redevelopment projects and programs identified in this Redevelopment Plan, as may be amended, and shall not be used for the purpose of a revolving loan fund. As set forth in Section II, this Redevelopment Plan adopts two initial projects under the Redevelopment Area 6 Neighborhood Development Program. The City and Agency may adopt additional redevelopment projects via amendment to this Redevelopment Plan.

II. Redevelopment Project Plan

This Redevelopment Plan incorporates two initial redevelopment projects as part of the Area 6 Neighborhood Development Program. The City and Agency may further amend this Redevelopment Plan to incorporate additional redevelopment projects in furtherance of the goals and objectives of the Redevelopment Area 6 Neighborhood Development Program.

A. Highway Improvement Project Overview

The Highway Improvement Project consists of the construction of improvements to 23rd Street/U.S. Highway 30 (“23rd Street”) undertaken by the City. With respect to its capacity as redeveloper of the improvements associated to the Highway Improvement Project (and not as the governing body of the City), the City is referred to herein as the “**Highway Redeveloper**”. The Highway Improvement Project will preserve transportation assets, improve the reliability of the transportation system, rehabilitate and/or replace aging infrastructure, and perpetuate the mobility of the traveling public. The current conditions of the existing pavement and bridge structures on 23rd Street necessitate the Highway Improvement Project.

The Highway Improvement Project involves approximately 2.25 miles of roadway, underground utilities, and bridge structures within the 23rd Street right-of-way located within the Redevelopment Area. Proposed improvements include milling and resurfacing the existing roadway and adjacent shoulders with asphalt, the repair of highway bridge structures, highway guardrail improvements, the construction and/or rehabilitation of underlying sewer and water infrastructure, and such other work detailed in Exhibit "E", attached hereto and incorporated herein.

Highway Redeveloper anticipates completion of the Highway Improvement Project by December 31, 2024, subject to external delays. The Highway Improvement Project will be funded, in part, by a portion of the TIF Revenues generated from the Redevelopment Area, as further detailed in Section II(H), below.

Unless the Highway Improvement Project, or portion thereof, is undertaken by a party or entity other than Highway Redeveloper (i.e., the City), a “redevelopment contract” (as defined in the Act) is not necessary to govern and carry out the terms of the Highway Improvement Project. Rather, the resolution authorizing the allocation of the TIF Revenues for reimbursement of eligible costs of the Highway Improvement Project, in addition to the terms of this Redevelopment Plan, may serve as the governing document(s) in carrying out the Highway Improvement Project and the use of TIF therefore.

B. Neighborhood Beautification Grant Project Overview

In accordance with Section 18-2107(13) of the Act, the purpose of the Neighborhood Beautification Grant Project is to provide financial assistance to the Agency, businesses, and/or property owners within the Redevelopment Area for aesthetic improvements to property located within the Redevelopment Area, thereby eliminating blighted and substandard conditions in the Redevelopment Area and providing a benefit to the Redevelopment Area, its occupants/inhabitants and the City as a whole. The Neighborhood Beautification Grant Project

will be funded, in part, by a portion of the TIF Revenues generated from the Redevelopment Area, as further detailed in Section II(H), below.

Eligible parties may apply to the Agency for the allocation of TIF Revenues to complete the external refurbishment of existing structures, landscaping installation, façade improvements and other TIF-eligible expenses related to the enhancement of the appearance and upkeep of the Redevelopment Area (collectively, the “**Beautification Improvements**”). Each individual project under the Neighborhood Beautification Grant Project is referred to herein as an “**Individual Grant Project**”. The Agency, in its discretion, subject to the terms and intent of this Redevelopment Plan, and only to the extent TIF Revenues are available, may grant eligible applicants TIF Revenues equal to 50% of TIF-eligible costs of an Individual Grant Project, or up to \$15,000 per Individual Grant Project, whichever is less. Applicants will be eligible to receive one (1) such grant (per individual tax parcel) during the pendency of the Neighborhood Beautification Grant Project. Applicants receiving such grants are referred to herein as “**Grant Recipients**”.

The Agency, in its sole discretion subject to the terms of this Redevelopment Plan and the Act, may establish additional guidelines or objectives related to the application and administration of the Neighborhood Beautification Grant Project, and allocation of TIF Revenues related thereto, via resolution subsequent to the adoption of this Redevelopment Plan. Specifically, the Agency may adopt a form document for Individual Grant Project(s), which shall act as both the application for the Individual Grant Project and, upon approval by the Agency of an Individual Grant Project, the redevelopment contract as between the Agency and Grant Recipient.

So long as the above actions of the Agency do not conflict with the terms and intent of this Redevelopment Plan, this Redevelopment Plan specifically contemplates and authorizes the same without substantial modification to this Redevelopment Plan, and may be done so administratively. Provided the Individual Grant Project(s) do not constitute a substantial modification of this Redevelopment Plan under the Act, the information and materials submitted therewith shall automatically be incorporated and made a part of this Redevelopment Plan upon the administrative approval of an Individual Grant Project by the Agency.

C. Conformance with the Comprehensive Plan

It is essential to the City’s comprehensive plan that dilapidated, inadequate, or deteriorating portions of the City conform to the current and future needs of the City as it continues to grow and expand. The Highway Improvement Project and Neighborhood Beautification Grant Project will both further the City’s adopted plans and stated goals.

The Highway Improvement Project complies with the City's 2018 Long-Range Transportation Plan ("Transportation Plan"). The Transportation Plan states the City desires to:

- Develop an attractive and efficient transportation network that takes into account the cost of building, operating and maintaining a system that considers the secondary costs associated with all other community values.
- Enhance the existing transportation system to support a thriving sustainable, broad-based economy by locating and using transportation infrastructure and facilities to enhance community development.

Both the Highway Improvement Project and the Neighborhood Beautification Grant Project fit within the "Envision Columbus 2040" plan ("2040 Plan"). Goal 11.0 of the 2040 Plan is "support a healthy community comprised of livable neighborhoods, vibrant economic districts, compatible industrial areas and appealing open spaces." The 2040 Plan aims to "enhance community identity through adherence to and enforcement of specific design standards" and "harmonize relationships between buildings, streets, and open spaces." Additionally, the 2040 Plan seeks to address and improve corridor appearance. The 2040 Plan states, "[t]he community's corridors offer an opportunity to establish a positive first impression of Columbus. The design and appearance of the roadway, as well as the properties that abut it, are of essential importance to enhance community aesthetics and contribute to a quality visual environment."

