

Planning Commission  
Monday, June 10, 2024 6:00 PM  
Columbus Community Building/Community Room  
2500 14 Street  
Columbus, NE 68601

The Mayor and City Council reserve the right to go into closed session as per Section 84-1410 of the Nebraska Revised Statutes. A current agenda is on file at City Hall, 2500 14 Street, Columbus, Nebraska. For more information, call 402-562-4224 or visit our website at [www.columbusne.us](http://www.columbusne.us).

{{Name: Agenda Item Name}}

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

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**NEBRASKA OPEN MEETINGS ACT**

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**84-1407. Act, how cited.**

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

**Source:** Laws 2004, LB 821, § 34.

**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.

**Source:** Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

**Annotations**

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**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, (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, and (iii) the Judicial Resources Commission or subcommittees or subgroups of the commission;

(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.

**Source:** Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2; Laws 2021, LB83, § 11; Laws 2022, LB922, § 12.

**Operative Date: July 21, 2022**

#### **Annotations**

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of

having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- Although the Open Meetings Act does not define "subcommittee," a subcommittee is generally defined as a group within a committee to which the committee may refer business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- The Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until the moment the public is invited to comment on a proposed policy. By excluding nonquorum subgroups from the definition of a public body, the Legislature has balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. *Koch v. Lower Loup NRD*, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

**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.

**Source:** Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

**Annotations**

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92 (1983).
- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate

should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).

- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

**84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; 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 website.

(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 website; 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; and

(xiii) A natural resources district.

(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 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 subsection (5) of section 84-1413.

(8) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (2)(a) of this section may hold a meeting by virtual conferencing if:

(a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body;

(b) No action is taken by the public body at the virtual meeting; and

(c) The public body complies with subdivisions (2)(b)(i) and (2)(b)(ii) of this section.

**Source:** Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5; Laws 2020, LB148, § 3; Laws 2021, LB83, § 12; Laws 2022, LB742, § 1; Laws 2022, LB908, § 1; Laws 2022, LB922, § 13.

**Note:** The Revisor of Statutes has pursuant to section 49-769 correlated LB742, section 1, with LB908, section 1, and LB922, section 13, to reflect all amendments.

**Note:** Changes made by LB742 and LB908 became effective July 21, 2022. Changes made by LB922 became operative July 21, 2022.

### **Cross References**

- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.

- **Municipal Cooperative Financing Act**, see section 18-2401.

#### **Annotations**

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

**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 instate 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.

**Source:** Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1; Laws 2021, LB83, § 13.

**Annotations**

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

**84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; 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 or kept as an electronic record and shall be 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 or keeping the minutes is absent due to a serious illness or emergency.

(6) 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 website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website 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 website for at least six months.

**Source:** Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1; Laws 2021, LB83, § 14; Laws 2022, LB742, § 2.

**Effective Date: July 21, 2022**

**Annotations**

- If a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943,

and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**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.

**Source:** Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

**Annotations**

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).

- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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Source: [http://nebraskalegislature.gov/laws/display\\_html.php?begin\\_section=84-1407&end\\_section=84-1414](http://nebraskalegislature.gov/laws/display_html.php?begin_section=84-1407&end_section=84-1414)

Date: July 2022

**2. Minutes of May 13, 2024, meeting.**

PLANNING COMMISSION  
May 13, 2024

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on May 13, 2024, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 Street, Columbus, Nebraska. Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on May 1, 2024, 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. All proceedings hereafter shown were taken while the convened meeting was open to the public.

- 1. Statement of Compliance with Open Meetings Act and roll call.** Chair Pillen announced that a copy of the Open Meetings Act is available at this meeting. Present were members Steve Anderson, Robbin Cutsor, Melissa Goc, Tom Lange, Fernando Lopez, Jr., Josh Mueller, and Tom Pillen. Members Colleen Bray and Bob Elsasser were absent and excused. City staff members included City Attorney Gene Schumacher, City Administrator Tara Vasicek, City Engineer Rick Bogus, Chief Building and Code Inspector Andy Woehrer, and Assistant City Clerk Kelli Keyes. Also present was Mayor James Bulkley.
- 2. Minutes of April 8, 2024, meeting.** The minutes were approved as presented with a motion by Cutsor and a second by Mueller. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.
- 3. Public Hearing - Application from Williams and Son House Movers, Inc. to move garage from 3670 26 Avenue to 2625 38 Street and request to exceed 18 feet height limitation as loaded height of building will be 24 feet.** Kevin Lewandowski, owner of Central Nebraska Storage and seller of the garage, clarified that the loaded height of the garage will only be 20 feet. The public hearing was closed with a motion by Mueller and a second by Lopez. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Lopez and a second by Mueller to approve the application of Williams and Son House Movers, Inc. to move a garage from 3670 26 Avenue to 2625 38 Street and request to exceed height limitation as the garage has been inspected and is suitable for moving. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.
- 4. Public hearing - Application from Columbus Realty Holdings LLC for final plat of Super Saver Subdivision (northwest corner of 23rd Street and 33rd Avenue).** No public testimony was heard. The public hearing was closed with a motion by Goc and a second by Lopez. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Lopez and a second by Lange to approve the final plat of Super Saver Subdivision as it is consistent with the preliminary plat.

Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent.

5. **Public hearing - Application from Bosselman Pump & Pantry, Inc., Craig Foreman, Benjamin Foreman, and J.L.O. Properties LLC for preliminary plat of West Oak 1st Subdivision (west side of 63rd Avenue north of Howard Boulevard).** John Zwingman, Advanced Consulting Engineering Services on behalf of the applicant, explained that the subdivision needed to be re-platted and slightly reconfigured to incorporate the new location of the roundabout, which was moved 40 feet to the north and all the property owners have agreed to the proposed changes. No public testimony was heard. The public hearing was closed with a motion by Mueller and a second by Lopez. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent. A recommendation was made by Goc and a second by Mueller to approve the preliminary plat of West Oak 1st Subdivision as it is amendable with the adjacent land use and is in accordance with the Columbus Land Development Ordinance. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent.
6. **Public hearing - Application from Bosselman Pump & Pantry, Inc., Craig Foreman, Benjamin Foreman, and J.L.O. Properties LLC for final plat of West Oak 1st Subdivision (west side of 63rd Avenue north of Howard Boulevard).** No public testimony was heard. The public hearing was closed with a motion by Mueller and a second by Goc. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent. A recommendation was made by Goc and a second by Lange to approve the final plat of West Oak 1st Subdivision as it is consistent with the preliminary plat. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent.
7. **Public hearing - Application from Convergence LLC for preliminary plat of Wishbones 1st Subdivision (east side of 63rd Avenue north of Howard Boulevard).** John Zwingman, Advanced Consulting Engineering Services on behalf of the applicant, explained that the subdivision needed to be re-platted and slightly reconfigured to incorporate the new location of the roundabout, which was moved 40 feet to the north. No public testimony was heard. The public hearing was closed with a motion by Cutsor and a second by Anderson. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent. A recommendation was made by Lopez and a second by Lange to approve the preliminary plat of Wishbones 1st Subdivision as it is amendable with the adjacent land use and is in accordance with the Columbus Land Development Ordinance. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted “Aye” and none voted “Nay”. Bray and Elsasser were absent.
8. **Public hearing - Application from Convergence, LLC for final plat of Wishbones 1st Subdivision (east side of 63rd Avenue north of Howard**

**Boulevard**). No public testimony was heard. The public hearing was closed with a motion by Mueller and a second by Goc. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Mueller and a second by Lopez to approve the final plat of Wishbones 1st Subdivision as it is consistent with the preliminary plat. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.

9. **Public hearing - Application from Keyes Real Estate LLC for final plat of Harriman Acres Subdivision (east side of 48th Avenue north of Howard Boulevard)**. Clark Grant, attorney on behalf on the applicant, was available to answer questions. No public testimony was heard. The public hearing was closed with a motion by Mueller and a second by Lange. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Cutsor and a second by Mueller to approve the final plat of Harriman Acres Subdivision as it is consistent with the preliminary plat. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.
10. **Public hearing - Application from Keyes Real Estate LLC to rezone property located on 2567 48 Avenue from "R-2" (Two-Family Residential District) to "R-3" (Multi-Family Residential District) and to amend the Future Land Use Map of the Comprehensive Plan**. Clark Grant, attorney on behalf on the applicant, explained that most of this property is already zoned "R-3" and this rezoning would provide consistency throughout the subdivision, as well as flexibility with setbacks. The public hearing was closed with a motion by Lopez and a second by Cutsor. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Lange and a second by Goc to approve the rezoning application of Keyes Real Estate LLC and amend the Future Land Use Map as the proposed zoning is a good fit and is in conformance with the Columbus Land Development Ordinance. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.
11. **Public hearing - Application from Granville Custom Homes, Inc. to rezone property in the vicinity of 16th Avenue and 31st Street from "R-2" (Two-Family Residential District) to "R-3" (Multi-Family Residential District) and to amend the Future Land Use Map of the Comprehensive Plan. (Applicant requested this item be removed from the agenda.)** This item was removed from the agenda with a motion by Anderson and a second by Lange. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.
12. **Public hearing - Application from City of Columbus, on behalf of Nels Johnson, for preliminary plat of Vitality Village Subdivision (north side of 8th Street and 7th Avenue)**. Vasicek explained that the original plans were

reconfigured to accommodate the developer's plans. No public testimony was heard. The public hearing was closed with a motion by Pillen and a second by Lange. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Lange and a second by Goc to approve the preliminary plat of Vitality Village Subdivision as it is amendable with the adjacent land use and is in accordance with the Columbus Land Development Ordinance. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.

**13. Public hearing - Application from City of Columbus, on behalf of Nels Johnson, for final plat of Vitality Village Subdivision (north side of 8th Street and 7th Avenue).** No public testimony was heard. The public hearing was closed with a motion by Cutsor and a second by Mueller. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Lopez and a second by Lange to approve the final plat of Vitality Village Subdivision as it is consistent with the preliminary plat. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.

**13.A. Public hearing - Application from City of Columbus, on behalf of Nels Johnson, to rezone property located north side of 8th Street and 7th Avenue from "R-2" (Two-Family Residential District) to "B-2" (General Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan.** Vasicek explained that the original rezoning was slightly adjusted to match the new plat. No public testimony was heard. The public hearing was closed with a motion by Lange and a second by Lopez. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent. A recommendation was made by Cutsor and a second by Goc to approve the rezoning application of the City of Columbus and amend the Future Land Use Map as the proposed zoning is a good fit and is in conformance with the Columbus Land Development Ordinance. Anderson, Cutsor, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray and Elsasser were absent.

**14. Building report for April.** The building report was presented.

**15. Selection of Nominating Committee for chair and vice chair.** Chair Pillen selected members Cutsor and Mueller to serve as members of the Nominating Committee to bring nominations for chair and vice chair to the June 10, 2024, meeting.

**16. Adjournment.** The meeting adjourned at 6:22 p.m.

- 3. Public hearing - Application from Columbus Realty Holdings LLC to rezone property located in the vicinity of the northwest corner of 23rd Street and 33rd Avenue from "B-2" (General Commercial District), "R-1" (Single-Family Residential District), and "C-1" (Light Industrial District) to "B-2" (General Commercial District) and to amend the Future Land Use Map of the Comprehensive Plan.**

## NOTICE OF HEARING

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, June 10, 2024, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, on the application to rezone A TRACT OF LAND CONSISTING OF PART OF LOT 3, D & L ADDITION, SOUTH HALF OF LOT 4, ALL OF LOT 5, TIFFANY'S SUBDIVISION, AND ALL OF LOT 14, WAGNER ADDITION CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 5, TIFFANY'S ADDITION; THENCE ON AN ASSUMED BEARING OF N88°17'55"E, ALONG THE NORTH LINE OF LOT 5, TIFFANY'S ADDITION ALSO BEING THE SOUTH RIGHT OF WAY LINE OF 25TH STREET, A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, TIFFANY'S ADDITION; THENCE S01°54'29"E, ALONG THE EAST LINE OF SAID LOT 5, TIFFANY'S ADDITION, A DISTANCE OF 215.01 FEET; THENCE N88°05'31"E A DISTANCE OF 110.83 FEET TO THE EAST LINE OF LOT 4, TIFFANY'S ADDITION ALSO BEING THE WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S00°11'39"E, ALONG THE WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 69.90 FEET; THENCE S88°37'43"W A DISTANCE OF 5.01 FEET; THENCE S00°37'11"W A DISTANCE OF 6.01 FEET; THENCE N88°08'18"E A DISTANCE OF 5.03 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S00°59'39"W, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 134.82 FEET; THENCE S01°51'51"E, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 97.57 FEET; THENCE N89°56'33"W A DISTANCE OF 3.99 FEET; THENCE S02°13'43"E A DISTANCE OF 6.02 FEET; THENCE N88°43'38"E A DISTANCE OF 3.92 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S01°57'20"E, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 49.96 FEET; THENCE S44°21'32"W, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 63.57 FEET; THENCE S87°54'32"W, ALONG SAID NORTH RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 118.09 FEET; THENCE S72°24'36"W A DISTANCE OF 43.68 FEET; THENCE S87°05'47"W, ALONG SAID NORTH RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 147.70 FEET TO THE SOUTHEAST CORNER OF LOT 2, DOC LANNAN MINOR SUBDIVISION; THENCE N01°52'16"W, ALONG THE EAST LINE OF SAID LOT 2, DOC LANNAN MINOR SUBDIVISION, A DISTANCE OF 329.18 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, DOC LANNAN MINOR SUBDIVISION; THENCE S88°10'08"W, ALONG THE NORTH LINE OF SAID DOC LANNAN MINOR SUBDIVISION, A DISTANCE OF 260.74 FEET TO THE NORTHWEST CORNER OF LOT 1, DOC LANNAN MINOR SUBDIVISION ALSO BEING A POINT ON THE EAST LINE OF LOT 1, LEGACY SQUARE ADDITION; THENCE N01°46'30"W, ALONG SAID EAST LINE OF LOT 1, LEGACY SQUARE ADDITION, A DISTANCE OF 470.11 FEET TO THE SOUTHWEST CORNER OF VALLEY SUBDIVISION; THENCE N88°20'50"E, ALONG SAID SOUTH LINE OF VALLEY SUBDIVISION, A DISTANCE OF 371.74 FEET; THENCE S01°39'10"E A DISTANCE OF 40.00 FEET; THENCE S01°55'17"E A DISTANCE OF 119.84 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 340924.88 SQUARE FEET OR 7.827 ACRES MORE OR LESS (in the vicinity of the northwest corner of 23 St and 33 Ave) from "B-2" (General Commercial District), "R-1" (One-Family Residential District), and "C-1" (Light Industrial District) to "B-2" (General Commercial District) and amend the Future Land Use Map of the Comprehensive Plan to

reflect the same change in zoning for said real estate. At said time and place you may appear and be heard.

City of Columbus  
Shuraya Frauendorfer, City Clerk

Publish: 05:30:24  
Affidavit of Publication

\*\*\* Proof of Publication \*\*\*

Newspaper: COLUMBUS TELEGRAM

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County of Platte ) SS.

CITY OF COLUMBUS, NE

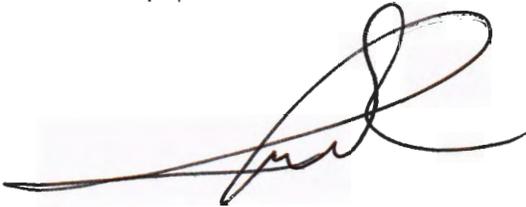
PO BOX 1677  
COLUMBUS, NE 68602

ORDER NUMBER 1221022

Joe Volcek

, being duly sworn, deposes and says she/he is a Clerk of the Columbus Telegram, a legal newspaper printed and published daily Tuesday-Saturday in Platte County, State of Nebraska and of general circulation in Platte County; that said newspaper has a bona fide circulation published within said county for more than 52 successive weeks immediately prior to the first date of the published notice, and is produced in an office maintained at the place of publication.

This affidavit is a true and correct copy of notice which appeared in said newspaper. The notice was



Section: Class Legals

Category: 0099 LEGALS

PUBLISHED ON: 05/30/2024

100-145-55500

TOTAL AD COST: 98.96

FILED ON: 5/30/2024

Subscribed in my presence and sworn to before me this 30<sup>th</sup> day

of May, 2024

Michelle L Greeley Notary Public



# \*\*\* Proof of Publication \*\*\*

## NOTICE OF HEARING

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, June 10, 2024, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, on the application to rezone A TRACT OF LAND CONSISTING OF PART OF LOT 3, D & L ADDITION, SOUTH HALF OF LOT 4, ALL OF LOT 5, TIFFANY'S SUBDIVISION, AND ALL OF LOT 14, WAGNER ADDITION CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 5, TIFFANY'S ADDITION; THENCE ON AN ASSUMED BEARING OF N88°17'55"E, ALONG THE NORTH LINE OF LOT 5, TIFFANY'S ADDITION ALSO BEING THE SOUTH RIGHT OF WAY LINE OF 25TH STREET, A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, TIFFANY'S ADDITION; THENCE S01°54'29"E, ALONG THE EAST LINE OF SAID LOT 5, TIFFANY'S ADDITION, A DISTANCE OF 215.01 FEET; THENCE N88°05'31"E A DISTANCE OF 110.83 FEET TO THE EAST LINE OF LOT 4, TIFFANY'S ADDITION ALSO BEING THE WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S00°11'39"E, ALONG THE WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 69.90 FEET; THENCE S88°37'43"W A DISTANCE OF 5.01 FEET; THENCE S00°37'11"W A DISTANCE OF 6.01 FEET; THENCE N88°08'18"E A DISTANCE OF 5.03 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S00°59'39"W, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 134.82 FEET; THENCE S01°51'51"E, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 97.57 FEET; THENCE N89°56'33"W A DISTANCE OF 3.99 FEET; THENCE S02°13'43"E A DISTANCE OF 6.02 FEET; THENCE N88°43'38"E A DISTANCE OF 3.92 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S01°57'20"E, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 49.96 FEET; THENCE S44°21'32"W, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 63.57 FEET; THENCE S87°54'32"W, ALONG SAID NORTH RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 118.09 FEET; THENCE S72°24'36"W A DISTANCE OF 42.88 FEET; THENCE

**\*\*\* Proof of Publication \*\*\***

OF 43.88 FEET, THENCE S87°05'47"W, ALONG SAID NORTH RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 147.70 FEET TO THE SOUTH-EAST CORNER OF LOT 2, DOC LANNAN MINOR SUBDIVISION; THENCE N01°52'16"W, ALONG THE EAST LINE OF SAID LOT 2, DOC LANNAN MINOR SUBDIVISION, A DISTANCE OF 329.18 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, DOC LANNAN MINOR SUBDIVISION; THENCE S88°10'08"W, ALONG THE NORTH LINE OF SAID DOC LANNAN MINOR SUBDIVISION, A DISTANCE OF 260.74 FEET TO THE NORTHWEST CORNER OF LOT 1, DOC LANNAN MINOR SUBDIVISION ALSO BEING A POINT ON THE EAST LINE OF LOT 1, LEGACY SQUARE ADDITION; THENCE N01°46'30"W, ALONG SAID EAST LINE OF LOT 1, LEGACY SQUARE ADDITION, A DISTANCE OF 470.11 FEET TO THE SOUTHWEST CORNER OF VALLEY SUBDIVISION; THENCE N88°20'50"E, ALONG SAID SOUTH LINE OF VALLEY SUBDIVISION, A DISTANCE OF 371.74 FEET; THENCE S01°39'10"E A DISTANCE OF 40.00 FEET; THENCE S01°55'17"E A DISTANCE OF 119.84 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 340924.88 SQUARE FEET OR 7.827 ACRES MORE OR LESS (in the vicinity of the northwest corner of 23 St and 33 Ave) from "B-2" (General Commercial District), "R-1" (One-Family Residential District), and "C-1" (Light Industrial District) to "B-2" (General Commercial District) and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate. At said time and place you may appear and be heard.

