

Planning Commission
Monday, February 14, 2022 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

Neb. Rev. Stat. § 84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

Neb. Rev. Stat. § 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.

Neb. Rev. Stat. § 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; and

(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) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

Neb. Rev. Stat. § 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.

Neb. Rev. Stat. § 84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual meetings 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) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority;

(xiii) A natural resources district; and

(xiv) The Judicial Resources Commission.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as

would be provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. 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, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. 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 virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing.

(3) Virtual conferencing, 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 virtual conferencing. 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 to appear before the public body by means of virtual conferencing.

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in Open Meetings Act

number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

Neb. Rev. Stat. § 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, a 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, including meetings held by virtual conferencing. 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 shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(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 virtual conferencing available at an in-state 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; and

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

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, 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, either in paper or electronic form. 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.

Neb. Rev. Stat. § 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.

(7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public web site the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the web site at least twenty-four hours before the meeting of

the governing body. Minutes shall be placed on the web site at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public web site for at least six months.

Neb. Rev. Stat. § 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.

Neb. Rev. Stat. § 84-1415. Open Meetings Act; requirements; waiver; validity of action.

No motion, resolution, rule, regulation, ordinance, or formal action made, adopted, passed, or taken at a meeting as defined in section 84-1409 of a public body as defined in such section shall be invalidated because such motion, resolution, rule, regulation, ordinance, or formal action was made, adopted, passed, or taken at a meeting or meetings on or after March 17, 2020, and on or before April 30, 2021, pursuant to a Governor's Executive Order which waived certain requirements of the Open Meetings Act.

2. Minutes of January 10, 2022, meeting.

PLANNING COMMISSION

January 10, 2022

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on January 10, 2022, 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 on December 30, 2021, 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:** Vice Chair Mueller announced that a copy of the Open Meetings Act is available at this meeting. Present were Members Steve Anderson, Colleen Bray, Bob Elsasser, Melissa Goc, Kim Hoefler, Tom Lange, Josh Mueller, and Tom Pillen. Member Fernando Lopez, Jr. was absent and excused. City staff members included City Attorney Gene Schumacher, Community Development Director Dan Curtis, and Assistant City Clerk Robin Efta.
2. **Minutes of December 13, 2021, meeting:** The minutes were approved as presented with a motion by Elsasser and a second by Anderson. Anderson, Bray, Elsasser, Goc, Hoefler, Lange, Mueller, and Pillen voted "Aye" and none voted "Nay". Lopez was absent.
3. **Public hearing - Application of MC Hanson Properties, LLC to rezone property located at 1409 4 Street from "R-2" (Two-Family Residential District) to "R-3" (Multiple-Family Residential District) and amend the Future Land Use Map of the Comprehensive Plan:** Clark Grant, attorney on behalf of the applicant, explained that this request for "R-3" zoning would allow the coverage of the lot to be fifty percent for the construction of a two unit townhome, the applicant would accept an "R-3" zone with conditions, and no objections have been received. No public testimony was heard. The public hearing closed with a motion by Anderson and a second by Elsasser. Anderson, Bray, Elsasser, Goc, Hoefler, Lange, Mueller, and Pillen voted "Aye" and none voted "Nay". Lopez was absent. A recommendation was made with a motion by Anderson and a second by Bray to approve the rezoning application of MC Hanson Properties, LLC to "R-3" zoning with the condition that it be limited to two-family townhome, duplex, or any other usage allowed in an "R-2" zone and amend the Future Land Use Map. Anderson, Bray, Elsasser, Goc, Hoefler, Lange, Mueller, and Pillen voted "Aye" and none voted "Nay". Lopez was absent.
4. **Building report for December 2021:** The building report was approved as presented with a motion by Elsasser and a second by Lange. Bray, Elsasser, Goc, Hoefler, Lange, Mueller, Pillen, and Anderson voted "Aye" and none voted "Nay". Lopez was absent.
5. **Adjournment:** The meeting adjourned at 7:16 p.m.

OFFICE OF THE CITY CLERK

: Robin Efta

- 3. Public hearing - Application of Scott Zegar for preliminary plat of S&S Homes Subdivision (southwest of intersection of 41 Street and 48 Avenue).**

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

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 14, 2022, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the preliminary plat of S&S Homes Subdivision, Lot 16, Block B, Tallgrass Addition to the City of Columbus, Platte County, Nebraska (southwest of intersection of 41 Street and 48 Avenue) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 02:03:22
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: February 10, 2022
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: S&S Subdivision – Preliminary & Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of S&S Subdivision. The plats are consistent and amendable with the adjacent land use consisting of residential development and are in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The addition consists of 4 residential lots located southwest of the intersection of 41st Street and 48th Avenue. There is an existing residence in Lot 1. The property is currently within the corporate limits. Water, sanitary sewer, and storm sewer mains are in place and service lines are part of the residential work.

FISCAL IMPACT:

Minor.

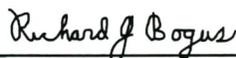
ALTERNATIVE:

Do not approve.

CONCURRENCE:

By: 

SIGNATURE:

By: 

Approved By: _____

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
PRELIMINARY PLAT / FINAL
(CIRCLE ONE)**

DATE: December 22, 2021

NAME OF SUBDIVISION: S&S Homes Subdivision

NAME OF PROPERTY OWNER: Scott Zegar

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Scott Zegar

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 3050 33rd Ave, Suite 10, Columbus, NE 68601

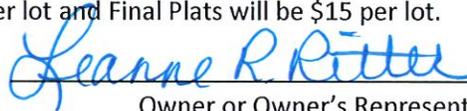
PHONE NUMBER: 402-606-3117

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: szegar@hotmail.com

NUMBER OF LOTS IN SUBDIVISION: 4

ADDRESS OF SUBDIVISION: intersection of 41st St and 48th Ave to the SW

I hereby apply for a Major Subdivision / Addition and have paid \$300.00 application fee plus additional lot review fees - Preliminary Plats will be \$20 per lot and Final Plats will be \$15 per lot.



Owner or Owner's Representative

Clark Grant

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney

Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com



Drawn By: LRR
 Date: November 18, 2021
 Project Number: S-071-133
 Scale: 1" = 20'



LEGEND

- Property Corner Found
- Property Corner Set (5/8" x 24" I.B. w/Cap)
- M Measured Distance
- R Recorded Distance (CRF) Clyde R. Flowers, Jr., RLS #357, Dated February 3, 1999

Situation Sketch

R-1-W



SECTION 11

Platte County, Nebraska

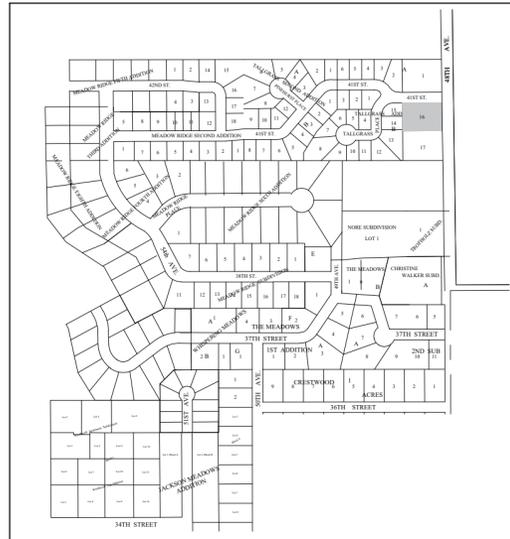
ZONING
 Existing Zone: R1
 Proposed Zone: R1

- 20' Front and Street Side Setbacks
- 7' Interior Side Setbacks
- 25' Rear Setbacks

OWNER:
 S&S Homes Inc.
 c/o Scott Zegar
 3050 33rd Avenue, Suite 10
 Columbus, NE 68601

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

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



City of Columbus,
 Platte County, Nebraska

This survey was prepared at the request of Scott Zegar, Columbus, Nebraska.

LEGAL DESCRIPTION
 Lot 16, Block B, Tallgrass Addition to the City of Columbus, Platte County, Nebraska.

SURVEYOR'S CERTIFICATE
 I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me or under my direct supervision on November 17, 2021; also that all dimensions are in feet and are correct to the best of my knowledge and belief.



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

COLUMBUS, NEBRASKA PLANNING COMMISSION
 This Preliminary Plat of S&S HOMES SUBDIVISION to the City of Columbus, Nebraska

approved by the Planning Commission on this _____ day of _____, 2022.

Chairman _____

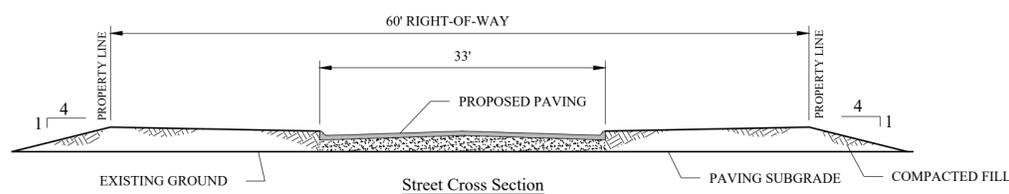
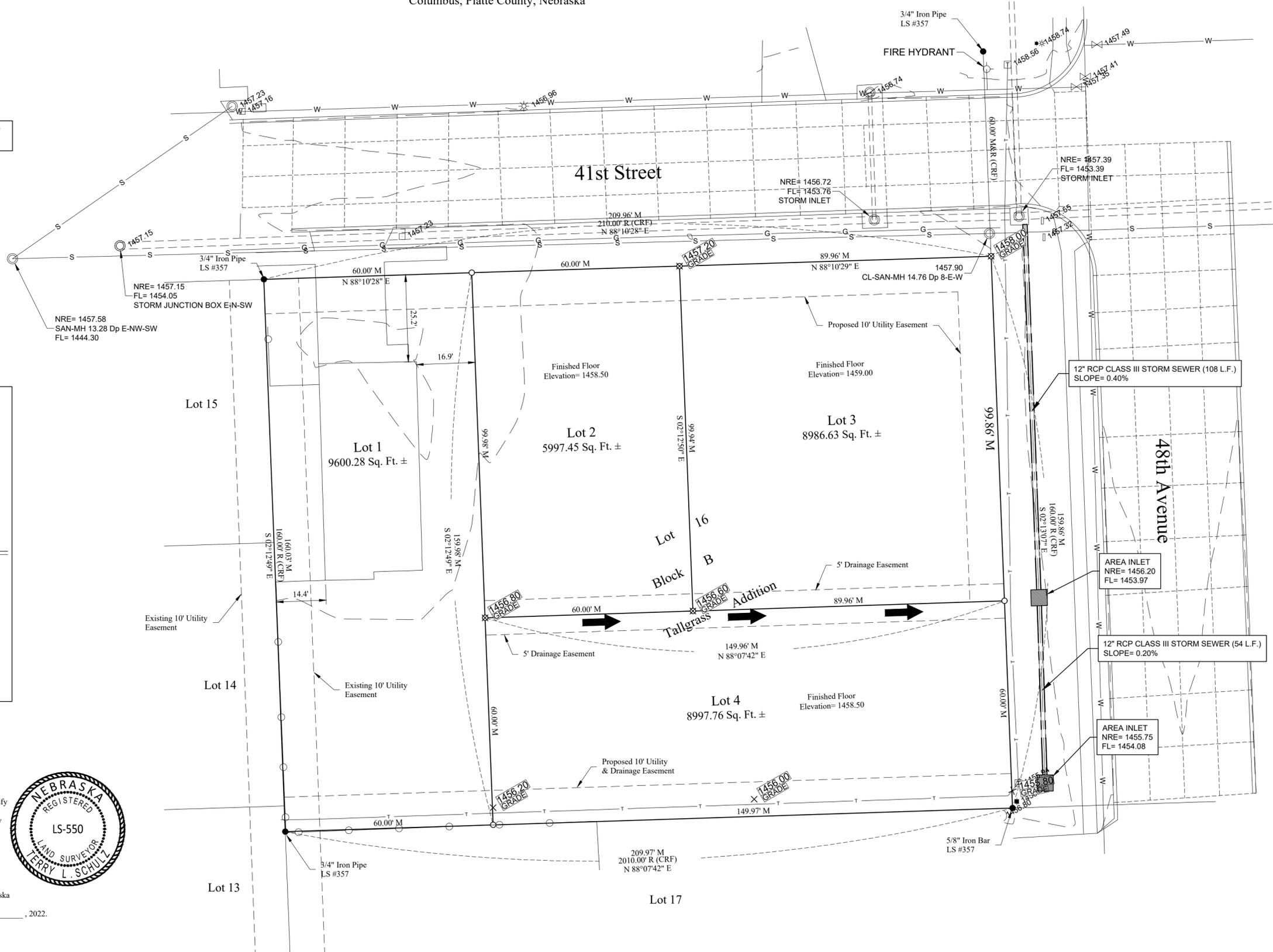
COLUMBUS, NEBRASKA CITY COUNCIL
 This Preliminary Plat of S&S HOMES SUBDIVISION to the City of Columbus, Nebraska

approved by the City Council on this _____ day of _____, 2022.

Mayor _____

City Clerk _____

Preliminary Plat
S&S HOMES SUBDIVISION
 A Subdivision of Lot 16, Block B, Tallgrass Addition to the City of
 Columbus, Platte County, Nebraska



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

4. **Public hearing - Application of Scott Zegar for final plat and development agreement of S&S Homes Subdivision (southwest of intersection of 41 Street and 48 Avenue).**

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

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 14, 2022, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the final plat and development agreement of S&S Homes Subdivision, Lot 16, Block B, Tallgrass Addition to the City of Columbus, Platte County, Nebraska (southwest of intersection of 41 Street and 48 Avenue) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 02:03:22
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: February 10, 2022
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: S&S Subdivision – Preliminary & Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of S&S Subdivision. The plats are consistent and amendable with the adjacent land use consisting of residential development and are in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The addition consists of 4 residential lots located southwest of the intersection of 41st Street and 48th Avenue. There is an existing residence in Lot 1. The property is currently within the corporate limits. Water, sanitary sewer, and storm sewer mains are in place and service lines are part of the residential work.

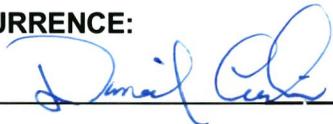
FISCAL IMPACT:

Minor.

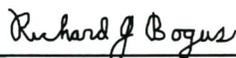
ALTERNATIVE:

Do not approve.

CONCURRENCE:

By: 

SIGNATURE:

By: 

Approved By: _____

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
PRELIMINARY PLAT / FINAL**

(CIRCLE ONE)

DATE: December 22, 2021

NAME OF SUBDIVISION: S&S Homes Subdivision

NAME OF PROPERTY OWNER: Scott Zegar

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Scott Zegar

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 3050 33rd Ave, Suite 10, Columbus, NE 68601

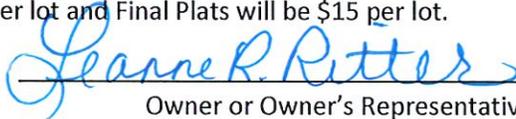
PHONE NUMBER: 402-606-3117

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: szegar@hotmail.com

NUMBER OF LOTS IN SUBDIVISION: 4

ADDRESS OF SUBDIVISION: intersection of 41st St and 48th Ave to the SW

I hereby apply for a Major Subdivision / Addition and have paid \$300.00 application fee plus additional lot review fees - Preliminary Plats will be \$20 per lot and Final Plats will be \$15 per lot.



Owner or Owner's Representative

Clark Grant

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney

Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com



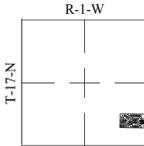
Drawn By: LRR
Date: November 18, 2021
Project Number: S-071-133
Scale: 1" = 20'



LEGEND

- Property Corner Found
- Property Corner Set (5/8" x 24" I.B. w/Cap)
- M Measured Distance
- R Recorded Distance (CRF) Clyde R. Flowers, Jr., RLS #357, Dated February 3, 1999

Situation Sketch



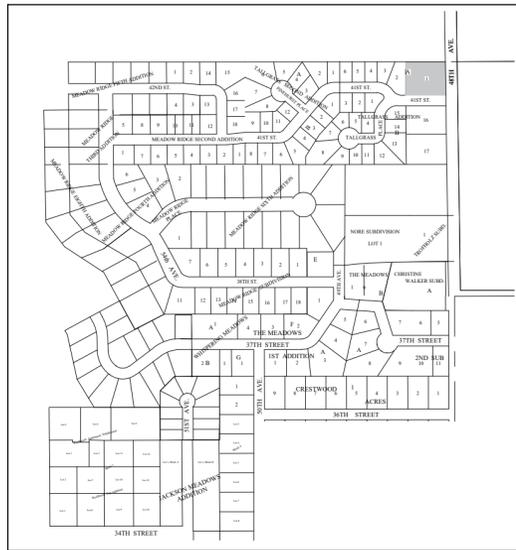
SECTION 11
Platte County, Nebraska

- 20' Front and Street Side Setbacks
- 7' Interior Side Setbacks
- 25' Rear Setbacks

OWNER:
S&S Homes Inc.
c/o Scott Zegar
3050 33rd Avenue, Suite 10
Columbus, NE 68601

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

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



City of Columbus,
Platte County, Nebraska

This survey was prepared at the request of Scott Zegar, Columbus, Nebraska.

LEGAL DESCRIPTION

Lot 16, Block B, Tallgrass Addition to the City of Columbus, Platte County, Nebraska.

SURVEYOR'S CERTIFICATE

I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me or under my direct supervision on November 17, 2021; also that all dimensions are in feet and are correct to the best of my knowledge and belief.

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

Date _____



COLUMBUS, NEBRASKA SCHOOL BOARD

This Final Plat of S&S HOMES SUBDIVISION to the City of Columbus, Nebraska, is approved by

the Columbus Public Schools on this _____ day of _____, 2022.

DEDICATION

We, Zegar Investment Properties, LLC, a Nebraska Limited Liability Company, owners of the described property, S&S HOMES SUBDIVISION, hereby dedicate the streets, avenues, roads and public grounds designated upon and referred to in this Plat to the use and benefit of the public and provide all easements shown on this Plat for drainage facilities, public utilities, signs and right-of-way. We hereby make said tract of land, so shown on the above Plat, a part of the City of Columbus, Platte County, Nebraska. Said tract of land shall hereinafter be known as S&S HOMES SUBDIVISION a subdivision of Lot 16, Block B, Tallgrass Addition to the City of Columbus, Platte County, Nebraska.

Zegar Investment Properties, LLC,
a Limited Liability Company

STATE OF NEBRASKA) ss
COUNTY OF PLATTE)

On this _____ day of _____, 2022, before me, the undersigned, a Notary Public, duly commissioned

and qualified in and for said County and State, appeared _____, member of Zegar Investment Properties, LLC, a Nebraska Limited Liability Company, to be personally known to be the identical persons who executed the foregoing instrument and acknowledged the signing thereof to be their voluntary act and deed.

Witness my hand and official seal on the date last written.

My Commission expires: _____

Notary Public

COLUMBUS NEBRASKA PLANNING COMMISSION

This Final Plat of S&S HOMES SUBDIVISION to the City of Columbus, Nebraska, approved by

the Planning Commission this _____ day of _____, 2022.