Highway Improvement Project. The Redevelopment Plan complies with both the Transportation Plan and the 2040 Plan. The Highway Improvement Project will preserve existing infrastructure, while ensuring the continued growth and development of the 23rd Street corridor. Because 23rd Street is a major arterial street, completion of these necessary improvements will further the City's goals of developing an efficient transportation network within the City. The rehabilitation of a major City thoroughfare will promote the continued growth and sustainability of the City's residential and economic districts. The guardrail, bridge and shoulder improvements will contribute to the enhancement of corridor appearance.

Neighborhood Beautification Grant Project. Investing in beautification of the Redevelopment Area furthers the City's goals to create "appealing open spaces" and "vibrant economic districts." The creation of the Neighborhood Beautification Grant Project will enable City residents and business owners to comply with the City's adopted design standards. The Neighborhood Beautification Grant Project will further the City's goal of improving corridor appearance by enhancing community aesthetics in the Redevelopment Area.

Exhibit "C", attached hereto and incorporated herein, shows the future use map (showing the Redevelopment Area and surrounding areas) included within the City's

comprehensive plan. The map sets forth a B-2 (General Commercial) designation for future use of the Redevelopment Area. A change of zoning is not necessary to carry out the Projects. Accordingly, the Projects comply with the City's future use map and comprehensive plan.

D. Existing Conditions in Redevelopment Area

1. Existing Land Use

The Redevelopment Area consists of a mix of commercial parcels, as shown on **Exhibit B**.

2. Existing Zoning

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

3. Existing Public Improvements

There are existing, adequate public improvements and infrastructure serving the Redevelopment Area. However, the public streets, underground utilities and related infrastructure require improvement for continued use and enjoyment of the public.

E. Proposed Redevelopment

1. Public Improvements

The Highway Improvement Project consists of infrastructure improvements and other public improvements. The Agency the Neighborhood Beautification Grant Project will include public improvements consisting of the external refurbishment of existing structures, landscaping installation, façade improvements and other TIF-eligible expenses related to the enhancement of the appearance and upkeep of the Redevelopment Area.

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

The Highway Improvement Project will include street milling and asphalt resurfacing of 23rd Street. The Highway Improvement Project will result in minor impacts to existing public access, traffic flow or street layout in the interest of human health and safety, as shown on the preliminary site plan attached hereto as **Exhibit “D”**. The attached site plan is preliminary in nature and subject to change. Temporary impacts will be mitigated to the extent reasonably

possible. The Agency does not anticipate any such impacts resulting from the Neighborhood Beautification Grant Project.

b. *Construction of Water and Sewer Improvements*

The Agency anticipates the construction and/or rehabilitation of underlying sewer and water infrastructure as part of the Highway Improvement Project. The Agency does not anticipate any such improvements as part of the Neighborhood Beautification Grant Project.

c. *Other incidental improvements*

The Highway Improvement Project will include the completion of needed repairs to bridge structures and the construction of guardrail improvements within the 23rd Street right-of-way. The Neighborhood Beautification Grant Project will assist landowners within the Redevelopment Area with aesthetic enhancements that benefit the Redevelopment Area and City as a whole. These improvements may include, without limitation, the external refurbishment of existing structures, landscaping installation, façade improvements and other TIF-eligible expenses related to the enhancement of the appearance and upkeep of the Redevelopment Area.

d. *Additional public facilities or utilities*

Other than the improvements detailed above, the Agency anticipates that the existing public facilities and utilities can adequately meet the demands of the Projects.

e. *Property Acquisition, Demolition and Disposal*

No public acquisition of private property or relocation of families or businesses by the City or the Agency is necessary to accomplish the Projects. Highway Redeveloper intends to demolish the existing portion (or part thereof) of 23rd Street within the Redevelopment Area to construct the roadway improvements.

f. *Population Density*

The Agency does not anticipate the Projects will impact population density in the Redevelopment Area.

g. *Land Coverage*

The Agency does not anticipate the Projects will not change existing land coverage ratios in the area.

h. *Parking*

The Agency does not anticipate the Projects will impact current parking in the City or include construction of additional parking lots/structures.

g. *Zoning, Building Code and Ordinance*

The Redevelopment Area is zoned as B-2 (General Commercial). The Agency does not anticipate that any zoning changes will be necessary to carry out the Projects.

2. Private Improvements

The Highway Improvement Project does not include any private improvements. Future projects supported by the Neighborhood Beautification Grant Project may consist of private improvements, but such improvements will not be eligible for reimbursement from TIF Revenues. The City will analyze any future private improvements within the Redevelopment Area on an individual basis, in conformance with this Redevelopment Plan.

F. Project Costs

The total estimated cost of the Projects is \$9,379,030.44. A breakdown of the estimated costs of the Highway Improvement Project are listed in **Exhibit "E"**. Highway Redeveloper estimates the Highway Improvement Project will cost approximately \$9,129,030.44. Additionally, the Agency will reserve an amount not to exceed \$250,000 for the Neighborhood Beautification Grant Project for allocation to Grant Recipients in accordance with this Redevelopment Plan.

G. Implementation

Highway Redeveloper intends to commence construction of the Highway Improvement Project in 2022. Highway Redeveloper anticipates completion of the Highway Improvement Project by December 31, 2024, subject to external delays. Implementation of the Neighborhood Beautification Grant Project will be determined in accordance with the availability of TIF Revenues, and the approval of materials for an Individual Grant Project, which shall be incorporated and made a part of this Redevelopment Plan, as set forth in Section II(B).

H. Financing

The City and the Agency contemplate the use of TIF for the 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 defined in 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 area of redevelopment 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 in the area of redevelopment in excess of the Base Tax Amount, if any, (i.e., the 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 Projects, the base tax year in which the Base Tax Amount is determined shall be 2020. The “Effective Date” (as defined in the Act) shall be January 1, 2021. The allocation of TIF Revenues between the Highway Improvement Project and the Neighborhood Beautification Grant Project shall be set forth in a resolution (or resolutions) authorizing the issuance and administration of the same, and the terms of such resolution(s) shall govern. However, the Agency anticipates that all TIF Revenues in a given year will be allocated toward the Highway Improvement Project until such collections exceed the value equal to the Highway Improvement Project’s pro-rata share (97%) of the anticipated TIF Revenues for a given year, as set forth in the amortization table in **Exhibit “F”**. The Agency anticipates that any TIF Revenues exceeding such value in a given year will be allocated on a pro-rata basis, as between the Highway Improvement Project (97%) and the Neighborhood Beautification Grant Project (3%). If, in the discretion of the Agency, any shortfalls exist that threaten the viability or financing of the Highway Improvement Project, the Agency may discontinue the Neighborhood Beautification Grant Project, either temporarily or permanently, and allocate all TIF Revenues toward the Highway Improvement Project.