City of Columbus  
Shuraya Frauendorfer,  
City Clerk  
May 30, 2024 ZNEZ

**CITY OF COLUMBUS  
MEMORANDUM**

---

**DATE:** June 3, 2024

**FROM:** Andy Woehrer, Chief Building and Code Official

**TO:** Tara Vasicek, City Administrator

**RE:** Rezone property from R-1 Single-Family Residential to B-2 General Commercial and from ML/C-1 Light Industrial to B-2 General Commercial District.

**RECOMMENDATION:**

I recommend approval of this rezoning from R-1 Single-Family Residential and ML/C-1 Light Industrial to B-2 General Commercial and to amend the Future Land Use Map accordingly.

**DISCUSSION:**

We have received an application to rezone a site that has more than one zoning districts to it. The applicant would like to rezone the site to B-2 General Commercial District for the construction of a new grocery store and parking lot. The zoning for the area is a good fit and is in conformance with the Columbus land Development Ordinance.

**FISCAL IMPACT:**

None

**ALTERNATIVE:**

Deny the Rezoning

**SIGNATURE:**

By: Andy J. Woehrer

Approved By: 

# REZONING APPLICATION

An application for a rezoning may be filed with the Community Development Office. Any such application will not be deemed submitted until all of the stated information is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications WILL NOT be placed on the Planning Commission Agenda until all such missing information is provided. Such completed application shall be submitted to the Community Development Office at least 21 calendar days (including holidays) before the Planning Commission meeting at which time the public hearing on the application will be held.

APPLICANT/PROPERTY OWNER NAME: \_\_\_\_\_

APPLICANT MAILING ADDRESS: \_\_\_\_\_

APPLICANT PHONE NUMBER: \_\_\_\_\_

APPLICANT EMAIL ADDRESS: \_\_\_\_\_

ATTORNEY/FIRM: \_\_\_\_\_

ATTORNEY PHONE NUMBER: \_\_\_\_\_

ATTORNEY E-MAIL ADDRESS: \_\_\_\_\_

ADDRESS OF PROPERTY TO BE REZONED: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY:

PRESENT ZONING CLASSIFICATION: \_\_\_\_\_

REQUESTED ZONING CLASSIFICATION: \_\_\_\_\_

DESCRIPTION OF THE REASON FOR THE REZONING APPLICATION:

NATURE AND OPERATING CHARACTERISTICS OF THE PROPOSED USE: (Include aerial image of proposed development on property and existing surrounding zoning classifications, any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use)

I hereby apply for a Rezoning Application and have paid the \$500 application fee.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.



Owner or Owner's Representative

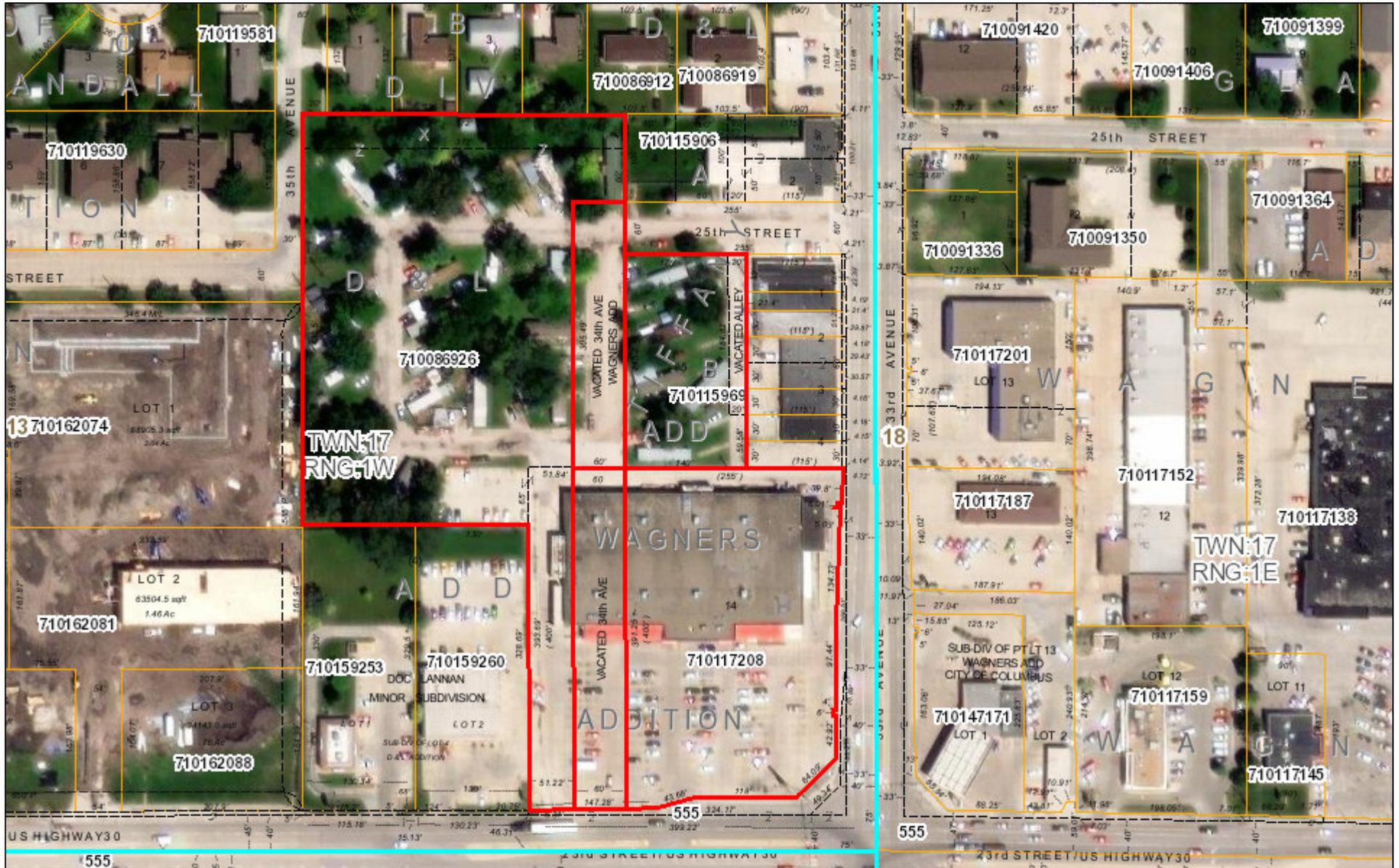
SUPER SAVER SUBDIVISION

LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF LOT 3, D & L ADDITION, SOUTH HALF OF LOT 4, ALL OF LOT 5, TIFFANY'S SUBDIVISION, AND ALL OF LOT 14, WAGNER ADDITION CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, TIFFANY'S ADDITION; THENCE ON AN ASSUMED BEARING OF N88°17'55"E, ALONG THE NORTH LINE OF LOT 5, TIFFANY'S ADDITION ALSO BEING THE SOUTH RIGHT OF WAY LINE OF 25TH STREET, A DISTANCE OF 140.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, TIFFANY'S ADDITION; THENCE S01°54'29"E , ALONG THE EAST LINE OF SAID LOT 5, TIFFANY'S ADDITION, A DISTANCE OF 215.01 FEET; THENCE N88°05'31"E A DISTANCE OF 110.83 FEET TO THE EAST LINE OF LOT 4, TIFFANY'S ADDITION ALSO BEING THE WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S00°11'39"E, ALONG THE WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 69.90 FEET; THENCE S88°37'43"W A DISTANCE OF 5.01 FEET; THENCE S00°37'11"W A DISTANCE OF 6.01 FEET; THENCE N88°08'18"E A DISTANCE OF 5.03 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S00°59'39"W, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 134.82 FEET; THENCE S01°51'51"E, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 97.57 FEET; THENCE N89°56'33"W A DISTANCE OF 3.99 FEET; THENCE S02°13'43"E A DISTANCE OF 6.02 FEET; THENCE N88°43'38"E A DISTANCE OF 3.92 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE; THENCE S01°57'20"E, ALONG SAID WEST RIGHT OF WAY LINE OF 33RD AVENUE, A DISTANCE OF 49.96 FEET; THENCE S44°21'32"W, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 63.57 FEET; THENCE S87°54'32"W, ALONG SAID NORTH RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 118.09 FEET; THENCE S72°24'36"W A DISTANCE OF 43.68 FEET; THENCE S87°05'47"W, ALONG SAID NORTH RIGHT OF WAY LINE OF 33RD AVENUE A DISTANCE OF 147.70 FEET TO THE SOUTHEAST CORNER OF LOT 2, DOC LANNAN MINOR SUBDIVISION; THENCE N01°52'16"W, ALONG THE EAST LINE OF SAID LOT 2, DOC LANNAN MINOR SUBDIVISION, A DISTANCE OF 329.18 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, DOC LANNAN MINOR SUBDIVISION; THENCE S88°10'08"W, ALONG THE NORTH LINE OF SAID DOC LANNAN MINOR SUBDIVISION, A DISTANCE OF 260.74 FEET TO THE NORTHWEST CORNER OF LOT 1, DOC LANNAN MINOR SUBDIVISION ALSO BEING A POINT ON THE EAST LINE OF LOT 1, LEGACY SQUARE ADDITION; THENCE N01°46'30"W, ALONG SAID EAST LINE OF LOT 1, LEGACY SQUARE ADDITION, A DISTANCE OF 470.11 FEET TO THE SOUTHWEST CORNER OF VALLEY SUBDIVISION; THENCE N88°20'50"E, ALONG SAID SOUTH LINE OF VALLEY SUBDIVISION, A DISTANCE OF 371.74 FEET; THENCE S01°39'10"E A DISTANCE OF 40.00 FEET; THENCE S01°55'17"E A DISTANCE OF 119.84 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 340924.88 SQUARE FEET OR 7.827 ACRES MORE OR LESS.

# Super Saver Location Map

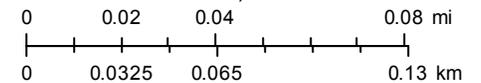


January 16, 2024

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

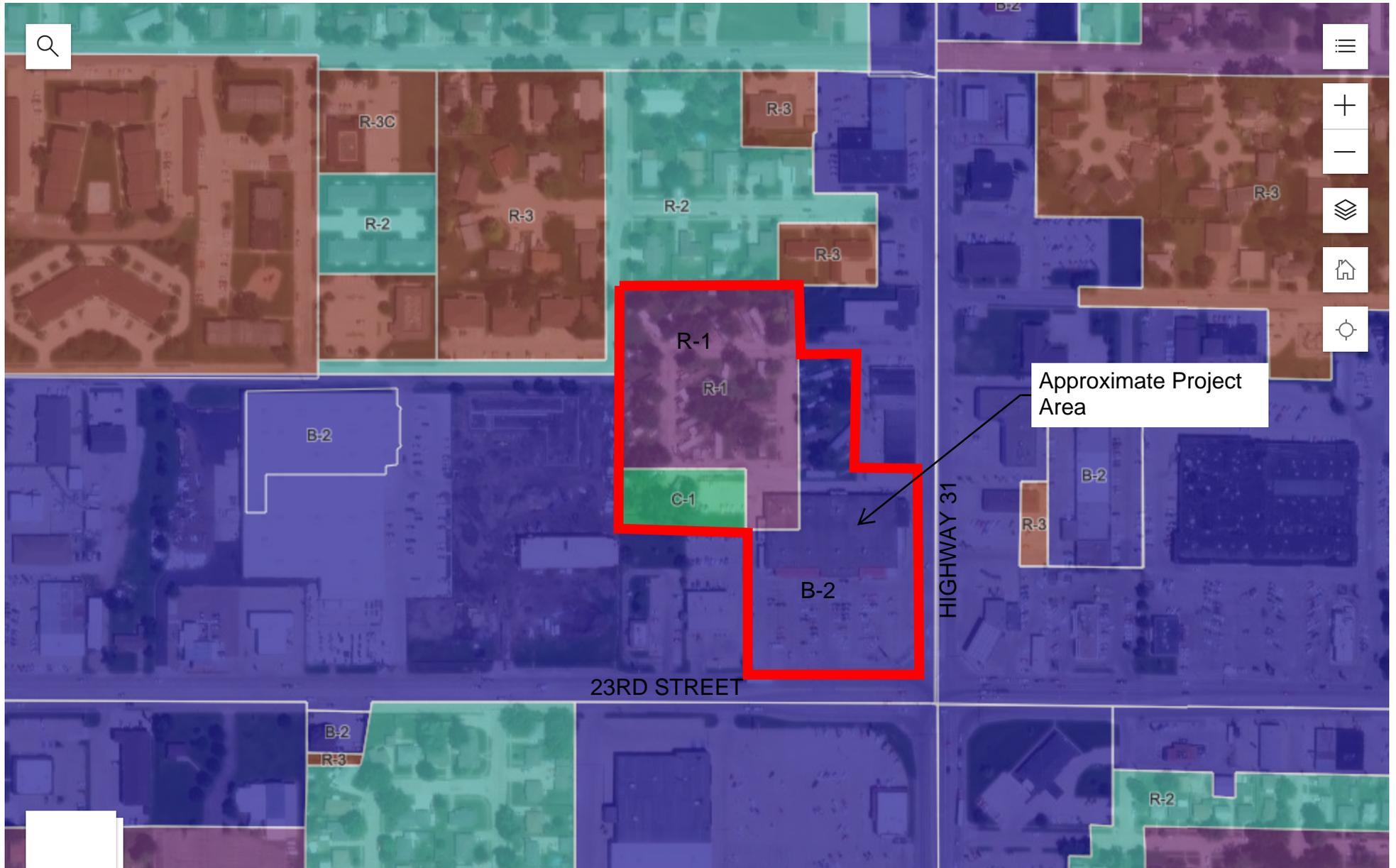
1:2,558

- Lot Lines
- Sections
- ▭ Parcels
- Townships

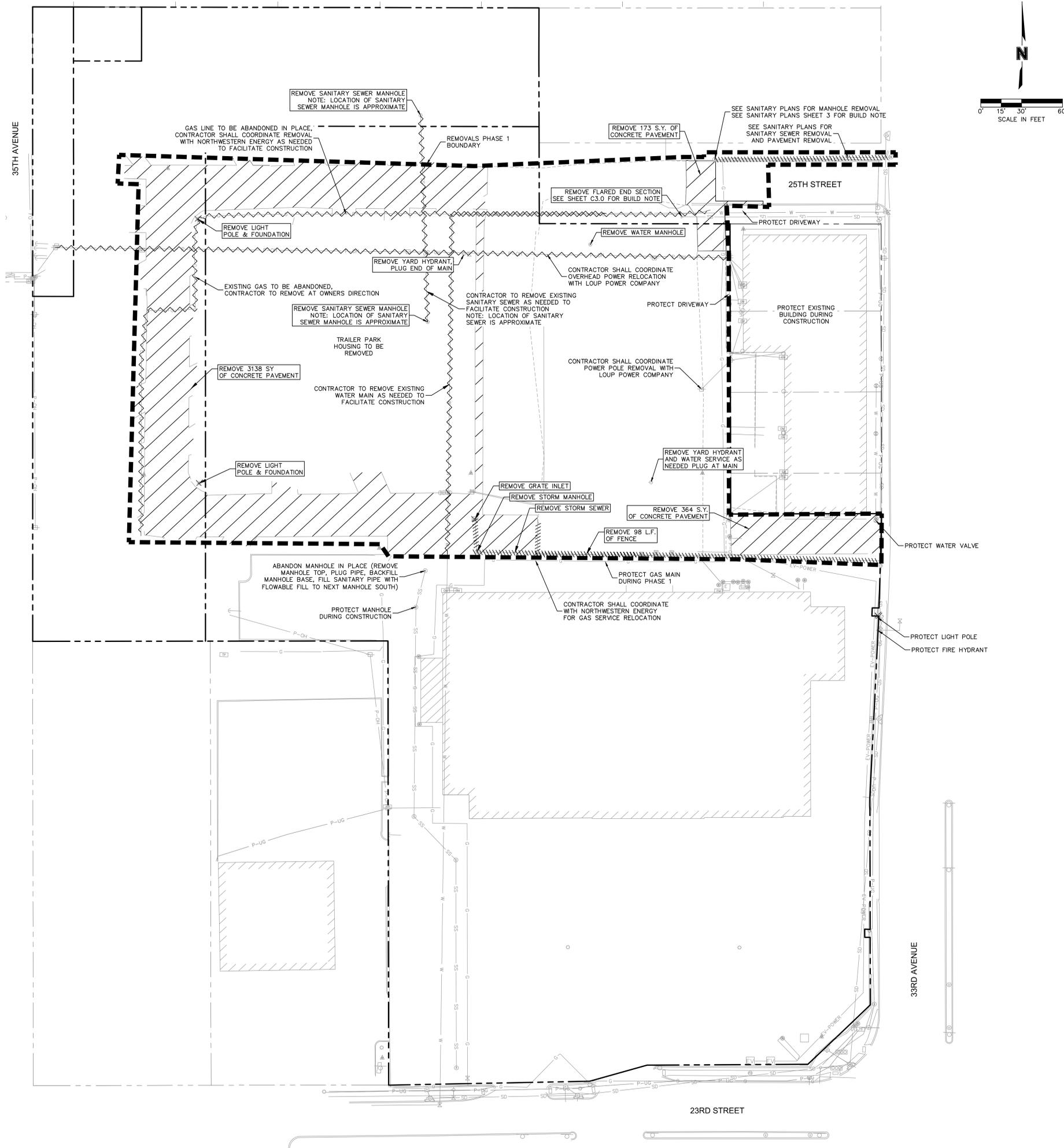




# Zoning and Future Land Use



200 ft



**LEGEND**

△ CTL	CONTROL POINT	—P-UG—	UNDERGROUND ELECTRIC
○	SIGN	—G—	GAS LINE
○ FHT	FIRE HYDRANT	—SS—	SANITARY SEWER LINE
⊙	LIGHT POLE	—SD—	STORM SEWER LINE
⊙	SPRINKLER HEAD	—P-OH—	OVERHEAD ELECTRIC
⊙	TRANSFORMER	—W—	WATER LINE
[EV]	ELECTRIC VAULT	—FO—	FIBER OPTIC LINE
[S]	SPRINKLER BOX	—TEL—	TELEPHONE LINE
[TB]	CATCH BASIN	▨	BUILDING LINE
[PB]	TELEPHONE BOX	—	GUTTER
[EB]	ELECTRIC BOX	—	CURB
⊙	STORM DRAIN MANHOLE	—	SURVEY BOUNDARY LINE
⊙	SANITARY MANHOLE	---	PROPERTY LINE
⊙	WATER VALVE	---	REMOVAL BOUNDARY
⊙	UTILITY VAULT	▨	UTILITY REMOVAL
○	CORNER FOUND (AS NOTED)	▨	PAVEMENT REMOVAL
P	PLATTED DISTANCE	▨	STRUCTURE REMOVAL
D	DEEDED DISTANCE		
M	MEASURED DISTANCE		
FFE	FINISHED FLOOR ELEVATION		

- DEMOLITION NOTES:**
1. THE CONTRACTOR SHALL ACCURATELY RECORD ACTUAL LOCATIONS OF CAPPED UTILITIES AND SUBSURFACE OBSTRUCTIONS THAT WILL REMAIN AFTER DEMOLITION.
  2. COMPLETELY FILL BELOW GRADE AREAS AND VOIDS RESULTING FROM DEMOLITION OR REMOVAL OF STRUCTURES, FOUNDATIONS, ETC., USING APPROVED SELECT FILL MATERIALS. FILL MATERIALS SHALL BE FREE FROM DEBRIS, TRASH, FROZEN MATERIALS, ROOTS, AND OTHER ORGANIC MATTER.
  3. REMOVE ALL STUMPS, BUSHES, TREES, WEEDS AND OTHER SURFACE OBSTRUCTIONS THAT ARE WITHIN THE REMOVAL AREA. CONTRACTOR TO STRIP ALL TOPSOIL FROM ENTIRE AREA TO STOCKPILED ON SITE.
  4. ALL ITEMS INDICATED ON THE DEMOLITION PLAN SHALL BE DEMOLISHED AND DISPOSED OF OFF-SITE.
  5. CONTRACTOR SHALL PROTECT AND MAINTAIN ITEMS WHICH ARE INDICATED TO REMAIN.
  6. REMOVE ALL BOLLARDS ON SITE.
  7. REMOVE & DISCONNECT ALL UTILITIES DURING DEMOLITION OPERATIONS. (GAS, CABLE, & ELECTRICAL) CONTRACTOR TO COORDINATE WORK WITH LOCAL UTILITIES.
  8. REMOVE ALL PIPING AND UTILITY SERVICE LINES BENEATH FLOOR SLABS NEAR EXISTING BUILDINGS AND WITHIN PAVEMENT REMOVAL AREAS UNLESS OTHERWISE NOTED TO BE PROTECTED INCLUDING SEWER CLEANOUTS, STORM DRAINS, AND ETC.
  9. PROTECT UTILITIES THAT ARE NOT BEING CALLED OUT TO BE REMOVED. (POWER POLES, ELECTRICAL SUBSTATION, FIRE HYDRANTS, STORM SEWER INLETS, STORM SEWER MANHOLES, ETC.)
  10. REMOVE ALL FOUNDATION WALLS AND BASEMENT WALLS ENTIRELY.
  11. SAWCUTTING PAVEMENT FOR REMOVAL SHALL BE CONSIDERED SUBSIDIARY TO PAVEMENT REMOVAL.
  12. THE CONTRACTOR SHALL ADHERE TO ALL FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS PERTAINING TO DISPOSAL OF ALL CONSTRUCTION RELATED MATERIALS.