Chairman

COLUMBUS NEBRASKA CITY COUNCIL

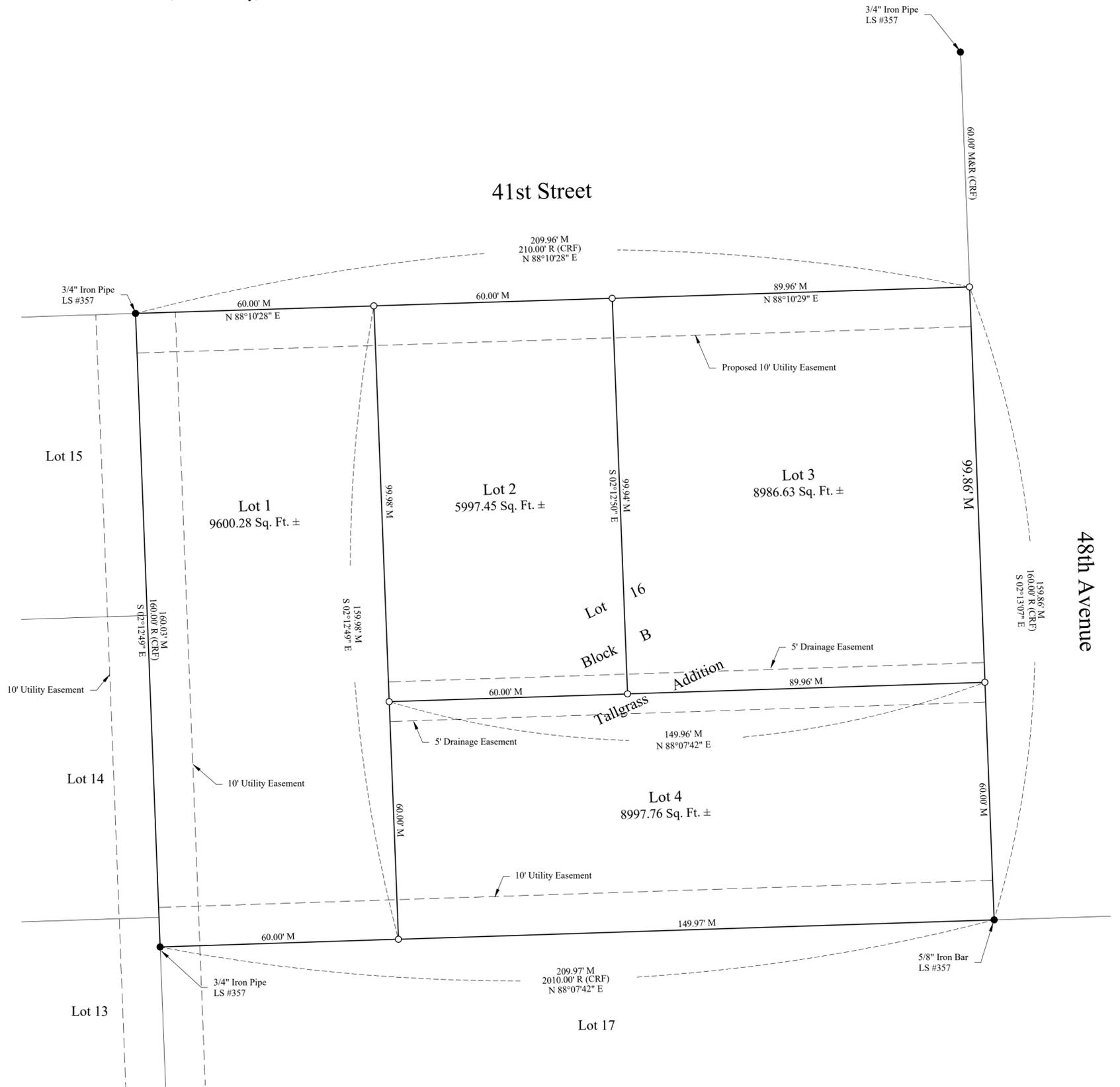
This Final Plat of S&S HOMES SUBDIVISION to the City of Columbus, Nebraska, approved by

Resolution _____ by the City Council this _____ day of _____, 2022.

Mayor

City Clerk

Final Plat
S&S HOMES SUBDIVISION
A Subdivision of Lot 16, Block B, Tallgrass Addition to the City of
Columbus, Platte County, Nebraska



Please return to:
Clark J. Grant #18570
1464 27th Ave.
Columbus, NE 68601
(402)564-3274

S&S HOMES SUBDIVISION
DEVELOPMENT AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 202__, by and between ZEGAR INVESTMENT PROPERTIES, LLC, (hereinafter referred to as "Subdivider") and the CITY OF COLUMBUS, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City")

WITNESSETH

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as S&S Homes Subdivision, a Subdivision of Lot 16, Tallgrass Addition to the City of Columbus, Platte County, Nebraska, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; and,

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

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

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

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

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

"Property benefited" shall mean property within the Area to be Developed (Exhibit "A"), which will comprise .77 acres of property.

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

SECTION I

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

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

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

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

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

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

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

G. Subdivider will arrange for underground electrical service to each buildable lot within the Area to be Developed to be provided by Loup Power District at no cost to the City. If

any relocation or adjusting of existing electrical mains are required, the costs shall be borne by the Subdivider.

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

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

J. Grading for the Area to be Developed shall be completed by the Subdivider at the Subdivider's expense pursuant to the drainage and grading plan elevations to be provided by Advanced Consulting Engineering Services and submitted with the Final Plat. Post construction storm water management systems shall be installed, maintained, and fully functional in accordance with the City of Columbus Code of Ordinances, Chapter 53, at Subdivider's expense. Subdivider agrees to obtain a Nebraska Department of Environmental Quality, National Pollutant Discharge Elimination System, Construction Storm Water Notice of Intent (NOI), including the Storm Water Pollution Prevention Plan (SWPPP), prior to disturbing more than one acre. The Subdivider shall provide a copy of the NOI and SWPPP, name and contact information of the certified person/firm providing the inspections to the City as part of the City's Municipal Storm Sewer Separation System requirements. If less than one acre is disturbed, the Subdivider shall complete a small lot NOI SWPPP.

K. There shall be no access to Lot 3 of the Subdivision from 48th avenue. The driveway for Lot 3 shall be toward the West end of the Lot and exit to 41st Street.

SECTION II

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

SECTION III

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

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

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

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

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

SECTION IV

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

SECTION V

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

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

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

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

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

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

SECTION VI

The Subdivider shall install all public improvements within a time period of two (2) years after the signing of this Development Agreement, except that sidewalks directly in front of houses (if residential) or businesses (if commercial) shall be constructed before the Occupancy Certificate is issued or within four (4) years after the signing of this Development Agreement, whichever comes first. Any extension of this time period may be requested by the Subdivider and if said request receives a favorable recommendation of Planning Commission and approval by the City Council the deadline will be extended pursuant to the new deadline set by the City Council.

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

ATTEST:

CITY OF COLUMBUS

CITY CLERK

MAYOR Date

APPROVED AS TO FORM

CITY ATTORNEY

-6-
SUBDIVIDER

ZEGAR INVESTMENT PROPERTIES, LLC

By: Scott Zegar, Manager

Dated this ____ day of _____, 202__.

STATE OF NEBRASKA)
) ss.
COUNTY OF PLATTE)

On this ____ day of _____, 202__ before me a Notary Public, duly commissioned and qualified in and for said County, appeared Scott Zegar, who is personally known by me to be the identical person whose name is affixed to the Development Agreement, and acknowledged the execution thereof to be his voluntary act and deed as such officer of said corporation.

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

Notary Public

5. **Public hearing - Application of Convergence, LLC for preliminary plat of Wishbones Addition (approximately northeast of intersection of Highway 81 and 63 Avenue).**

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

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 14, 2022, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the preliminary plat of Wishbones Addition, a tract of land located in the South 1/2 of the Southwest 1/4 of Section 11 and the Northwest 1/4 of Section 14, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the Northwest corner of the South 1/2 of the Southwest 1/4 of Section 11, T17N, R1W of the 6th P.M., Platte County, Nebraska; thence N 88°16'56" E on the North line of said South 1/2, 2686.91 feet to the Northeast corner of said South 1/2; thence S 02°12'00" E on the East line of said South 1/2, 1319.48 feet to the Northeast corner of the North 1/2 of the Northwest 1/4 of Section 14, T17N, R1W of the 6th P.M., Platte County; thence S 01°58'03" E on the East line of said North 1/2, 1323.86 feet to the Southeast corner of said North 1/2; thence S 01°58'10" E on the East line of the South 1/2 of said Northwest 1/4, 870.43 feet to a point on the Northeasterly Right-of-Way line of U.S. Highway #81; thence N 51°05'52" W on said Northeasterly Right-of-Way line, 1410.68 feet; thence N 53°33'46" W on said Northeasterly Right-of-Way line, 1076.94 feet; thence N 53°07'56" W on said Northeasterly Right-of-Way line, 893.35 feet; thence N 03°33'13" W, 57.47 feet to a point on the North line of the North 1/2 of said Northwest 1/4; thence N 88°23'10" E on said North line, 502.67 feet; thence N 02°10'36" W, 551.36 feet; thence S 87°47'43" W, 503.36 feet; thence S 02°15'06" E, 413.60 feet to a point on said Northeasterly Right-of-Way line; thence N 66°02'54" W on said Northeasterly Right-of-Way line, 86.96 feet to a point on the West line of the South 1/2 of said Southwest 1/4; thence N 02°14'06" W on the West line of said South 1/2, 1145.18 feet to the Point of Beginning, containing 140.83 acres, more or less (approximately northeast of intersection of Highway 81 and 63 Avenue) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 02:03:22
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: February 10, 2022
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Wishbones Addition – Preliminary Plat

RECOMMENDATION:

I recommend the approval of the preliminary plat of Wishbones Addition as it is amenable with the future land use along the highway frontage and the region and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The addition consists of 8 outlots (A-H) for the purpose of constructing a casino, hotel, horse race track, roadways, and supporting amenities. Adjacent 63rd Avenue will be dedicated to the public and on-site stormwater treatment facilities and extension of public utilities are in compliance. Dedicated landscape easements are along the east and north property lines of outlet "E". A regional traffic impact study is underway as part of this project. The addition will be voluntarily annexed as part of the platting process.

FISCAL IMPACT:

Minor costs for associated street and utility main extensions.

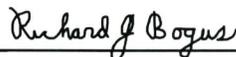
ALTERNATIVE:

Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By:  _____

Approved By: _____

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
PRELIMINARY PLAT / FINAL**

(CIRCLE ONE)

DATE: January 24, 2022

NAME OF SUBDIVISION: Wishbones Addition

NAME OF PROPERTY OWNER: Convergence, LLC

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Tom Jackson

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 27901 Woodside Dr, Columbus, NE 68601

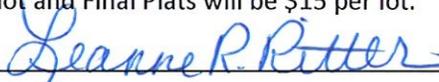
PHONE NUMBER: 402-276-3479

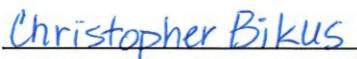
REPRESENTATIVE OR PROPERTY OWNER E-MAIL: tjjack.son@outlook.com

NUMBER OF LOTS IN SUBDIVISION: 9 outlots

ADDRESS OF SUBDIVISION: Part of the S 1/2 of the SW 1/4 of S11 & the NW 1/4 of S14, T17N, R1W

I hereby apply for a Major Subdivision / Addition and have paid \$300.00 application fee plus additional lot review fees - Preliminary Plats will be \$20 per lot and Final Plats will be \$15 per lot.


Owner or Owner's Representative


Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney

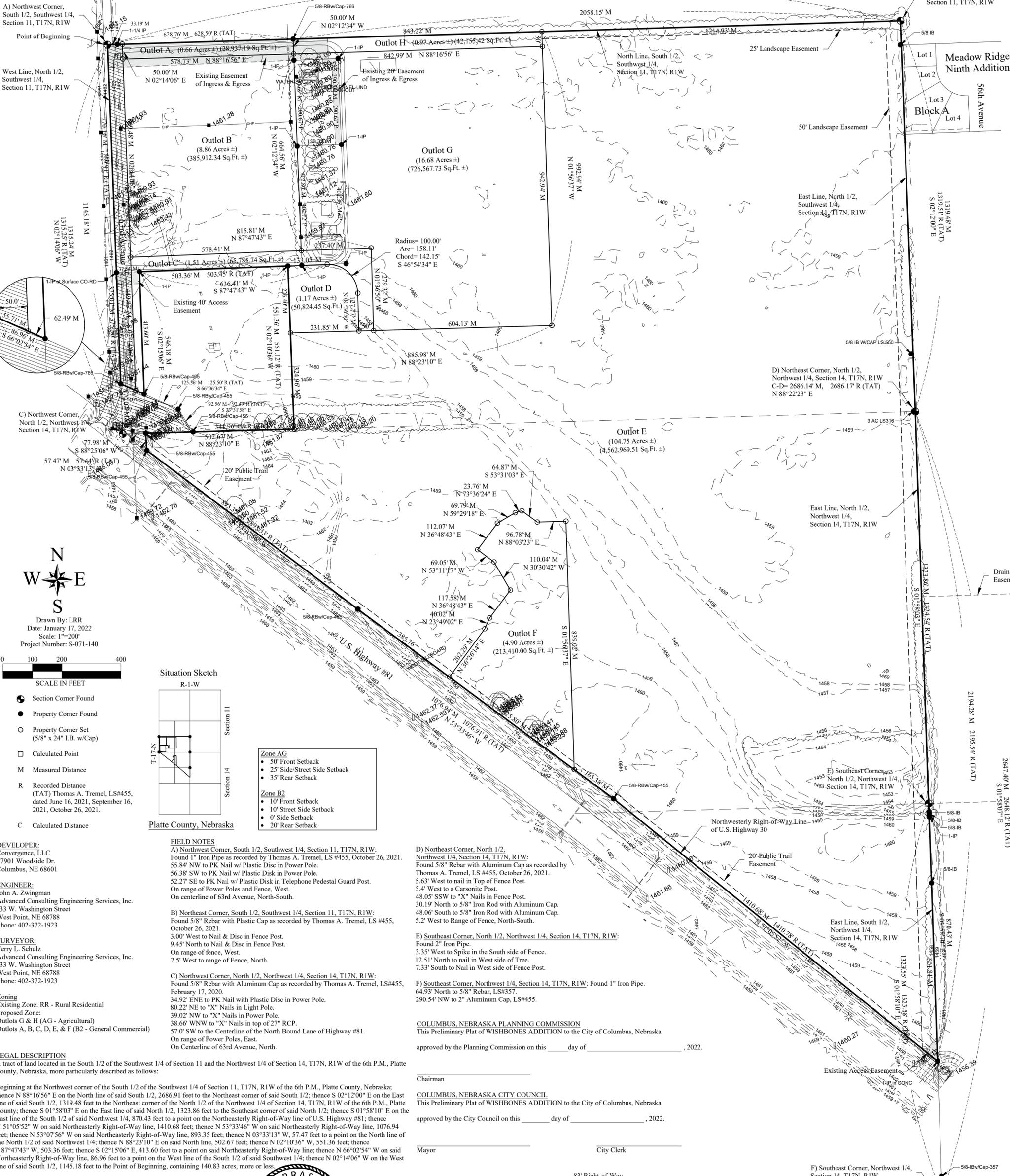
Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com

WISHBONES ADDITION

A Subdivision of Part of the South 1/2 of the Southwest 1/4 of Section 11 and Part of the Northwest 1/4 of Section 14, T17N, R1W of the 6th P.M., Platte County, Nebraska.

2686.91' M
2683.61' R (TAT)
N 88°16'56" E



A) Northwest Corner, South 1/2, Southwest 1/4, Section 11, T17N, R1W

West Line, North 1/2, Southwest 1/4, Section 11, T17N, R1W

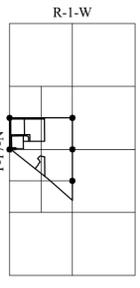
C) Northwest Corner, North 1/2, Northwest 1/4, Section 14, T17N, R1W



Drawn By: LRR
Date: January 17, 2022
Scale: 1"=200'
Project Number: S-071-140



Situation Sketch



Zone AG	
•	50' Front Setback
•	25' Side/Street Side Setback
•	35' Rear Setback
Zone B2	
•	10' Front Setback
•	10' Street Side Setback
•	0' Side Setback
•	20' Rear Setback

DEVELOPER:
Convergence, LLC
27901 Woodside Dr.
Columbus, NE 68601

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

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

Zoning
Existing Zone: RR - Rural Residential
Proposed Zone:
Outlots G & H (AG - Agricultural)
Outlots A, B, C, D, E, & F (B2 - General Commercial)

FIELD NOTES

A) Northwest Corner, South 1/2, Southwest 1/4, Section 11, T17N, R1W:
Found 1" Iron Pipe as recorded by Thomas A. Tremel, LS #455, October 26, 2021.
55.84' NW to PK Nail w/ Plastic Disc in Power Pole.
56.38' SW to PK Nail w/ Plastic Disc in Power Pole.
52.27' SE to PK Nail w/ Plastic Disc in Telephone Pedestal Guard Post.
On range of Power Poles and Fence, West.
On centerline of 63rd Avenue, North-South.

B) Northeast Corner, South 1/2, Southwest 1/4, Section 11, T17N, R1W:
Found 5/8" Rebar with Plastic Cap as recorded by Thomas A. Tremel, LS #455, October 26, 2021.
3.00' West to Nail & Disc in Fence Post.
9.45' North to Nail & Disc in Fence Post.
On range of fence, West.
2.5' West to range of Fence, North.

C) Northwest Corner, North 1/2, Northwest 1/4, Section 14, T17N, R1W:
Found 5/8" Rebar with Aluminum Cap as recorded by Thomas A. Tremel, LS#455, February 17, 2020.
34.92' ENE to PK Nail with Plastic Disc in Power Pole.
80.22' NE to "X" Nails in Light Pole.
39.02' NW to "X" Nails in Power Pole.
38.66' WNW to "X" Nails in top of 27" RCP.
57.0' SW to the Centerline of the North Bound Lane of Highway #81.
On range of Power Poles, East.
On Centerline of 63rd Avenue, North.

D) Northeast Corner, North 1/2, Northwest 1/4, Section 14, T17N, R1W:
Found 5/8" Rebar with Aluminum Cap as recorded by Thomas A. Tremel, LS #455, October 26, 2021.
5.63' West to nail in Top of Fence Post.
5.4' West to a Carsonite Post.
48.05' SSW to "X" Nails in Fence Post.
30.19' North to 5/8" Iron Rod with Aluminum Cap.
48.06' South to 5/8" Iron Rod with Aluminum Cap.
5.2' West to Range of Fence, North-South.

E) Southeast Corner, North 1/2, Northwest 1/4, Section 14, T17N, R1W:
Found 2" Iron Pipe.
3.35' West to Spike in the South side of Fence.
12.51' North to nail in West side of Tree.
7.33' South to Nail in West side of Fence Post.

F) Southeast Corner, Northwest 1/4, Section 14, T17N, R1W: Found 1" Iron Pipe.
64.93' North to 5/8" Rebar, LS#357.
290.54' NW to 2" Aluminum Cap, LS#455.

COLUMBUS, NEBRASKA PLANNING COMMISSION
This Preliminary Plat of WISHBONES ADDITION to the City of Columbus, Nebraska
approved by the Planning Commission on this _____ day of _____, 2022.

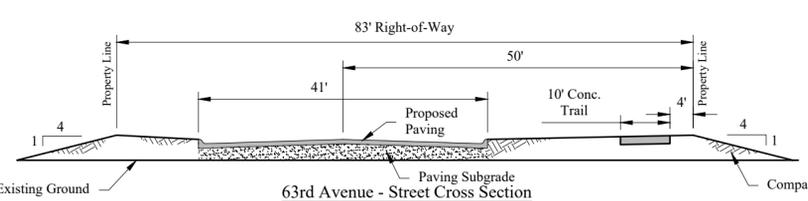
Chairman _____

COLUMBUS, NEBRASKA CITY COUNCIL
This Preliminary Plat of WISHBONES ADDITION to the City of Columbus, Nebraska
approved by the City Council on this _____ day of _____, 2022.

Mayor _____ City Clerk _____

SURVEYOR'S CERTIFICATE
I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me or under my direct supervision on December 23, 2021; also that all dimensions are in feet and are correct to the best of my knowledge and belief.