1. Necessity of TIF

Highway Improvement Project. The Highway Improvement Project is necessary for the continued operation of 23rd Street and is required by the Nebraska Department of Transportation. Without the receipt of TIF, the City would not have adequate funds to cover the costs of the necessary improvements. Accordingly, the Highway Improvement Project is not economically feasible, and would not occur, but-for the assistance of TIF.

Neighborhood Beautification Grant Project. The necessity of TIF for each project will be assessed by the Agency on an individual basis. To be eligible for a grant from the Neighborhood Beautification Grant Project, the applicant must demonstrate that the construction of such improvements is not economically feasible, and would not occur, but-for the assistance of TIF.

2. Sources and Uses of Financing

Based upon the projections in **Exhibit "F"**, attached hereto and incorporated herein, the Agency contemplates issuance of a TIF bond or note in an amount not to exceed \$6,663,837 to cover a portion of the cost of the Highway Improvement Project (the "**Highway TIF Indebtedness**"). The balance of the cost of the Highway Improvement Project will be paid via the allocation of general-use funds collected by the City. As shown on **Exhibit "F"**, the Highway TIF Indebtedness amount does not exceed the anticipated TIF-eligible costs. The TIF Revenues allocated to the Neighborhood Beautification Grant Project, not to exceed \$250,000, will be collected and placed in a special fund by the Agency for distribution via grants. The cost of the Individual Grant Project(s) in excess of the grant of TIF Revenues awarded therefore shall be separately financed, in full, by the Grant Recipient. Further detail and governance related to both the Highway TIF Indebtedness and the grants under the Neighborhood Beautification Grant Project shall be set forth in a resolution (or resolutions) authorizing the issuance and administration of the same, and the terms of such resolution(s) shall govern.

I. Cost-Benefit Analysis

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

Exhibits:

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

EXHIBIT "A"

Redevelopment Area and Existing Use

Legal Description:

North – from the northwest corner Lot 13, Wagners Addition to the northeast corner Lot 2, Block H, Mahood Addition; from said northeast corner to the intersection of the west line Kummer Drive and the north line Kummer Drive; from said intersection to the northwest corner Lot 15, Block E, Mahood Addition; from said northwest corner to the southwest corner Lot 15, Block E, Mahood Addition; from said southwest corner to the southeast corner Lot 9, Block E, Mahood Addition; from said southeast corner to the northwest corner Lot 20, Block K, Mahood Addition; from said northwest corner to the northeast corner Lot 20, Block K, Mahood Addition; from said northeast corner to the northwest corner Lot 10, Block K, North Park 1st Addition; from said northwest corner to the southeast corner Lot 1, Block F, North Park 1st Addition; from said southeast corner to the southwest corner Lot 22, Block A, North Park 1st Addition; from said southwest corner to the southeast corner Lot 22, Block A, North Park 1st Addition; from said southeast corner and on the east line Lot 22, Block A, North Park 1st Addition, 60.00 feet; from said point, 76.75 feet, on a line perpendicular to the east line Lot 22, Block A, North Park 1st Addition to a point; from said point north and parallel to the east line Lot 11, North Park 5th Addition, 84.9 feet to a point; from said point easterly and parallel to the south line Lot 11, North Park 5th Addition, 295.71 feet to a point; from said point north and parallel to the east line Lot 11 North Park 5th Addition, 89.9 feet to a point; from said point east and parallel to the south line Lot 11 North Park 5th Addition to a point on the east line said Lot 11; from said point to the northwest corner Lot 6 N. C. Rogers Subdivision; from said northwest corner to the northeast corner Lot 6, N.C. Rogers Subdivision; from said northeast corner to the northwest corner Lot 19, Block A, Goeckel Addition; from said northwest corner to the southwest corner Lot 19, Goeckel Addition; from said southwest corner to the southwest corner Lot 13, Block A, Goeckel Addition; from said southwest corner to the northwest corner Lot 9, Columbus Industrial Site Subdivision; from said northwest corner to the northeast corner Lot 10, Columbus Industrial Site Subdivision; from said northeast corner to the northeast corner Lot 8, Columbus Industrial Site Subdivision; from said northeast corner to the northwest corner Lot 17, Columbus Industrial Site Subdivision; from said northwest corner to the southwest corner said Lot 17; from said southwest corner to the southeast corner Lot 14, Columbus Industrial Site Subdivision; from said southeast corner and on the extension of the south line said Lot 17 & Lot 14, 60.00 feet to a point on the east line 14th Avenue; from said point southerly and on the east line said 14th Avenue to the north right of way line U.S. Hwy. #30; from said point easterly and on the north right of way line U.S. Hwy. #30 to a point 60.00 feet south of and on the extension of the west line Lot 1, Rose Bud Addition; from said point northerly to the southwest corner Lot 1 Rose Bud Addition; from said southwest corner to the northwest corner Lot 1, Rose Bud Addition; from said northwest corner to the northeast corner Lot 13, Poor Sisters of Saint Francis 1st Addition; from said northeast corner to the intersection of the west line of 7th Avenue and the westerly extension of the north line of 27th Street; from said intersection to the intersection of the easterly extension of the north line of 27th Street and the east line 3rd Avenue; from said intersection to the intersection of the east line 3rd Avenue and the north line of 25th Street; from said intersection to the intersection of the north line 25th Street and the northerly extension of the east line 2nd Avenue; from said intersection to the intersection of the east line 2nd Avenue and the north line 24th Street; from said intersection to the southwest corner Lot 39, Block A, Village 1st Addition; from said southwest corner to the northwest corner Lot 34, Blk. A, Village 1st Addition; from said northwest corner to the northeast corner Lot 34, Blk. A, Village 1st Addition; from said northeast corner to the northwest corner East 5th Avenue; from said northwest corner to the northeast corner East 5th Avenue; from said northeast corner to the northwest corner Lot 9, Blk. A, Village 1st Addition; from said northwest corner to the intersection of the west line East 6th Avenue and the north line Lot 9, Blk. A, Village 1st Addition extended easterly; from said intersection to the intersection of the west line East 6th Avenue and the westerly extension of the north line Wal-Mart 1st Addition; from said intersection to the northwest corner Lot 1, Wal-Mart 1st Addition; from said northwest corner and on the east line East 6th Avenue to the northwest corner Lot 4, Wal-Mart 1st Addition; from said northwest corner to the northeast corner Lot 4, Wal-

Mart 1st Addition; from said northeast corner to the intersection of the southerly extension of the east line Lot 4, Wal-Mart 1st Addition and the westerly extension of the north line Lot 3, Wal-Mart 1st Addition; from said intersection to the northeast corner Lot 3, Wal-Mart 1st Addition; from said northeast corner to the southeast corner Lot 3, Wal-Mart 1st Addition; from said southeast corner to the southwest corner Lot 2, Wal-Mart 1st Addition; from said southwest corner to the northwest corner Lot 2, Wal-Mart 1st Addition; from said northwest corner to the northeast corner Lot 2, Wal-Mart 1st Addition; from said northeast corner to the northeast corner Lot 2, Wal-Mart 1st Addition abutting East 11th Avenue; from said northeast corner east and perpendicular to the west line East 11th Avenue to a point on the east line east 11th Avenue

East – east line East 11th Avenue from a point 124 feet north of 23rd Street to the intersection of the east line East 11th Avenue and the north line 23rd Street; from said intersection to the northwest corner Lot 3, Block B, Sand Subdivision.