- GENERAL NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF COLUMBUS STANDARD SPECIFICATIONS AND STANDARD DRAWINGS.
  2. THE LOCATION OF ALL AERIAL AND UNDERGROUND UTILITY FACILITIES MAY NOT BE INDICATED ON THESE PLANS. UNDERGROUND UTILITIES, WHETHER INDICATED OR NOT WILL BE LOCATED AND FLAGGED BY THE UTILITIES AT THE REQUEST OF THE CONTRACTOR. NO EXCAVATION WILL BE PERMITTED IN THE AREA OF UNDERGROUND UTILITY FACILITIES UNTIL ALL SUCH FACILITIES HAVE BEEN LOCATED AND IDENTIFIED TO THE SATISFACTION OF ALL PARTIES. THE EXCAVATION MUST BE ACCOMPLISHED WITH EXTREME CARE IN ORDER TO AVOID ANY POSSIBILITY OF DAMAGE TO THE UTILITY FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES.
  3. CONTRACTOR SHALL PRESERVE ALL PROPERTY CORNER MONUMENTS OR RE-ESTABLISH THEM IF THEY ARE DISTURBED DURING CONSTRUCTION.
  4. THE CONTRACTOR SHALL OBTAIN AND PAY THE COST OF ALL REQUIRED PERMITS AND FEES.
  5. THE CONTRACTOR SHALL USE EXTREME CAUTION IN THE AREA OF EXISTING MANHOLES, POWER POLES, AND EXISTING UTILITIES, AND SHALL BE RESPONSIBLE FOR DAMAGES.
  6. TRAFFIC CONTROL SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND CONSIDERED SUBSIDIARY.
  7. THE CONTRACTOR SHALL REMOVE AND SALVAGE ALL SIGNS TO THE CITY. THIS WORK SHALL BE CONSIDERED SUBSIDIARY.
  8. THE CONTRACTOR SHALL PROTECT THE EXISTING SPRINKLER HEADS AND LINES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING SPRINKLER SYSTEMS.
  9. THE ENGINEER SHALL DEVELOP STORM WATER POLLUTION PREVENTION PLAN AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS IMPLEMENTATION.
  10. CONSTRUCTION STAKING SHALL BE COMPLETED BY THE CONTRACTOR.
  11. PRIOR TO MOVING OFF SITE THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING REQUESTING A FINAL WALK-THROUGH OF THE PROJECT.



**SUPER SAVER #18**  
**COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601



4535 Normal Blvd., Suite 257  
 Lincoln, Nebraska 68506  
 Phone: (402) 421-1502  
 E-mail: jim\_hdp@windstream.net

**PHASE 1 REMOVALS**

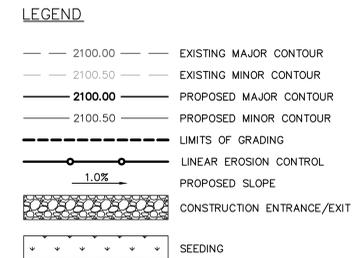
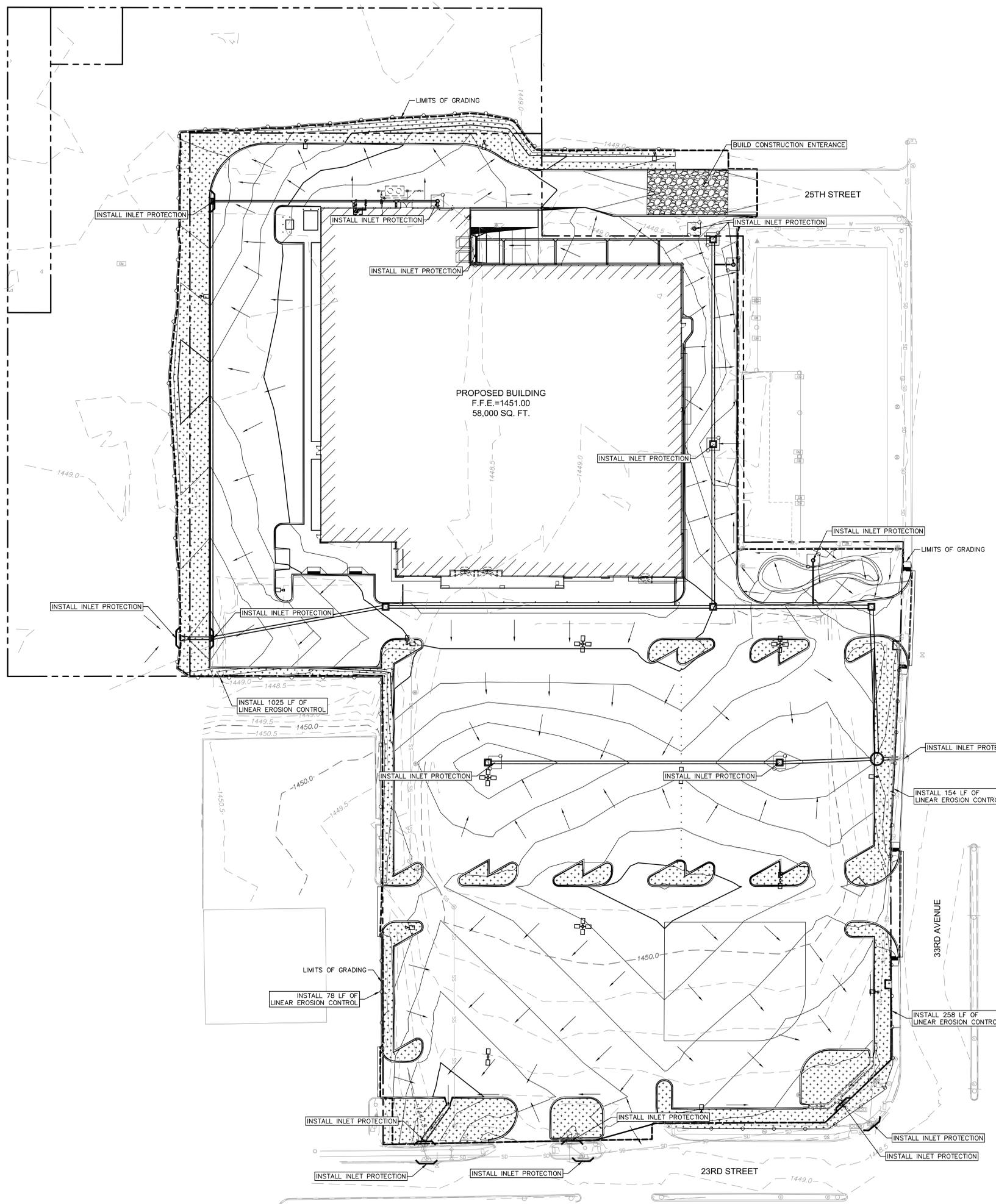
JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 1/20/2024 (PERMIT SET) SHEET  
 REVISED: 4/26/2024

CONTACT: **C1.0**









**EROSION CONTROL NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL EROSION & SEDIMENT CONTROL MEASURES AND PRACTICES THROUGHOUT THE GRADING OPERATIONS.
2. ALL HERBACEOUS VEGETATION SHALL BE REMOVED FROM WITHIN THE LIMITS OF THE GRADING AND REDISTRIBUTED WITH THE TOPSOIL. IF POSSIBLE, LEAVE VEGETATION BUFFER TO NEIGHBORING PROPERTIES AND SENSITIVE AREAS.
3. LINEAR EROSION CONTROL SHALL BE SILT FENCE, MULCH BERM, OR OTHER SEDIMENT CONTROL DEVICES WITH ENGINEER APPROVAL.
4. INLET PROTECTION SHALL CONSIST OF SILT FENCE, WATTLES, STRAW BALES, OR OTHER SEDIMENT CONTROL DEVICES WITH ENGINEER AND CITY APPROVAL.
5. CHECK DAMS SHALL CONSIST OF MULCH BERM, STRAW BALES, OR OTHER SEDIMENT CONTROL DEVICES WITH ENGINEER AND CITY APPROVAL.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ANY EXISTING TEMPORARY EROSION CONTROL AS REQUIRED BY CONSTRUCTION ACTIVITIES.
7. FOLLOWING SOIL DISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN SEVEN (7) CALENDAR DAYS TO THE SURFACE OF ALL PERIMETER CONTROLS, TOPSOIL STOCKPILES, AND ANY OTHER DISTURBED OR GRADED AREAS ON PROJECT SITE WHICH ARE NOT BEING USED FOR MATERIAL STORAGE, OR ON WHICH ACTUAL EARTH MOVING ACTIVITIES ARE NOT BEING PERFORMED.
8. THE CONTRACTOR SHALL MAINTAIN A ROCK CONSTRUCTION ENTRANCE/EXIT FROM STAGING AREA TO ADJACENT PAVED SURFACE TO PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC PAVED SURFACES.
9. CONTRACTOR TO CLEAN ROADWAYS IF MUD IS TRACKED FROM JOBSITE & UPON COMPLETION IF NEEDED.
10. THE CONTRACTOR SHALL INSTALL CHECK DAMS OR SEDIMENT BARRIERS IN ANY GULLY WASHOUT AREAS TO CONTROL FURTHER EROSION AS DIRECTED PER THE ENGINEER.

**EROSION CONTROL MAINTENANCE:**

ALL MEASURES STATED ON THIS EROSION CONTROL PLAN, AND IN THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL NO LONGER REQUIRED FOR A COMPLETED PHASE OF WORK OR FINAL STABILIZATION OF THE SITE. ALL SEDIMENT AND EROSION CONTROL PRACTICES WILL BE INSPECTED AT LEAST ONCE EVERY SEVEN (7) CALENDAR DAYS. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE BEST MANAGEMENT PRACTICES SHALL BE MADE IMMEDIATELY BY CONTRACTOR DURING GRADING OPERATIONS, OR BY THE OWNER, AFTER GRADING OPERATIONS ARE COMPLETE.

1. BARRIERS SHALL BE REPAIRED OR REPLACED IF THEY SHOW SIGNS OF UNDERMINING, OR DETERIORATION.
2. ALL SEEDED AREAS SHALL BE CHECKED REGULARLY TO SEE THAT A STAND IS MAINTAINED. AREAS SHOULD BE FERTILIZED, MULCHED, WATERED, AND RE-SEEDED AS NEEDED.
3. THE CONSTRUCTION ENTRANCES SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE CONSTRUCTION ENTRANCES AS CONDITIONS DEMAND.
4. THE TEMPORARY PARKING AND STORAGE AREA SHALL BE KEPT IN GOOD CONDITION (SUITABLE FOR PARKING AND STORAGE). THIS MAY REQUIRE PERIODIC TOP DRESSING OF THE TEMPORARY PARKING AS CONDITIONS DEMAND.

**CERT NOTES:**

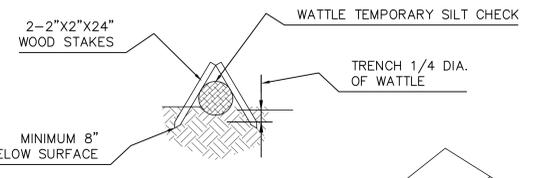
CERT RESULTS FOR THE PROJECT LOCATION HAVE INDICATED POSSIBLE NORTHERN LONG-EARED BAT HABITAT IN THE AREA. THE FOLLOWING CONSERVATION MEASURES SHALL BE IMPLEMENTED IN ACCORDANCE WITH EPA GUIDELINES:

1. NLEB CM-2: NO REMOVAL OF SUITABLE TREES OR ROOSTING STRUCTURES MAY BE COMPLETED BETWEEN JUNE 1 AND JULY 31 (PUP-REARING SEASON).
2. NLEB CM-7 LIGHTING FIXTURES SHALL USE DOWNWARD-FACING, FULL CUT-OFF LENS LIGHTS (WITH SAME INTENSITY OR LESS FOR REPLACEMENT LIGHTING) WHEN INSTALLING NEW OR REPLACING EXISTING PERMANENT LIGHTS.

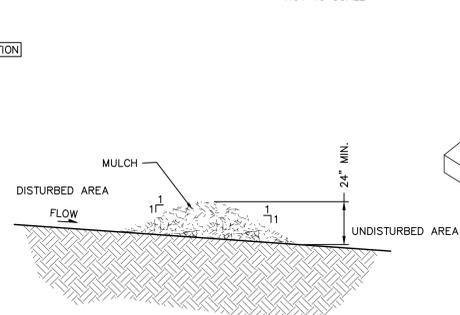
FULL CUT-OFF LENS LIGHTS ARE FIXTURES OR LUMINAIRES CONSTRUCTED AND INSTALLED IN SUCH A MANNER THAT ALL LIGHT EMITTED FROM THE LUMINAIRE, EITHER DIRECTLY FROM THE LAMP OR A DIFFUSING ELEMENT, OR INDIRECTLY BY REFLECTION OR REFRACTION FROM ANY PART OF THE FIXTURE, IS PROTECTED BELOW THE HORIZONTAL PLANE THROUGH THE FIXTURE'S LOWEST LIGHT-EMITTING PART.

**WATTLE NOTES:**

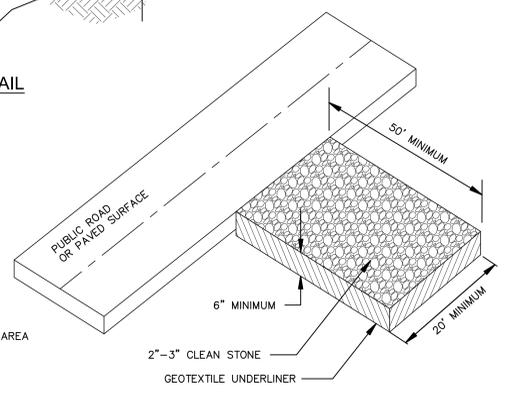
1. WATTLES SHALL EXTEND AN ADEQUATE DISTANCE TO PREVENT RUNOFF FROM FLOWING AROUND THE END OF THE BARRIER.
2. TIGHTLY ABUT WATTLE ENDS TO PREVENT GAPS.
3. WOOD STAKES SHALL BE PLACED AT 4' MAX. SPACING ALONG THE LENGTH OF WATTLES



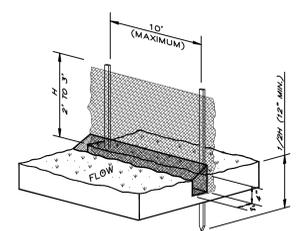
**WATTLE CHECK DAM DETAIL**  
NOT TO SCALE



**MULCH BERM**  
NOT TO SCALE



**ROCK CONSTRUCTION ENTRANCE/EXIT**  
NOT TO SCALE



**SILT FENCE**  
NOT TO SCALE

- NOTES:**
1. EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL LANDSCAPING IS COMPLETED, OR AS DIRECTED BY ENGINEER.
  2. EROSION CONTROL MEASURES SHALL BE INSPECTED AND REPAIRED, WEEKLY, IF NECESSARY, OR AS REQUIRED BY NPDES PERMIT. THE COST IS INCIDENTAL TO UNCLASSIFIED EXCAVATION.



**SUPER SAVER #18**  
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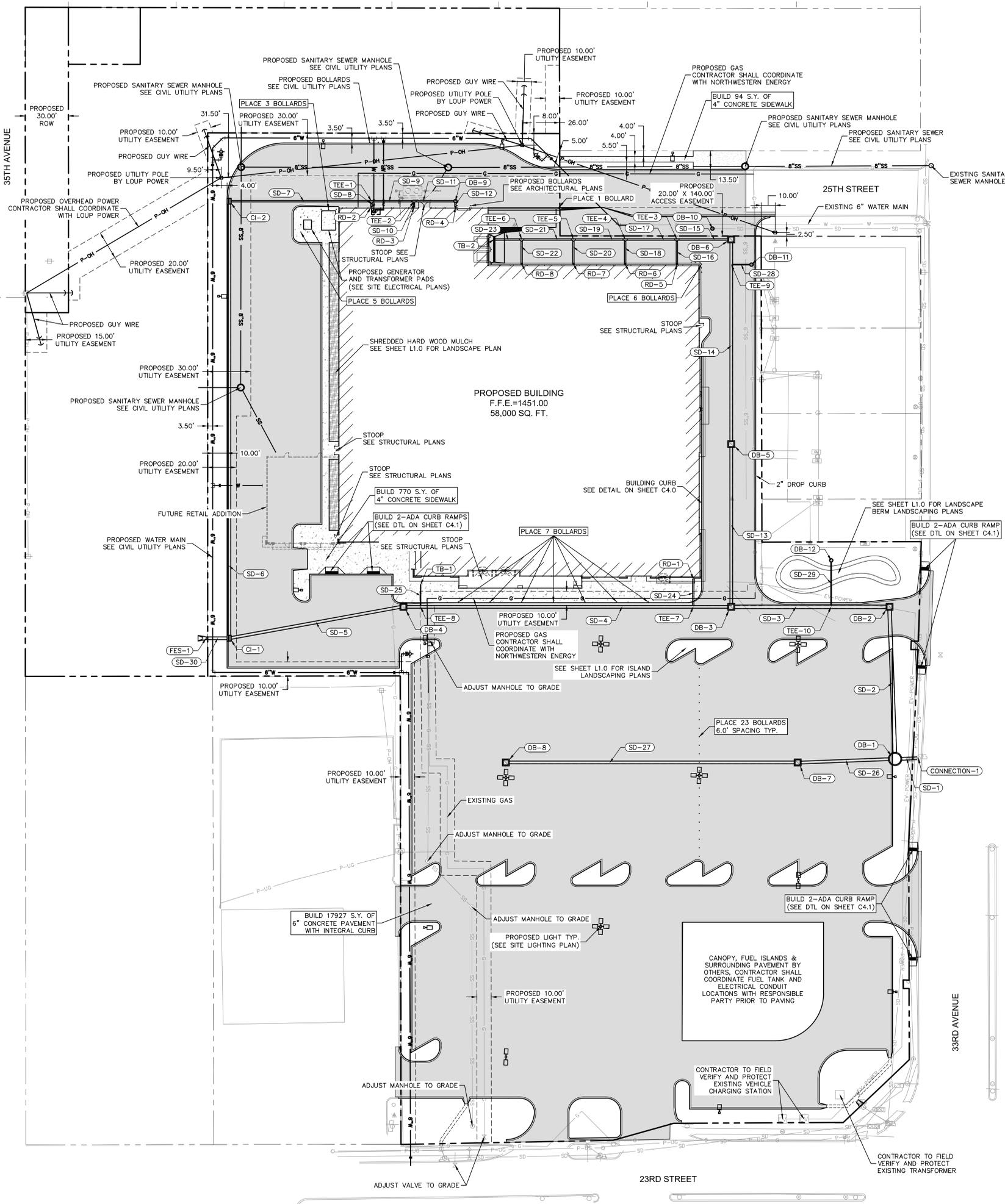
**EROSION CONTROL**

JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 4/26/2024 (PERMIT SET) SHEET  
 REVISED: 4/26/2024 SHEET

CONTACT: **C2.1**

LEGEND

[Symbol]	PROPOSED CONCRETE PAVEMENT	[Symbol]	PROPOSED STORM SEWER PIPE
[Symbol]	PROPOSED SIDEWALK	[Symbol]	PROPOSED PERMANENT EASEMENT
[Symbol]	EXISTING PROPERTY LINE	[Symbol]	PROPOSED SANITARY SEWER
[Symbol]	PROPOSED PROPERTY LINE	[Symbol]	PROPOSED WATER
[Symbol]	BUILDING OUTLINE	[Symbol]	PROPOSED GAS
[Symbol]	FUTURE RETAIL ADDITION OUTLINE	[Symbol]	PROPOSED OVERHEAD POWER



BUILD STORM SEWER PIPE				
NO.	PIPE LENGTH (FT)	PIPE SIZE	SLOPE	STRUCTURES AND INVERTS
SD-1	16	24" HDPE	0.20%	START: CONNECTION-1 1444.65 END: DB-1 1444.68
SD-2	107	24" HDPE	0.20%	START: DB-1 1444.68 END: DB-2 1444.90
SD-3	110	24" HDPE	0.20%	START: DB-2 1444.90 END: DB-3 1445.11
SD-4	228	18" HDPE	0.20%	START: DB-3 1445.11 END: DB-4 1445.56
SD-5	123	18" HDPE	0.20%	START: DB-4 1445.56 END: CI-1 1445.80
SD-6	307	18" HDPE	0.20%	START: CI-1 1445.80 END: CI-2 1446.40
SD-7	99	12" HDPE	0.20%	START: TEE-1 1446.60 END: TEE-1 1446.60
SD-8	4	8" HDPE	1.00%	START: TEE-1 1446.60 END: RD-2 1446.64
SD-9	29	12" HDPE	0.20%	START: TEE-2 1446.66 END: TEE-2 1446.66
SD-10	4	8" HDPE	1.00%	START: RD-3 1446.70 END: RD-3 1446.70
SD-11	29	12" HDPE	0.20%	START: TEE-2 1446.66 END: DB-9 1446.72
SD-12	4	8" HDPE	1.00%	START: RD-4 1446.76 END: RD-4 1446.76
SD-13	114	18" HDPE	0.20%	START: DB-9 1446.72 END: DB-5 1445.35
SD-14	144	18" HDPE	0.20%	START: DB-5 1445.35 END: DB-6 1445.64
SD-15	38	12" HDPE	0.20%	START: DB-6 1445.64 END: TEE-3 1445.71
SD-16	17	8" HDPE	1.00%	START: TEE-3 1445.71 END: RD-5 1445.89

BUILD STORM SEWER PIPE				
NO.	PIPE LENGTH (FT)	PIPE SIZE	SLOPE	STRUCTURES AND INVERTS
SD-17	36	12" HDPE	0.20%	START: TEE-3 1445.71 END: TEE-4 1445.78
SD-18	17	8" HDPE	1.00%	START: TEE-4 1445.78 END: RD-6 1445.96
SD-19	36	12" HDPE	0.20%	START: TEE-4 1445.78 END: TEE-5 1445.86
SD-20	17	8" HDPE	1.00%	START: TEE-5 1445.86 END: RD-7 1446.01
SD-21	36	12" HDPE	0.20%	START: TEE-5 1445.86 END: TEE-6 1445.93
SD-22	17	8" HDPE	1.00%	START: TEE-6 1445.93 END: RD-8 1446.10
SD-23	19	6" HDPE	0.20%	START: TEE-6 1445.93 END: TB-2 1445.97
SD-24	19	8" HDPE	2.00%	START: TEE-7 1445.16 END: RD-1 1445.55
SD-25	16	6" HDPE	2.00%	START: TEE-8 1445.53 END: TB-1 1445.84
SD-26	68	18" HDPE	0.20%	START: DB-1 1444.68 END: DB-7 1444.82
SD-27	203	18" HDPE	0.20%	START: DB-7 1444.82 END: DB-8 1445.22
SD-28	14	8" HDPE	1.00%	START: TEE-9 1445.60 END: DB-11 1445.74
SD-29	33	8" HDPE	1.00%	START: TEE-10 1444.98 END: DB-12 1445.30
SD-30	16	18" HDPE	2.00%	START: CI-1 1445.80 END: FES-1 1446.12

\* FIELD VERIFY EXISTING FLOWLINE  
 \*\* ADS N-12 ST IB PIPE OR APPROVED EQUAL  
 \*\*\* RCP REQUIRED

BUILD STORM SEWER DRAIN BASIN						
NO.	RIM EL.	INVERT	DEPTH	DESCRIPTION	LID/GRATE	NORTHING EASTING
DB-1	1448.88	1444.68	4.20	FIRST DEFENSE FDHC-8 OR APPROVED EQUAL	LID	596315.13 2362576.17
DB-2	1447.79	1444.90	2.89	24" NYLOPLAST D.B.	**GRATE	596421.76 2362569.17
DB-3	1450.01	1445.11	4.90	24" NYLOPLAST D.B.	**GRATE	596418.36 2362459.10
DB-4	1447.87	1445.56	2.31	24" NYLOPLAST D.B.	**GRATE	596411.33 2362231.09
DB-5	1448.02	1445.35	2.67	24" NYLOPLAST D.B.	**GRATE	596532.65 2362455.57
DB-6	1448.11	1445.64	2.48	24" NYLOPLAST D.B.	**GRATE	596676.36 2362451.12
DB-7	1447.84	1444.82	3.02	24" NYLOPLAST D.B.	**GRATE	596310.53 2362508.64
DB-8	1447.52	1445.22	2.30	24" NYLOPLAST D.B.	**GRATE	596304.27 2362305.72
DB-9	1450.96	1446.72	4.24	18" NYLOPLAST D.B.	**GRATE	596697.33 2362258.46
DB-10	1449.28	1447.36	1.92	24" NYLOPLAST D.B.	**GRATE	596683.55 2362437.77
DB-11	1452.05	1445.74	6.31	24" NYLOPLAST D.B.	**GRATE	596659.13 2362465.71
DB-12	1447.01	1445.30	1.71	24" NYLOPLAST D.B.	**GRATE	596453.13 2362527.56

\*SEE ADS DRAIN BASIN DETAIL ON SHEET C4.0  
 \*\*GRATE SHALL BE TRAFFIC RATED

STORM SEWER TEE (12"x12"x8")			
NO.	INVERT	NORTHING	EASTING
TEE-1	1446.60	596695.53	2362200.15
TEE-2	1446.66	596696.44	2362229.61
TEE-3	1445.71	596675.20	2362413.32
TEE-4	1445.78	596674.09	2362377.34
TEE-5	1445.81	596672.97	2362341.36
TEE-6	1445.93	596671.86	2362305.37
TEE-7	1445.16	596417.54	2362432.61
TEE-8	1445.53	596411.70	2362243.10
TEE-9	1445.55	596658.73	2362451.67
TEE-10	1444.98	596420.50	2362528.53

\*ADS DUAL WALL FITTING OR APPROVED EQUAL

TRENCH BOX DRAIN CONNECTION			
NO.	INVERT	NORTHING	EASTING
TB-1	1445.84	596427.28	2362242.62
TB-2	1445.97	596671.28	2362286.32

BUILD CURB INLET				
NO.	RIM EL.	INVERT	DEPTH	NORTHING EASTING
CI-1	1447.86	1445.80	2.05	596385.54 2362110.60
CI-2	1448.10	1446.40	1.70	596692.42 2362101.14

\*SEE CURB INLET DETAIL ON SHEET C4.1

CONNECT TO EXISTING STRUCTURE			
NO.	INVERT	NORTHING	EASTING
CONNECTION-1	1444.65	596316.24	2362592.42

ROOF DRAIN CONNECTION*			
NO.	INVERT @ 90° BEND	NORTHING	EASTING
RD-1	1445.55	596437.00	2362432.01
RD-2	1446.64	596691.50	2362200.27
RD-4	1446.76	596693.30	2362258.58
RD-5	1445.89	596657.91	2362413.87
RD-6	1445.96	596656.92	2362377.88
RD-7	1446.03	596655.69	2362341.91
RD-8	1446.10	596654.70	2362305.92

\*ROOF DRAIN CONNECTION SHALL INCLUDE 1-12" ADS 90° DUAL WALL BEND OR APPROVED EQUAL, 1-ADS 12"x8" DUAL WALL REDUCER OR APPROVED EQUAL, 1-6" RISER PIPE AND ANY MISCELLANEOUS FITTING REQUIRED.

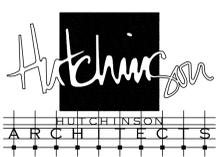
BUILD FLARED END SECTION			
NO.	INVERT	NORTHING	EASTING
FES-1	1446.12	596385.05	2362094.64

PAVING NOTES:

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONCRETE AND DENSITY TESTING REQUIRED BY THESE SPECIFICATIONS.
- THE EXISTING FILL SOILS ENCOUNTERED WERE FOUND TO BE VARIABLE IN DENSITY AND MOISTURE CONTENT AND WILL NOT BE SUITABLE FOR SUPPORT OF THE PROPOSED STORE AND GAS PUMP CANOPY AREA AND PAVEMENT AREAS. THIS EXISTING FILL MATERIAL THAT WAS ENCOUNTERED IN THE SOIL TEST BORINGS SHALL BE OVEREXCAVATED AND RE-COMPACTED. THE ACTUAL EXISTING FILL DEPTHS SHOULD BE VERIFIED BY A REPRESENTATIVE OF TESTING AGENCY DURING GRADING OPERATIONS. SEE GEOTECHNICAL REPORT (DATED OCTOBER 12, 2022) FOR ADDITIONAL INFORMATION.
- GENERAL FILL AND BACKFILL SHALL BE COMPACTED TO A MINIMUM OF 98% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY UNDER PAVED AREAS AND 92% UNDER TURF AREAS. PARKING LOT SUBGRADE SHALL BE COMPACTED TO 98% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY.
- THE TRENCHES SHALL BE BACKFILLED, MECHANICALLY TAMPED AND TESTED. BACKFILL SHALL BE COMPACTED TO A MINIMUM OF 98% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY UNDER FUTURE PAVED AREAS AND 92% UNDER TURF AREAS.
- PRIOR TO PAVING, THE TOP 12" OF SUBGRADE IN ALL AREAS TO RECEIVE PAVEMENT SHALL BE SCARIFIED AND RECOMPACTED TO 98% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY AND +/- 3% OPTIMUM MOISTURE.
- LANDSCAPED AREAS SHALL BE HELD 1" DOWN FOR AREAS TO BE SEEDED AND MULCHED AND 3" DOWN FOR AREAS TO BE MULCHED AND LANDSCAPED. THE CONTRACTOR SHALL PROVIDE A MINIMUM OF 6" OF TOP SOIL IN THESE AREAS.
- MAX JOINT SPACING FOR SHALL BE 12' UNLESS NOTED OTHERWISE.
- CONCRETE PAVEMENT FOR PARKING LOT SHALL BE NDOT (NEBRASKA DEPARTMENT OF TRANSPORTATION) 47B-3500. ALL CEMENT SHALL BE 1P.
- CONCRETE PAVEMENT FOR SIDEWALKS SHALL BE NDOT (NEBRASKA DEPARTMENT OF TRANSPORTATION) BX-3000. (CONTRACTOR SHALL USE 1-P CEMENT FOR SIDEWALK MIX)
- ROADWAY AND PARKING LOT PAVEMENT SHALL HAVE A BURLAP DRAG FINISH. SIDEWALK PAVEMENT SHALL HAVE A LIGHT BROOM FINISH.
- CONSTRUCTION OF ALL JOINTS INCLUDING DOWELS AND TIE BARS SHALL BE CONSIDERED SUBSIDIARY TO CONCRETE PAVEMENT.
- CONTRACTOR TO SUBMIT JOINT PATTERNS FOR PARKING LOT AND SIDEWALK IN FRONT OF BUILDING TO ENGINEER FOR APPROVAL IF MODIFIED FROM PROPOSED JOINTS SHOWN IN PLANS.
- ALL EXPANSION JOINTS SHALL BE FILLED WITH GRAY SELF LEVELING URETHANE SEALANT.
- CONSTRUCTION OF CURB RAMPS AND DETECTABLE WARNING PLATE SHALL BE CONSIDERED SUBSIDIARY TO CONCRETE SIDEWALK.
- ALL CONSTRUCTION JOINTS SHALL BE TIED, SEE DETAIL (ADD AS NEEDED).
- ALL NEW TO EXISTING CONCRETE JOINTS SHALL BE EXPANSION JOINTS.

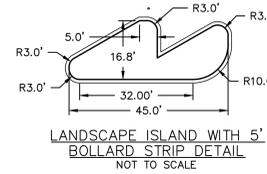
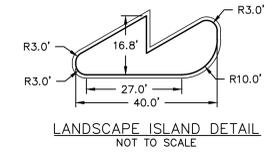
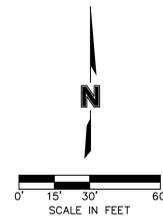
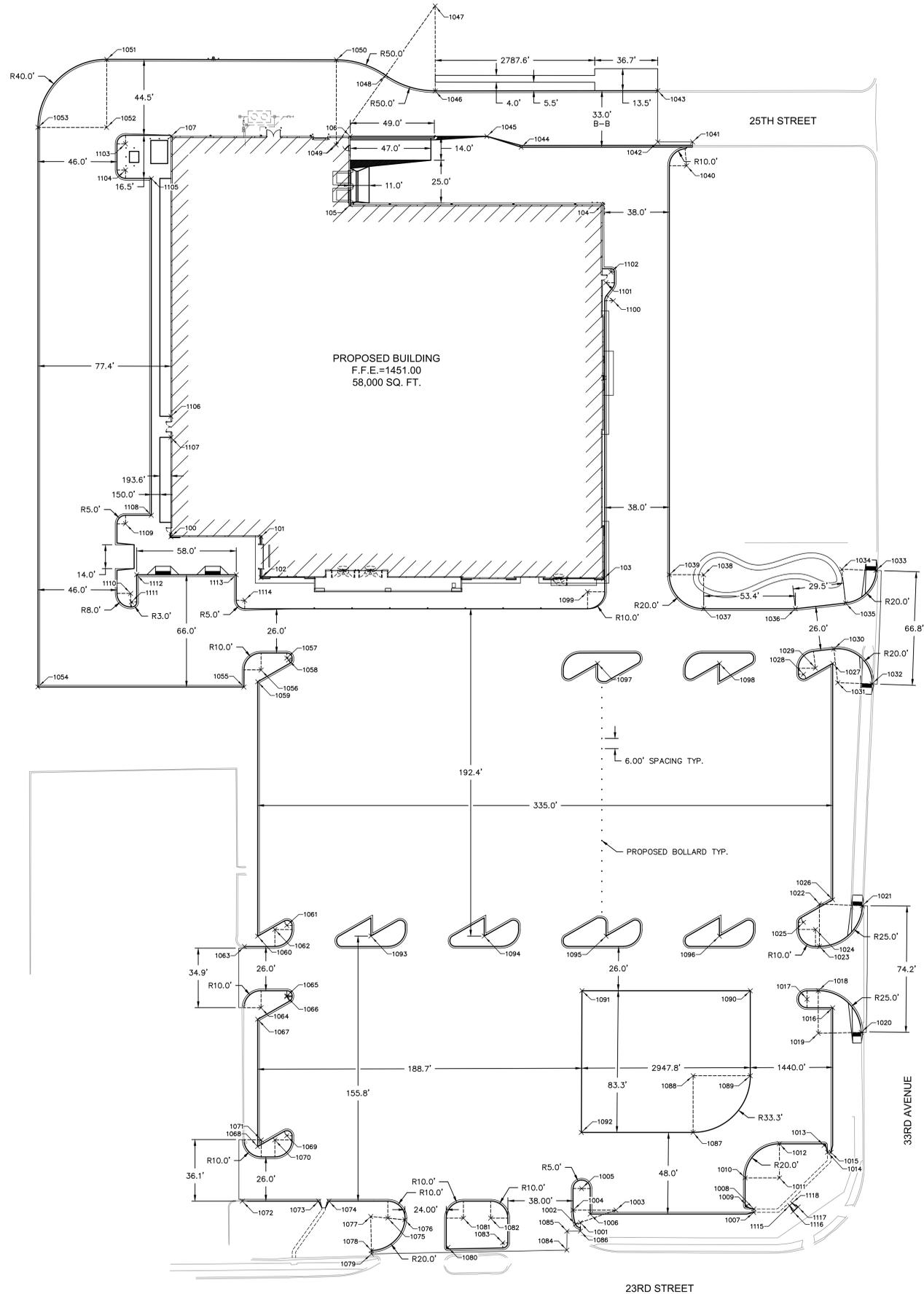


**SUPER SAVER #18 COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601



4535 Normal Blvd., Suite 257  
 Lincoln, Nebraska 68506  
 DATE: 4/26/2024 (PERMIT SET)  
 REVISED: 4/26/2024 SHEET  
 E-mail: jim\_hdpc@windstream.net

CONSTRUCTION PLAN



POINT TABLE			
POINT #	NORTHING	EASTING	FULL DESCRIPTION
1	595900.1860	2362561.5210	CPT 1 RBR
3	597321.2470	2362598.9970	SCR SSM W/16 COR SW1/4 18-17-1E
5	596414.7270	2362666.9660	CPT 5 MAG NAIL
7	596675.8760	2362481.7460	CPT 7 MAG NAIL
8	596079.4610	2362557.5960	CPT 8 MAG NAIL
9	596465.2370	2362512.6060	CPT 9 MAG NAIL
11	596480.4990	2362047.4890	CPT 11 NAIL
12	596489.0340	2362287.3890	CPT 12 NAIL
13	596707.8200	2362058.0470	CPT 13 NAIL
14	596681.4550	2362299.9740	CPT 14 NAIL