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



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

6. **Public hearing - Redevelopment Plan for Convergence, LLC, Redevelopment Project (Redevelopment Area 10) located approximately northeast of intersection of Highway 81 and 63 Avenue.**

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

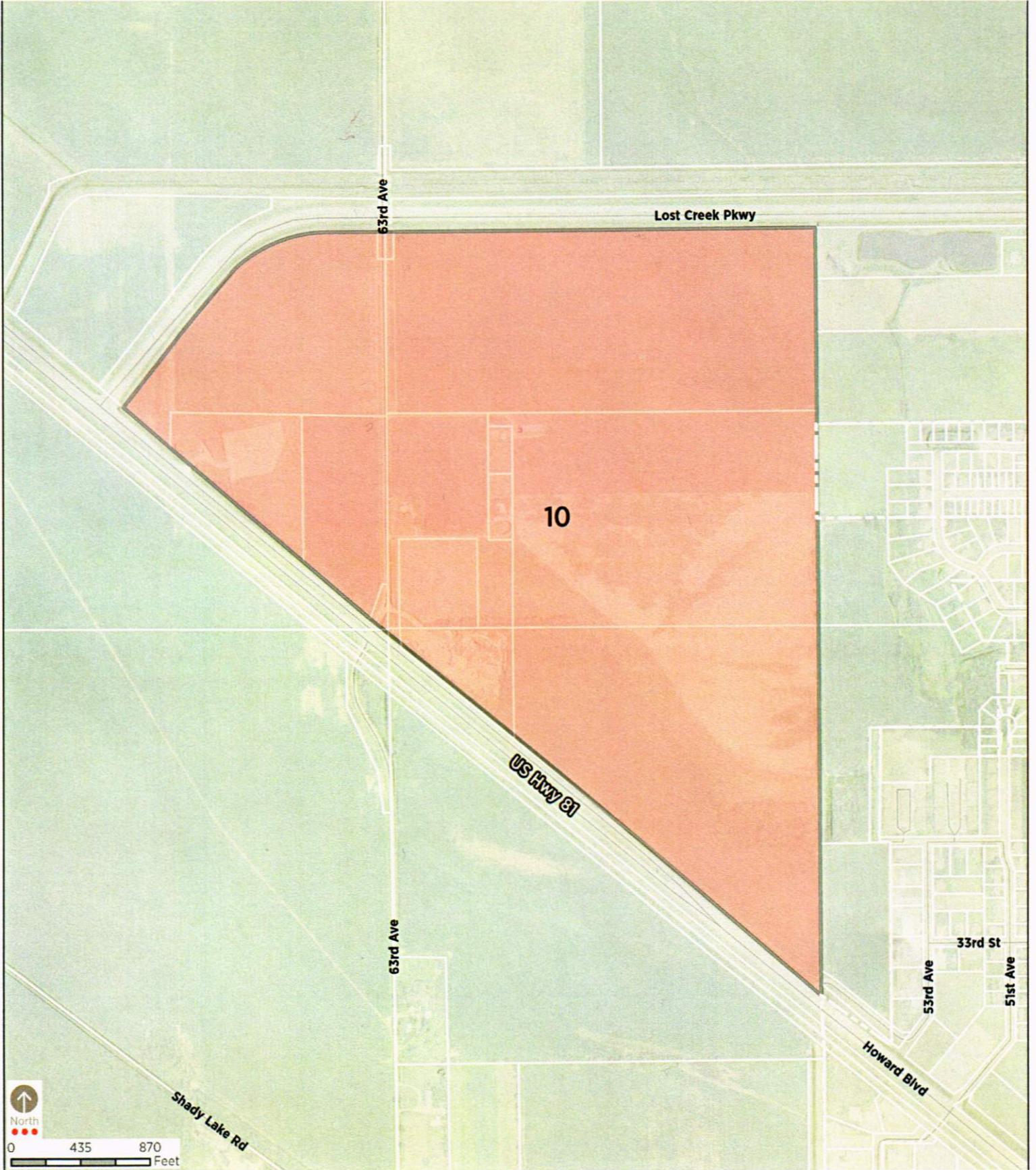
Notice is hereby given that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, February 14, 2022, at 7 P.M., in the City Council Chambers, 1369 25 Avenue, Columbus, Nebraska, to consider and possibly take action on a redevelopment plan entitled: "Redevelopment Plan for Convergence, LLC, Redevelopment Project," for redevelopment pursuant to the Community Development Law, Nebraska Revised Statutes, sections 18-2101, et seq., within a portion of the blighted and substandard Redevelopment Area 10, approximately located to the northeast of the intersection of Highway 81 and 63 Avenue, in Columbus, Nebraska.

A map of the proposed area to be redeveloped and the cost-benefit analysis for the redevelopment project set forth in the redevelopment plan is available for review at the office of the city clerk at 2424 14 Street, Columbus, Nebraska, 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: 01:27:22 and 02:03:22
Two Affidavits of Publication



63rd Ave

Lost Creek Pkwy

10

US Hwy 81

63rd Ave

Shady Lake Rd

Howard Blvd

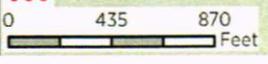
53rd Ave

33rd St

51st Ave



North





The City of Columbus

RESPONSIBLE • RESPONSIVE • REPUTABLE

Administration Office (402) 562-4232

Fax (402) 563-1380

memorandum

DATE: February 10, 2022

TO: Planning Commission

FROM: Tara Vasicek, City Administrator 

RE: Redevelopment Plan for Convergence, L.L.C., within a portion of the Redevelopment Area 10.

RECOMMENDATION:

Approval of the redevelopment plan for Convergence, L.L.C. in Area 10.

DISCUSSION:

The redevelopment plan details a proposed redevelopment project including the construction of entertainment and gaming facilities consisting of a horse track, casino, hotel and related amenities, a detailed description of the project is located on Pg 2., section C. of the plan.

In order for the area to be used for the planned purpose, substantial improvements are required including all public infrastructure on 63rd Avenue, traffic impact analysis and required improvements, public sidewalks/trails, significant landscaping improvements, etc. All of these improvements are detailed beginning on Pg 8, Section F of the Plan. These improvements represent a substantial investment in public infrastructure that would otherwise be a significant tax payer and property owner expense. Over \$11,000,000 of public street, water and sewer improvements are required for the project. The full list of TIF eligible expenses is detailed in Exhibit E.

The redeveloper, City and legal counsel have ensured that the plan is in conformance with the City’s comprehensive plan. An in-depth review is provided in section D of the plan on Pages 3-8. At the time of final platting and annexation the redeveloper will be requesting rezoning of the property to B-2. “Commercial Recreation” and “Gaming facilities” are allowed in the B-2 zone. As detailed in the plan the B-2 designation is appropriate for the horse racing track, stables, hotel and casino facilities. The track comprises a business engaged in the provision of sport (horse racing), which falls within the Commercial Recreation use. On-site wagering falls within a Gaming Facilities use type. The stables will not permanently board horses, as the racing season will only span a 5 to 6 week period each year. As such, the mere periodic presence of horses on the premises is accessory to the permitted uses, and does not require its own designation. The final plat, annexation and zoning issues are anticipated to be before the Planning Commission next month.



The three initiatives related to gambling which came before voters in November of the 2020 general election were passed by a wide margin in the state and in the City of Columbus. Of the three measures, the lowest approval percentage was 62.3% among City of Columbus voters. The implications of the vote are particularly telling in Columbus, as we had one of only six previously licensed horse racing tracks in the state, thereby making it one of the anticipated sites for a casino project.

It has been determined that the cost-benefit analysis prepared in conjunction with the Plan and attached as Exhibit "F" sets forth the factors required under section 18-2113 of the Nebraska Revised Statutes and supports the City's adoption and approval of the Plan. Based on the expected revenues generated from the state's 20% tax on gambling revenues, the Redevelopment Project is estimated to result in additional revenues to be split between the City of Columbus and Platte County between \$2,250,000 and \$2,900,000. In addition to the gambling tax, the City of Columbus also will see increases in the local option sales tax, the casino and race track is estimated to generate an additional \$600,000 annually, the hotel, restaurant and any other operations will generate additional local sales tax. This will give the City a significant advantage to other communities, allowing investment in our Police Department, Fire Department, Parks and Recreation amenities, housing, infrastructure, etc.

As the plan states, the impacts and opportunities related to the Redevelopment Project conform to the objectives and guidance stated in the Comprehensive Plan, and outweigh arguments against the project. If the City does not adapt and seize the opportunity presented, it is inevitable that a neighboring community will welcome the Redevelopment Project with open arms – thereby resulting in the failure to actually eliminate the concerns raised, while being unable to reap the positive impacts associated with the project.

Convergence intends to begin construction in the Spring of 2022, pending approval of this Redevelopment Plan. If approved the public and private improvements will be completed by the end of 2023.

**REDEVELOPMENT PLAN FOR
CONVERGENCE, L.L.C., REDEVELOPMENT PROJECT**

PREPARED JANUARY, 2022

**BY THE COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF COLUMBUS, NEBRASKA**

A. Introduction

This Redevelopment Plan for the Convergence, L.L.C., Redevelopment Project (this “Redevelopment Plan”), prepared by the Community Development Agency of the City of Columbus, Nebraska (the “Agency”), is a guide for redevelopment activities to remove or eliminate blight and substandard conditions within the City of Columbus, Nebraska (“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, designated certain areas of the City to be blighted and substandard and in need of redevelopment pursuant to the requirements of the Nebraska Community Development Law, sections 18-2101 et. seq., as amended (the "Act").

Prior to the preparation of this Redevelopment Plan, and in compliance with the Act, the Mayor and Council designated a portion of the City as a blighted and substandard community redevelopment area, such area being commonly referred to as “Redevelopment Area 10” (referred to herein as the “Redevelopment Area”). This Redevelopment Plan sets forth a proposed redevelopment project located within the Redevelopment Area to optimize the tax increment financing ("TIF") resources available to offset certain costs deemed eligible for reimbursement by TIF under the Act, and to remove existing and avoid future blighted and substandard conditions, all as further described herein. This Redevelopment Plan contemplates the construction of entertainment and gaming facilities consisting of a horse track, casino, hotel and related amenities, together with such public improvements associated therewith, within the Redevelopment Area, as further detailed in Paragraph C, below (such public and private improvements are collectively referred to herein as the "Redevelopment Project"). It is anticipated that construction of the Redevelopment Project will be undertaken by multiple parties, including the current owner and developer (Convergence, L.L.C.), the casino owner/operator, and the hotel owner/operator. For purposes of this Redevelopment Plan, all references to “Redeveloper” are to Convergence, L.L.C.

B. Redevelopment Area; Project Site; Existing Conditions

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries of the Redevelopment Area. The Redevelopment Area is identical to "Redevelopment Area 10," which the Mayor and Council previously declared blighted and substandard and in need of redevelopment. Exhibit "A-1", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the area to be developed as part of the Redevelopment Project (the "Project Site"). The Project Site is located to the northeast of the intersection of Highway 81 and 63rd Avenue, in the City. The Project Site is completely engrossed within the blighted and substandard Redevelopment Area and is in need of redevelopment.

C. Redevelopment Project Overview

The current configuration of the Project Site consists of six contiguous parcels. Redeveloper is the owner of five of the parcels and is under contract for the remaining parcel. A description of the Redevelopment Project, as provided in Redeveloper's TIF application, is set forth below:

The Redevelopment Project will be comprised of a newly constructed one-mile horse race track, casino with restaurant and sports book, and adjacent 100-room hotel. Construction of the Redevelopment Project constitutes a substantial investment in the City, estimated to be approximately \$89,039,538. Redeveloper has partnered with Caesars Entertainment to develop a world class horse track and gaming/entertainment facility in the City. The Redevelopment Project will be developed on approximately 140 acres of currently blighted land and will result in new infrastructure (roads, sewer, water, internet connectivity, sidewalks, landscaping) that will help to transform and further develop the western portion of the City.

As of 2021, Columbus Exposition and Racing operates a live horse racing track in conjunction with Platte Valley Agricultural Society at Ag Park in the City. Ag Park has hosted races over the last approximately 80 years. While minor maintenance is done on an annual basis at Ag Park, the overall facility has become dated and no longer serves as a destination for horse racing devotees in the region.

Columbus Exposition and Racing and Redeveloper intend to develop the only one-mile horse racing track within a 500 mile radius of the City. The race track will draw world class thoroughbreds to the City for the live racing season. In addition, the race track will be complemented with a first class gaming facility that will include a gastro-pub restaurant, sports bar, and sports book facility. A Marriott branded hotel will be constructed adjacent to the gaming facility with an expected total of 100 rooms, which will be operated by a third party.

As a result of the Redevelopment Project, substantial improvements to the currently blighted area will include public utilities, public pedestrian friendly sidewalks, significant landscape improvements and improved aesthetics for the entire area. The Redevelopment Project will result in a first class destination for horse racing and entertainment fans throughout the country.

At present, the gaming facility is estimated at approximately 62,000 sq. ft. of new construction. The hotel is estimated at approximately 60,000 sq. ft. of new construction. New horse track pavilion/barns are estimated at approximately 114,850 sq. ft. of new construction. It is anticipated that the Redevelopment Project will result in the creation of approximately 125 new full-time jobs and 125 new part-time jobs within the City.

It is anticipated the horse track will consist of a racing season of approximately 5-6 weeks and host two racing events per week during that time span. Horses will only be stabled at the facility during racing events and will not be permanently or continuously boarded on the site. The operator will participate in a manure management program facilitating removal of all manure from stalls between racing days for placement in bins. The operator intends to contract with a local company to remove the manure from the premises on a regular basis (anticipated to be weekly at the outset) and transport the same to surrounding farms for use as compost. In the event the anticipated frequency of racing events changes, the operator will adjust the removal program to adequately and appropriately address the needs of the facility.

Exhibit "C", attached hereto and incorporated herein, sets forth the proposed site plans for the Redevelopment Project. The site plans are preliminary in nature and subject to change. No public acquisition of the Project Site is anticipated. Additionally, no families will be displaced as a result of the Redevelopment Project.

D. Conformance with the Comprehensive Plan

It is essential to the City's comprehensive plan for development (the "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. Exhibit "B", attached hereto and incorporated herein, shows a portion of the future use map (showing the Redevelopment Area and surrounding areas) included within the City's Comprehensive Plan. The map sets forth a mix of multifamily residential, general residential, and general commercial designations for future use of the Project Site. It is the intention of the Mayor and Council of the City to amend the Comprehensive Plan's future use map in the area comprising the Project Site to a B-2 designation, which would accommodate the anticipated uses associated with the Redevelopment Project. Upon such amendment, the Redevelopment Project shall be deemed in conformance with the Comprehensive Plan's future use map.

The Comprehensive Plan further sets forth the following observations and objectives:

- Encourage the formation of new unified business park corridors (e.g., U.S. Highway 30, U.S. Highway 81, and Union Pacific Railroad) or the development of individual parcels

as part of business parks by focusing new growth in a more clustered pattern, as opposed to isolated parcels along strips of nonresidential land uses lining thoroughfares.

- It is envisioned that Columbus' projected population growth will be accommodated and balanced through infill and redevelopment of neighborhoods; and contiguous, mixed-use development to the north, flanking Lost Creek Parkway. Business Park development should be expanded to the west, to take advantage of U.S. Highway 81 and the Union Pacific Railroad.
- Create an appropriate sense of arrival and departure into and from the City, including from U.S. Highway 81. The City's principal entrances offer opportunities to attract attention to local attractions and tourist destinations.
- Economic development needs to be a proactive, facilitated endeavor. Few communities are fortunate enough to have great companies and projects simply fall in their laps. Most places need to work for it with dedicated staff and financial tools and resources. In Columbus' case, the effort should focus mainly on working alongside and supporting the Columbus Chamber of Commerce, to connect prospective commercial/industrial businesses to local property-owners and regional developers.
- In conjunction with periodic reviews of the Comprehensive Plan, identify market shifts that could have implications for desired housing types, retail or other commercial offerings, and particular public service and recreational needs.
- Pursue corridor development along major highways, which takes advantage of the access afforded by an existing highway and its accompanying utility services. Corridor development, if developed to a standard that is compatible with the community's vision for the future, provides infrastructure cost savings and contiguous growth patterns.
- Use incentives (including TIF) available to the City to incentivize development and economic growth. Such incentives also help to underwrite and mitigate the risks associated with new development.
- Encourage business growth in infill locations. In addition to encouraging expansion of existing businesses and attracting new businesses, the community can consider where businesses locate within the community. Encouraging business growth in specific locations, or in proximity to other industries, can help improve the overall quality of life for existing and future residents, workers, and visitors. This improved quality of life also translates into a competitive advantage for local businesses and is critical for strengthening the local economy.

- Create greater opportunities for Columbus to capitalize on the recreational resources of the City and County through tourism and recreational-based businesses.
- Indirect revenues are generated for the local and regional economies through the hosting of sports tournaments and special events such as arts, music, and holiday festivals. Economic activity from hospitality expenditures, tourism, fuel, recreational equipment sales, and many other private sector businesses yield more sustainable local and regional economies.

The Redevelopment Project will assist in carrying out the above observations and objectives. As discussed below, the City and Agency recognize that arguments both for and against the economic and social impacts can be made in relation to the Redevelopment Project. However, there is no debate in relation to the explicit directives in the Comprehensive Plan regarding expansion of the City to the northwest, particularly via corridor development along Highway 81. Not only will the Redevelopment Project be a major step forward in accomplishing this objective, but will shift an enormous cost burden from the public to the Redeveloper in relation to the construction and expansion of public infrastructure and improvements to achieve the same. Currently, City sewer infrastructure ends at 10th Avenue and Lost Creek Parkway, and City water ends at 18th Avenue and Lost Creek Parkway. The City intends to extend infrastructure from their current endpoints to the Project Site, which will be paid for in large part by the City's ARPA funds.

As part of the Redevelopment Project, Redeveloper will not only construct such infrastructure along Highway 81, but will also be required to pave and construct infrastructure along 63rd Avenue between Highway 81 and Lost Creek Parkway. This represents a substantial investment in public infrastructure that would otherwise need to be addressed via the establishment of improvement districts and assessment to the adjacent landowners. As such, the City is able to shift considerable cost burdens from the public to the private sector, while achieving the desired, natural and inevitable growth pattern of the City to the northwest. This conveys a direct economic benefit to the entire area surrounding the Project Site and a benefit to the public as a whole by facilitating and expediting needed growth that will allow for further beneficial development along the Highway 81 corridor. Without the Redevelopment Project, such expansion would not be achievable in the near future due to the economic unviability associated with the cost of extending public infrastructure for infill development to the northwest.

As referenced above, the City and Agency recognize that counterarguments exist with respect to conformance with the Comprehensive Plan. For instance, some may assert the proposed Redevelopment Project will not result in a gateway to the City that reflects positively on the community and is not in the best interest of the welfare and wellbeing of its residents.

However, the City and Agency find little empirical support for these assertions in relation to the Redevelopment Project, as proposed. Research shows the potential negative impacts of gaming projects, such as the creation of pathological gambling behaviors and increases in crime rates, are most strongly correlated to projects constructed within previously-established neighborhoods and areas of a community – and specifically in areas or neighborhoods that are socioeconomically disadvantaged. These impacts are typically limited to such “casino neighborhoods” and have been shown to decrease with distance from the facilities.

With respect to the proposed Redevelopment Project, it will be located on the current outskirts of the City, outside of any previously-established area or neighborhood. The only neighborhood within a reasonable proximity to the Redevelopment Project is located to the east along 48th Avenue. However, there is already a considerable buffer between the neighborhood and the Project Site, and as part of the Redevelopment Project, Redeveloper will be required to construct a buffer on the east, and a portion of the north, boundaries of the Project Site to mitigate the impacts on the neighborhood and the value of the homes therein. It is anticipated that such buffers will include the construction of a 50-foot wide and 4-5 foot tall berm consisting of at least three rows of evergreen and deciduous trees; provided that final design will be subject to City approval. As detailed above, the horse track operator will also participate in a manure management program. Further, the neighborhood to the east does not display the socioeconomic factors observed in said “casino neighborhoods” associated with negative impacts. As such, the Redevelopment Project is not anticipated to have a negative impact on either the quiet enjoyment of existing residential communities or the safety and welfare of the City’s residents. The City and Agency further note that the City has been home to gambling facilities since the 1940s upon the construction of Ag Park. The perceived negative social and economic effects of gaming facilities have not impacted the immediate vicinity or greater community during that time span. Moreover, the Redevelopment Project will provide for the removal of horse racing from a centralized part of the City to a remote area on its outskirts. The grounds will remain operational for 4H and county fair uses, but it is anticipated that the same could be moved to a less centralized location in the future to allow for redevelopment of the area.

It is not anticipated that the Redevelopment Project will constitute a gateway to the City that reflects negatively upon the community. The Redevelopment Project will result in the construction of first-class facilities that are aesthetically pleasing and reflect positively on the community. It is further envisioned that the Redevelopment Project will create positive opportunities for additional non-gaming development along the Highway 81 corridor that will not only have a positive economic impact on the City, but will also create a gateway to the City that visitors and residents alike will enjoy. As such, there is little concern the City’s identity will be negatively impacted or linked to gambling.