South – from the northwest corner Lot 3, Blk. B, Sand Subdivision to the northeast corner Lot 1, Blk. A, Sand Subdivision; from said northeast corner to the northeast corner Lot 3, Blk. A, Sand Subdivision; from said northeast corner to the southeast corner of the North 550 feet Lot 3, Blk. A, Sand Subdivision; from said southeast corner to the southwest corner North 550 feet Lot 3, Blk. A, Sand Subdivision; from said southwest corner to the southeast corner Lot 1, Three-E Realty Addition; from said southeast corner to the southwest corner Lot 4, Three-E Realty Addition; from said southwest corner to the southeast corner Lot 11, Block B, Replat of the Village South Subdivision; from said southeast corner to a point 56.13 feet east of the southwest corner Lot 5, Block B, Replat of Village South Subdivision; from said point, northerly through Lot 5, to a point on the south line 22nd Street, said point being 56 feet east of the northeast corner Lot 5, Blk. B, Replat of the Village South Subdivision; from said point to the intersection of the west line East 3rd Avenue and the south line 22nd Street; from said intersection to a point 46.91 feet south of said intersection; from said point west and parallel to the north line Lot 2, Block B, Replat Village South Subdivision, 293.84 feet; from said point north and parallel to the west line Village South Subdivision to a point on the north line Lot 2, Block B, Village South Subdivision; from said point to the northwest corner Lot 2, Block B, Village South Subdivision; from said northwest corner to the intersection of the southerly extension of the west line Village South Subdivision and the north line North Calle Columbo; from said intersection to the intersection of the north line North Calle Columbo and the east line 3rd Avenue; from said intersection to the intersection of the east line 3rd Avenue and the easterly extension of the south line of the north 230 feet Lot 2, Block B, Replat of north 580 feet of Replat Morningside Subdivision; from said intersection to the southwest corner of the north 230 feet of Lot 2, Block B, Replat north 580 feet of Replat Morningside Subdivision; from said southwest corner to the northwest corner Block A, Replat of north 580 feet of Replat of Morningside Subdivision; from said northwest corner to the northwest corner Lot 1 Block 5, Columbus Industrial Site Subdivision; from said northwest corner to the intersection of the east line 16th Avenue and the south line 23rd Street; from said intersection to the intersection of the east line 16th Avenue and the easterly extension of the south line Behlen Street; from said intersection to the intersection of the westerly extension of the south line Behlen Street and the west line 18th Avenue; from said intersection to the northeast corner of the south 82.5 feet of the south 165 feet Lot 1, Block C, Goeckel Addition; from said northeast corner to the northwest corner of the south 82.5 feet of the south 165 feet Lot 1, Block C, Goeckel Addition; from said northwest corner to the northeast corner Lot 5, Block C, East Park 3rd Addition; from said northeast corner to the northeast corner Lot 6, Block C, East Park 3rd Addition; from said northeast corner to the northeast corner Lot 19, Block B, East Park 2nd Addition; from said northeast corner to the southeast corner Lot 19, Block B, East Park 2nd Addition; from said southeast corner to the southwest corner of north half of vacated 22nd Street; from said southwest corner to the intersection of the east line 22nd Avenue and the easterly extension of the south line 22nd Street; from said intersection to the northwest corner Lot 5, Block 3, Pearsall's 2nd Addition; from said northwest corner to the northwest corner Lot 6, Block 3, Pearsall's 2nd Addition; from said northwest corner to the northwest corner Lot 10, Block 4, Pearsall's 2nd Addition; from said northwest corner to the southwest corner Lot 9, Block 4, Pearsall's 2nd Addition; from said southwest corner to the northeast corner Lot 18, Block 6, Evanlawn Addition; from said northeast corner to the northeast

corner Lot 1, Blk. 6, Evanlawn Addition; from said northeast corner to the intersection of the south line 22nd Street and the east line 33rd Avenue

West – east line 33rd Avenue from the intersection of the south line 22nd street and the east line 33rd Avenue to the northwest corner Lot 13, Wagners Addition

Depiction of Redevelopment Area (outlined in black):