GEOMETRICS			
POINT #	NORTHING	EASTING	FULL DESCRIPTION
100	596455.1956	2362184.5165	BUILDING CORNER
101	596456.8152	2362236.9915	BUILDING CORNER
102	596432.8267	2362237.7319	BUILDING CORNER
103	596438.3151	2362437.1575	BUILDING CORNER
104	596658.0233	2362429.7090	BUILDING CORNER
105	596653.4907	2362282.8623	BUILDING CORNER
106	596693.6383	2362281.6231	BUILDING CORNER
107	596690.4169	2362177.2561	BUILDING CORNER
1001	596059.5896	2362435.3426	3.0' RADIUS
1002	596058.5064	2362432.5451	PC
1003	596067.5336	2362455.8583	25.0' RADIUS
1004	596066.7623	2362430.8702	PT
1005	596079.5874	2362435.4768	5.0' RADIUS
1006	596064.7488	2362440.9371	PT
1007	596068.6869	2362536.1092	PT
1008	596070.6859	2362536.0475	PT
1009	596072.5616	2362531.9877	1.0' RADIUS
1010	596088.8360	2362530.4849	PC
1011	596089.4530	2362550.4754	20.0' RADIUS
1012	596109.4435	2362549.8584	PT
1013	596109.2462	2362575.8802	1.0' RADIUS
1014	596105.3098	2362578.0027	PT
1015	596105.3715	2362580.0017	PT
1016	596190.3619	2362578.3789	PT
1017	596194.8979	2362563.2686	5.0' RADIUS
1018	596200.0980	2362569.6758	PC
1019	596175.1099	2362570.4470	25.0' RADIUS
1020	596176.3744	2362595.4150	PT
1021	596250.7927	2362593.7806	PC
1022	596251.0948	2362568.7825	25.0' RADIUS
1023	596226.1346	2362569.5601	PT
1024	596236.0326	2362567.0013	10.0' RADIUS
1025	596240.0433	2362559.8341	3.0' RADIUS
1026	596253.8535	2362576.4023	PT
1027	596392.6302	2362572.1357	PT
1028	596385.7579	2362555.3397	3.0' RADIUS
1029	596389.5899	2362562.1863	10.0' RADIUS
1030	596401.2059	2362572.5385	PC
1031	596381.4153	2362575.4249	25.0' RADIUS
1032	596381.3383	2362595.3943	PT
1033	596448.0740	2362595.6818	PC
1034	596448.1510	2362575.6819	25.0' RADIUS
1035	596428.3604	2362578.5684	PT
1036	596424.1070	2362549.4047	PT
1037	596422.4597	2362496.0288	PC
1038	596442.4502	2362495.4118	20.0' RADIUS
1039	596441.8331	2362475.4213	PT
1040	596682.4528	2362477.9991	10.0' RADIUS
1041	596696.5575	2362481.1087	PT
1042	596695.9314	2362460.8214	PT
1043	596726.0540	2362459.8954	PT
1044	596690.3539	2362381.3916	PT
1045	596696.1323	2362361.1969	PT
1046	596721.8897	2362330.3130	PC
1047	596771.8639	2362328.7070	50.0' RADIUS
1048	596730.1347	2362301.1630	PRC
1049	596688.4055	2362273.6189	50.0' RADIUS
1050	596738.3847	2362272.1768	PT
1051	596734.5265	2362138.4572	PC
1052	596694.5431	2362139.6109	40.0' RADIUS
1053	596693.3091	2362099.6299	PT
1054	596364.5696	2362109.7768	PT
1055	596368.2118	2362229.7215	PT
1056	596378.5192	2362239.4081	10.0' RADIUS
1057	596385.9788	2362254.1895	3.0' RADIUS

GEOMETRICS			
POINT #	NORTHING	EASTING	FULL DESCRIPTION
1058	596384.8342	2362255.2254	3.0' RADIUS
1059	596371.5613	2362237.6265	PT
1060	596222.0241	2362242.2421	PT
1061	596228.9143	2362259.0375	3.0' RADIUS
1062	596226.3134	2362252.1144	10.0' RADIUS
1063	596215.7708	2362234.6902	PT
1064	596180.0869	2362245.4876	10.0' RADIUS
1065	596187.5479	2362260.3143	3.0' RADIUS
1066	596187.0342	2362260.3301	3.0' RADIUS
1067	596173.2157	2362243.7486	PT
1068	596098.4471	2362246.0564	PT
1069	596105.3372	2362262.8517	3.0' RADIUS
1070	596102.6695	2362255.9307	10.0' RADIUS
1071	596102.4250	2362248.0112	10.0' RADIUS
1072	596066.1007	2362238.1271	PT
1073	596067.4712	2362282.5267	PT
1074	596067.6563	2362288.5238	PT
1075	596058.7198	2362323.1310	10.0' RADIUS
1076	596058.0371	2362333.1077	PC
1077	596059.4025	2362313.1544	20.0' RADIUS
1078	596039.4282	2362314.1675	PT
1079	596037.4308	2362314.2688	PT
1080	596042.6879	2362358.6913	1.0' RADIUS
1081	596060.0763	2362367.1589	10.0' RADIUS
1082	596060.5664	2362383.0386	10.0' RADIUS
1083	596046.3030	2362390.4822	3.0' RADIUS
1084	596043.1978	2362427.9660	PT
1085	596054.3078	2362427.7164	PT
1086	596054.5930	2362435.5251	PT
1087	596114.5743	2362499.3371	PC
1088	596147.9006	2362498.3085	33.3' RADIUS
1089	596148.9293	2362531.6349	PT
1090	596198.8763	2362530.0932	FUEL ISLAND
1091	596195.8509	2362432.0752	FUEL ISLAND
1092	596112.5664	2362434.2858	FUEL ISLAND
1093	596224.1667	2362308.1928	LANDSCAPE ISLAND
1094	596226.2053	2362374.1613	LANDSCAPE ISLAND
1095	596228.3821	2362445.1425	LANDSCAPE ISLAND W/ 5' BOLLARD STRIP
1096	596230.4183	2362511.1111	LANDSCAPE ISLAND
1097	596388.4614	2362435.1728	LANDSCAPE ISLAND W/ 5' BOLLARD STRIP
1098	596390.6422	2362506.1656	LANDSCAPE ISLAND
1099	596430.3642	2362428.0651	10.0' RADIUS
1100	596601.8166	2362437.7802	5.0' RADIUS
1101	596612.2912	2362433.1215	5.0' RADIUS
1102	596618.6339	2362435.9272	2.0' RADIUS
1103	596685.2682	2362150.9078	5.0' RADIUS
1104	596669.8939	2362151.3823	5.0' RADIUS
1105	596665.3603	2362166.5711	5.0' RADIUS
1106	596525.9677	2362182.3320	PT
1107	596513.5986	2362182.7138	PT
1108	596467.4545	2362172.6797	5.0' RADIUS
1109	596461.9929	2362157.7997	5.0' RADIUS
1110	596421.1531	2362162.0573	8.0' RADIUS
1111	596416.1709	2362162.7103	3.0' RADIUS
1112	596432.2558	2362165.2150	PT
1113	596434.0452	2362223.1874	PT
1114	596419.2066	2362228.6478	5.0' RADIUS
1115	596073.3301	2362556.8868	FLUME
1116	596069.8228	2362559.0849	FLUME
1117	596072.7108	2362561.8525	FLUME
1118	596074.7702	2362558.2747	FLUME



**SUPER SAVER #18  
 COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601



4535 Normal Blvd., Suite 257  
 Lincoln, Nebraska 68506  
 DATE: 4/26/2024 (PERMIT SET)  
 Phone: (402) 421-1502  
 E-mail: jim\_hdp@windstream.net

**GEOMETRICS**

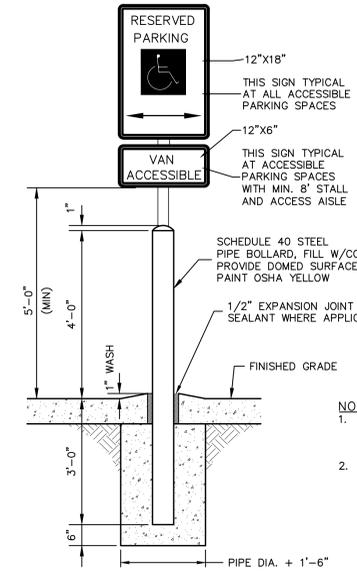
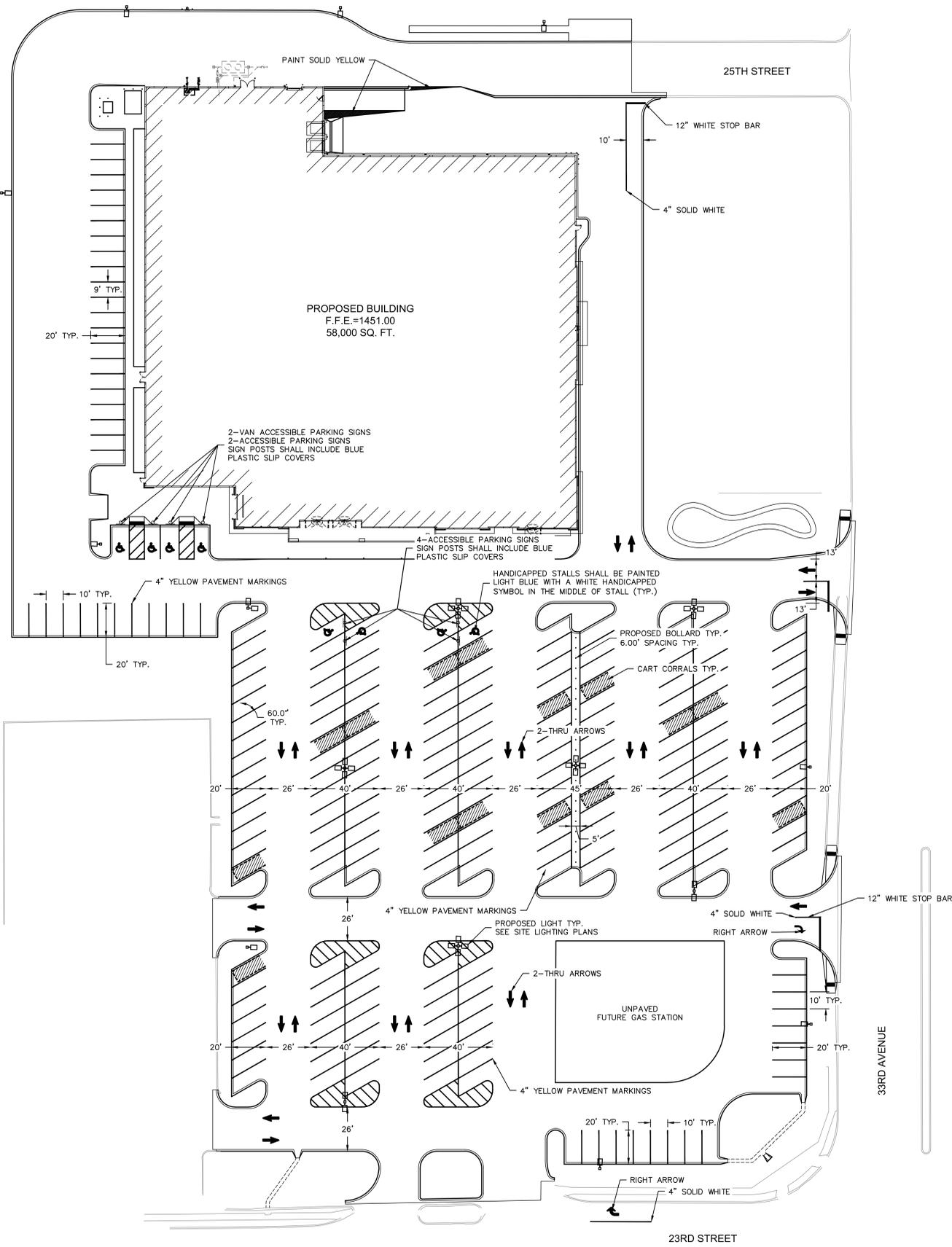
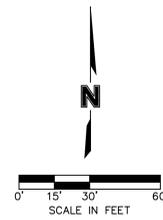
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 DATE: 4/26/2024 (PERMIT SET) SHEET

CONTACT: **C3.1**

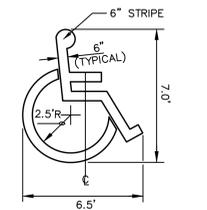


PARKING REQUIREMENTS	
PARKING STALLS REQUIRED	194
PARKING STALLS AVAILABLE	206
ADA PARKING STALLS AVAILABLE	8
TOTAL STALLS AVAILABLE	214

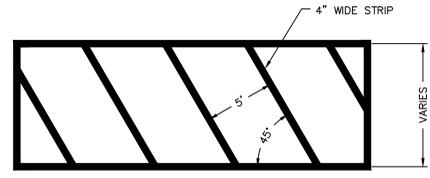
NOTE:  
 PARKING REQUIREMENTS ASSUMED 1 STALL PER 300 SQUARE FEET BASED ON THE COLUMBUS LAND DEVELOPMENT ORDINANCE FOR THE CITY OF COLUMBUS ORDINANCE NO. 23-09, CHAPTER 1, ARTICLE 9 (OFF STREET PARKING) COMMERCIAL USE TYPE FOOD SALES.



ACCESSIBLE PARKING BOLLARD SIGN  
 NOT TO SCALE

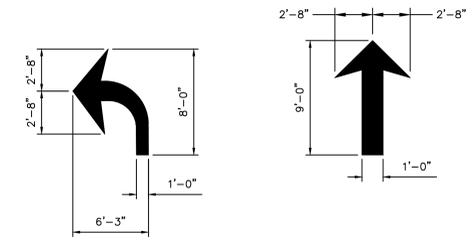


ACCESSIBLE PARKING SYMBOL  
 NOT TO SCALE



- STRIPING NOTES:**
- PARKING STRIPES SHALL BE 4" WIDE UNLESS NOTED OTHERWISE. STRIPES AND MARKINGS SHALL BE PAINTED WITH YELLOW REFLECTORIZED PAINT. THIS PRODUCT SHALL BE ON NDOT APPROVED PRODUCTS LIST FOR REFLECTIVE PAINT.
  - STRIPING CROSS HATCH SHALL BE 4" LINES, 60" ON CENTER, AT A 45° ANGLE. COLOR = YELLOW

STRIPING DETAIL  
 NOT TO SCALE



ARROWS  
 NOT TO SCALE



**SUPER SAVER #18**  
**COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601

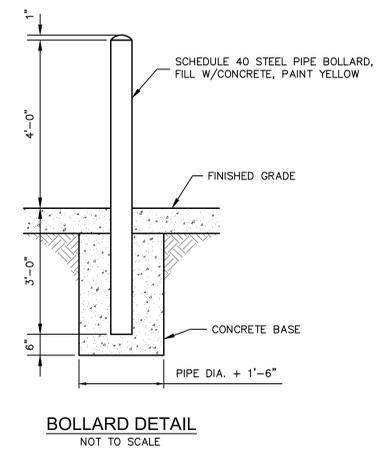
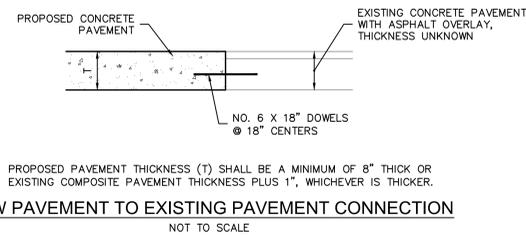
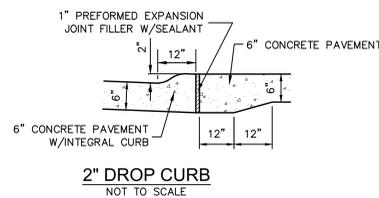
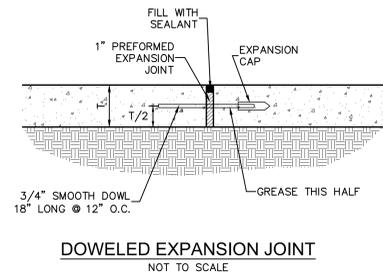
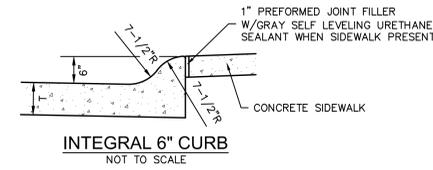
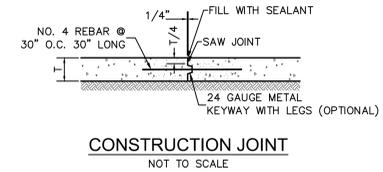
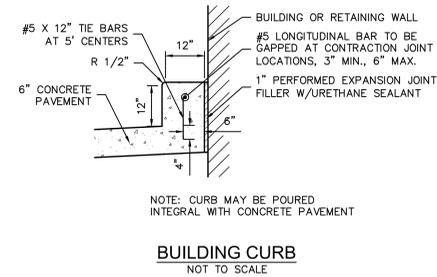
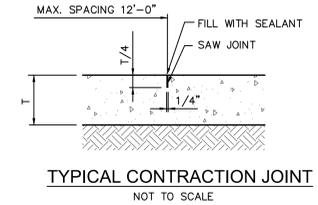
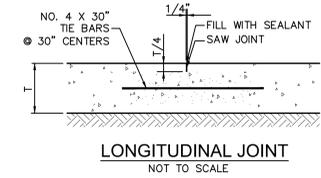
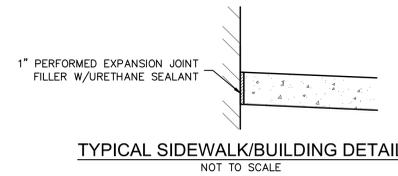


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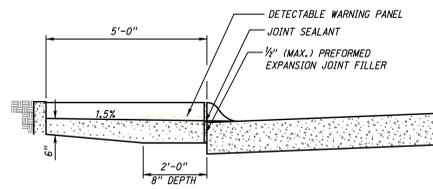
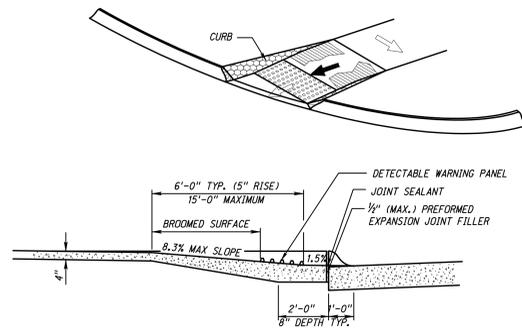
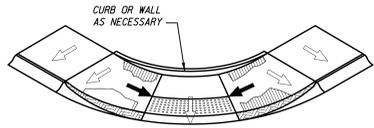
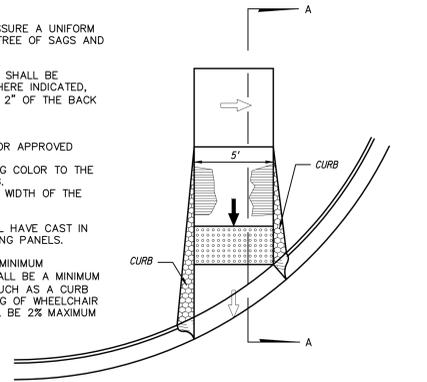
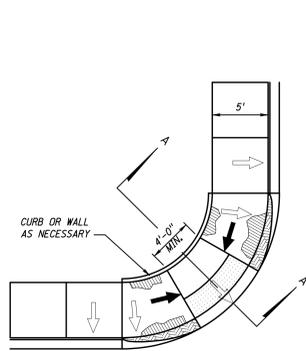
**PAVEMENT MARKINGS**

JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 1/20/2024 (PERMIT SET) SHEET  
 REVISED: 4/26/2024

CONTACT: **C3.3**



1. THE SURFACE OF ALL CURB RAMPS SHALL BE BROOMED PERPENDICULAR TO THE SLOPE OF THE RAMP.
2. CARE SHALL BE TAKEN TO ASSURE A UNIFORM GRADE ON THE CURB RAMP, FREE OF SAGS AND SHORT GRADE CHANGES.
3. DETECTABLE WARNING PANELS SHALL BE CONSTRUCTED WITH RAMPS WHERE INDICATED, 2'x4' MINIMUM PLACED WITHIN 2" OF THE BACK OF CURB.  
 DETECTABLE WARNING PANEL:  
 - SHALL BE FROM THE NDOR APPROVED PRODUCT LIST  
 - SHALL BE A CONTRASTING COLOR TO THE SURROUNDING SURFACING.  
 - SHALL EXTEND THE FULL WIDTH OF THE CURB RAMP  
 INDICATED CURB RAMPS SHALL HAVE CAST IN CONCRETE DETECTABLE WARNING PANELS.
4. TURNING SPACE SHALL HAVE MINIMUM DIMENSIONS OF 4'x4' AND SHALL BE A MINIMUM OF 1' FROM ANY OBSTACLE SUCH AS A CURB OR RETAINING WALL FOR SWING OF WHEELCHAIR FOOT REST. THE SLOPE SHALL BE 2% MAXIMUM IN ANY DIRECTION.



LEGEND

	DETECTABLE WARNING PANEL (DWP)
	BROOMED CURB RAMP WHEN 5% TO 8.3%
	RAMP FLARE
	CURB TRANSITION
	CURB FACE SLOPE 1 VERT. : 2 HORIZ.

SLOPE LEGEND

	SIDEWALK/TURNING SPACE AND RAMP CROSS SLOPE 1.5% TYPICAL, 2.0% MAX. SLOPE
	RAMP RUNNING SLOPE 8.0% TYPICAL, 8.3% MAX. SLOPE
	FLARE 90° TO RAMP 9.0% TYPICAL, 10.0% MAX. SLOPE

THE CONTRACTOR SHOULD ACCOUNT FOR CONSTRUCTION TOLERANCES TO PREVENT EXCEEDING THE MAXIMUM SLOPES. ANY SLOPES EXCEEDING THE MAXIMUMS SHALL NOT BE ACCEPTED WITHOUT PRIOR APPROVAL FROM THE PROJECT MANAGER.