The City and Agency recognize that there may be conflicting interpretations of the Redevelopment Project's conformance to the Comprehensive Plan. However, that is the case with almost any project due to the broad and interpretive nature of the Comprehensive Plan. As such, the Redevelopment Project – in the same manner as other projects – requires a balancing of factors in determining conformance to the Comprehensive Plan. In considering the same, the City and Agency find the following guidance contained in the Comprehensive Plan to be most instructive:

When it comes to economic opportunity, cities need to be both strategically focused and light-on-their-feet. Plans should be dutifully implemented. However, there are times when opportunities materialize seemingly out of nowhere that may require pivoting and/or diverting energies away from the chosen course. Although the plan can identify the City's competitive advantages and lay out strategies to capitalize on them, economic development does not unfold in linear fashion. When opportunities present that are not in sync with the plan, the City must mobilize quickly and aggressively to make them a reality. There is no shame in the reactive pursuit of a special opportunity, provided that it is "real" and a good fit for the community.

When the City adopted the Comprehensive Plan, the Redevelopment Project and the extent of investment in the City associated therewith would have been unthinkable due to the laws that were in place. As the laws have changed, so too must the City in order to capitalize on the positive impacts and opportunities presented.

The gambling initiatives approved as part of the 2020 general election passed by a wide margin in the state, including 62.3% approval by Columbus voters. The implications of the vote are particularly telling as it pertains to the Columbus residents, as the City was one of only six previously-licensed race track sites in the state, thereby making it one of the anticipated sites for a casino project if the initiative passed. As a result of the expanded legalization of gaming in Nebraska, the construction of gaming facilities is anticipated in the six previously-licensed sites. In being one of the six previously-licensed sites, the City is in a unique and opportunistic position to be "first to market" and attract a project of the highest quality and benefit to the City; as opposed to smaller, lower quality and less economically advantageous projects that are likely to follow if and when gaming licensure expands to other communities. Given the same, and the approval of the gambling initiatives in the City by a wide margin, the above provision of the Comprehensive Plan related to economic opportunity and competitive advantages is especially relevant and instructive.

The impacts and opportunities related to the Redevelopment Project conform to the objectives and guidance stated in the Comprehensive Plan, and outweigh the arguments for

nonconformance. If the City does not adapt and seize the opportunity presented, it is inevitable that a neighboring community will welcome the Redevelopment Project with open arms – thereby resulting in the failure to actually eliminate the concerns raised, while being unable to reap the positive impacts associated therewith. In accordance with all the foregoing considerations under this Paragraph D, the Redevelopment Project is in conformance with and furthers the objectives under the City’s Comprehensive Plan.

E. Existing Conditions

1. Existing Land Use

The Project Site is made up of six parcels consisting of the following uses:

- Former skating rink/event space and used car dealership on parcel 710023289;
- Vacant single-family farmsteads on parcels 710022841 and 710135978; and
- Agricultural land on the remaining parcels.

2. Existing Zoning

The Project Site is currently zoned partly as “Rural Residential” and partly as “General Commercial”.

3. Existing Public Improvements

The Project Site is vacant and without viable public access, paving, sewer, water, storm sewer, electrical service, public walks, and related infrastructure.

F. Proposed Redevelopment

1. Public Improvements

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

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

The Project Site is adjacent to Highway 81, but is currently without viable access therefrom for the uses contemplated hereunder. Accordingly, Redeveloper will construct paving for public ingress and egress from Highway 81 and 63rd Avenue, in addition to construction internal roadways and parking areas within the Project Site. Redeveloper will be required to

conduct a traffic study for the Redevelopment Project and future expected development in the area along Highway 81 and Lost Creek Parkway. The study area will include, from east to west, 48th Avenue & Highway 81, 48th Avenue & Lost Creek Parkway, 51st Avenue & Highway 81, 63rd Avenue & Highway 81, 63rd Avenue & Lost Creek Parkway, and the intersection of Highway 81 & Lost Creek Parkway. The study will also assess the viability of access from Highway 81.

Access to the Project Site from Highway 81 will require approval by NDOT. In the event NDOT does not permit primary (direct) access from Highway 81, it is anticipated that such access will be from 63rd Avenue. Redeveloper will be required to pave all of 63rd Avenue between Highway 81 and Lost Creek Parkway, in addition to constructing and extending other utility infrastructure thereunder. While such improvements are not directly within the Project Site, they are adjacent thereto and confer a direct and necessary benefit on the Project Site and the entire Redevelopment Area. As such, it is the intent that such costs and improvements, as may be necessary, are eligible for reimbursement from TIF in conformance with the Act. The public improvements for the Redevelopment Project will address any traffic and street infrastructure concerns shown in the traffic study, or that would otherwise be created by the Redevelopment Project. All streets and other public infrastructure constructed by Redeveloper will be subject to review and approval by the City and/or State of Nebraska, as the case may be.

b. Construction of Water and Sewer Improvements.

Redeveloper will construct or extend water and sewer systems to provide appropriate service to the Project Site. Redeveloper will be required to construct public water and sewer systems along 63rd Avenue.

c. Other incidental improvements

The Project Site is currently undeveloped and will require filling and grading to provide effective drainage throughout the area. The Project Site requires filling and grading to properly drain the ground water runoff and provide appropriate grading levels to erect the buildings. Redeveloper also anticipates the construction of electric, gas and telecommunications utilities extending to the buildings on the Project Site. The anticipated public improvements (and costs related to the public improvements) for the Redevelopment Project are listed in Exhibit "E", attached hereto and incorporated herein.

d. Additional public facilities or utilities

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

e. Property Acquisition, Demolition and Disposal

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

f. Population Density

The Project Site currently sits undeveloped and/or vacant. The Redevelopment Project is commercial in nature and will not result in an increase in population density.

g. Land Coverage

Land coverage for the Project Site includes approximately 140 acres, the majority of which is currently agricultural land. The Redevelopment Project will consist of the construction of an approximately 62,000 square foot casino, an approximately 60,000 square foot hotel, and a new horse track pavilion/barns consisting of approximately 114,850 square feet, all as shown on the site plan set forth in Exhibit "C". The Redevelopment Project is subject to and must comply with all applicable land coverage ratios required by the City.

h. Parking

The Redevelopment Project is subject to and must comply with all applicable parking requirements of the City. Such requirements shall be set forth in further detail in the “Redevelopment Contract” (as defined in the Act) between Redeveloper and the Agency, and/or subdivision agreement(s) for the Redevelopment Project.

i. Zoning, Building Code and Ordinance

The Project Site is currently zoned partly as “Rural Residential” and partly as “General Commercial”. Accordingly, a zoning change to a B-2 designation is required as part of the Redevelopment Project. “Commercial Recreation” is a permitted use under a B-2 zoning designation, which allows for, “Private businesses or organizations, which may or may not be commercial in nature, primarily engaged in the provision of sports, entertainment, or recreation for participants and/or spectators.” Additionally, the permitted use of “Gaming Facilities” allows

for, “Establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons.”

It is anticipated that a B-2 designation is appropriate for the horse racing track, in addition to the hotel and casino facilities. The track comprises a business engaged in the provision of sport (horse racing), which falls within a Commercial Recreation use. On-site wagering falls within a Gaming Facilities use. The stables will not permanently board horses, as the racing season will only span a 5 to 6 week period each year. As such, the mere periodic presence of horses on the premises appears accessory to the above permitted uses, and should not require its own designation. Notwithstanding, the proposed zoning change will be subject to separate approval by the City and the foregoing analysis is in no way binding or determinative. Redeveloper will be responsible for all zoning, building code, or ordinance changes that are necessary for the Redevelopment Project.

2. Private Improvements

Private improvements for the Project Site consist of the construction of an entertainment and gaming facility consisting of a horse track, casino, hotel and related amenities, in addition to the related facilities and improvements ancillary thereto, as described in further detail under Paragraph C, above. Redeveloper or other builders taking reconveyance from Redeveloper will construct the private improvements. Paragraph H of this Redevelopment Plan details the anticipated construction schedule for the private improvements. Exhibit “C” contains the preliminary site plans for the Redevelopment Project.

G. Project Costs

The total estimated costs of the Redevelopment Project are \$89,039,538. The estimated costs of the Redevelopment Project are attached and incorporated herein as Exhibit “D”. Such figures are only estimates based upon 2022 pricing, and are subject to change without further amendment of this Redevelopment Plan.

H. Implementation

Redeveloper or other builders taking reconveyance from Redeveloper will construct the public and private improvements associated with the Redevelopment Project. While it is the intent of Redeveloper to construct, or provide for the construction, of all private improvements simultaneously following completion of the infrastructure and other public improvements, the construction of such private improvements will likely be undertaken by multiple parties and have different timetables for completion. In relation to the same, the Redevelopment Project may occur in phases for purposes of the division of the incremental ad valorem real estate taxes (the

“TIF Revenues”) upon the Project Site. Accordingly, the TIF Revenues for one portion of the Redevelopment Project may be divided at a different time and have a separate 15-year TIF period from a different portion of the project; provided such portions are located on separate tax parcels within the Project Site. Allowing for the completion of the Redevelopment Project in phases will maximize the TIF resources available for public improvements, which will be necessary for the Redevelopment Project to succeed. The foregoing shall be set forth in further detail in the Redevelopment Contract between Redeveloper and the Agency.

Redeveloper intends to commence construction of the Redevelopment Project in spring of 2022, pending approval of this Redevelopment Plan. Redeveloper anticipates that construction of the private improvements will be completed by the end of 2023. Notwithstanding the foregoing, the anticipated start dates and completion dates are preliminary and subject to change based upon market conditions, availability of materials, workforce availability and other extraneous factors. More or less time than the anticipated completion dates listed above may be necessary as a result of such extraneous conditions or factors.

I. Financing

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

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body (“Base Tax Amount”); and
- (b) That portion of the ad valorem tax on real property, as provided in the Redevelopment Contract or bond/note resolution, in the redevelopment project in excess of the Base Tax Amount, if any, (referred to herein as “TIF Revenues”) shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

With respect to the Redevelopment Project, the actual base tax year and Base Tax Amount for the Redevelopment Project, or portion thereof, will be established in the Redevelopment Contract. The Agency and Redeveloper anticipate that the effective dates may be different for separate portions of the Redevelopment Project, and therefore the increment period for each such portion, may be different. Notwithstanding any provision herein to the contrary, the TIF Revenues for each portion of the Redevelopment Project shall only be divided and allocated over the applicable 15-year increment period or until payment of the TIF Indebtedness (defined below) in full, whichever occurs first.

1. Necessity of TIF

Redeveloper has represented and warranted to the City that it would not be economically feasible to develop the Redevelopment Project without TIF. In support thereof, Redeveloper stated in its TIF application that:

In view of the substantial costs associated with the development and construction of the Project, without TIF, completion of the Redevelopment Project is not feasible. Without TIF, the return on investment would be unacceptably low in view of the substantial costs resulting from land acquisition, grading, design, utility, and infrastructure costs.

Upon review of the considerable cost associated with demolition, site preparation, and the construction of public infrastructure and improvements, the City and Agency find support in Redeveloper's representations.

The determination at issue is governed by section 18-2116 of the Act, which requires a finding that, "(i) the redevelopment project in the plan would not be economically feasible without the use of tax-increment financing, [and] (ii) the redevelopment project would not occur in the community redevelopment area without the use of tax-increment financing." The statute makes specific reference to the "redevelopment project in the plan". This means that the showing of necessity for TIF relates to the version of the Redevelopment Project set forth in this Redevelopment Plan. It does not relate to gaming projects in general, nor does it relate to a different version of the Redevelopment Project.

While it is possible a similar project could be constructed without necessitating the use of TIF, such project likely would not be in the proposed location, be of the same quality or scale, nor convey the same degree of economic and other positive economic impacts as the Redevelopment Project. The Redevelopment Project, as presented, is in a location that is preferable to the City and will be of a high quality that is an asset to the City. Additionally, it will result in considerable investment towards public infrastructure and improvements that are

necessary for further desired expansion along the Highway 81 corridor, thereby shifting the cost of a public benefit to a private party.

As discussed in Paragraph D, above, City sewer infrastructure ends at 10th Avenue and Lost Creek Parkway, and City water ends at 18th Avenue and Lost Creek Parkway. As part of the Redevelopment Project, Redeveloper will not only construct such infrastructure along Highway 81, but will also be required to pave and construct such infrastructure along 63rd Avenue between Highway 81 and Lost Creek Parkway. This represents a substantial investment in public infrastructure that would otherwise need to be addressed via the establishment of improvement districts and assessment of such costs to the adjacent landowners. As such, the City is able to shift considerable cost burdens from the public to the private sector, while achieving the desired, natural and inevitable growth pattern of the City to the northwest. This conveys a direct economic benefit to the entire area surrounding the Project Site and a benefit to the public as a whole by facilitating and expediting needed growth that will allow for further beneficial development along the Highway 81 corridor. Without the Redevelopment Project, such expansion would not be achievable in the near future due to the economic unviability associated with the cost of extending public infrastructure for infill development to the northwest.

Thus, while it is possible that some of the costs of the Redevelopment Project could be avoided by pursuing a different version of the project, the same is not a relevant consideration under the Act and would require the City to sacrifice its own interests and objectives. Accordingly, TIF is used to offset a portion of these costs in order to facilitate the version of the Redevelopment Project that is most desirable to and in the best interest of the City; i.e., the version proposed in this Redevelopment Plan.

Of further relevant consideration, siting of gaming facilities is competitive and would be desirable to many other communities willing to provide the economic incentives at their disposal (such as TIF) to facilitate the same. As such, the Redevelopment Project would not occur within the Redevelopment Area, or the City as a whole, without the use of TIF. If the City denies the use of TIF for the Redevelopment Project, it is likely Redeveloper would not seek to rework the plans in an effort to obviate the need for TIF, but rather relocate the project to a different community willing to provide greater assistance.

In light of the foregoing representations of Redeveloper and other relevant considerations, the Redevelopment Project, as proposed herein, is not economically viable without the assistance of TIF and Redeveloper would not construct the same without TIF.

2. Sources and Uses of Financing

Based upon the projections provided in Exhibit "E", attached hereto and incorporated herein, the Agency and Redeveloper contemplate issuance of one or more TIF bond(s) or note(s) (the "TIF Indebtedness") in an aggregate principal amount not to exceed \$13,250,000. The TIF Indebtedness shall bear interest at a rate not to exceed 5.0% per annum. The final principal and interest amount comprising the TIF Indebtedness shall be determined by the Agency and set forth in the Redevelopment Contract or resolution authorizing the issuance of the TIF Indebtedness.

The total estimated cost of the Redevelopment Project is \$89,039,538. Redeveloper anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity and traditional bank financing. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

J. Cost-Benefit Analysis

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

Exhibits:

- Exhibit A: Redevelopment Area
- Exhibit A-1: Project Site and Existing Land Use
- Exhibit B: Future Land Use Map
- Exhibit C: Site Plan and Future Land Use
- Exhibit D: Estimated Construction Cost of the Redevelopment Project
- Exhibit E: Sources and Uses of TIF
- Exhibit F: Cost-Benefit Analysis

EXHIBIT "A"

Redevelopment Area and Existing Land Use

Depiction of Redevelopment Area (shaded in red):

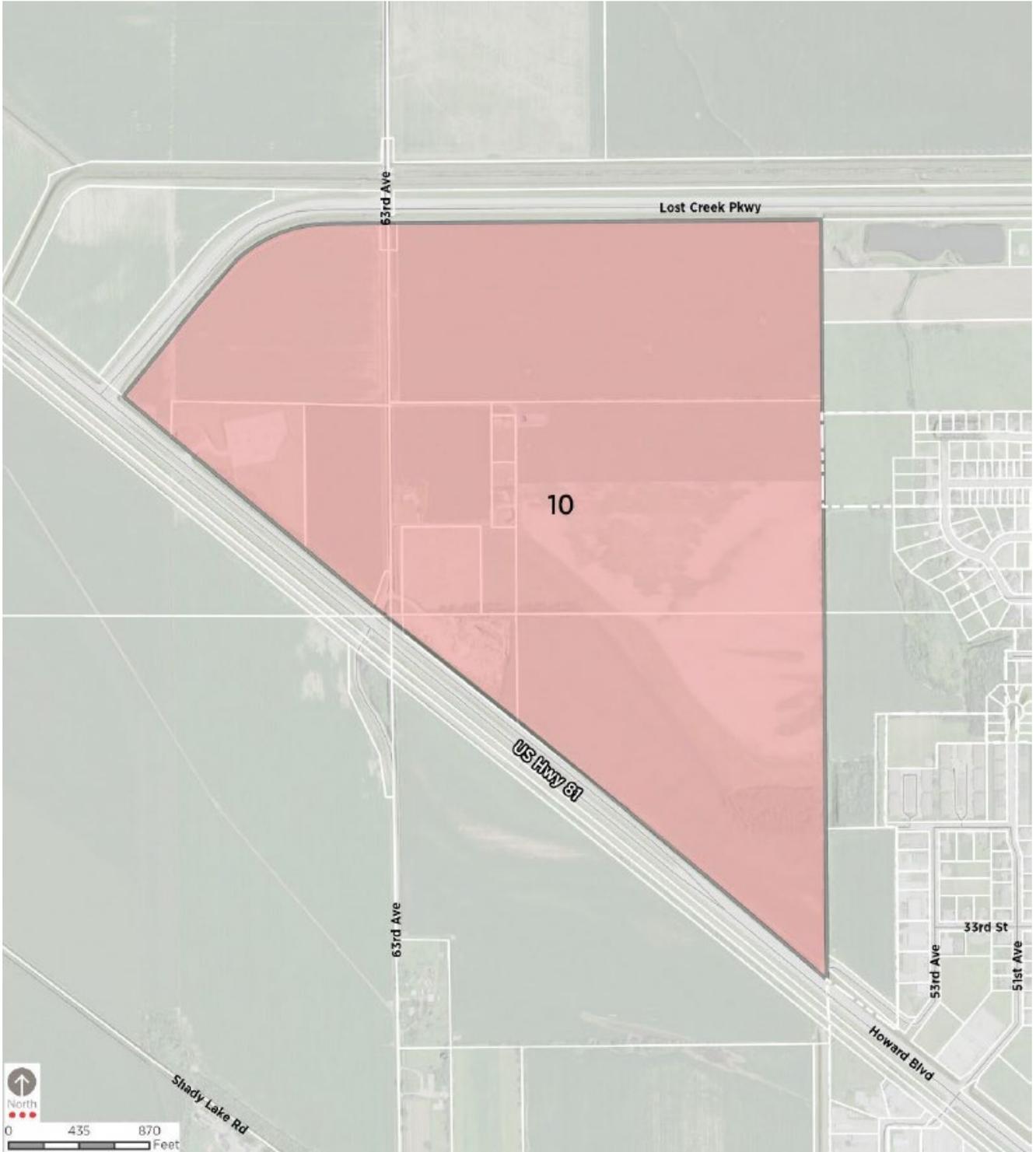


Exhibit "A"

Existing Conditions of Redevelopment Area and Surrounding Area:

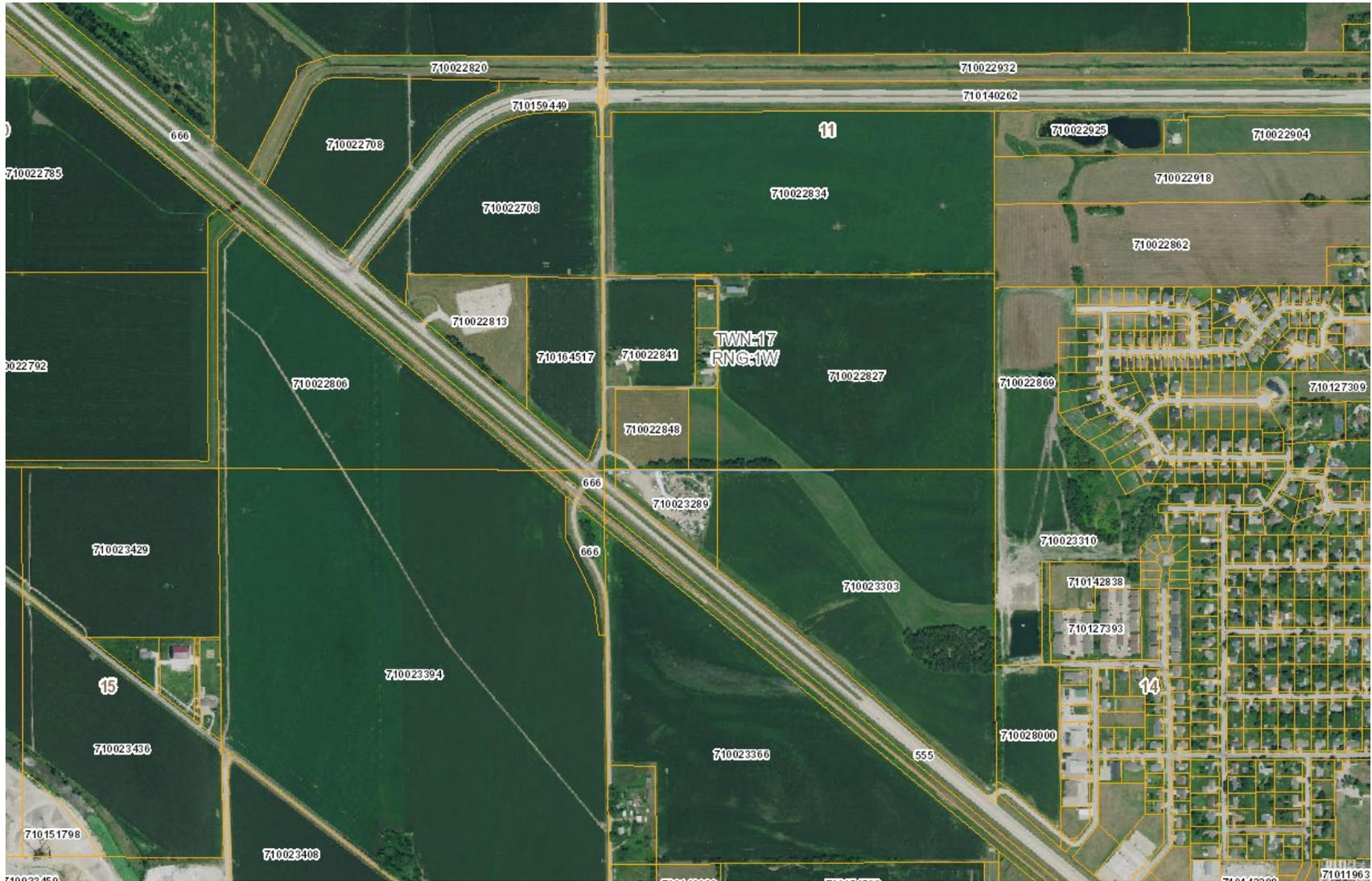


Exhibit "A"

EXHIBIT "A-1"

Project Site and Existing Land Use

Legal Description:

Parcel Nos: 710022841, 710022827, 710023289, 710023303, 710135971, and 710135978

(See attached for full legal description)

* It is anticipated that Redeveloper will reconfigure the Project Site via subdivision or replat. In accordance with the same, the legal description(s) of such subdivided or replatted parcel(s) comprising the Project Site, upon final approval of the City with respect thereto, shall replace and supersede the above and attached.