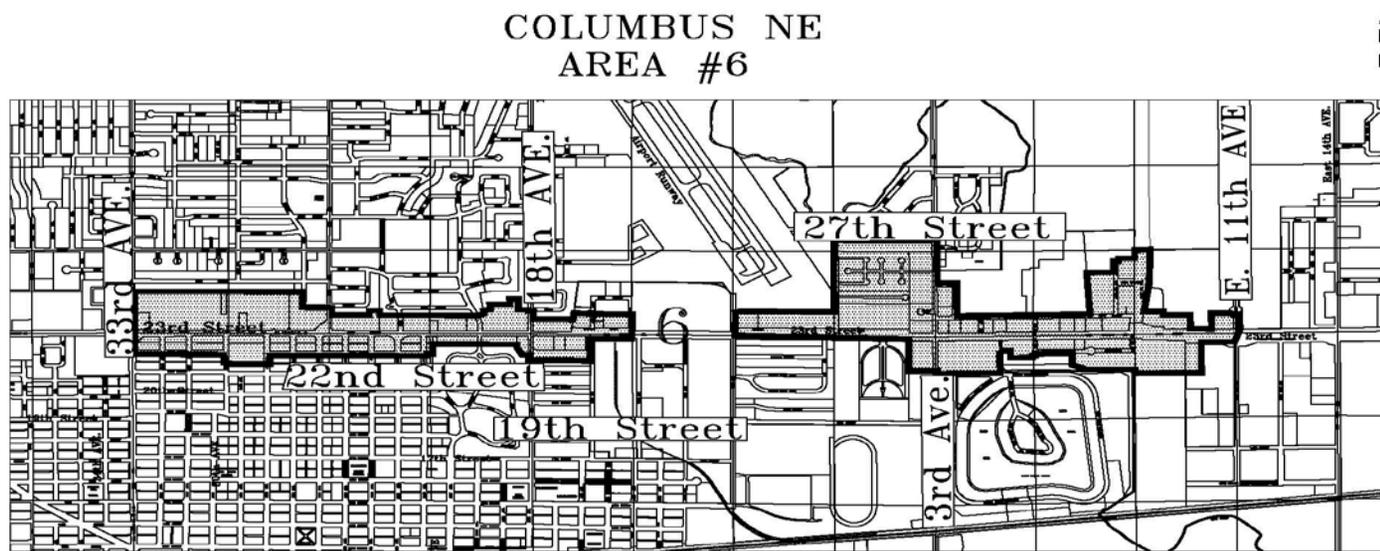


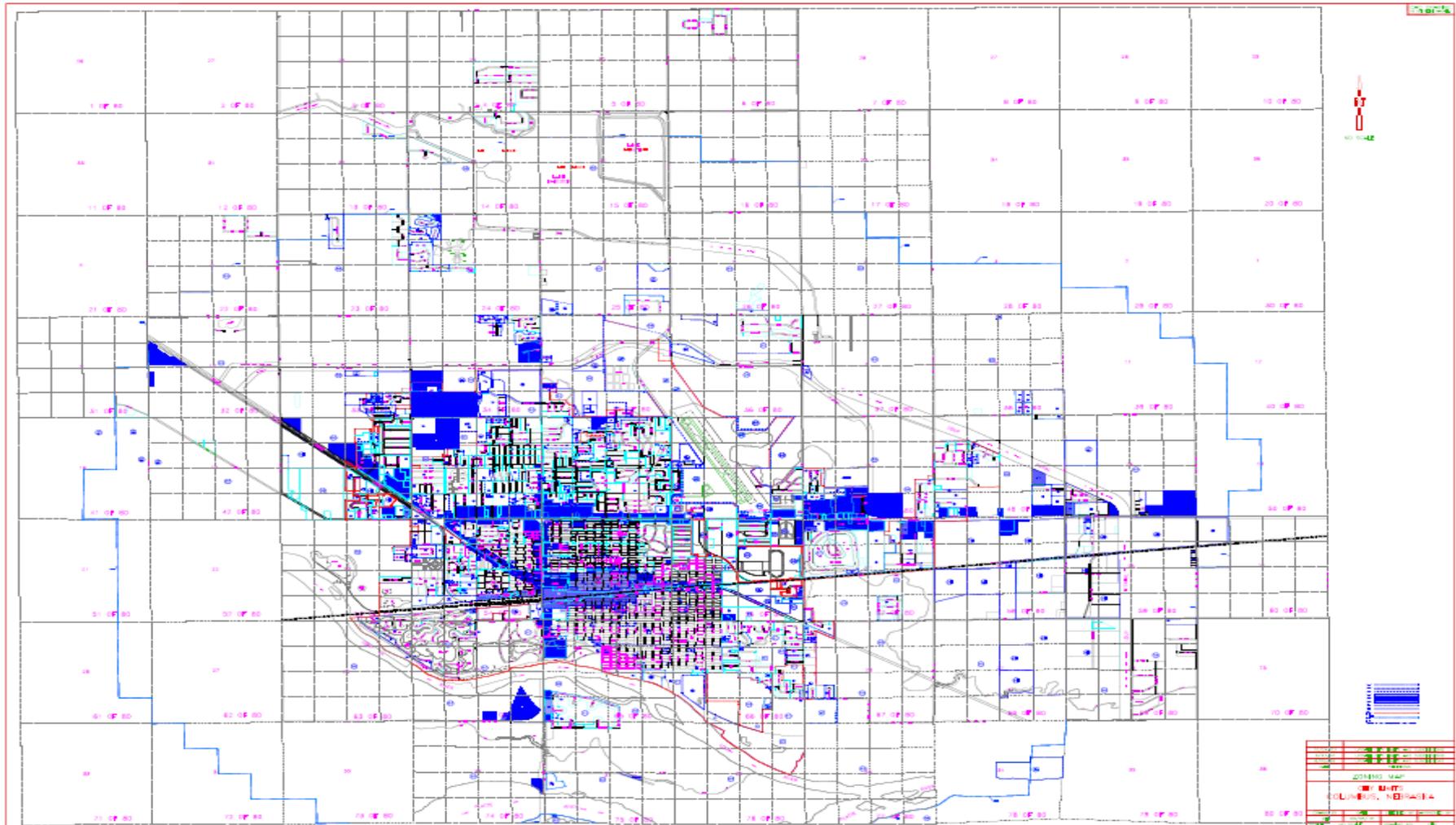
Exhibit "A"

Existing Conditions of Redevelopment Area and Surrounding Area:



Exhibit "A"