CURB RAMP NOT TO SCALE



**SUPER SAVER #18 COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601



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 Lincoln, Nebraska 68506  
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**DETAILS**

JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 1/20/2024 (PERMIT SET) SHEET

CONTACT: **C4.0**

### NYLOPLAST 2 FT X 3 FT CURB INLET STRUCTURE: 30 \_\_ AGR \_\_ X

(2) VARIABLE INVERT HEIGHTS AVAILABLE (ACCORDING TO PLANS/TAKE OFF)

(1) DUCTILE IRON FRAME, GRATE, & HOOD

MINIMUM PIPE BURIAL DEPTH PER PIPE MANUFACTURER RECOMMENDATION (MIN. MANUFACTURING REQ. SAME AS MIN. SUMP EXCEPT FOR 36" BASIN, 36" DRAIN BASIN REQ. 2.25 FT FROM RIM TO TOP OF PIPE)

(4) ADAPTER ANGLES VARIABLE 0° - 360° ACCORDING TO PLANS

(1) INTEGRATED DUCTILE IRON BASE PLATE TO MATCH BASIN O.D.

TRAFFIC LOADS: CONCRETE SLAB DIMENSIONS ARE FOR GUIDELINE PURPOSES ONLY. ACTUAL CONCRETE SLAB MUST BE DESIGNED TAKING INTO CONSIDERATION LOCAL SOIL CONDITIONS, TRAFFIC LOADING, & OTHER APPLICABLE DESIGN FACTORS.

(2) VARIABLE SUMP DEPTH ACCORDING TO PLANS (6" MIN ON 18" & 24", 10" MIN ON 30" & 12" MIN ON 36" BASED ON MANUFACTURING REQ.)

WATERTIGHT JOINT (CORRUGATED HDPE SHOWN)

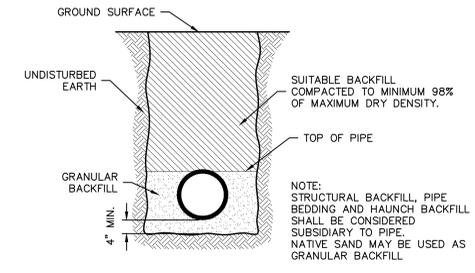
(3) VARIOUS TYPES OF INLET & OUTLET ADAPTERS AVAILABLE: 4" - 36" FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL, ADS/HANCOR SINGLE WALL), N-12 HP, PVC SEWER (EX: SDR 35), PVC DWV (EX: SCH 40), PVC C900/C905, CORRUGATED & RIBBED PVC

18" - 36"

THE BACKFILL MATERIAL SHALL BE CRUSHED STONE OR OTHER GRANULAR MATERIAL MEETING THE REQUIREMENTS OF CLASS I, CLASS II, OR CLASS III MATERIAL AS DEFINED IN ASTM D2321. BEDDING & BACKFILL FOR SURFACE DRAINAGE INLETS SHALL BE PLACED & COMPACTED UNIFORMLY IN ACCORDANCE WITH ASTM D2321.

1 - 18" - 30" FRAMES, GRATES, HOODS, & BASE PLATES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05.  
 2 - DRAIN BASIN TO BE CUSTOM MANUFACTURED ACCORDING TO PLAN DETAILS.  
 3 - DRAINAGE CONNECTION SUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212 FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL, N-12 HP, & PVC SEWER (4" - 36")).  
 4 - ADAPTERS CAN BE MOUNTED ON ANY ANGLE 0° TO 360°. TO DETERMINE MINIMUM ANGLE BETWEEN ADAPTERS SEE DRAWING NO. 7001-110-012  
 5 - ALL CURB INLET GRATE OPTIONS (DIAGONAL & HIGH FLOW) SHALL MEET H-20 LOAD RATING

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DATE 03-22-10	PROJECT NO. NAME	REVISED BY NMH	TITLE	
DATE 07-22-19	DRAIN BASIN WITH 2 FT X 3 FT CURB INLET QUICK SPEC INSTALLATION DETAIL	DWG SIZE A	SCALE 1:40	SHEET 1 OF 1
DWG NO. 7002-110-087	REV D			



**FLEXIBLE PIPE TRENCH BACKFILL**  
 NOT TO SCALE

### NYLOPLAST 24" DRAIN BASIN: 2824AG \_\_ X

(1, 2) INTEGRATED DUCTILE IRON FRAME & GRATE TO MATCH BASIN O.D.

MINIMUM PIPE BURIAL DEPTH PER PIPE MANUFACTURER RECOMMENDATION (MIN. MANUFACTURING REQ. SAME AS MIN. SUMP)

(5) ADAPTER ANGLES VARIABLE 0° - 360° ACCORDING TO PLANS

(3) VARIABLE SUMP DEPTH ACCORDING TO PLANS (6" MIN. BASED ON MANUFACTURING REQ.)

TRAFFIC LOADS: CONCRETE SLAB DIMENSIONS ARE FOR GUIDELINE PURPOSES ONLY. ACTUAL CONCRETE SLAB MUST BE DESIGNED TAKING INTO CONSIDERATION LOCAL SOIL CONDITIONS, TRAFFIC LOADING, & OTHER APPLICABLE DESIGN FACTORS. SEE DRAWING NO. 7001-110-111 FOR NON TRAFFIC INSTALLATION.

4" MIN

(4) VARIOUS TYPES OF INLET & OUTLET ADAPTERS AVAILABLE: 4" - 24" FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL, ADS/HANCOR SINGLE WALL), N-12 HP, PVC SEWER (EX: SDR 35), PVC DWV (EX: SCH 40), PVC C900/C905, CORRUGATED & RIBBED PVC

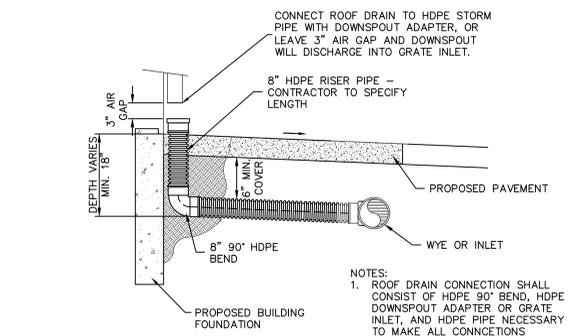
WATERTIGHT JOINT (CORRUGATED HDPE SHOWN)

THE BACKFILL MATERIAL SHALL BE CRUSHED STONE OR OTHER GRANULAR MATERIAL MEETING THE REQUIREMENTS OF CLASS I, CLASS II, OR CLASS III MATERIAL AS DEFINED IN ASTM D2321. BEDDING & BACKFILL FOR SURFACE DRAINAGE INLETS SHALL BE PLACED & COMPACTED UNIFORMLY IN ACCORDANCE WITH ASTM D2321.

GRATE OPTIONS	LOAD RATING	PART #	DRAWING #
PEDESTRIAN	MEETS H-10	2499CGP	7001-110-216
STANDARD	MEETS H-20	2499CGS	7001-110-217
SOLID COVER	MEETS H-20	2499CGC	7001-110-218
DOVE	N/A	2499CSD	7001-110-219
DROP IN GRATE	LIGHT DUTY	2401D	7001-110-075

1 - GRATES/SOLID COVER SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05.  
 2 - FRAMES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05.  
 3 - DRAIN BASIN TO BE CUSTOM MANUFACTURED ACCORDING TO PLAN DETAILS. RISERS ARE NEEDED FOR BASINS OVER 84" DUE TO SHIPPING RESTRICTIONS. SEE DRAWING NO. 7001-110-065.  
 4 - DRAINAGE CONNECTION SUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212 FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL), N-12 HP & PVC SEWER.  
 5 - ADAPTERS CAN BE MOUNTED ON ANY ANGLE 0° TO 360°. TO DETERMINE MINIMUM ANGLE BETWEEN ADAPTERS SEE DRAWING NO. 7001-110-012

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DATE 04-03-06	PROJECT NO. NAME	REVISED BY NMH	TITLE	
DATE 03-14-16	24 IN DRAIN BASIN QUICK SPEC INSTALLATION DETAIL	DWG SIZE A	SCALE 1:40	SHEET 1 OF 1
DWG NO. 7001-110-192	REV E			



**ROOF DRAIN CONNECTION**  
 NOT TO SCALE

- NOTES:
1. ROOF DRAIN CONNECTION SHALL CONSIST OF HDPE 90° BEND, HDPE DOWNSPOUT ADAPTER OR GRATE INLET, AND HDPE PIPE NECESSARY TO MAKE ALL CONNECTIONS
  2. GRATE INLET TO BE SET AT GRADE, WITH 2" SQUARE CONCRETE PAD, IF NOT ALREADY SET IN PAVEMENT
  3. CONTRACTOR TO VERIFY ROOF DRAIN DIMENSIONS AND CONNECTION TYPE WITH OWNER.



**SUPER SAVER #18**  
**COLUMBUS**  
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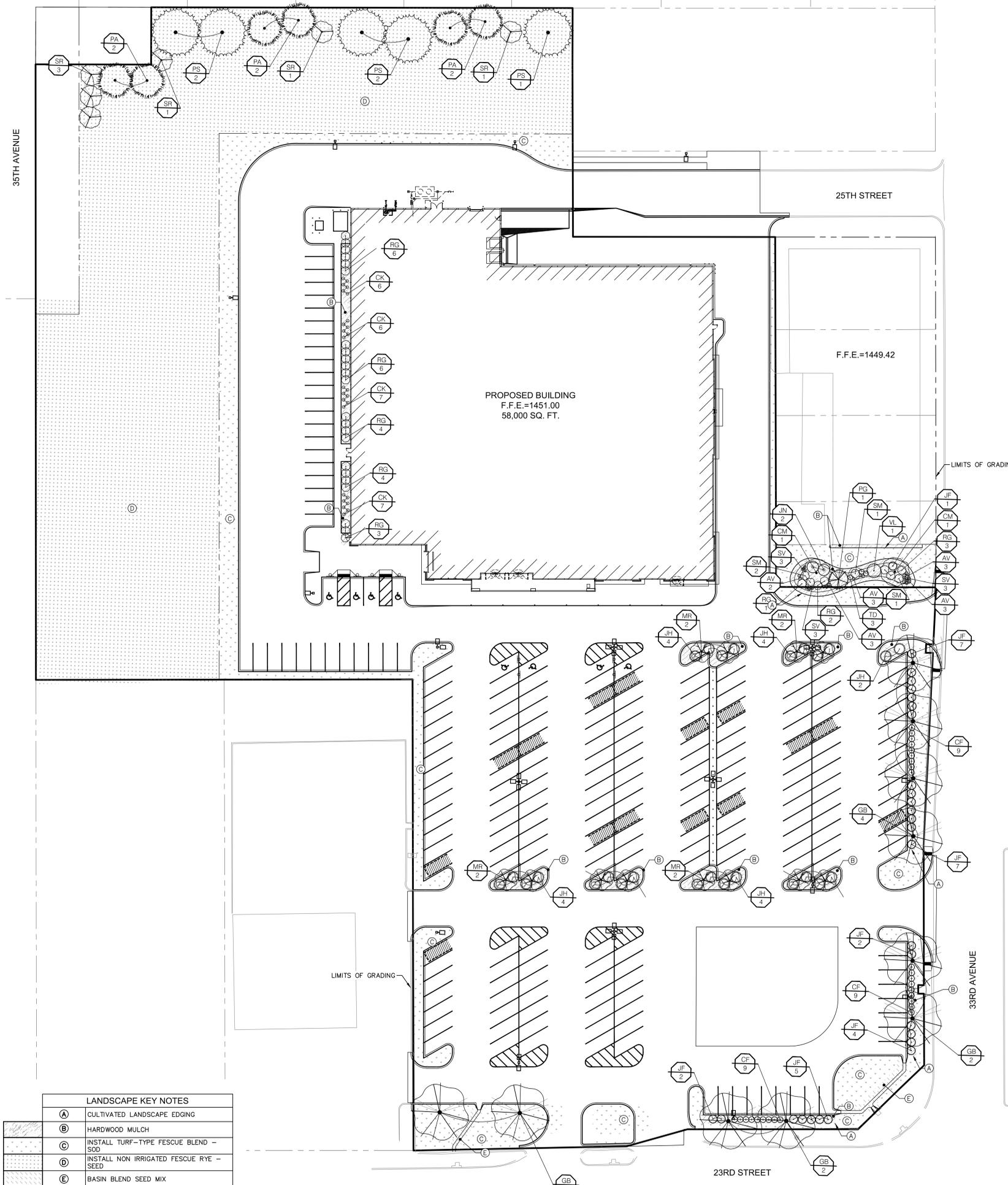


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**DETAILS**

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 DATE: 1/20/2024 (PERMIT SET)  
 REVISION: 4/26/2024 SHEET

CONTACT: **C4.1**



PLANT SCHEDULE

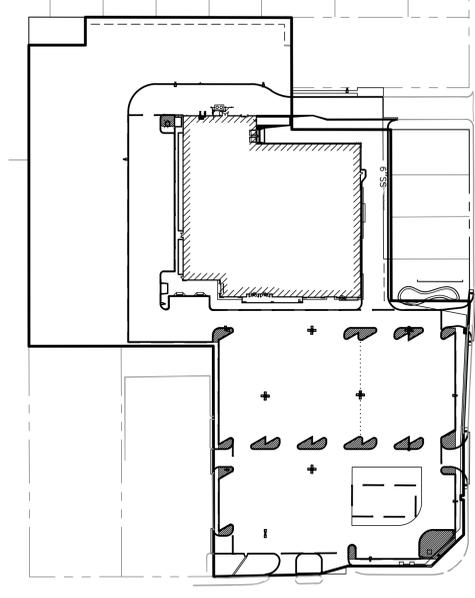
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	CONTAINER	PLNT. HT.	M. HT.	M. SPR.
<b>DECIDUOUS TREES</b>								
	GB	10	GINKGO BILOBA MAIDENHAIR TREE	2.5" CAL.	B&B	70'	40'	
<b>EVERGREEN TREES</b>								
	PA	6	PICEA ABIES NORWAY SPRUCE	8' HT.	B&B	50'	30'	
	PG	1	PICEA GLAUCA 'DENSATA' BLACK HILLS WHITE SPRUCE	8' HT.	B&B	30'	15'	
	PS	5	PINUS STROBUS EASTERN WHITE PINE	8' HT.	B&B	90'	40'	
<b>ORNAMENTAL</b>								
	CM	2	CRATAEGUS MOLLIS DOWNY HAWTHORNE	2.5" CAL.	B&B	30'	20'	
	MR	12	MALUS X 'IFS-KW' ROYAL RAINDROPS® CRABAPPLE	2.5" CAL.	B&B	20'	15'	
	SR	8	SYRINGA RETICULATA 'IVORY SILK' JAPANESE TREE LILAC	2.5" CAL.	B&B	25'	15'	

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	CONTAINER	PLNT. HT.	PLNT. SPR.	MAT. HT.
<b>SHRUBS</b>								
	CF	27	CORNUS SERICEA 'FARROW' ARCTIC FIRE® RED TWIG DOGWOOD	3 GAL.		2'	4'	4'
	JF	28	JUNIPERUS CHINENSIS 'SEA GREEN' SEA GREEN JUNIPER	3 GAL.		5'	2'	6'
	JH	26	JUNIPERUS HORIZONTALIS JUNIPERUS HORIZONTALIS 'PLUMOSA'	5 GAL.		1'	8'	1.5'
	JN	2	PLUMOSA CREEPING JUNIPER CREEPING JUNIPER	3 GAL.		2'	6'	2'
	RG	29	RHUS AROMATICA 'GRO-LOW' GRO-LOW FRAGRANT SUMAC	3 GAL.		2'	5'	3'
	SM	4	SYRINGA MEYERI 'PALIBIN' DWARF KOREAN LILAC	3 GAL.		4'	5'	6'
	TD	3	TAXUS X MEDIA 'DENSIFORMIS' DENSE ANGL-O-JAPANESE YEW	3 GAL.		2'	5'	3'
	VL	1	VIBURNUM LENTAGO NANNYBERRY	5 GAL.		10'	8'	15'
<b>PERENNIALS</b>								
	AV	14	ASTILBE CHINENSIS 'VISION IN RED' VISION IN RED CHINESE ASTILBE	1 GAL.		2'	2'	2'
	CK	26	CALAMAGROSTIS X ACUTIFLORA 'KARL' FOERSTER KARL FOERSTER FEATHER REED GRASS	2 GAL.		2'	2'	5'
	SV	9	SALVIA VERTICILLATA 'PURPLE RAIN' PURPLE RAIN SAGE	1 GAL.		2'	2'	2'
<b>MERTS</b>								
	GB	6,522 SF	SHREDDED HARD WOOD WOOD MULCH					
<b>SOD / SEED</b>								
	E	732 SF	SEEDING MIX DROUGHT TOLERANT BASIN BLEND		SEED			
	D	73,281 SF	TURF SEED NON-IRRIGATED FESCUE RYE		SEED			
	C	25,006 SF	TURF SOD DROUGHT TOLERANT FESCUE BLEND		SOD			

**LANDSCAPE KEY NOTES**

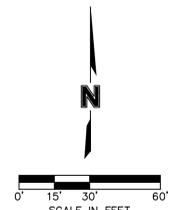
	CULTIVATED LANDSCAPE EDGING
	HARDWOOD MULCH
	INSTALL TURF-TYPE FESCUE BLEND - SOD
	INSTALL NON IRRIGATED FESCUE RYE - SEED
	BASIN BLEND SEED MIX

PARKING LOT LANDSCAPE AREA



**PARKING LOT LANDSCAPE AREA CALCULATION**

	TOTAL
PARKING LOT AREA	127,662 S.F.
REQ'D LANDS AREA / 10%	12,766 S.F.
LANDSCAPE AREA	9,445 S.F. / 7.4%



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**LANDSCAPE PLAN**  
 JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 4/26/2024 (PERMIT SET) SHEET  
 REVISED: 4/26/2024  
 CONTACT: **L1.0**