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

A tract of land commencing at the Southwest corner of the Southwest Quarter (SW ¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska; thence 1,315.3 feet North 00°00' East along the West line of the said Southwest Quarter (SW ¼) to the Northwest corner of the South Half of the Southwest Quarter (S½ SW¼); thence 628.5 feet South 89°32' East along the North line of the South Half of said Southwest Quarter (S½ SW¼) to a point; thence 765.14 feet South, 00°00' East parallel to the West line of said Southwest Quarter (SW ¼) to a point; thence 150.0 feet South 90°00' East to a point; thence 552.70 feet South 00°00' East parallel to the West line of the said Southwest Quarter (SW ¼) to a point on the South line of said Southwest Quarter (SW¼); thence 778.5 feet, North 89°26' West along the South line of said Southwest Quarter (SW¼) to the point of beginning. EXCEPT: Referring to the Southwest corner of the Southwest Quarter (SW¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., in Platte County, Nebraska; thence 78.0 feet South, 89°26' East to the point of beginning; thence 545.2 feet, North 0°00' East parallel to the West line of said Southwest Quarter (SW ¼); thence 503.0 feet South, 90°00' East; thence 550.95 feet South, 0°00' East parallel to the West line of said Southwest Quarter (SW¼) to the South line of said Southwest Quarter (SW¼); thence 503.03 feet North, 89°26' West along the South line of said Southwest Quarter (SW ¼) to the point of beginning. AND FURTHER EXCEPTING: A tract of land located in the Southwest Quarter (SW¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska described as follows: Beginning at the Southwest corner of said Quarter Section; thence Northerly a distance of 170.07 feet along the Westerly line of said Quarter Section; thence Southeasterly deflecting 116°07'58" Right, a distance of 86.88 feet to a point on Grantor's Easterly property line; thence Southerly deflecting 063°52'02" Right; along said Grantor's Easterly property line, a distance of 132.61 feet to a point on the Southerly line of said Quarter Section; thence Westerly deflecting 090°35'50" Right, along the Southerly line of said Quarter Section a distance of 78.00 feet to the point of beginning.

Parcel 2:

The South Half of the Southwest Quarter (S½ SW¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska, EXCEPT the following: Commencing at a point 545 North of the Southwest corner of the Southwest Quarter (SW¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska; thence E 628.5 feet at a 90° angle to the West line of said Southwest Quarter (SW ¼) to a point of beginning; thence North 693 feet parallel to the West line of the said Southwest Quarter (SW ¼) to a point; thence East 150 feet perpendicular to the West line of the said Southwest Quarter (SW ¼) to a point; thence South 693 feet parallel to the West line of the said Southwest Quarter (SW ¼) to a point; thence West 150 feet to the point of beginning, all located in the Southwest Quarter (SW¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska, also including right of ingress and egress over a roadway described as follows: Part of the Southwest Quarter (SW ¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County,

Nebraska, more particularly described as follows: Commencing at a point 1,238 feet North of the Southwest corner of said Southwest Quarter (SW ¼); thence East 745.5 feet, thence North 82.0 feet, thence West 745.5 feet, thence South 82 feet, to the place of beginning, A/K/A Terry Subdivision, a Minor Subdivision located in the South Half of the Southwest Quarter (S½ SW¼), Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska. AND FURTHER EXCEPTING: Commencing at the Southwest corner of the Southwest Quarter (SW¼) of Section Eleven (11), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska; thence 1,315.3 feet North 00 °00' East along the West line of the said Southwest Quarter (SW¼) to the Northwest corner of the South Half of said Southwest Quarter (S ½ SW¼); thence 628.5 feet South 89°32' East along the North line of the South Half of said Southwest Quarter (S ½ SW¼) to a point; thence 765.14 feet South, 00°00' East parallel to the West line of said Southwest Quarter (SW ¼) to a point; thence 150.0 feet South 90°00' East to a point; thence 552.70 feet South 00 °00' East parallel to the West line of the said Southwest Quarter (SW¼) to a point on the South line of said Southwest Quarter (SW¼); thence 778.5 feet, North 89°26' West along the South line of said Southwest Quarter (SW ¼) to the point of beginning.

Parcel 3:

A tract of land commencing at the Northwest corner of the Northwest Quarter (NW¼) of Section Fourteen (14), Township Seventeen (17) North, Range One (1) West of the 6th P.M., in Platte County, Nebraska; thence 778.5 feet East along the North line of the said Northwest Quarter (NW ¼) to a point; thence 707.4 feet South at a deflection angle of 90 ° right to a point on the North right-of-way line of U.S. Highway #81; thence 1,002.5 feet Northwesterly along said right-of-way line to a point on the West line of the said Northwest Quarter (NW¼); thence 73.9 feet North along the West line of the said Northwest Quarter (NW ¼) to the point of beginning, all in the said Northwest Quarter (NW ¼). EXCEPT that part deeded to The State of Nebraska as set out in Warranty Deed dated June 22, 1961 and recorded July 11, 1961 in Book 120, Page 569; AND FURTHER EXCEPTING that part set out in the Return of Appraisers dated September 27, 1995 and recorded May 5, 1997 in Book 91, Page 113.

Parcel 4:

All that part of the Northwest Quarter (NW¼) of Section Fourteen (14), Township Seventeen (17) North, Range One (1) West of the 6th P.M., Platte County, Nebraska, lying North and East of the present U.S. Highway #81, more particularly described as follows: Commencing at the Northeast corner of the Northwest Quarter (NW¼) of Section Fourteen (14), thence West 2,681.3 feet along the North line of said Northwest Quarter (NW¼) of Section Fourteen (14), to the Northwest corner of said Northwest Quarter (NW ¼) of Section Fourteen (14), thence South 73.9 feet along the West line of said Northwest Quarter (NW ¼) of Section Fourteen (14), to a point on the North right-of-way line of State Highway #81, thence Southeast along the North right-of-way line of State Highway #81 to a point on the East line of said Northwest Quarter (NW¼) of Section Fourteen (14), said point lying 379.6 feet North of the Southeast corner of the Northwest Quarter (NW¼) of Section Fourteen (14), thence North 2,270.3 feet along the East line of said Northwest Quarter (NW¼) of Section Fourteen (14), to the point of beginning; EXCEPT a tract of land commencing at the Northwest corner of the Northwest Quarter (NW ¼) of Section Fourteen (14), Township Seventeen (17) North, Range One (1) West of the 6th P.M., in Platte County, Nebraska; thence 778.5 feet East along the North line of the said Northwest Quarter (NW¼) to a point; thence 707.4

feet South at a deflection angle of 90 ° right to a point on the North right-of-way line of U.S. Highway #81; thence 1,002.5 feet Northwesterly along said right-of-way line to a point on the West line of the said Northwest Quarter (NW¼); thence 73.9 feet North along the West line of the said Northwest Quarter (NW ¼) to the point of beginning, all in the said Northwest Quarter (NW¼). EXCEPT that part deeded to The State of Nebraska as set out in Warranty Deed dated June 22, 1961 and recorded July 11, 1961 in Book 120, Page 569; AND FURTHER EXCEPTING that part set out in the Return of Appraisers dated September 27, 1995 and recorded May 5, 1997 in Book 91, Page 113.

2. DESCRIPTION OF THE PROPERTY Terry Property

Address: 3997 63rd Ave. Columbus, NE. Zip Code: 68601

Legal Description of the Land: situated in the County of Platte, State of Nebraska, to-wit, Lots One and Two (1 & 2), Terry Subdivision, Columbus, Platte County, Nebraska. Commencing at a Point 545 feet North of the Southwest corner of the Southwest quarter (SW 1/4) of Section 11, Township 17 North, Range One (1) West of the 6th P.M., Platte County, Nebraska, thence East 628 feet at a 90 degree angle to the West line of said Southwest quarter (SW 1/4) to a Point of Beginning; thence North 693 feet parallel to the West line of the said Southwest quarter (SW 1/4) to a point thence East 150 feet perpendicular to the West line of the said southwest quarter (SW 1/4) to a point, thence South 693 feet parallel to the West line of the said Southwest quarter (SW 1/4) of Section 11, Township 17 North, Range One (1) West of the 6th P.M., Platte County, Nebraska. Subject to all easements, covenants, conditions, reservations, leases and restrictions of record, all legal highways, all rights of way, all zoning, building and other laws, ordinances, and regulation, all rights of tenants in possession, and all real estate taxes and assessments not yet due and payable.

The Property shall include the above-described land, together with all improvements thereon, all appurtenant rights, privileges, easements, fixtures, and all of, but not limited to, the following items if they are now located on the Property and used in connection therewith: electrical, plumbing, heating, ventilation and air conditioning equipment; refrigerators, freezers; washers/dryers; bathroom fixtures; shades; blinds; awnings; curtain/drapery/ traverse rods; window/door screens, storm windows/doors; shrubbery/landscaping; affixed mirrors/floor covering; wall-to-wall, inlaid and stair carpeting (attached or otherwise); fireplace inserts; fireplace screens/glass doors; wood stove; gas logs and starters; television aerials/rotor operating boxes/satellite dishes (including non-leased components); water softeners; water purifiers; central vacuum systems and equipment; garage door openers/ operating devices; ranges, ovens, microwaves, refrigerators, dishwashers, garbage disposals, trash compactors, humidifiers; all security alarm systems and controls; all affixed or built-in furniture/ fixtures; utility/storage buildings/structures; in ground/above ground swimming pools and equipment; swing sets/play sets; affixed basketball backboard/pole; propane tank/ oil tank and contents thereof together with the fixtures and personal property described below (check items included in sale).

Depiction and Current Condition (outlined in red):

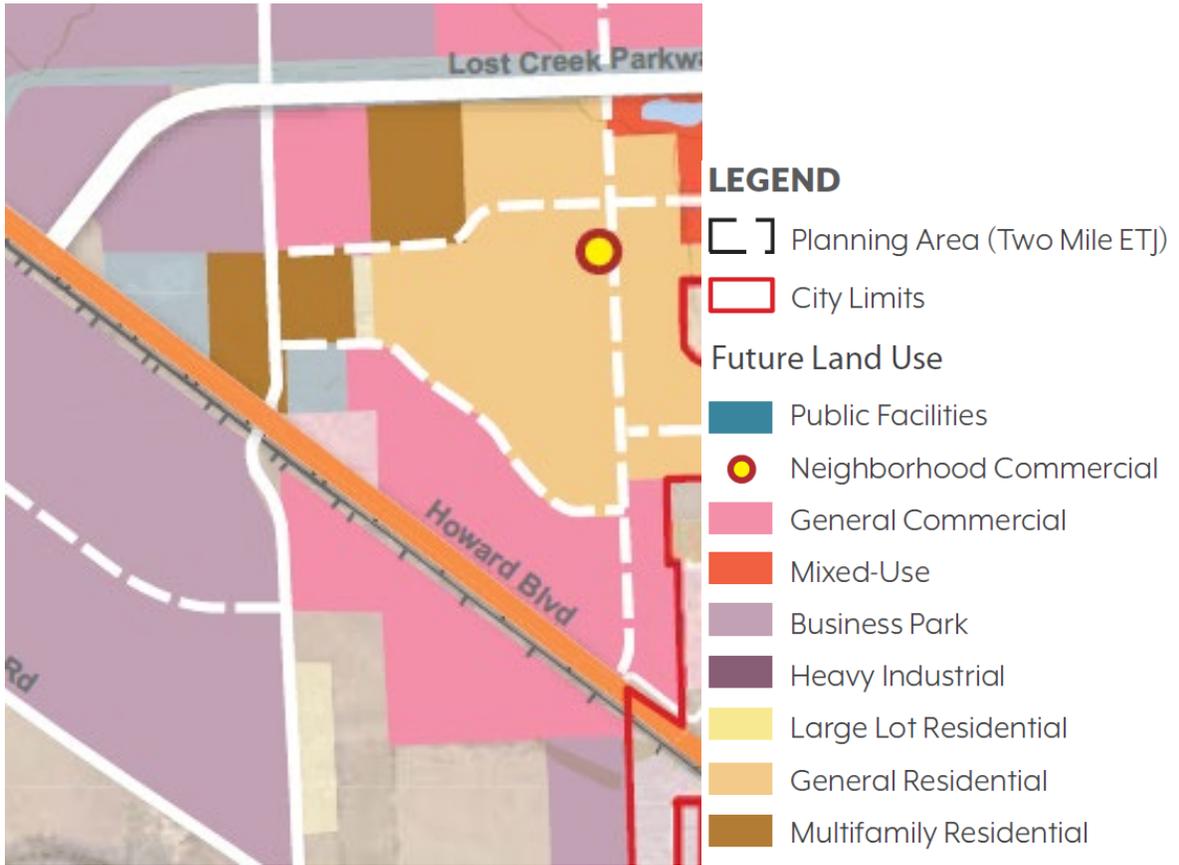


* Parcel 710022848 is a cellular tower site and is not a part of the Project Site.

Exhibit "A-1"

EXHIBIT "B"

Future Land Use Map



* Project Site currently designated as a mix of multifamily residential, general residential, and general commercial.

EXHIBIT "C"

Preliminary Site Plans and Future Land Uses

(See Attached)

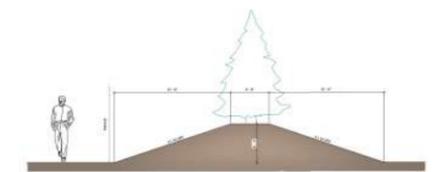
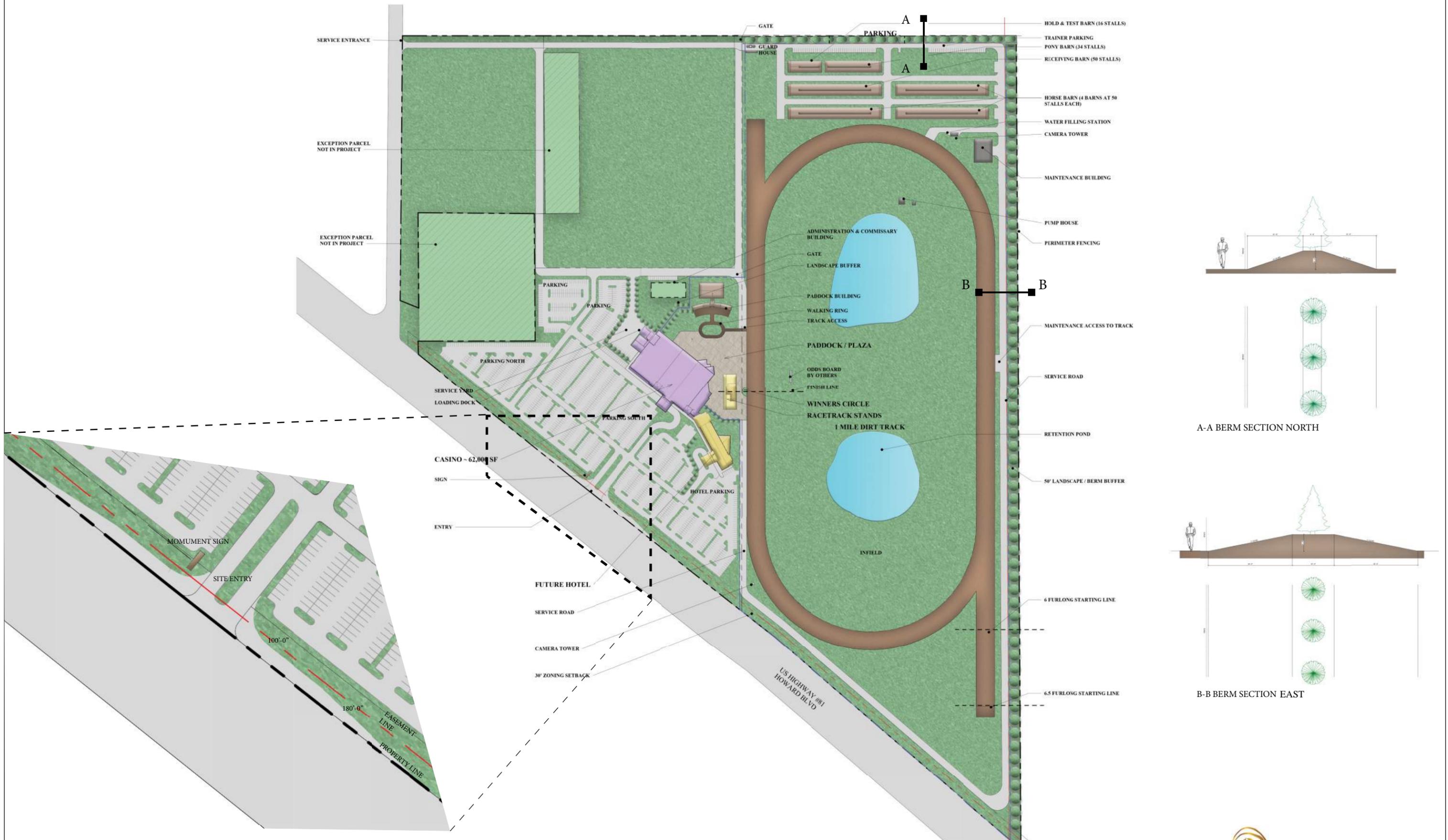
* The attached are preliminary plans and are subject to change.