EXHIBIT "B"
Current Land Use Map

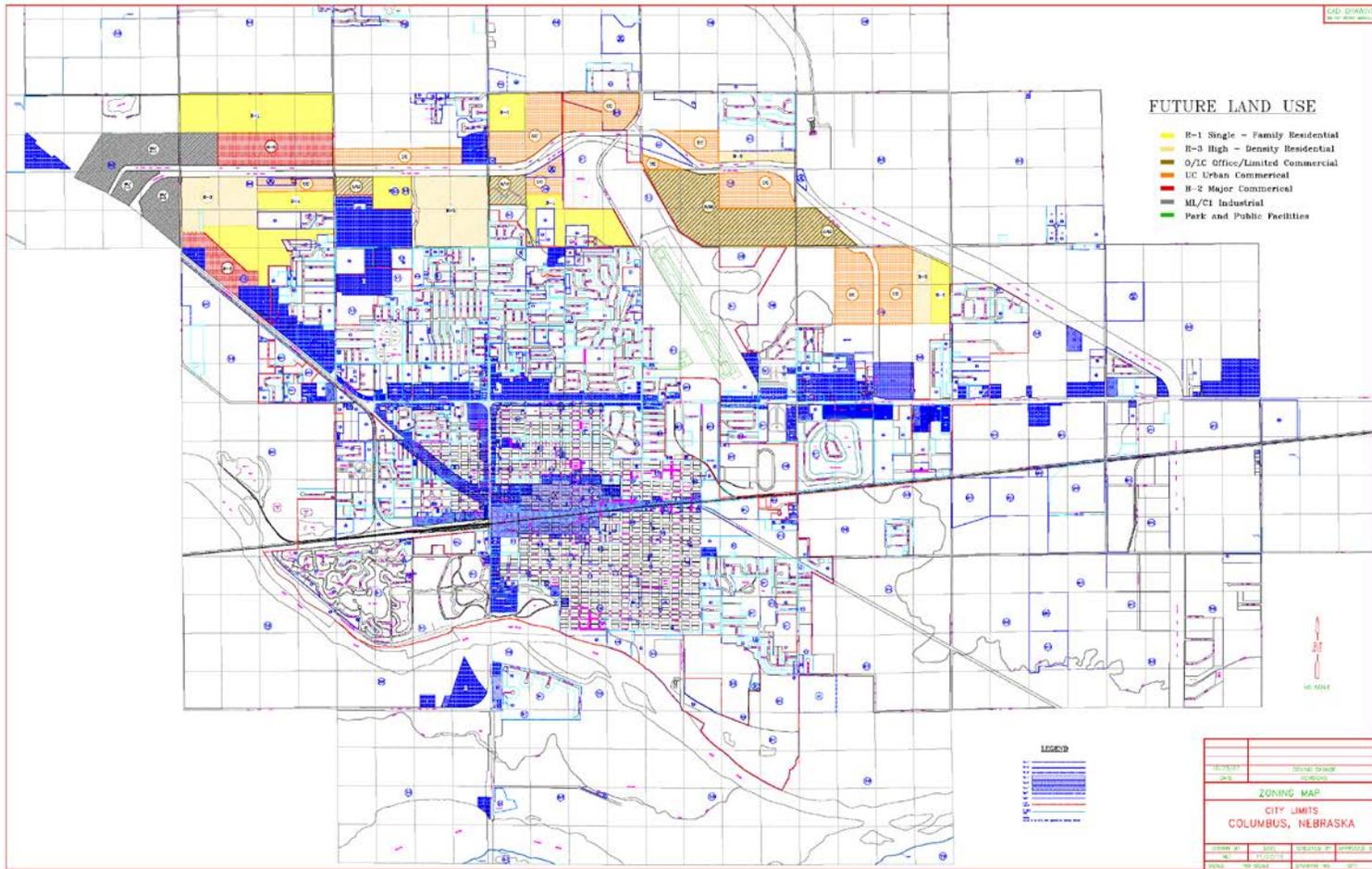


* A legible version of the above Current Land Use Map is available at the office of the City Clerk.

Exhibit "B"

EXHIBIT "C"

Future Land Use Map



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

Exhibit "C"

EXHIBIT "D"

Site Plan

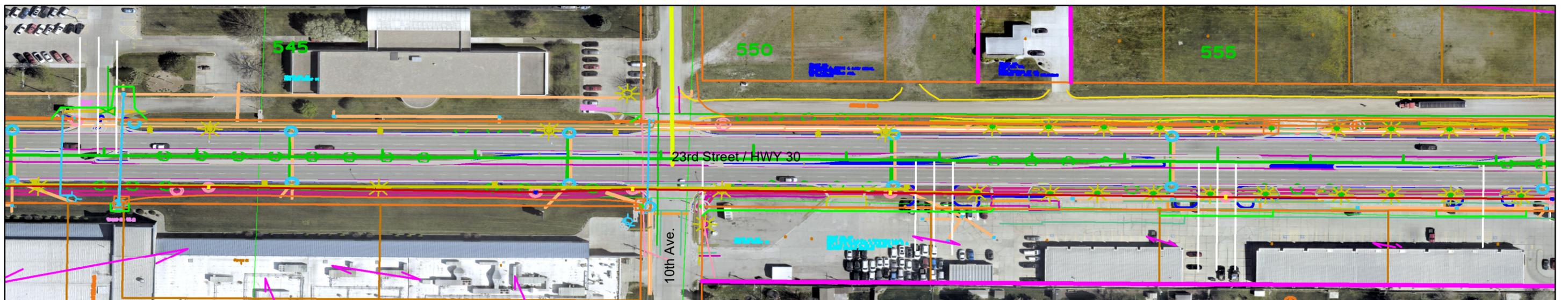
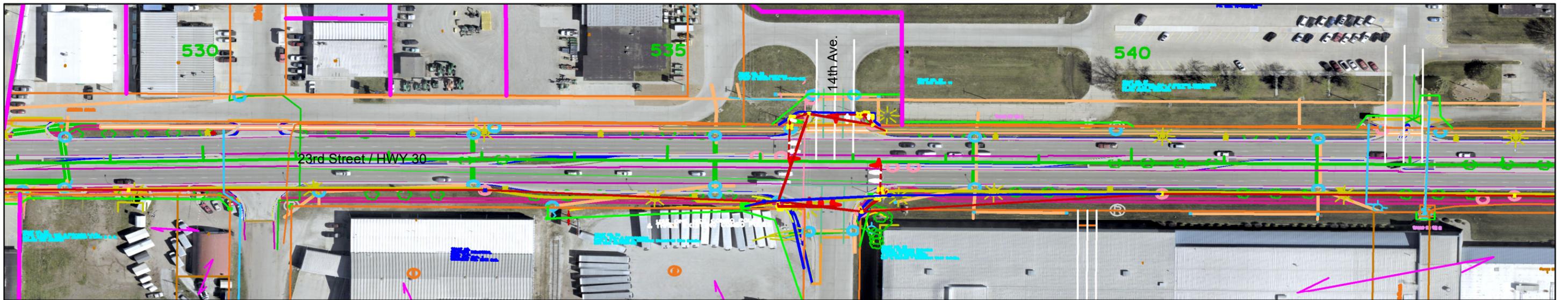
- * The attached depiction is preliminary in nature and subject to change.
- ** Site plans for the Neighborhood Beautification Grant Project will be incorporated via the submission and approval of materials for an Individual Grant Project, as set forth in Section II(B) of the Redevelopment Plan.