**PLANT NOTES**

- PRIOR TO ANY PLANTING OR BREAKING OF GROUND, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CALL/LOCATE ALL UTILITY LINES WITHIN THE VICINITY.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS DURING EXCAVATION OPERATIONS TO NOT DISTURB EXISTING UTILITY LINES. DAMAGE TO ANY EXISTING UTILITY LINES SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.
- FINISH GRADES ESTABLISHED PRIOR TO INSTALLATION OF IRRIGATION SYSTEM SHALL BE MAINTAINED AND ANY EXCESS SOIL SHALL EITHER BE WASTED ON SITE AT THE DISCRETION OF THE GENERAL CONTRACTOR OR DISPOSED OF OFF-SITE. ALL CONSTRUCTION DEBRIS FROM IRRIGATION OPERATIONS SHALL BE DISPOSED OF OFF-SITE.
- ALL DAMAGE TO EXISTING SITE IMPROVEMENTS RESULTING FROM EXCAVATION, PLANTING, BACKFILLING, ETC. SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL SEED ALL DISTURBED AREAS INCLUDING CONSTRUCTION ACCESS OUTSIDE PROJECT LIMITS. SURFACES OTHER THAN THE PLANTING AREA SHALL BE RESTORED BY THE CONTRACTOR TO THE CONDITION EXISTING PRIOR TO THE PLANTING OPERATION.
- PLANT LIST IS PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST QUANTITIES, THE PLAN WILL TAKE PRECEDENCE. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL FINAL QUANTITIES PER DRAWINGS AND SPECIFICATIONS.
- ALL PLANT MATERIAL INSTALLED SHALL BE "NURSERY GROWN" MEETING THE FOLLOWING CRITERIA:
  - PLANT MATERIAL GROWN BY ESTABLISHED COMMERCIAL NURSERIES AND SOLD TO LICENSED AND CERTIFIED NURSERIES AND/OR LANDSCAPE ARCHITECTS.
  - GROWN AND SOLD ACCORDING TO AMERICAN STANDARD FOR NURSERY STOCK SPECIFICATION.
  - PLANT MATERIALS ARE SIZED ACCORDING CONTAINER/BALLSIZE AND PHYSICAL SIZE OF TRUNK OR CANOPY. CROWN/CALIPER SIZES MUST BE MET OR EXCEEDED.
- THE LANDSCAPE ARCHITECT AND/OR OWNER RESERVES THE RIGHT TO INSPECT AND APPROVE ALL PLANT MATERIAL AT THE NURSERY/PLACE OF GROWTH. PRIOR TO INSTALLATION, PLANT MATERIAL WHICH HAS BECOME DAMAGED OR DISEASED OR WHICH IS UNACCEPTABLE TO THE LANDSCAPE ARCHITECT MAY BE REJECTED UPON DELIVERY TO THE SITE. WHEN TYPICAL, TREES WITHOUT A CENTRAL LEADER WILL NOT BE ACCEPTED.
- ALL PLANT SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
- IT IS RECOMMENDED THAT PLANTING OF TREES AND SHRUBS AREAS SHALL BE COMMENCED DURING THE SPRING (MARCH 15-JUNE 15) OR FALL (SEPTEMBER 1-OCTOBER 15) PLANTING SEASON. ANY PLANTING OPERATION NOT PERFORMED DURING THESE PERIODS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT AND ARE PERFORMED AT THE CONTRACTOR'S RISK. REFER TO #24 AND WARRANTY CHART BELOW.
- ALL PLANTING OPERATIONS AND LAYOUT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT. THE ACTUAL LOCATION OF PLANT MATERIALS MAY VARY DUE TO FIELD CONDITIONS. IF INITIAL PLACEMENT IS NOT SATISFACTORY, PLANTS SHALL BE RELOCATED AT THE DIRECTION OF THE LANDSCAPE ARCHITECT OR THEIR REPRESENTATIVE, AT NO ADDITIONAL COST TO THE OWNER.
- ALL TREES IN SAME PLANTING AREA SHALL BE PLACED AND PLANTED AT THE SAME TIME. IF ANY PLANTS REMAIN ON THE SITE FOR MORE THAN 8 HOURS, THAT PLANT MATERIAL SHALL BE HELED-IN ON SITE TO MAINTAIN THE MATERIAL'S HEALTH AND VITALITY. PLANTS SHALL BE PROTECTED AND MAINTAINED, INCLUDING BUT NOT LIMITED TO WATER AND SHADE. WHILE ON-SITE, ANY PLANTS DEEMED NOT IN SATISFACTORY HEALTH OR CONDITION AT THE TIME OF PLANTING BY THE LANDSCAPE ARCHITECT OR THEIR REPRESENTATIVE SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL NOT STOCKPILE ANY MATERIALS UNDER THE DRIP LINE OF EXISTING TREES.
- ALL TREES, SHRUB MASS PLANTINGS, AND ANNUAL AND ORNAMENTAL PLANTING BEDS SHALL RECEIVE SHREDDED HARDWOOD MULCH TO A DEPTH OF 4" AS NOTED ON THE PLAN, OR UNLESS OTHERWISE NOTED.
- LANDSCAPE FABRIC TO BE A UV STABILIZED, 3 OZ./YD. POLYPROPYLENE, WOVEN, NEEDLE-PUNCHED FABRIC WITH A 20 YEAR WARRANTY.
- LIMIT OF SEEDING/SODDING SHOWN IS BASED ON THE ESTIMATED GRADING LIMIT. REFER TO EROSION CONTROL PLANS. CONTRACTOR SHALL BE RESPONSIBLE FOR SODDING/SEEDING ALL AREAS THAT ARE DISTURBED BEYOND GRADING LIMITS DURING THE CONSTRUCTION PROCESS.
- ALL TURF AREAS ARE TO BE IRRIGATED. REFER TO TURF AND GRASSLANDS SEEDING NOTES FOR IRRIGATION OF SEEDED AREAS. REFER TO IRRIGATION PERFORMANCE SPECIFICATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING ALL PLANT MATERIALS UNTIL THE TIME THE PERMANENT IRRIGATION SYSTEM IS FULLY FUNCTIONAL AND SUBSTANTIAL COMPLETION OF THE PROJECT HAS BEEN GRANTED. ANY MATERIAL WHICH DIES, OR DEFOLIATES PRIOR TO SUBSTANTIAL COMPLETION OF THE WORK WILL BE PROMPTLY REMOVED AND REPLACED.
- PRIOR TO GRANTING SUBSTANTIAL COMPLETION, THE OWNER AND/OR LANDSCAPE ARCHITECT SHALL COMPIL A FINAL PUNCHLIST OF UNSATISFACTORY OR INCOMPLETE ITEMS. CONTRACTOR SHALL BE NOTIFIED IN WRITING OF SUBSTANTIAL COMPLETION WHEN THE FINAL PUNCHLIST HAS BEEN COMPLETED.
- THE CONTRACTOR WILL COMPLETELY GUARANTEE ALL WORK FOR THE PERIOD SPECIFIED BY THE WARRANTY CHART BELOW.
- ALL PLANT MATERIAL, SOD AND IRRIGATION SYSTEM TO BE WARRANTED FOR 1 YEAR.

WARRANTY CHART		
SUBSTANTIAL COMPLETION DATE	DURATION	WARRANTY EXPIRATION
DECEMBER	19 MONTHS	JULY
JANUARY	18 MONTHS	JULY
FEBRUARY	17 MONTHS	JULY
MARCH	16 MONTHS	JULY
APRIL	15 MONTHS	JULY
MAY	14 MONTHS	JULY
JUNE	13 MONTHS	JULY
JULY	12 MONTHS	JULY
AUGUST	12 MONTHS	AUGUST
SEPTEMBER	12 MONTHS	SEPTEMBER
OCTOBER	12 MONTHS	OCTOBER
NOVEMBER	12 MONTHS	NOVEMBER

**SOIL NOTES**

- PLANTING SOIL: A UNIFORM SOIL MIX, FREE OF PLANT RESIDUE, STONES, STUMPS ROOTS OR SIMILAR OBJECTS LARGER THAN 1 INCH. PLANTING SOIL MIXTURE SHALL BE OF TOPSOIL, ORGANIC COMPOST AND SAND CONSISTING OF THE FOLLOWING:
  - 15% BY VOLUME ORGANIC COMPOST
  - 15% BY VOLUME SAND
  - 70% BY VOLUME TOPSOIL
- CONTRACTOR SHALL BE REQUIRED TO PERFORM pH TESTS ON EXISTING PLANTING BEDS TO DETERMINE THE NECESSARY AMOUNT OF COMPOST TO BE ADDED TO ADJUST pH TO BETWEEN SIX (6) AND SEVEN (7).
- ORGANIC COMPOST: WELL DECOMPOSED, STABLE, WEED FREE ORGANIC MATTER SOURCE. IT SHALL BE DERIVED FROM: AGRICULTURE, FOOD, OR INDUSTRIAL RESIDUALS; BIOSOLIDS (TREATED SEWAGE SLUDGE); YARD TRIMMINGS AND LEAF RAKINGS; SOURCE-SEPARATED OR MIXED SOLID WASTE MEETING THE FOLLOWING CRITERIA:
  - 100 PERCENT SHALL PASS THROUGH A 3/8 INCH SCREEN.
  - pH OF 6.0 TO 8.5.
  - MOISTURE CONTENT OF 30% TO 60% BY WEIGHT.
  - NO SUBSTANCES TOXIC TO PLANTS.
  - 1% OR LESS BY WEIGHT MANUFACTURED FOREIGN MATTER.
  - NO OBJECTIONABLE ODOR.
  - SHALL NOT RESEMBLE THE RAW MATERIAL FROM WHICH IT IS DERIVED.
- TOPSOIL: SOIL CLASSIFICATION OF SANDY LOAM OR LOAMY SAND MEETING THE FOLLOWING CRITERIA:
  - 50 TO 85 PERCENT BY WEIGHT SAND (2.0 TO 0.050MM) ACCORDING TO AASHTO T88.
  - 5 TO 50 PERCENT BY WEIGHT SILT (0.050 TO 0.002MM) ACCORDING TO AASHTO T88.
  - 2 TO 5 PERCENT BY WEIGHT CLAY (LESS THAN 0.002MM) ACCORDING TO AASHTO T88.
  - 3 TO 10 PERCENT BY WEIGHT ORGANIC MATTER ACCORDING TO AASHTO T194.
  - TEXTURAL ANALYSIS:
    - MINIMUM 100% BY WEIGHT PASSING THE 2" SIEVE PER ASTM E11.
    - MINIMUM 90% BY WEIGHT PASSING THE NO. 4 PER ASTM E11.
    - MINIMUM 80% BY WEIGHT PASSING THE NO. 10 SIEVE PER ASTM E11.

**IRRIGATION PERFORMANCE SPECIFICATION**

- IRRIGATION DESIGN TO BE PREPARED BY IRRIGATION CONTRACTOR AND PROVIDED TO THE OWNER OR THE OWNER'S REPRESENTATIVE FOR APPROVAL PRIOR TO INSTALLATION. THE IRRIGATION DESIGN SHALL BE PREPARED BY AN IRRIGATION DESIGNER WITH A MINIMUM OF FIVE (5) YEARS OF DESIGN EXPERIENCE AND MAY BE SUBJECT TO A WATER AUDIT.
- FINISH GRADES ESTABLISHED PRIOR TO INSTALLATION OF IRRIGATION SYSTEM SHALL BE MAINTAINED AND ANY EXCESS SOIL SHALL EITHER BE WASTED ON SITE AT THE DISCRETION OF THE GENERAL CONTRACTOR OR DISPOSED OF OFF-SITE. ALL CONSTRUCTION DEBRIS FROM IRRIGATION OPERATIONS SHALL BE DISPOSED OF OFF-SITE.
- TURF AREAS SHALL BE IRRIGATED USING TURF SPRAY HEADS. THE IRRIGATION DESIGN SHALL BE PREPARED TO PROVIDE A 50% SPACING OR HEAD TO HEAD LAYOUT.
- IRRIGATION TAP(S) LOCATIONS SHALL BE COORDINATED BETWEEN THE CONTRACTOR, CITY, AND LANDSCAPE ARCHITECT. INSTALL IRRIGATION TAP(S), METER(S) AND BACKFLOW PREVENTION DEVICE(S) AS REQUIRED BY THE CITY, PERFORMED BY A LICENSED PLUMBER. IRRIGATION TAP(S), METER(S) AND BACKFLOW PREVENTER(S) SIZE TO BE DETERMINED BY IRRIGATION CONTRACTOR AND SHALL BE LISTED ON THE IRRIGATION SHOP DRAWING SUBMITTED FOR REVIEW AND THE AS-BUILT PLANS SUBMITTED UPON COMPLETION.
- IRRIGATION CONTRACTOR TO DETERMINE AVAILABLE WATER PRESSURE AND FLOW AT TAP LOCATION(S). IRRIGATION CONTRACTOR TO DESIGN IRRIGATION SYSTEM BASED ON AVAILABLE WATER PRESSURE. IRRIGATION CONTRACTOR TO PROVIDE ALL DESIGN CALCULATIONS FOR REVIEW BY THE OWNER OR OWNER'S REPRESENTATIVE INCLUDING FLOW RATES AND PRESSURE LOSSES CALCULATIONS OF THE SYSTEM.
- THE IRRIGATION EQUIPMENT SHALL BE MANUFACTURED BY HUNTER INDUSTRIES, RAIN BIRD CORPORATION, OR TORO OR APPROVED EQUAL AND SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. IRRIGATION EQUIPMENT SHALL HAVE A MANUFACTURER'S FIVE (5) YEAR WARRANTY.
- IRRIGATION CONTROLLER SHALL BE A MODULAR SYSTEM EXPANDABLE IN EITHER 4 OR 8 STATION MODULES OR AN EXPANDABLE DECODER SYSTEM. THE IRRIGATION CONTROLLER SHALL HAVE THE CAPACITY TO OPERATE A MASTER VALVE DURING SYSTEM RUN TIME. THE IRRIGATION CONTROLLER SHALL HAVE 4 PROGRAMS WITH INDEPENDENT STARTS, 365 DAY CALENDAR, EVEN, ODD, ODD 31, CYCLICAL, CUSTOM AND MANUAL WATER DAY SCHEDULES. THE CONTROLLER SHALL HAVE A MINIMUM SEASONAL ADJUST CAPABILITY OF 10% - 150%. THE IRRIGATION CONTROLLER TO BE INSTALLED IN A LOCKABLE, METAL PEDESTAL IN A LOCATION APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE.
- THE IRRIGATION SYSTEM DESIGN SHALL INCLUDE A WIRELESS RAIN SENSOR. INSTALL RAIN SENSOR IN LOCATION APPROVED BY THE OWNER AND PER THE MANUFACTURER'S SPECIFICATIONS.
- IRRIGATION CONTROL VALVES ARE TO BE A PLASTIC GLOBE VALVE CONFIGURATION WITH PRESSURE RATING OF 15 - 150 PSI AND FLOW RANGE FROM 2 - 150 GPM. THE SOLENOID SHALL BE HEAVY DUTY ONE PIECE CONSTRUCTION. THE CONTROL VALVES SHALL HAVE THE ABILITY TO ADJUST AND REGULATE PRESSURE FROM 20 -100 PSI. THE CONTROL VALVE SIZE SHALL BE 1", 1.5" AND 2" CONFIGURATIONS. THE CONTROL VALVES SHALL HAVE A MANUFACTURER'S THREE (3) YEAR WARRANTY.
- THE IRRIGATION SPRAY BODY SHALL BE UV-RESISTANT PLASTIC WITH A CO-MOLDED OR RUBBER SEALS AND HEAVY DUTY SPRING. THE SPRAY BODY SHALL HAVE BOTH A BOTTOM AND SIDE IN-LET FEATURE. SPRAY NOZZLES SHALL BE VARIABLE ARC SPRAY NOZZLES.
- ALL IRRIGATION MAINLINE PIPES SHALL BE PVC CLASS 200 IPS PLASTIC PIPE. ALL PIPE SHALL BE SIZED NOT TO EXCEED A VELOCITY OF FIVE (5) FEET PER SECOND.
- ALL IRRIGATION LATERAL PIPES SHALL BE POLYETHYLENE PIPE. ALL PIPE SHALL BE SIZED NOT TO EXCEED A VELOCITY OF FIVE (5) FEET PER SECOND.
- ALL IRRIGATION PIPE OR WIRE SHALL BE INSTALLED IN SLEEVES BELOW ANY PAVEMENT OR HARD SURFACE. ALL IRRIGATION SLEEVES SHALL BE PVC SCHEDULE 40. ALL SLEEVES ARE TO EXTEND 24" BEYOND AND SIZED A MINIMUM OF TWO (2) TIMES THE DIAMETER OF THE MAINLINE OR LATERAL. COORDINATE INSTALLATION OF ALL SLEEVES WITH THE GENERAL CONTRACTOR AND THE CONCRETE CONTRACTOR PRIOR TO GRADING AND PLACEMENT OF CONCRETE.
- IRRIGATION CONTRACTOR SHALL SUPPLY MAINTENANCE AND OPERATION MANUALS AND A SCALED AS-BUILT DRAWING OF THE SYSTEM TO THE OWNER. IRRIGATION CONTRACTOR SHALL DEMONSTRATE THE PROGRAMMING OF THE CONTROLLER FOR THE OWNER.
- IRRIGATION CONTRACTOR IS RESPONSIBLE FOR THE FIRST WINTERIZATION AND SPRING STARTUP UNLESS THE OWNER AGREES TO USE THEIR OWN CONTRACTOR.