Exhibit "C"

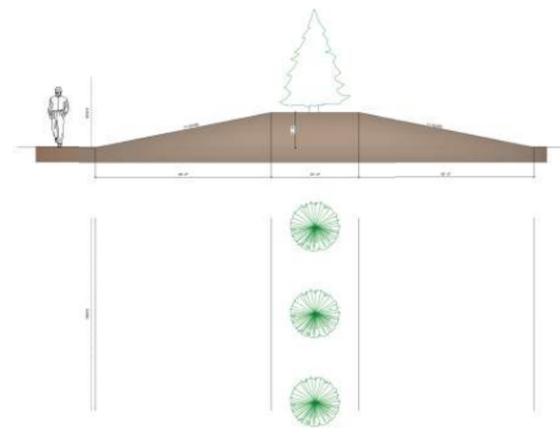
Harrahs®

COLUMBUS, NEBRASKA CASINO & HORSE RACING

CONCEPT DESIGN PRESENTATION PACKAGE



A-A BERM SECTION NORTH

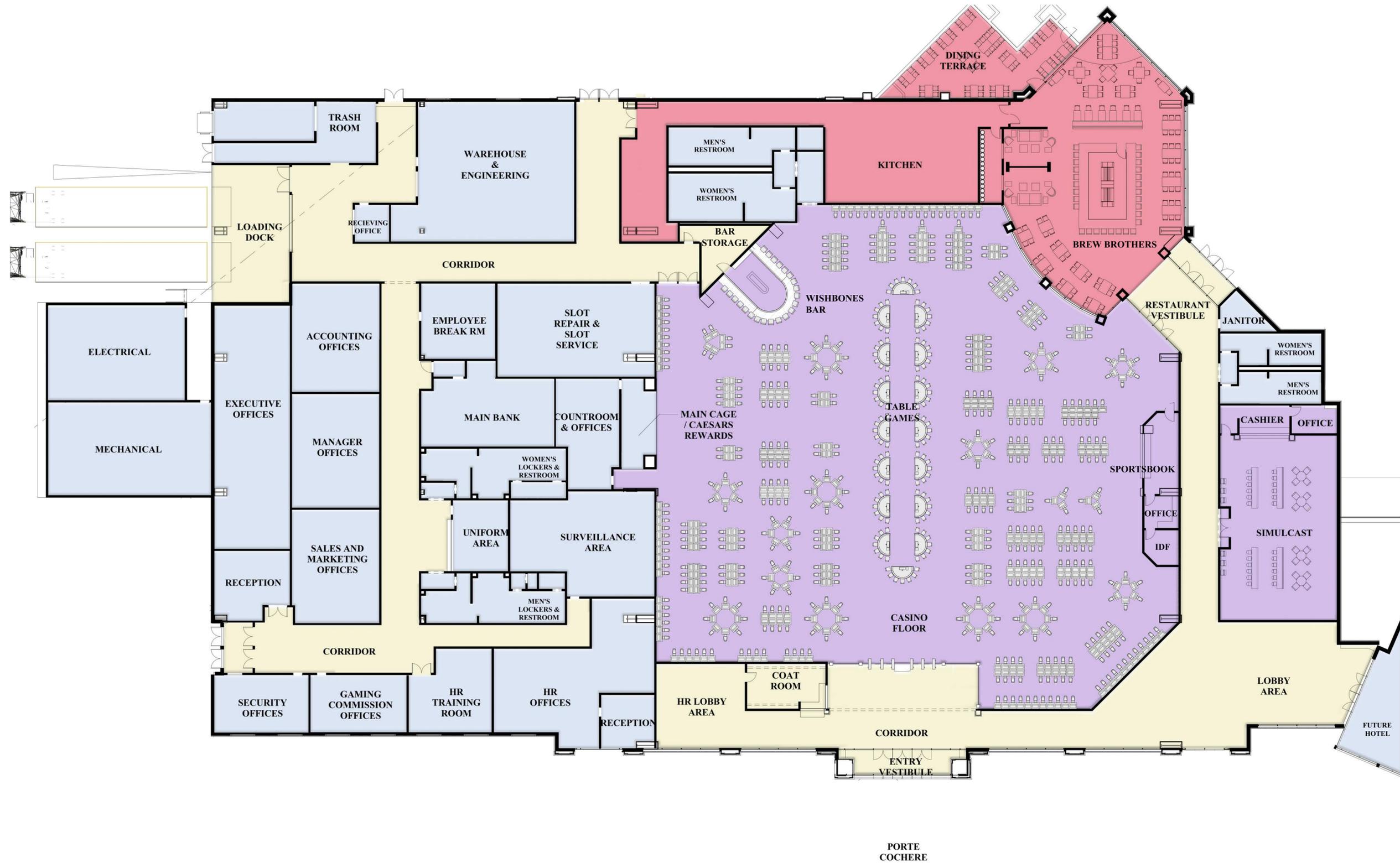


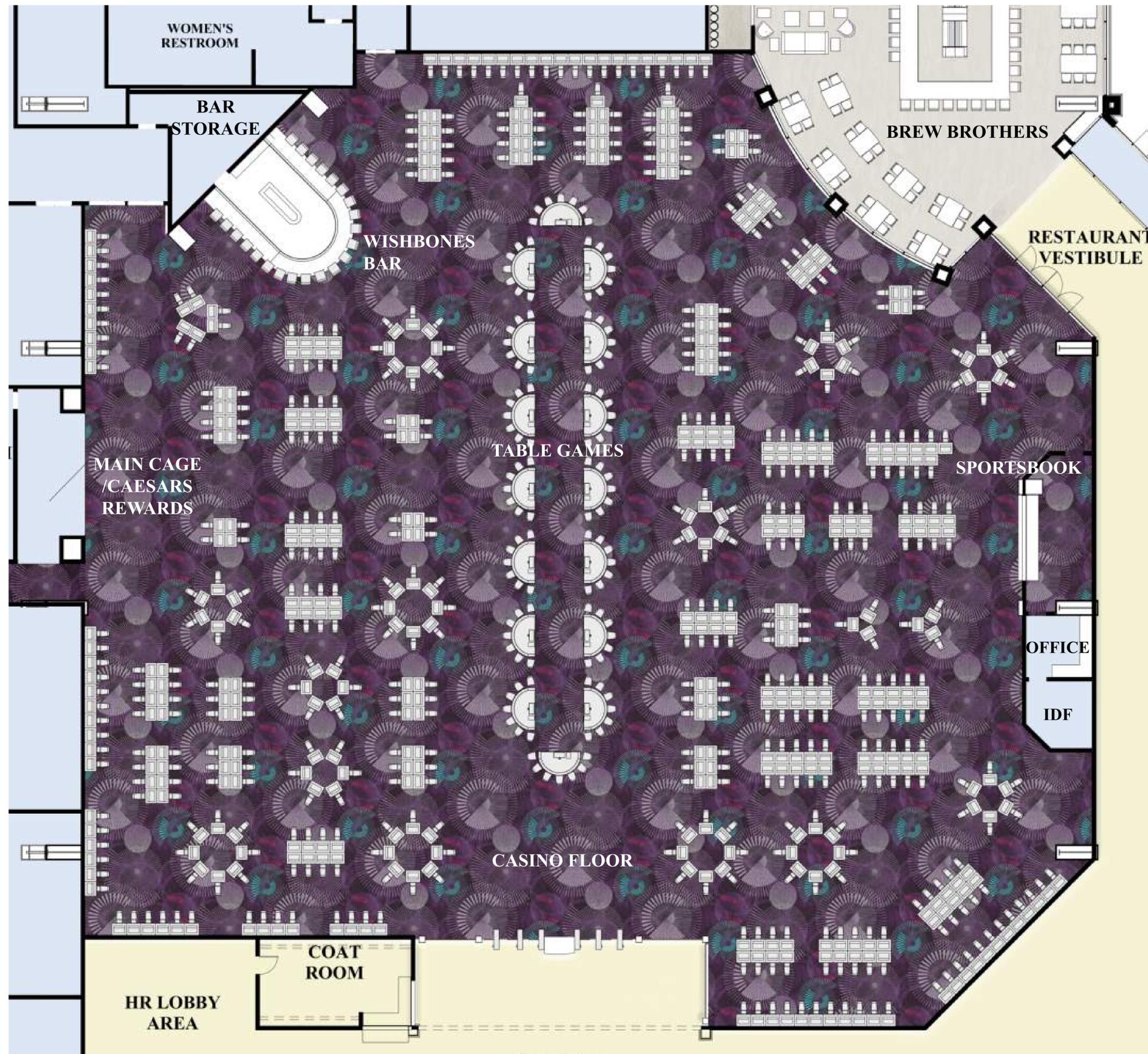
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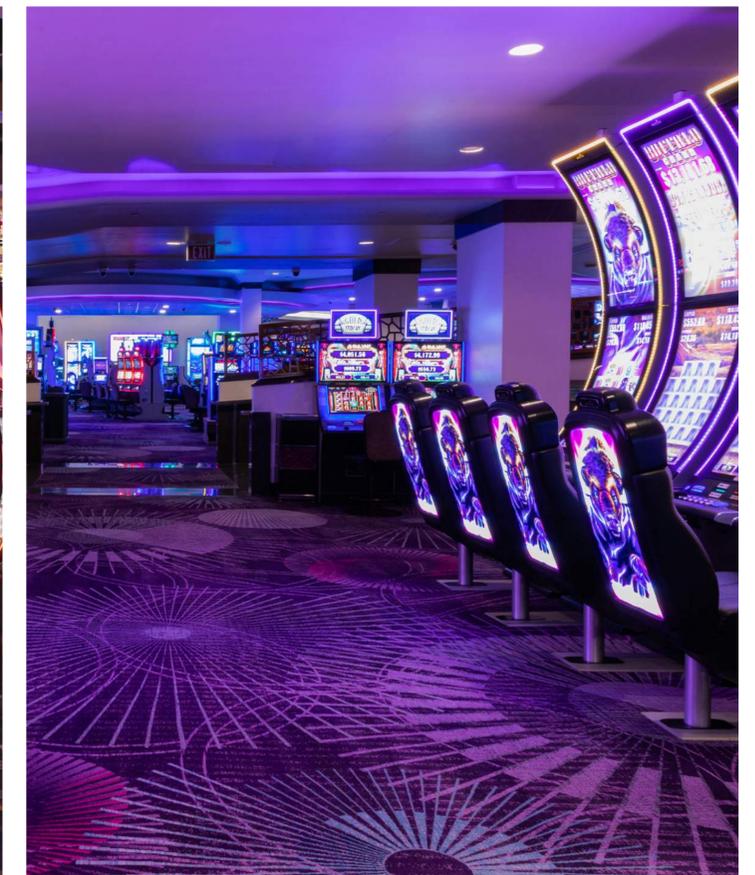
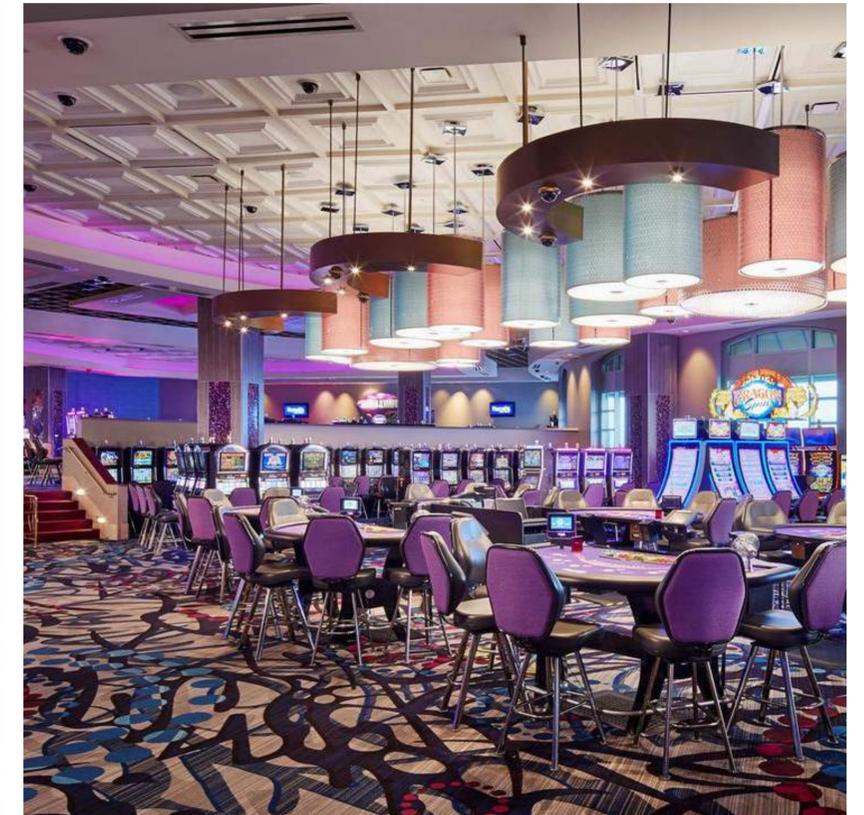


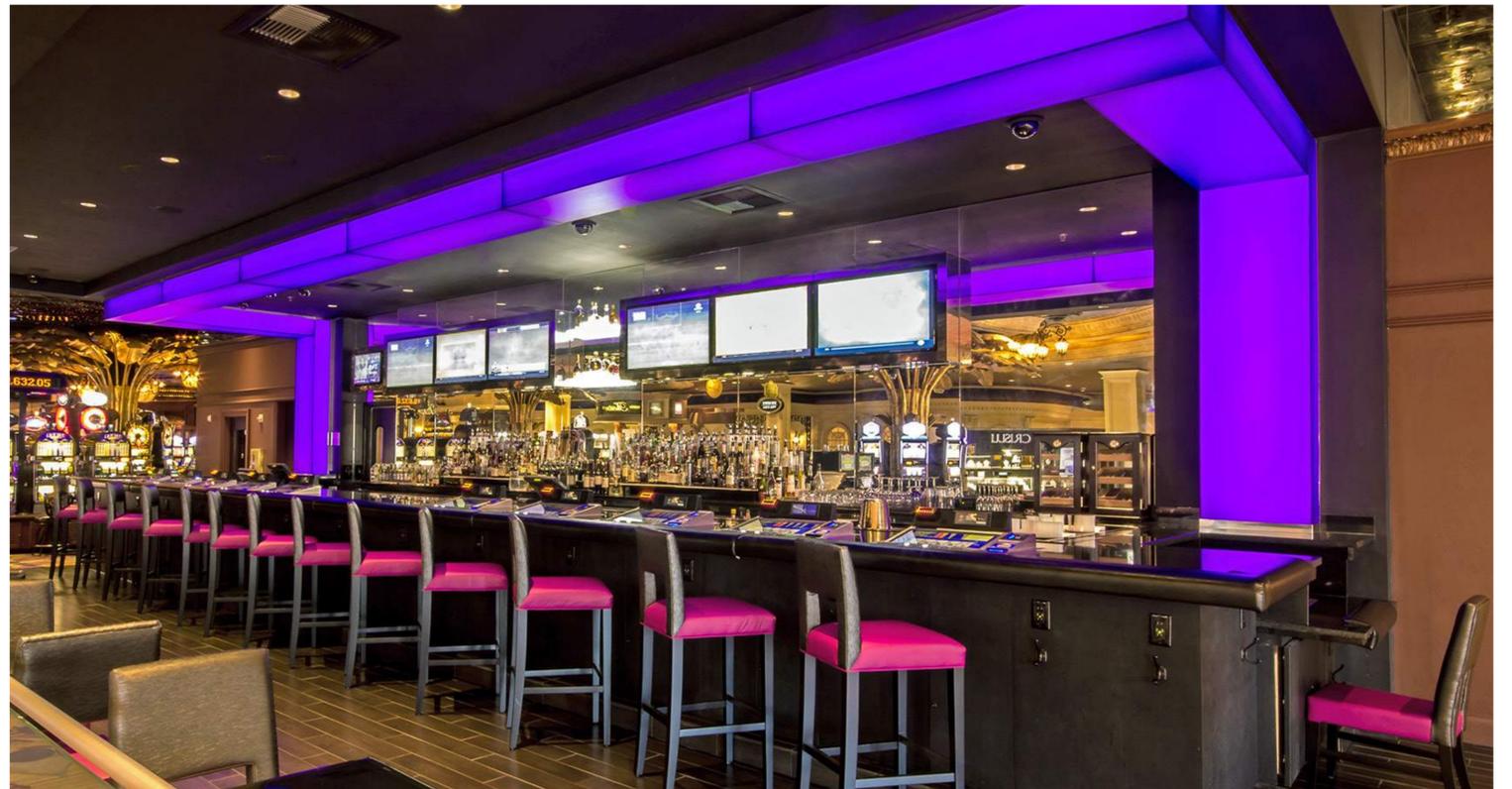


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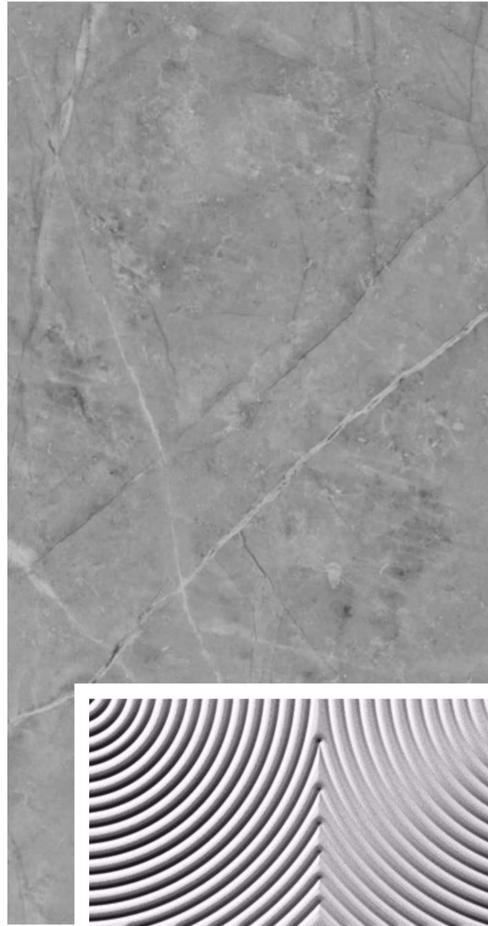




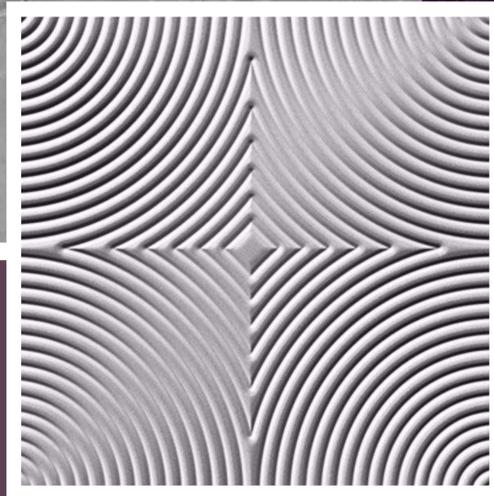


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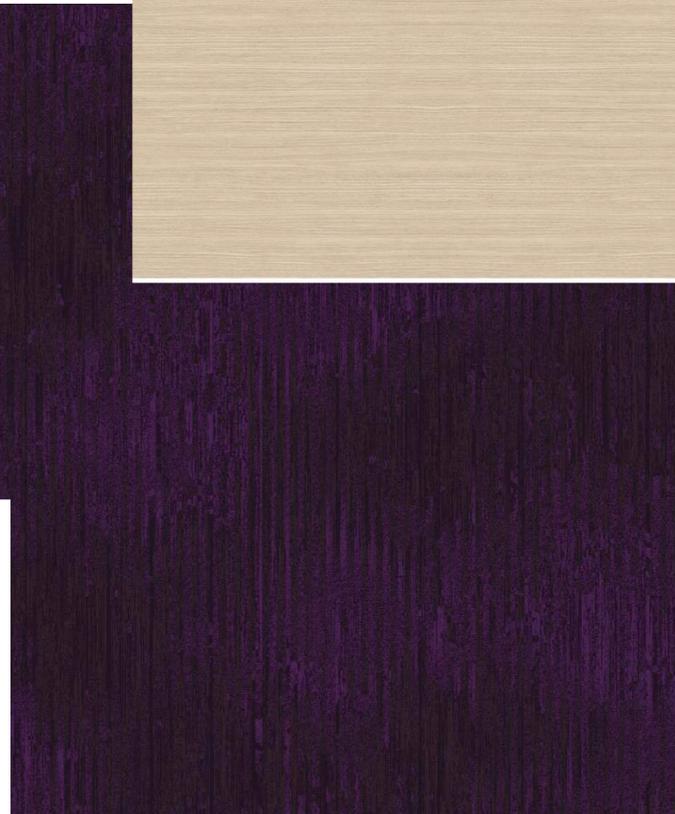
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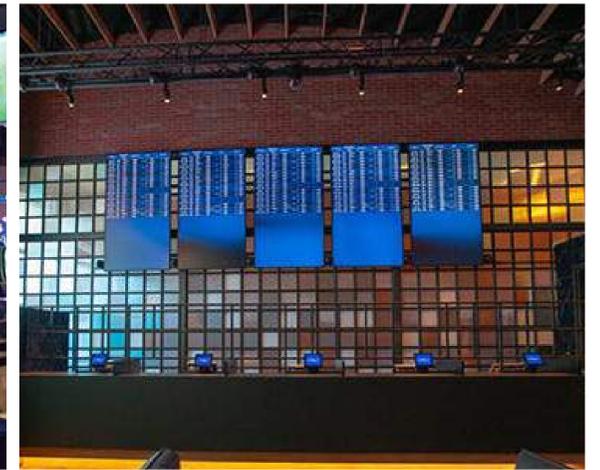
LAMINATE WOODGRAIN