23RD STREET RECONSTRUCTION

EXHIBIT D

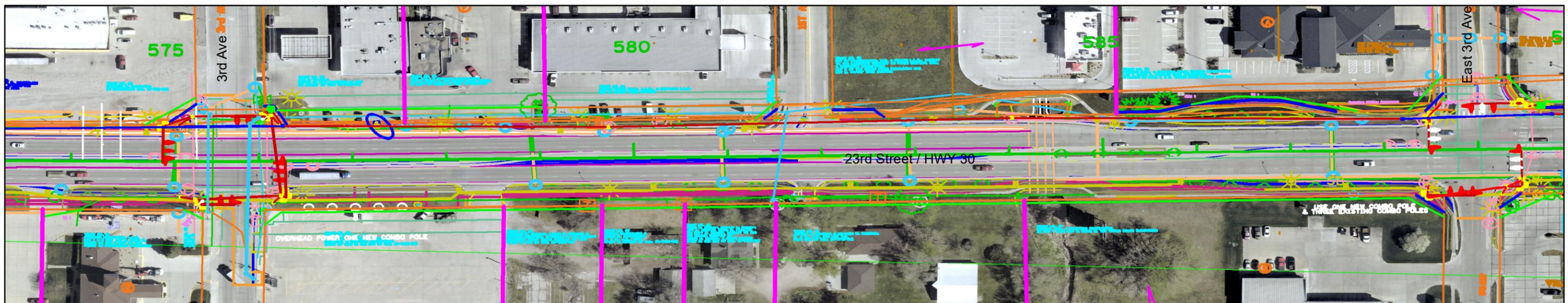
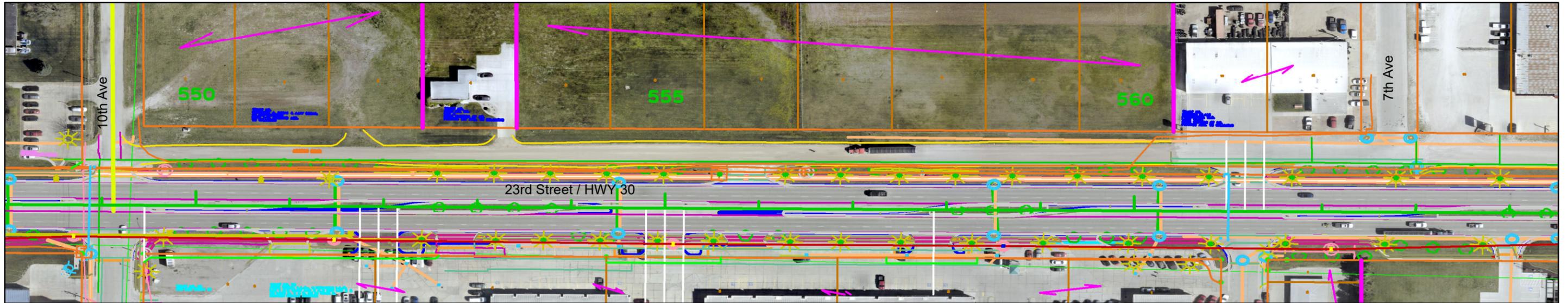


23RD STREET RECONSTRUCTION



23RD STREET RECONSTRUCTION

EXHIBIT D



23RD STREET RECONSTRUCTION

EXHIBIT D

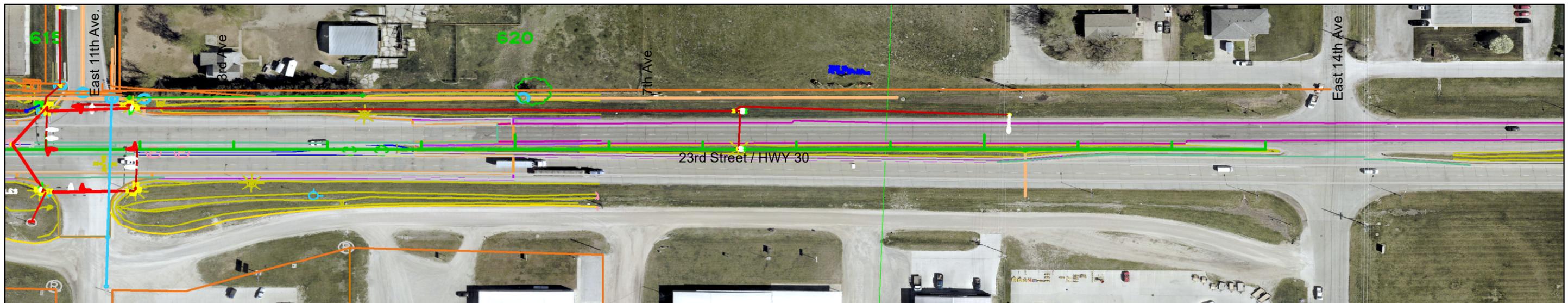
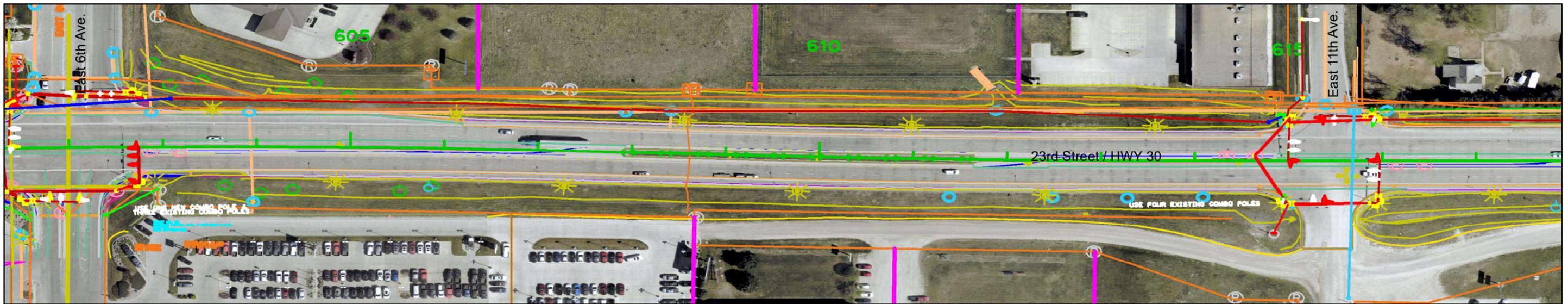
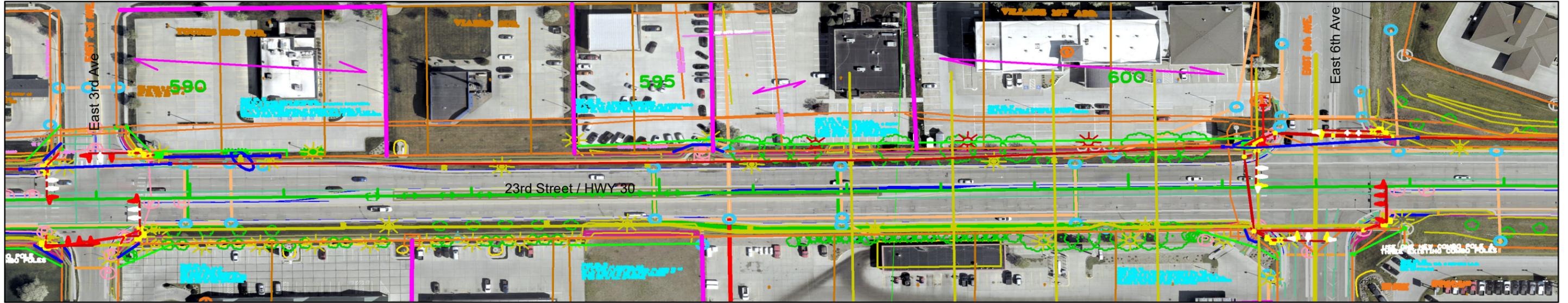