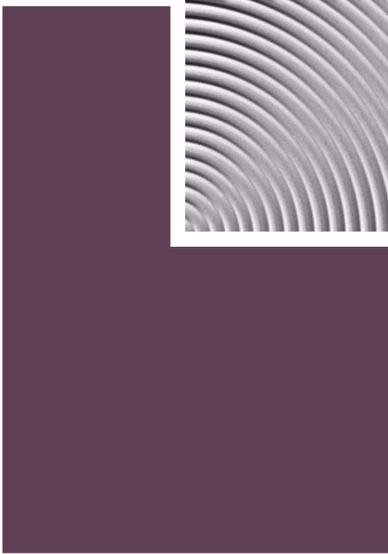
DECORATIVE CEILING TILE



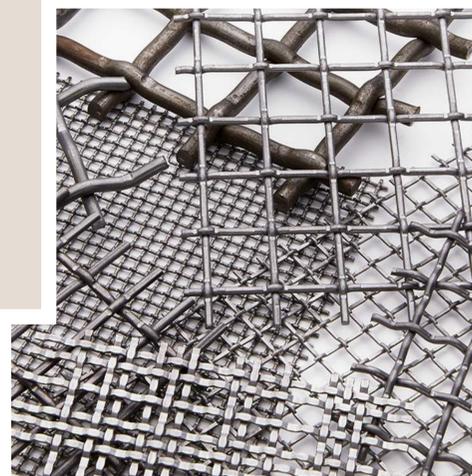
SPORTSBOOK CARPET



SPORTSBOOK PAINT



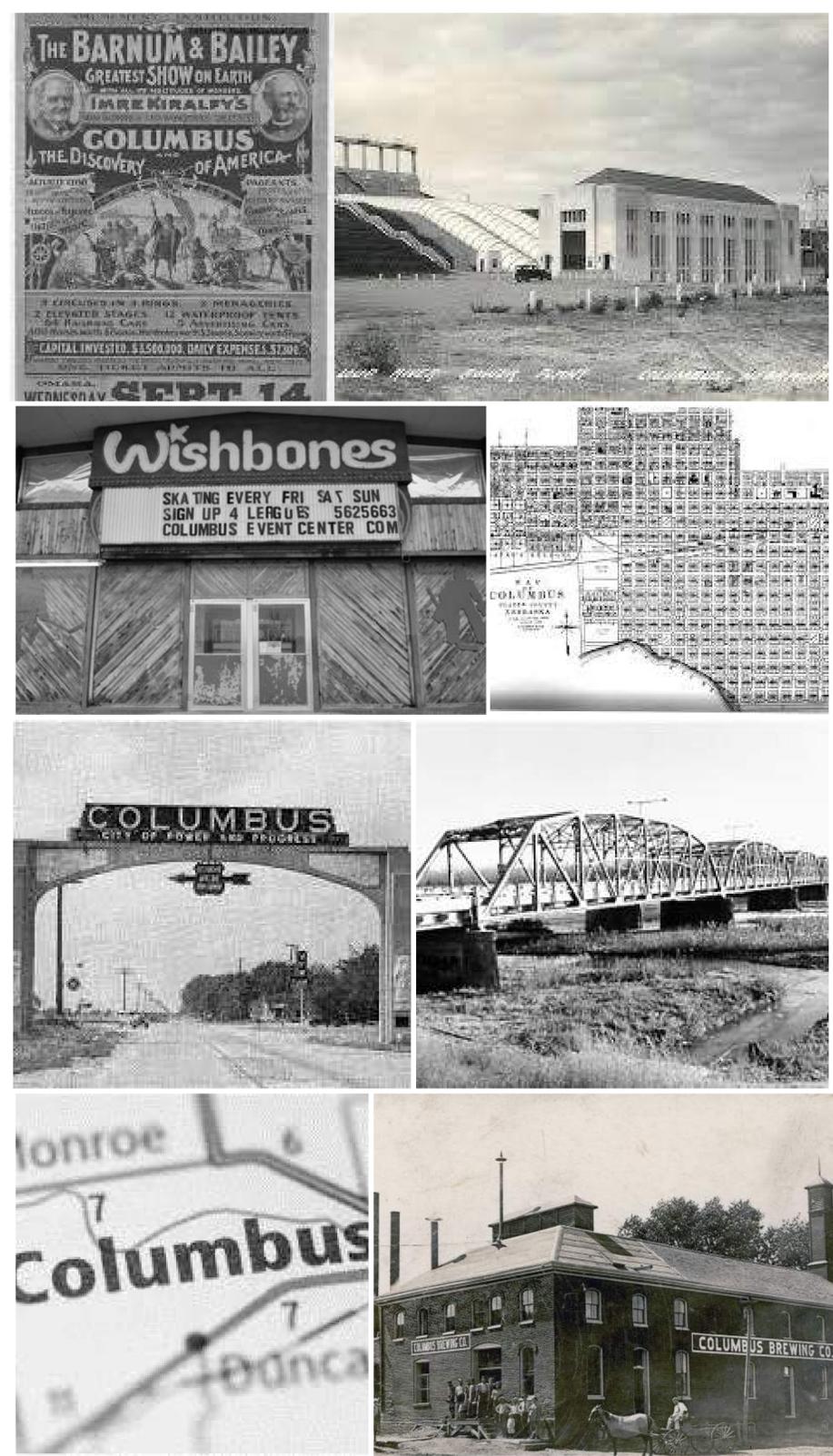
SPORTSBOOK PAINT



WIRE MESH FINISHES



ART WORK



FURNITURE



LIGHTING



CORRIDOR WALLCOVERING



TILE FLOOR



PAINT

Grandstands

Track

Scale: 1" = 50'-0"

One Story Casino

Enclosed Link

Outdoor Patio

Glass Pool Building

Four Story Hotel

Loading

Dual Branded Fairfield Inn and Suites + Townplace Suites by Marriott

US Highway 81, Columbus, Nebraska 68601

SITE PLAN

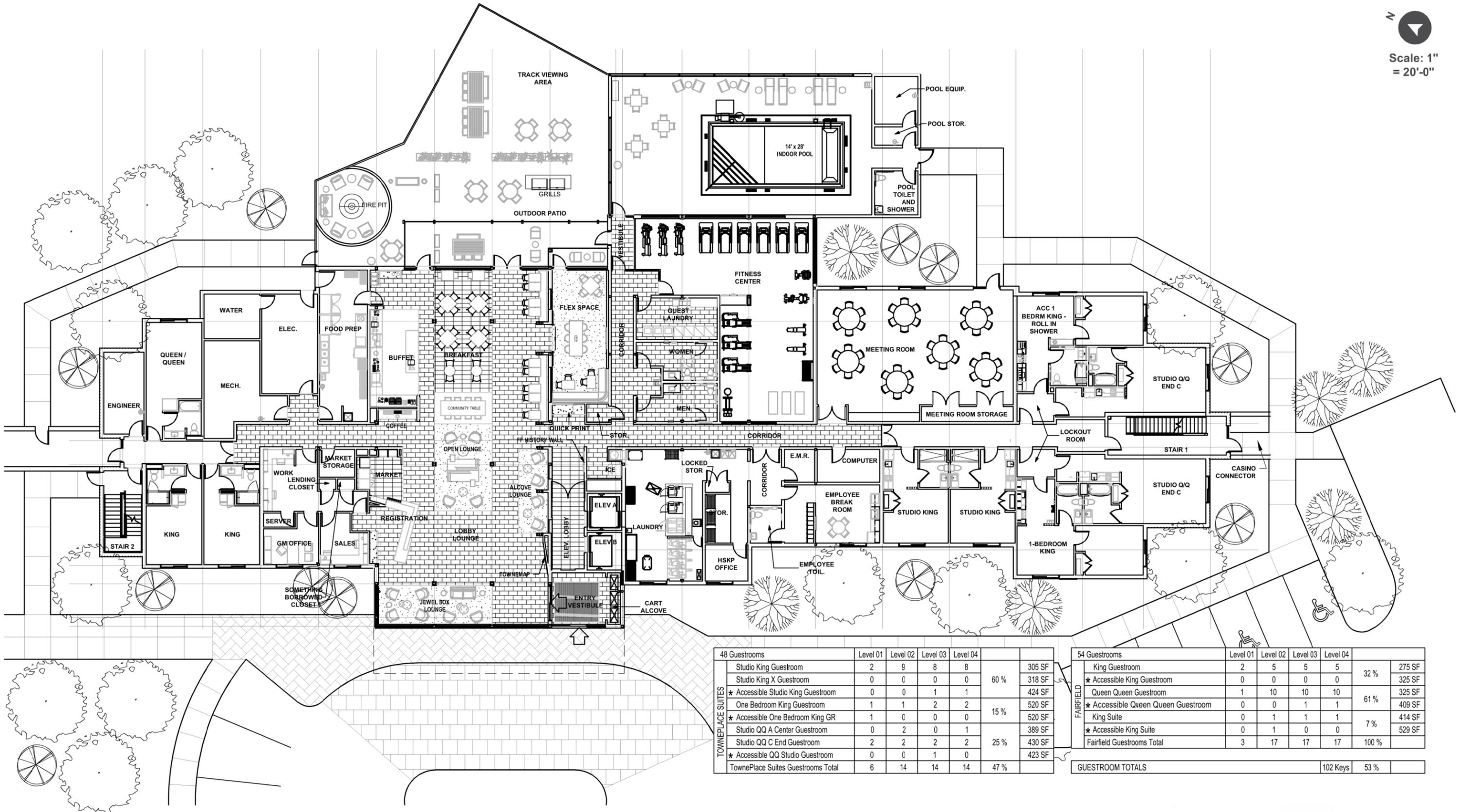
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01.12.2022





Scale: 1" = 20'-0"



48 Guestrooms		Level 01	Level 02	Level 03	Level 04		
TOWNEPLACE SUITES	Studio King Guestroom	2	9	8	8		305 SF
	Studio King X Guestroom	0	0	0	0	60 %	318 SF
	* Accessible Studio King Guestroom	0	0	1	1		424 SF
	One Bedroom King Guestroom	1	1	2	2	15 %	520 SF
	* Accessible One Bedroom King GR	1	0	0	0		520 SF
	Studio QQ A Center Guestroom	0	2	0	1		389 SF
	Studio QQ C End Guestroom	2	2	2	2	25 %	430 SF
	* Accessible QQ Studio Guestroom	0	0	1	0		423 SF
TownePlace Suites Guestrooms Total		6	14	14	14	47 %	

54 Guestrooms		Level 01	Level 02	Level 03	Level 04		
FAIRFIELD	King Guestroom	2	5	5	5		275 SF
	* Accessible King Guestroom	0	0	0	0	32 %	325 SF
	Queen Queen Guestroom	1	10	10	10	61 %	325 SF
	* Accessible Queen Queen Guestroom	0	0	1	1		409 SF
	King Suite	0	1	1	1	7 %	414 SF
	* Accessible King Suite	0	1	0	0		529 SF
	Fairfield Guestrooms Total	3	17	17	17	100 %	

GUESTROOM TOTALS						102 Keys	53 %

Dual Branded Fairfield Inn and Suites + Townplace Suites by Marriott

US Highway 81, Columbus, Nebraska 68601

LEVEL 01

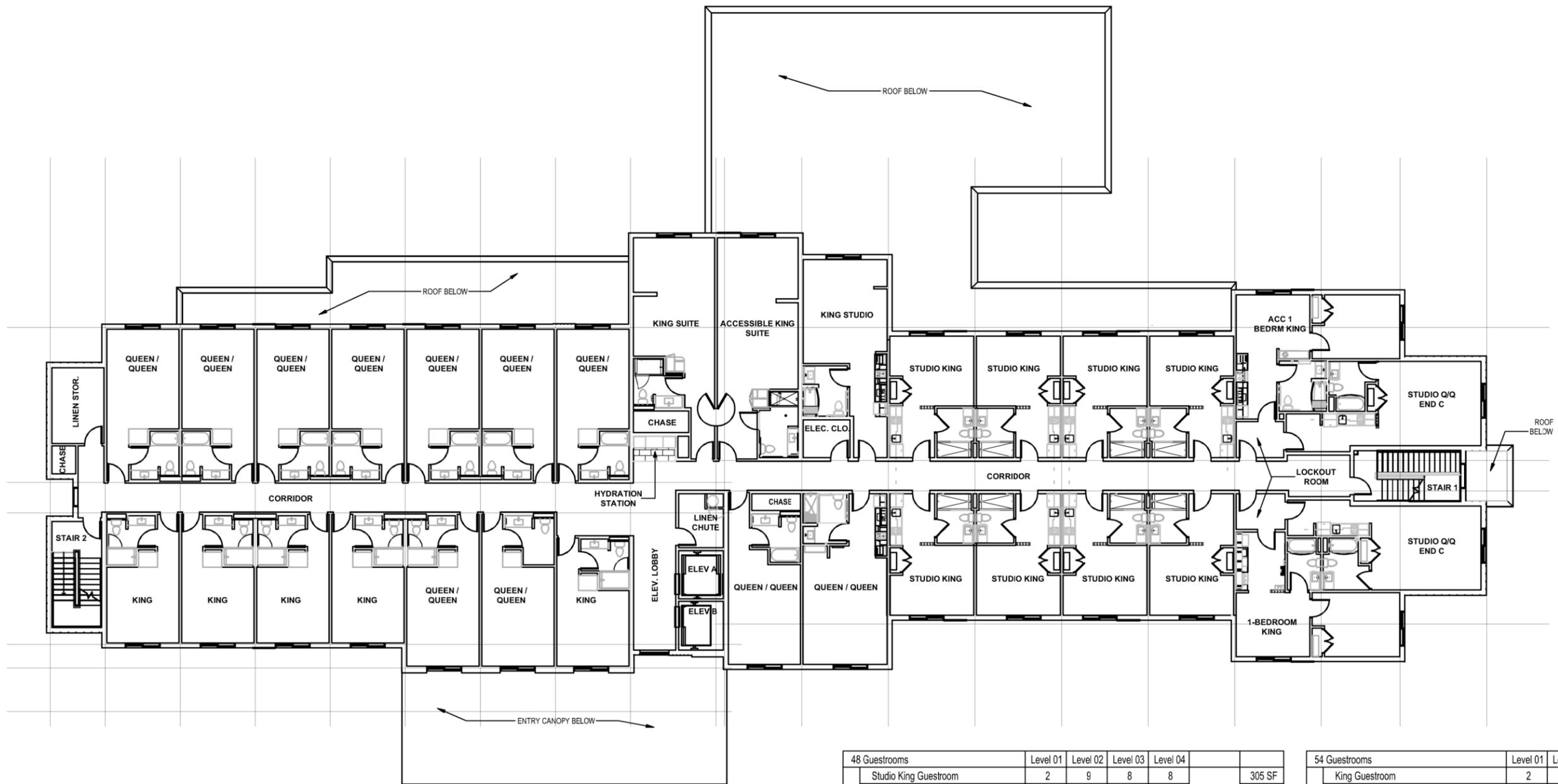
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01.13.2022





Scale: 1" = 20'-0"



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TOWNEPLACE SUITES	Studio King Guestroom	2	9	8	8	60 %	305 SF	
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	Fairfield Guestrooms Total	3	17	17	17		100 %

GUESTROOM TOTALS					102 Keys	53 %	
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Dual Branded Fairfield Inn and Suites + Townplace Suites by Marriott

US Highway 81, Columbus, Nebraska 68601

LEVEL 02

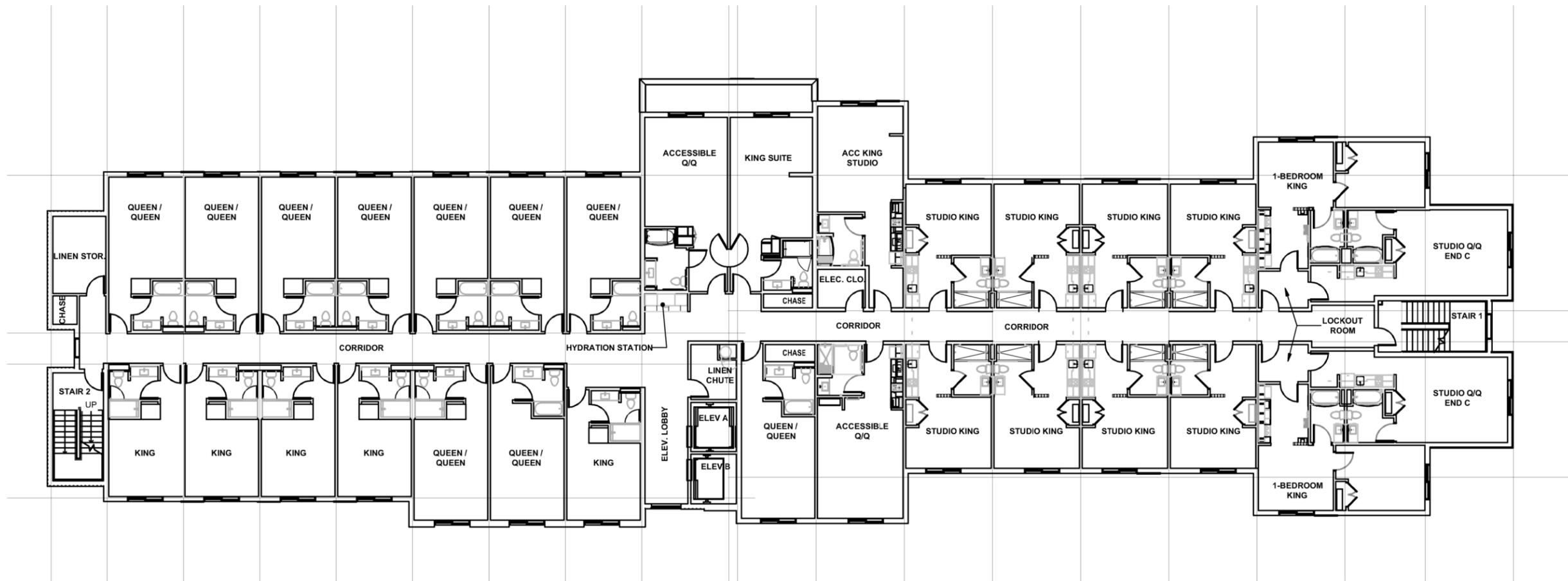
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01.13.2022





Scale: 1" = 20'-0"



48 Guestrooms		Level 01	Level 02	Level 03	Level 04			
TOWNEPLACE SUITES	Studio King Guestroom	2	9	8	8	60 %	305 SF	
	Studio King X Guestroom	0	0	0	0		318 SF	
	* Accessible Studio King Guestroom	0	0	1	1	15 %	424 SF	
	One Bedroom King Guestroom	1	1	2	2		520 SF	
	* Accessible One Bedroom King GR	1	0	0	0		520 SF	
	Studio QQ A Center Guestroom	0	2	0	1	25 %	389 SF	
	Studio QQ C End Guestroom	2	2	2	2		430 SF	
	* Accessible QQ Studio Guestroom	0	0	1	0		423 SF	
	TownePlace Suites Guestrooms Total		6	14	14	14	47 %	

54 Guestrooms		Level 01	Level 02	Level 03	Level 04		
FAIRFIELD	King Guestroom	2	5	5	5	32 %	275 SF
	* Accessible King Guestroom	0	0	0	0		325 SF
	Queen Queen Guestroom	1	10	10	10	61 %	325 SF
	* Accessible Queen Queen Guestroom	0	0	1	1		409 SF
	King Suite	0	1	1	1		414 SF
	* Accessible King Suite	0	1	0	0	7 %	529 SF
	Fairfield Guestrooms Total	3	17	17	17		100 %