EXHIBIT "E"

Estimate of Construction Costs

1. Highway Improvement Project

City's Betterment

Streetscape	\$590,000.00
Water Main	\$1,409,371.00
Sanitary Sewer	\$1,270,025.00
Lump Sum for Colored Concrete	\$10,000.00
Grading for side street paving	\$17,466.00
Additional side street paving	\$174,926.00
<u>Construction Engineering (items 4-6)</u>	<u>\$10,119.60</u>
TOTAL	\$3,481,907.60

23rd Street Non-Betterment (City's 20% Share)

Preliminary Engineering	\$213,239.50
Right of Way	\$446,600.00
Utilities	\$126,412.00
Construction	\$4,264,790.00
<u>Construction Engineering</u>	<u>\$213,239.50</u>
TOTAL	\$5,264,281.00

Construction Engineering Services	\$130,000.00
City Legal Fees	\$15,000
<u>City's Share Design Engineer Services</u>	<u>\$237,841.84</u>
Total	\$9,129,030.44

2. Neighborhood Beautification Grant Project

Beautification Improvements	\$250,000
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Total Cost of Construction: \$9,379,030.44

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

EXHIBIT "F"

Sources and Uses of TIF

SOURCES

Assumptions:

Base Tax Amount of Redevelopment Area	\$110,846,460
Post-Redevelopment Valuation	\$143,816,467
Tax Levy	2.0
Annual Increase to Assessed Valuation	2.25%*

* Based on the 4-year historical average

Amortization:

Capture Year	Calendar Year	Assessed Property Value	Property Tax % Increase	Projected Increment
1	2021	\$113,358,910	2.25%	\$49,889
2	2022	\$115,909,486	2.25%	\$100,901
3	2023	\$118,517,449	2.25%	\$153,060
4	2024	\$121,184,092	2.25%	\$206,393
5	2025	\$123,910,734	2.25%	\$260,925
6	2026	\$126,698,725	2.25%	\$316,685
7	2027	\$129,549,447	2.25%	\$373,700
8	2028	\$132,464,309	2.25%	\$431,997
9	2029	\$135,444,756	2.25%	\$491,606
10	2030	\$138,492,263	2.25%	\$552,556
11	2031	\$141,608,339	2.25%	\$614,878
12	2032	\$144,794,527	2.25%	\$678,601
13	2033	\$148,052,404	2.25%	\$743,759
14	2034	\$151,383,583	2.25%	\$810,382
15	2035	\$154,789,713	2.25%	\$878,505
		TOTAL:		\$6,663,837

USES

Highway Improvement Project

City's Betterment

Streetscape	\$590,000.00
Water Main	\$1,409,371.00
Sanitary Sewer	\$1,270,025.00
Lump Sum for Colored Concrete	\$10,000.00
Grading for side street paving	\$17,466.00
Additional side street paving	\$174,926.00
Construction Engineering (items 4-6)	\$10,119.60

23rd Street Non-Betterment (City's 20% Share)

Preliminary Engineering	\$213,239.50
Right of Way	\$446,600
Utilities	\$126,412
Construction	\$4,264,790
Construction Engineering	\$213,239.50

Construction Engineering Services	\$130,000
City's Share Design Engineer Services	\$237,841.84

Neighborhood Beautification Redevelopment Program

<u>Façade and Landscaping</u>	<u>\$250,000</u>
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Total: \$9,379,030.44

* The above "sources" and "uses" are estimates based upon the assumptions of the Agency and Highway Redeveloper and are subject to change.

EXHIBIT "G"

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

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

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

The taxes generated by the base value of the Redevelopment Area will continue to be allocated between the relevant taxing jurisdictions pursuant to the Act. Only the incremental taxes created by the Redevelopment Area will be captured to pay for the Projects' eligible expenditures. For the purposes of illustrating the incremental taxes used for TIF, the estimated 15 year tax shift for the Projects is set forth under the "Assumptions" in Exhibit E of the Redevelopment Plan.

Notes:

The Base Tax Amount provided above is based upon the assessed value of the Redevelopment Area in 2020.

The projected TIF Revenues are based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount.

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

a. Public Infrastructure Improvements and Impacts:

Highway Redeveloper will demolish and replace the portion of 23rd Street in the Redevelopment Area. The proposed improvements include milling and resurfacing the existing roadway and adjacent shoulders with asphalt, the repair of highway bridge structures, highway guardrail improvements, the construction and/or rehabilitation of underlying sewer and water infrastructure, and such other work detailed in Exhibit "E" of the Redevelopment Plan. The improved roadway conditions will positively impact City residents as well as visitors and nonresidents that travel through the City.

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

Without the use of TIF, the Highway Improvement Project could only be paid for via an increase of taxes and assessments passed through to the residents of the City. Accordingly, the use of TIF for the Highway Improvement Project should provide tax relief for residents. Additionally, the Agency and City anticipate that the static property tax amounts received by the taxing jurisdictions during the TIF period for the Projects will be adequate to fund city services associated therewith. Accordingly, it is not anticipated that the Projects will have a material adverse impact on the City or City services.

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

The Projects should not adversely impact employers or employees within the Redevelopment Area. Employers and employees should benefit from the improved road conditions and corridor appearance. To the extent reasonably possible, Highway Redeveloper will mitigate temporary impacts to businesses during construction of the Highway Improvement Project.

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

The Highway Improvement Project will provide needed infrastructure improvements, which will benefit employers, employees, and the City in general. Such improvements should not have a negative impact on local employers or employees.

Beautification and other aesthetic improvements via the Neighborhood Beautification Grant Project should increase the City's attractiveness and encourage further economic development and growth, benefiting both businesses within and outside of the Redevelopment Area. The proposed beautification of the Redevelopment Area will not negatively impact employers or employees within the City.

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

The Projects will not impact student populations of school districts within the City. The school district is aware that the Projects will result in static property tax revenues for up to 15 years but have not presented any opposition to the Agency regarding the same.

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

The Redevelopment Area is blighted and contains substandard conditions that are a detriment to the City as a whole. The Highway Improvement Project will provide needed public improvements and infrastructure to an important City arterial. The Neighborhood Beautification Grant Project will provide incentives to enhance corridor appearance and further beautify the City. There are no other material impacts determined by the City or Agency relevant to the consideration of the cost or benefits arising from the Highway Improvement Project or the Neighborhood Beautification Grant Project. As such, the benefits of the Highway Improvement Project and Neighborhood Beautification Grant Project outweigh the costs.

7. Adjournment