GUESTROOM TOTALS					102 Keys	53 %	
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Dual Branded Fairfield Inn and Suites + Townplace Suites by Marriott

US Highway 81, Columbus, Nebraska 68601

LEVEL 03

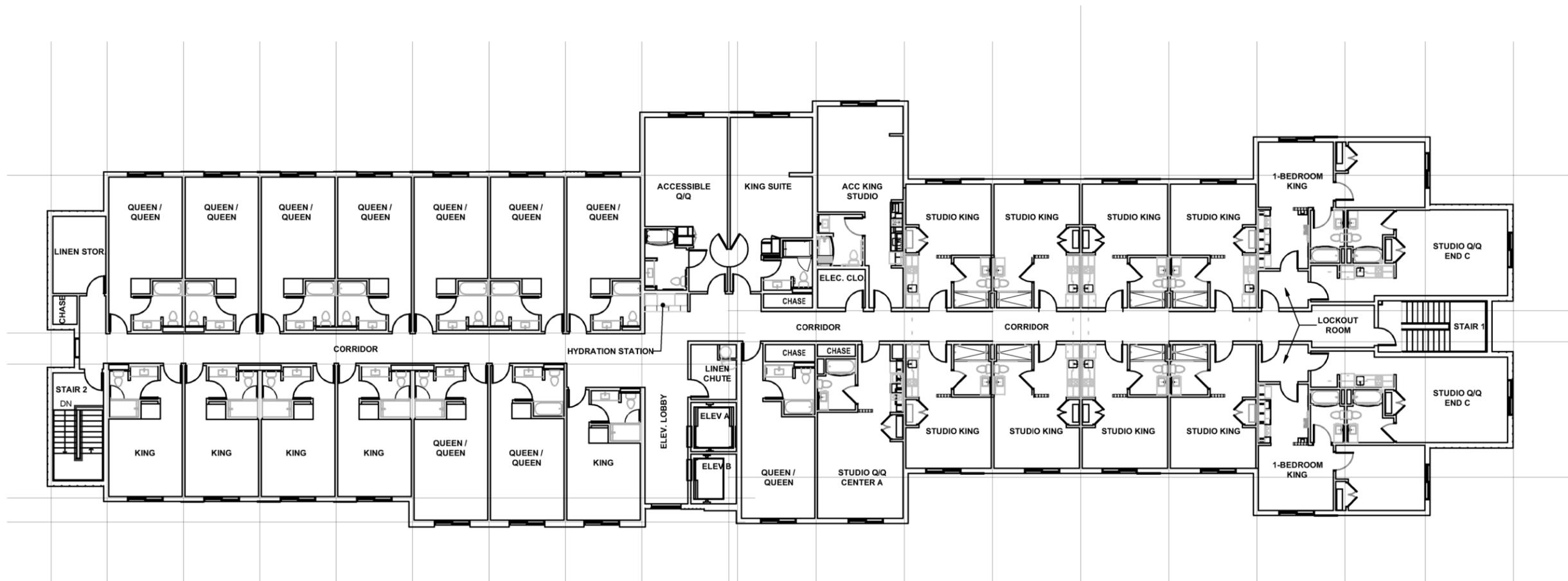
21505.00

01.13.2022





Scale: 1" = 20'-0"



48 Guestrooms		Level 01	Level 02	Level 03	Level 04			
TOWNEPLACE SUITES	Studio King Guestroom	2	9	8	8	60 %	305 SF	
	Studio King X Guestroom	0	0	0	0		318 SF	
	* Accessible Studio King Guestroom	0	0	1	1	15 %	424 SF	
	One Bedroom King Guestroom	1	1	2	2		520 SF	
	* Accessible One Bedroom King GR	1	0	0	0		520 SF	
	Studio QQ A Center Guestroom	0	2	0	1	25 %	389 SF	
	Studio QQ C End Guestroom	2	2	2	2		430 SF	
	* Accessible QQ Studio Guestroom	0	0	1	0		423 SF	
	TownePlace Suites Guestrooms Total		6	14	14	14	47 %	

54 Guestrooms		Level 01	Level 02	Level 03	Level 04		
FAIRFIELD	King Guestroom	2	5	5	5	32 %	275 SF
	* Accessible King Guestroom	0	0	0	0		325 SF
	Queen Queen Guestroom	1	10	10	10	61 %	325 SF
	* Accessible Queen Queen Guestroom	0	0	1	1		409 SF
	King Suite	0	1	1	1		414 SF
	* Accessible King Suite	0	1	0	0	7 %	529 SF
	Fairfield Guestrooms Total	3	17	17	17		100 %

GUESTROOM TOTALS					102 Keys	53 %	
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Dual Branded Fairfield Inn and Suites + Townplace Suites by Marriott

US Highway 81, Columbus, Nebraska 68601

LEVEL 04

21505.00

01.13.2022





Dual Branded Fairfield Inn and Suites + Townplace Suites by Marriott

US Highway 81, Columbus, Nebraska 68601

ELEVATIONS

21505.00

01.18.2022



EXHIBIT "D"

Estimate of Construction Costs

Land Acquisition	\$4,750,000
Site Development & Preparation	\$34,998,847
Private Improvements	\$43,867,103
Legal Fees	\$200,000
Architecture & Engineering	\$3,409,000
Financing Costs	\$90,000
Contingencies	\$1,724,588
TOTAL:	\$89,039,538

* The above figures are estimated values based on current pricing. These preliminary estimates are subject to change, as Redeveloper has no control over the change in cost of materials and services between the time of the approval of this Redevelopment Plan and completion of construction.

EXHIBIT "E"

Sources and Uses of TIF

USES:*

Demolition	\$580,320
Site Preparation	\$2,857,488
Streets	\$8,761,451
Water	\$1,690,293
Sanitary Sewer	\$657,578
Electrical	\$300,000
Other Utilities	\$708,796
Public Spaces & Landscaping	\$1,556,189
Sidewalks	\$134,510
Lighting	\$1,185,747
TOTAL:	\$18,432,372

OTHER TIF-ELIGIBLE COSTS:**

Land Acquisition	\$4,750,000
Architecture & Engineering	\$3,409,000
Façade Enhancements	\$300,000
Energy Efficiency Enhancements	\$400,000
Capitalized TIF Interest	\$451,735
Legal Fees	\$200,000
TOTAL:	\$9,510,735

TOTAL TIF-ELIGIBLE COSTS: \$27,943,107

* The above "Uses" are preliminary estimates based on current pricing and are subject to change.

** While the Redevelopment Project includes additional costs that are eligible for reimbursement from TIF, it is the intent of Redeveloper, the Agency and the City that the sizing and allocation of TIF Revenues relates to site preparation, infrastructure, and public improvements – which are the basis of Redeveloper's need for TIF and/or provide the most public benefit. Notwithstanding, it is the intent of this Redevelopment Plan that any of the eligible costs anticipated herein shall be eligible for reimbursement from TIF.

SOURCES:

General Assumptions:

Base Value:	\$1,076,070
Final Value:	\$78,392,799**
Tax Levy (2021):	1.884353
TIF Indebtedness:	NTE \$13,250,000
Interest Rate:	NTE 5.0%

* The above figures are estimates based upon the assumptions in this Exhibit "E" and are subject to change.

** It is anticipated that the assessed value of the Project Site will gradually increase over time. Accordingly, the above estimated final value is the estimated average for the assessed value of the Project Site over the course of the 15-year TIF period.

Estimated Amortization:

DATE	Total Taxable Valuation	Less Pre-Development Base	TIF Taxable Valuation	Tax Levy	Tax Revenues	Treasurer's 1% Collection Fee	Revenues Available For TIF Loan	Debt Service Payments			Loan Balance	Capitalized Interest	Interest at 5.00%	
								Principal	Interest at 5.00%	Total				
0												\$13,250,000		
0.5	\$ 11,597,000	0	\$ 11,597,000	1.88435	\$ 109,264	\$ 1,093	\$ 108,171	\$0	\$108,171	\$108,171	\$13,473,079	223079	331250	
1	\$ 11,597,000	0	\$ 11,597,000	1.88435	\$ 109,264	\$ 1,093	\$ 108,171	\$0	\$108,171	\$108,171	\$13,701,735	228656	336827	
1.5	\$ 38,658,000	0	\$ 38,658,000	1.88435	\$ 364,227	\$ 3,642	\$ 360,585	\$18,042	\$342,543	\$360,585	\$13,683,693	0	342543	
2	\$ 38,658,000	0	\$ 38,658,000	1.88435	\$ 364,227	\$ 3,642	\$ 360,585	\$18,493	\$342,092	\$360,585	\$13,665,200	0	342092	
2.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$379,545	\$341,630	\$721,175	\$13,285,655	0	341630	
3	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$389,034	\$332,141	\$721,175	\$12,896,621	0	332141	
3.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$398,759	\$322,416	\$721,175	\$12,497,862	0	322416	
4	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$408,728	\$312,447	\$721,175	\$12,089,134	0	312447	
4.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$418,947	\$302,228	\$721,175	\$11,670,187	0	302228	
5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$429,420	\$291,755	\$721,175	\$11,240,767	0	291755	
5.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$440,156	\$281,019	\$721,175	\$10,800,611	0	281019	
6	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$451,160	\$270,015	\$721,175	\$10,349,451	0	270015	
6.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$462,439	\$258,736	\$721,175	\$9,887,012	0	258736	
7	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$474,000	\$247,175	\$721,175	\$9,413,012	0	247175	
7.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$485,850	\$235,325	\$721,175	\$8,927,162	0	235325	
8	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$497,996	\$223,179	\$721,175	\$8,429,166	0	223179	
8.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$510,446	\$210,729	\$721,175	\$7,918,720	0	210729	
9	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$523,207	\$197,968	\$721,175	\$7,395,513	0	197968	
9.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$536,287	\$184,888	\$721,175	\$6,859,226	0	184888	
10	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$549,694	\$171,481	\$721,175	\$6,309,532	0	171481	
10.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$563,437	\$157,738	\$721,175	\$5,746,095	0	157738	
11	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$577,523	\$143,652	\$721,175	\$5,168,572	0	143652	
11.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$591,961	\$129,214	\$721,175	\$4,576,611	0	129214	
12	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$606,760	\$114,415	\$721,175	\$3,969,851	0	114415	
12.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$621,929	\$99,246	\$721,175	\$3,347,922	0	99246	
13	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$637,477	\$83,698	\$721,175	\$2,710,445	0	83698	
13.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$653,414	\$67,761	\$721,175	\$2,057,031	0	67761	
14	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$669,749	\$51,426	\$721,175	\$1,387,282	0	51426	
14.5	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$686,493	\$34,682	\$721,175	\$700,789	0	34682	
15	\$ 77,316,729	0	\$ 77,316,729	1.88435	\$ 728,460	\$ 7,285	\$ 721,175	\$703,655	\$17,520	\$721,175	\$0	0	17520	
					\$19,886,942	\$198,880	\$19,688,062	\$13,704,601	\$5,983,461	\$19,688,062		\$451,735		
													(F9 = calculate)	
								Original Loan Amount		\$13,250,000				
								Capitalized Interest		\$451,735			ASSUMPTIONS:	
								Loan Balance Remaining		\$0			1. Loan Amount:	
													2. Interest Rate:	
													3. Increment Base:	
													\$13,250,000	
													5.00%	
													\$77,316,729	

* The above figures are estimates based upon the “General Assumptions” in this Exhibit “E” and are subject to change.

** Amortization conservatively provides for valuation increases of approximately 15% in the first year and 50% in the second year, prior to reaching the full estimated valuation in the third year, during the 15-year TIF period.

EXHIBIT "F"

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

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

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

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

Notes:

- 1. The Projected Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2021 levy rate.*

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

a. Public infrastructure improvements and impacts:

The Redevelopment Project requires considerable public infrastructure installation. The Project Site is adjacent to Highway 81, but is currently without viable access therefrom for the proposed uses. Accordingly, Redeveloper will construct paving for public ingress and egress from Highway 81 and/or 63rd Avenue, in addition to construction internal roadways and parking areas within the Project Site. Access to the Project Site from Highway 81 will require approval by NDOT. Redeveloper is required to pave all of 63rd Avenue between Highway 81 and Lost Creek Parkway. The public improvements for the Redevelopment Project will address any

traffic and street infrastructure concerns that would otherwise be created by the Redevelopment Project.

The Project Site requires filling and grading to properly drain the ground water runoff and provide appropriate grading levels to erect the buildings. Redeveloper will construct or extend water and sewer systems to provide appropriate service to the Project Site. Redeveloper will also construct electric, gas and telecommunications utilities extending to the buildings on the Project Site. Additionally, Redeveloper is required to construct infrastructure and utilities along or under 63rd Avenue.

The Agency and Redeveloper do not anticipate that the Redevelopment Project will have a negative impact on currently-existing City infrastructure. Rather, the Redevelopment Project requires considerable construction of infrastructure and public improvements, which positively impacts the City and its residents via the shifting of public costs to a private party.

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

In accordance with the new gaming laws, it is expected a tax of 20% will be imposed on all gambling revenues derived from the Redevelopment Project. Of that 20% tax, 70% is allocated toward the state's property tax credit fund, which will result in decreases in property taxes across the state. 25% is equally split between the county and city in which the facility is located. Preliminary projections provide a range of \$63,000,000 to \$82,000,000 in annual property tax relief generated from the six existing horse track sites in Nebraska (inclusive of Ag Park in Columbus). The above figures correlate with an estimated range of \$22,500,000 to \$29,000,000 in annual revenues to be split between the applicable cities and counties. Conservatively assuming the two sites in Lincoln and Omaha will generate 60% of the total revenues, that would leave a ~10% stake for each of the other four sites. Accordingly, based upon these preliminary estimates and assumptions, the Redevelopment Project could result in additional annual tax revenues between \$2,250,000 and \$2,900,000 divided between the City and Platte County.

In addition, the Redevelopment Project should create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Redevelopment Project, the Redevelopment Project should generate immediate tax growth for the City. The different facilities constructed on the Project Site will require and pay for City services. Additionally, the City will collect sales and other taxes on the construction and operation of the Redevelopment Project. It is not anticipated that the Redevelopment Project will have any material adverse impact on such City services, but will generate revenue providing support for those services.

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

The Redevelopment Project will result in new business and job creation within the Project Site. The Redevelopment Project will have a positive impact on new businesses and industries seeking to locate within Nebraska, such as the casino and hotel operators, as well as existing businesses looking to relocate and expand. It is anticipated that the Redevelopment Project will result in the creation of approximately 125 full-time jobs and 125 part-time jobs within the City as part of these new and expanded business operations. Accordingly, it is anticipated that the Redevelopment Project will have a positive impact on employers and employees locating or expanding within the boundaries of the Project Site.

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

The Redevelopment Project will increase tourism to the City, which should benefit other businesses and services in the City. A majority of the facilities constructed as part of the Redevelopment Project fall within the gaming sector, which will be a new industry to the City and therefore would not pose a threat to existing businesses. It is not anticipated that the new hotel will hurt the business of existing hotels in the City, as it will likely be utilized primarily by patrons of the casino in light of its location and relatively modest size (100 rooms). Rather, existing hotels likely stand to benefit from the increase in visitors resulting from the Redevelopment Project in circumstances where the casino hotel is fully booked and/or in times when they can provide a better rate. Additionally, it is anticipated that the Redevelopment Project will result in the creation of approximately 250 full time and part time jobs made available to the City's workforce. Accordingly, the Redevelopment Project is anticipated to have a positive impact on surrounding employers and employees.

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

The Redevelopment Project should not impact student populations in the City. The creation of new jobs resulting in new residents with school-aged children may indirectly impact student populations, but such an impact is too attenuated to quantify or consider with any accuracy.

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

The Redevelopment Project will revitalize and occupy a vacant space, create jobs, and provide important infrastructure and revenue to the City without straining the public

infrastructure. While it is anticipated there will be some opposition based on the nature of the Redevelopment Project, such opposition is likely to be rooted in personal ideologies, and not the economic prosperity of the City or the general welfare of its residents. Further, the City's denial of the Redevelopment Project would merely result in the same being built in a neighboring community that is eager to take advantage of its benefits. Thus, the same activities and perceived negative impacts which are the basis of the opposition would remain in close proximity, but the City and its residents would not be the benefactors of its positive impacts. Accordingly, given careful consideration, the costs of the Redevelopment Project are outweighed by its benefits.



Columbus Economic Council
A Division of the Columbus Area Chamber of Commerce



February 7, 2022

Mayor Jim Bulkley and Columbus City Council
2424 14th Street
PO Box 1677
Columbus, NE 68602

RE: Columbus Casino and Racetrack Support

Dear Mayor Bulkley and Members of the Columbus City Council,

We write this letter of support on behalf of the Columbus Economic Council and dozens of manufacturers in and around Platte County, Nebraska. These companies have invested hundreds of millions of dollars in their facilities, employ tens of thousands of workers, and have collectively awarded Columbus the well-earned reputation of being the most industrialized city in the state.

Economic Development activities for the Columbus region are carried out by the Columbus Economic Council (CEC), a committee of the Columbus Area Chamber of Commerce. The committee has 40 members representing major manufacturers, bank presidents, and city and county officials. CEC provides three primary services (recruitment, retention, and technical assistance) to new and existing Columbus companies. The focus is primarily on industrial development with an emphasis on manufacturing, technology, back office operations, and food processing.

The success of these industrial businesses and manufacturers depends on the strength of our community and the strength of their workforce. With the ever increasing pressure on workforce and personnel availability communities like Columbus, must grow and attract new population to our community. In order to attract new and retain persons to our community, we must continue to build and expand what we have to offer our residents in the form of Quality of Life. This casino and entertainment facility will create jobs and generate dollars in taxes that will help the city's and county's infrastructure and quality of life.

The design and building of the discussed Casino and Racetrack, will certainly be an attraction for all to enjoy. This venue will also have the ability to bring in high quality entertainment, especially with the Caesars Palace efforts behind these events. Local residents and those traveling from other parts of the state, will be able to attend these featured events, and then stay in our community, at the attached new Hotel. This facility also has plans for a restaurant, making this location a destination for travelers and visitors, to come to our community and enjoy all that we as a community has to offer.

With all the services, and opportunities for entertainment at this facility, it is sure to have a positive impact on our local economy as well as boost the quality of life in Columbus and this area. This along with so many new attractions to our community, including the planned building of the Columbus Hospital Fieldhouse, the downtown Children's museum and Library, along with existing Water park and expanded walking trails, Columbus will be a place where persons want to live, work, worship and visit.

For these reasons, we ask that the City of Columbus support this project, which in turn will boost the economy and assist in the expansion of our Quality of Life vision.

Respectfully,

Neal Suss
Co-Chair - Columbus Economic Council
President/CEO
Loup Power District

Todd J. Duren
Co-Chair – Columbus Economic Council
Vice President of Corporate Services
Loup Power District

7. Building report for January 2022.

Building Department Monthly Report - January

	January 2022			January 2021		
	Count	Permit Fees	Value	Count	Permit Fees	Value
Accessory Structure	3	\$138.13	\$13000.00	3	\$453.79	\$80680.00
Com Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Alteration	5	\$26082.39	\$11722665.00	0	\$0.00	\$0.00
Com New Construction	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Plumbing	1	\$36.00	\$2500.00	0	\$0.00	\$0.00
Commercial Construction	0	\$0.00	\$0.00	5	\$7059.42	\$2644800.00
Deck	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Demolition	1	\$27.50	\$30000.00	1	\$25.00	\$5000.00
Fence	3	\$86.50	\$7546.00	0	\$0.00	\$0.00
Plumbing	0	\$0.00	\$0.00	17	\$278.00	\$61350.00
Res Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Alteration	2	\$252.91	\$37878.00	0	\$0.00	\$0.00
Res New Construction	1	\$812.23	\$228133.00	0	\$0.00	\$0.00
Res Plumbing	8	\$181.00	\$35100.00	0	\$0.00	\$0.00
Res Pool	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Residential Construction	0	\$0.00	\$0.00	14	\$5838.62	\$1931299.00
Signs	3	\$107.00	\$14751.00	4	\$120.00	\$44100.00
Sprinklers	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Water Softner	5	\$94.00	\$9000.00	0	\$0.00	\$0.00
YEAR TOTAL	32	\$27,817.66	\$12,100,573.00	44	\$13,774.83	\$4,767,229.00

Population: All Records

Permit.DateIssued Between 1/1/2021 12:00:00 AM

AND 1/31/2022 12:00:00 AM

8. Adjournment.