**SEEDING NOTES**

- THE LANDSCAPE ARCHITECT AND/OR OWNER RESERVES THE RIGHT TO INSPECT SEED AT THE SITE BEFORE SEEDING OPERATIONS COMMENCE. THE LANDSCAPE ARCHITECT MAY REJECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROGRESS OF WORK. REJECTED MATERIALS MUST BE REMOVED FROM THE PROJECT SITE.
- REFER TO SEEDING SPECIFICATION(S) FOR SEED MIXTURE(S).
- ALL NON-TURF SEED SHALL BE A COMMERCIALLY AVAILABLE MIX, EITHER PRE-CATEGORIZED OR CUSTOMIZED. ANY SEEDING SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
- ALL MATERIALS USED SHALL MEET OR EXCEED APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL LAWS AND REGULATIONS.
- ALL SEED SHALL BE FREE FROM INSECTS AND DISEASE. SPECIES SHALL BE TRUE TO THEIR SCIENTIFIC NAME AS SPECIFIED.
- ALL GRASS SPECIES SHALL BE SUPPLIED AS PURE LIVE SEED.
- SEED OF ALL SPECIES NATIVE TO NEBRASKA SHALL BE FROM WITHIN A 150 MILE RADIUS OF THE PROJECT SITE. SEED NOT AVAILABLE WITHIN A 150 MILE RADIUS SHALL BE APPROVED BY THE OWNER PRIOR TO INSTALLATION.
- SEEDS SHALL HAVE PROPER STRATIFICATION AND/OR SCARIFICATION TO BREAK SEED DORMANCY FOR SPRING PLANTING.
- PLANTING OF SEED AREAS SHALL BE COMMENCED DURING THE SPRING (APRIL 15-MAY 30) OR FALL (SEPTEMBER 1-OCTOBER 15) PLANTING SEASONS UNLESS SPECIFICALLY SPECIFIED. AFTER OCTOBER, DORMANT SEEDING MAY BE DONE AT CONTRACTOR'S DISCRETION WITH GUARANTEE THAT RE-SEEDING WILL BE DONE AT NO ADDITIONAL COST TO ACHIEVE ACCEPTABLE COVERAGE. GRADE TO SMOOTH, EVEN SURFACE WITH LOOSE UNIFORM SOIL TEXTURE. REMOVE STONES AND DEBRIS OVER 1" IN ANY DIMENSION.
- ALL SEEDED AREAS SHALL BE PROTECTED FROM EROSION BY MULCH, EROSION CONTROL BLANKET OR HYDROMULCH.
- EROSION CONTROL BLANKET SHALL BE A SHORT TERM, SINGLE NET, MACHINE-PRODUCED MAT OF 100% AGRICULTURAL STRAW WITH A FUNCTION LONGEVITY OF 12 MONTHS. EROSION CONTROL BLANKET SHALL MEET TYPE 2.C SPECIFICATION ESTABLISHED BY EROSION CONTROL TECHNOLOGY COUNCIL, NORTH AMERICAN GREEN 575 OR EQUAL.
- STRAW MULCH SHALL BE OAT, WHEAT, OR RICE STRAW MULCH. HAY MULCH SHALL BE PRAIRIE GRASS OR OTHER HAY AS APPROVED BY THE OWNER. THE MULCH SHALL BE FREE OF JOHNSON GRASS OR OTHER NOXIOUS WEEDS AND FOREIGN MATERIALS. IT SHALL BE KEPT IN A DRY CONDITION AND SHALL NOT BE MOLDED OR ROTTED. STRAW OR HAY FOR EROSION CONTROL SHALL BE CLEAN, SEED-FREE HAY OR THRESHED STRAW OF WHEAT, RYE, OATS, OR BARLEY.
- STRAW MULCH SHALL COVER A MINIMUM OF 80% OF THE SOIL SURFACE AREA THAT IS SEEDED. MULCH SHALL BE PLACED LOOSE AND OPEN ENOUGH TO ALLOW SOME SUNLIGHT TO PENETRATE AND AIR TO CIRCULATE BUT STILL COVER A MINIMUM OF 70% OF THE SOIL SURFACE.
- STRAW MULCH SHALL BE APPLIED AT THE RATE OF 1½ TO 2 TONS PER ACRE FOR SITES THAT ARE SEEDED. THIS APPLICATION SHOULD RESULT IN A LAYER OF ¼ TO 1½ INCHES THICK FOR SEEDED SITES.
- IMMEDIATELY AFTER SPREADING, THE MULCH SHALL BE ANCHORED BY A MULCH CRIMPER AND/OR TACKIFIER.
- THE CRIMPER SHALL CONSIST OF A SERIES OF DULL FLAT DISCS WITH NOTCHED EDGES SPACED APPROXIMATELY 8 INCHES APART. THE MULCH SHALL BE IMPRESSED IN THE SOIL TO A DEPTH OF 1 TO 3 INCHES.
- IF TACKIFIER IS USED, TACKIFIER SHALL BE SPRAYED IN CONJUNCTION WITH MULCH OR IMMEDIATELY AFTER THE MULCH HAS BEEN PLACED. TACKIFIERS SHALL BE MIXED AND APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S DIRECTIONS.
- SEEDING SHALL BE COMPLETED WHEN A MINIMUM OF 1/4 INCH OF NATURAL RAINFALL IS EXPECTED OR WHEN A MINIMUM OF 1/4 INCH OF IRRIGATION WILL BE RECEIVED WITHIN 10 DAYS AFTER SEEDING. IF SUFFICIENT NATURAL RAINFALL IS NOT RECEIVED WITHIN 10 DAYS, THE NEW SEEDING SHALL BE IRRIGATED WITH A MINIMUM OF 1/4 INCH OF WATER, OR SO THAT WATER PENETRATES THE SOIL TO A UNIFORM MINIMUM DEPTH OF 4.0 INCHES.
- A TEMPORARY ABOVE-GROUND IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED BY THE CONTRACTOR UPON COMPLETION OF FINISH GRADING FOR ALL NON-IRRIGATED SEED AREAS AND FOR ALL IRRIGATED AREAS OF SEED AND SOD, PRIOR TO INSTALLATION OF PLANTINGS, UNLESS OR UNTIL THE PERMANENT SYTEM IS FUNCTIONAL. ALL GRADED AREAS SHALL RECEIVE HEAD-TO-HEAD IRRIGATION COVERAGE, EXCEPT FOR PERMANENTLY PONDED AREAS.
- PROVIDE WRITTEN VERIFICATION TO THE OWNER THAT BACKFLOW PREVENTION PER CODE EXISTS ON THE LINE TO BE USED AS A POINT OF CONNECTION FOR THE IRRIGATION SYSTEM. IF VERIFICATION CANNOT BE MADE, PROVIDE BACKFLOW PREVENTION PER CODE AS A PART OF THE INSTALLATION.
- CONTRACTOR SHALL PROVIDE WATER AND ELECTRICITY FOR THE SYSTEM IN THE EVENT THAT NEITHER IS AVAILABLE FOR IMMEDIATE USE. CONTRACTOR SHALL PROVIDE ISOLATION VALVE AND CONNECTION TO WATER AND CONTROLLER.
- THE IRRIGATION SYSTEM SHALL BE SET BY CONTRACTOR TO PROVIDE PRECIPITATION 2 TIMES PER WEEK BETWEEN JUNE 15TH AND OCTOBER 31ST OF THE FIRST YEAR AFTER PLANTING. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING PROPER FUNCTION AND CONNECTION OF THE IRRIGATION SYSTEMS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE IRRIGATION SYSTEM FOR THE DURATION OF FIRST FULL GROWING SEASON. AT THE END OF THE IRRIGATION PERIOD, AND IF PLANT ESTABLISHMENT IS SUCCESSFUL, AS DETERMINED BY THE SEEDING WARRANTY CRITERIA, THE CONTRACTOR SHALL PERMANENTLY CAP PIPE DOWNSTREAM OF ISOLATION VALVE, AND THEN DISASSEMBLE AND REMOVE THE IRRIGATION SYSTEM.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSTALL TEMPORARY SIGNS, FLAGGING, ETC. AT THE PERIMETER OF ALL SEEDING SITES IMMEDIATELY AFTER THEIR COMPLETION, WHICH SHALL SERVE TO NOTIFY FOOT AND VEHICULAR TRAFFIC THAT A SENSITIVE AREA MAY BE DAMAGED BY THEIR ENTRY.
- THE WORK AREA SHALL BE KEPT FREE OF DEBRIS BY THE CONTRACTOR. AFTER SEED INSTALLATION IS COMPLETE, CLEAN UP ANY REMAINING MATERIALS, DEBRIS, TRASH, ETC. AVOID DRIVING OVER SEEDED AREAS TO MINIMIZE DISTURBANCE. GRADING STAKES, STONES, TRASH, AND OTHER DEBRIS WHICH MAY DETRACT FROM THE APPEARANCE OR HINDER MAINTENANCE OF THE SEEDING SITE SHALL BE REMOVED FROM THE SITE WHEN SEEDING OPERATIONS ARE COMPLETED. SOIL, STRAW, HAY, HYDRAULIC FIBER MULCH, FERTILIZER, COMPOST, LIMESTONE, ELEMENTAL SULFUR, GYPSUM, AND OTHER DEBRIS SHALL BE REMOVED FROM PAVED AREAS SOON AS POSSIBLE AFTER SPREADING AND SEEDING OPERATIONS ARE COMPLETED. CLEAN UP OPERATIONS SHALL BE COMPLETED BEFORE ACCEPTANCE IS GIVEN.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO APPLY EFFECTIVE SEEDING AND EROSION CONTROL MULCH MATERIALS, AND TO ENSURE THAT SUCH MATERIALS ARE SECURED TO THE SOIL SO THAT THEY ARE NOT BLOWN, WASHED, OR OTHERWISE REMOVED FROM THE SEEDING SITE, AND SO THAT NEARBY STREAMS AND OTHER AREAS SHALL BE PROTECTED FROM SOIL, FERTILIZER, COMPOST, AND THE INCURSION OF UNWANTED GRASS SEED.
- GUARANTEE SEEDED/SOODED LAWN/ROUGH OR NATIVE SEEDED AREAS FOR THE FOLLOWING:
  - PROVIDE A RELATIVELY UNIFORM, ACCEPTABLE STAND OF GRASS.
  - NO BARE SPOTS OVER 3-INCH SQUARE FOR SEEDED/SOODED LAWN, AND NO BARE SPOTS OVER 12-INCH SQUARE FOR ROUGH/NATIVE SEEDED AREAS.
  - RE-INSTALL ANY AREA(S) WHICH FAIL TO ESTABLISH A UNIFORM STAND FOR ANY REASON.

**TURF-TYPE TALL FESCUE MIX**

(PERCENT OF MIX BASED ON BULK POUNDS)	
TALL FESCUE VARIETIES	86.00%
KENTUCKY BLUEGRASS	7.00%
KENTUCKY BLUEGRASS	3.50%
PERENNIAL RYEGRASS	3.50%

SEEDING RATE: 10# PER 1,000 SF  
 SEEDING DATES: MARCH - MAY  
 DORMANT SEED: DECEMBER - MARCH



**SUPER SAVER #18 COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601



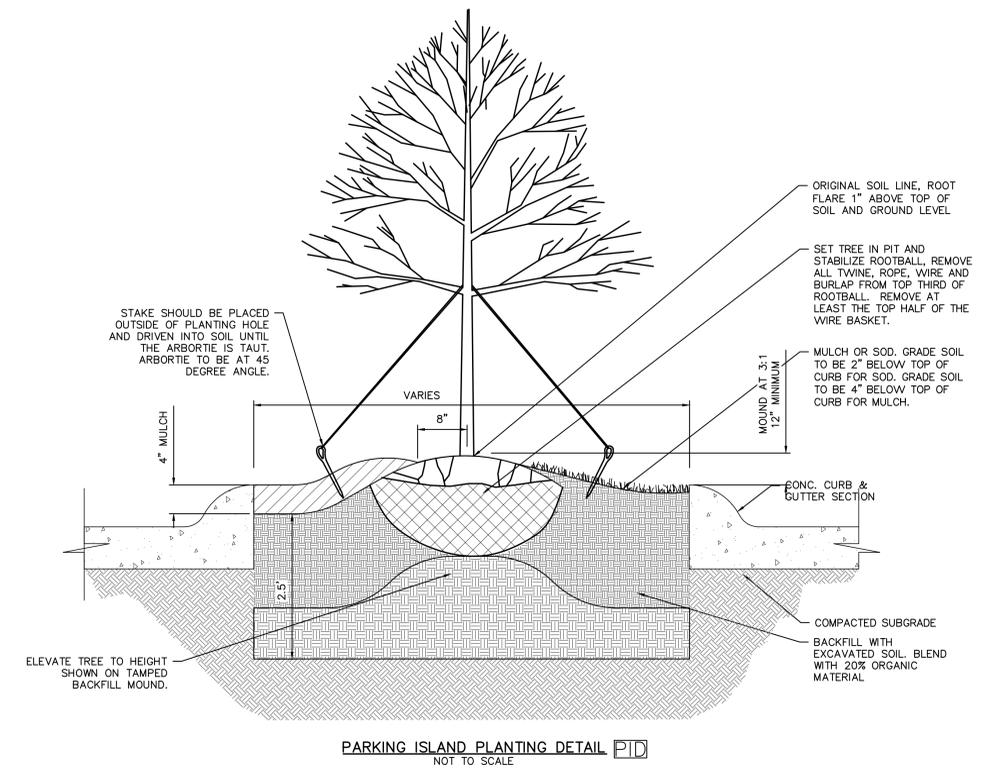
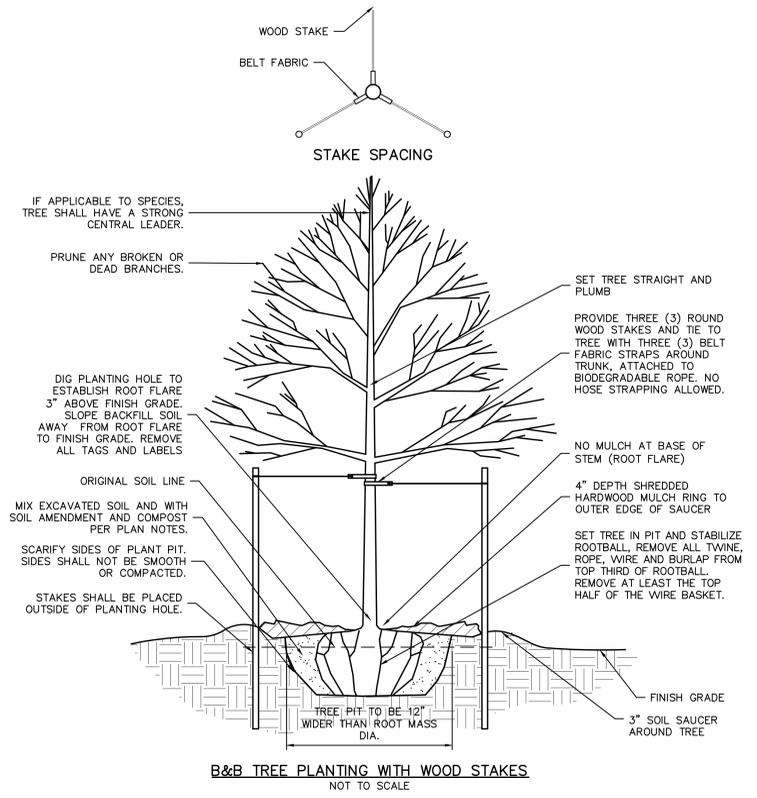
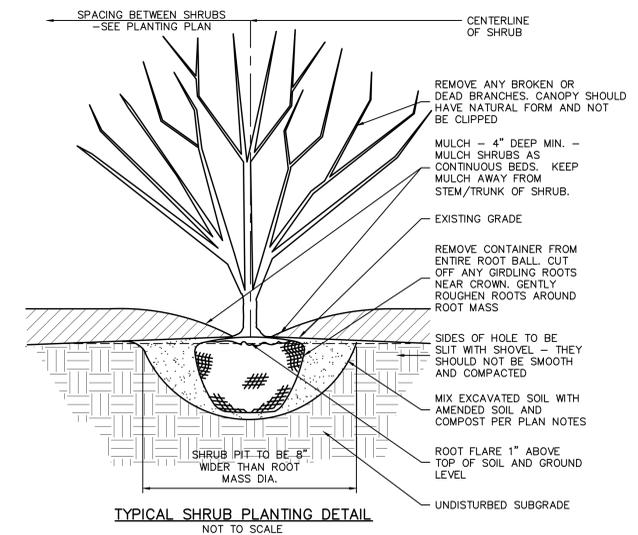
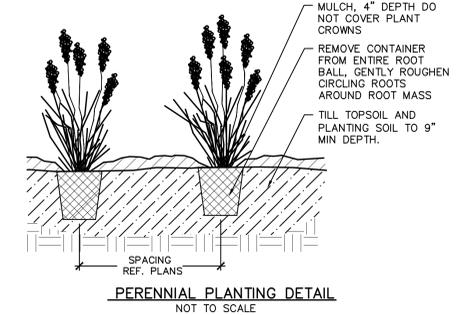
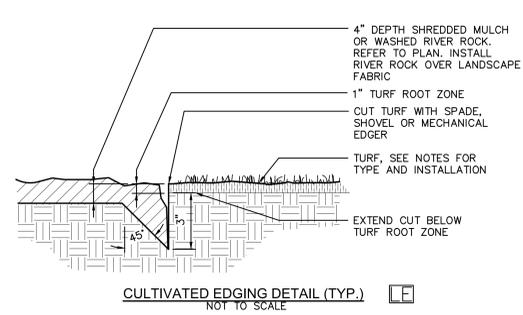
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4535 Normal Blvd., Suite 257  
 Lincoln, Nebraska 68506  
 Phone: (402) 421-1502  
 E-mail: jim\_hdp@windstream.net

**LANDSCAPE NOTES**

JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 1/20/2024 (PERMIT SET)  
 REVISED: 4/26/2024 SHEET

CONTACT: **L2.0**



**SUPER SAVER #18 COLUMBUS**  
 3318 23RD ST.  
 COLUMBUS, NEBRASKA, 68601



4535 Normal Blvd., Suite 257  
 Lincoln, Nebraska 68506  
 Phone: (402) 421-1502  
 E-mail: jim\_hdp@windstream.net

**LANDSCAPE DETAILS**

JOB NO: 22-0105 (HUTCHINSON) 021-08889 (OLSSON)  
 DATE: 1/20/2024 (PERMIT SET) SHEET  
 REVISED: 4/26/2024

CONTACT: **L3.0**

4. **Public hearing - Application from Quail Meadows LLC to rezone property located in the vicinity of S 14th Avenue and 1st Street from "R-R" (Rural Residential District) to "R-1" (Single-Family Residential District) and "R-R" (Rural Residential District) to "R-2" (Two-Family Residential District) and to amend the Future Land Use Map of the Comprehensive Plan. (Applicant requested this item be removed from the agenda.)**

## NOTICE OF HEARING

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, June 10, 2024, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, on the application to rezone a tract of land located on Lots 1-14, Block A, Quail Meadows Addition to the City of Columbus, Platte County, Nebraska from "R-R" (Rural Residential District) to "R-1" (Single-Family Residential District)

AND

a tract of land located on Lots 1-20, Block B, Quail Meadows Addition to the City of Columbus, Platte County, Nebraska and Lots 1-6, Block C, Quail Meadows Addition to the City of Columbus, Platte County, Nebraska from "R-R" (Rural Residential District) to "R-2" (Two-Family Residential District) (both tracts located in the vicinity of S 14 Ave and 1 St) and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate. At said time and place you may appear and be heard.

City of Columbus  
Shuraya Frauendorfer, City Clerk

Publish: 05:30:24  
Affidavit of Publication

\*\*\* Proof of Publication \*\*\*

Newspaper: COLUMBUS TELEGRAM

NOTICE OF HEARING

STATE OF NEBRASKA  
County of Platte ) SS.

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, June 10, 2024, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, on the application to rezone a tract of land located on Lots 1-14, Block A, Quail Meadows Addition to the City of Columbus, Platte County, Nebraska from "R-R" (Rural Residential District) to "R-1" (Single-Family Residential District)

CITY OF COLUMBUS, NE

PO BOX 1677  
COLUMBUS, NE 68602

ORDER NUMBER 1221025

AND  
a tract of land located on Lots 1-20, Block B, Quail Meadows Addition to the City of Columbus, Platte County, Nebraska and Lots 1-6, Block C, Quail Meadows Addition to the City of Columbus, Platte County, Nebraska from "R-R" (Rural Residential District) to "R-2" (Two-Family Residential District) (both tracts located in the vicinity of S 14 Ave and 1 St) and amend the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate. At said time and place you may appear and be heard.

Joe Volcek, being duly sworn, deposes and says she/he is a Clerk of the Columbus Telegram, a legal newspaper printed and published daily Tuesday-Saturday in Platte County, State of Nebraska and of general circulation in Platte County; that said newspaper has a bona fide circulation published within said county for more than 52 successive weeks immediately prior to the first date of the published notice, and is produced in an office maintained at the place of publication.

This affidavit is a true and correct copy of notice which appeared in said newspaper. The notice was

City of Columbus  
Shuraya Frauendorfer,  
City Clerk  
May 30, 2024 ZNEZ



Section: Class Legals

Category: 0099 LEGALS

PUBLISHED ON: 05/30/2024

100-145-55500

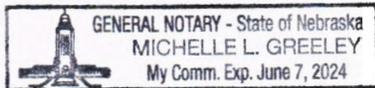
TOTAL AD COST: 21.15

FILED ON: 5/30/2024

Subscribed in my presence and sworn to before me this 30<sup>th</sup> day

of May, 2024

Michelle L Greeley Notary Public



**From:** [Quelbin Izaguirre](#)  
**To:** [Adame, Vanessa](#)  
**Cc:** [Roger Nadrchal](#); "[kelby herman](#)"  
**Subject:** RE: Quail Meadows LLC - Rezone  
**Date:** Tuesday, June 4, 2024 2:44:48 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is SAFE.

Vanessa,

Please withdraw our rezoning application for Quail Meadows LLC. We plan to resubmit the application for the July meeting. If you have any questions or concerns, please feel free to contact me.

Thank you,



Quelbin M. Izaguirre | Chief Operating Officer  
[NeighborWorks Northeast Nebraska](#)  
213 South 1<sup>st</sup> Street | Norfolk, NE 68701  
P 402-379-3311 | C 402-942-1364 | F 402-379-3377  
Connect with us! [Facebook](#) | Visit our website! [www.nwnen.org](http://www.nwnen.org)

---

**From:** Adame, Vanessa <Vanessa.Adame@columbusne.us>  
**Sent:** Monday, June 3, 2024 3:36 PM  
**To:** Quelbin Izaguirre <quelbini@nwnen.org>  
**Subject:** Quail Meadows LLC - Rezone

Quelbin, thank you for taking the time to speak with me and updating me with the rezone process. Can you please send me an email with a statement regarding your decision. I will need to document it on the agenda item.

If you have questions please contact me, thank you.

*Vanessa Adame*  
**Senior Office Associate**  
**City of Columbus**  
**2500 14<sup>th</sup> St., Suite #3**  
**Phone: (402) 562-4236**

**5. Public hearing - Redevelopment Plan for the Zegar Investments Redevelopment Project located northeast of the intersection of 8th Street and 12th Avenue.**

## NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, June 10, 2024, at 6 P.M., in the Columbus Community Building, Community Room, 2500 14 St., Columbus, NE, to consider and possibly take action on a redevelopment plan entitled: "Redevelopment Plan for the Zegar Investments 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 community redevelopment area of the City, approximately located northeast of the intersection of 8 St and 12 Ave. 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 City Hall, 2500 14 St., Suite 3, Columbus, NE. At said time and place, all interested parties may appear and be heard.

City of Columbus  
Shuraya Frauendorfer, City Clerk

Publish: 5:23:24; 5:30:24  
Affidavit of Publication

\*\*\* Proof of Publication \*\*\*

Newspaper: COLUMBUS TELEGRAM

NOTICE OF HEARING

STATE OF NEBRASKA)  
County of Platte ) SS.

NOTICE IS HEREBY GIVEN that a public hearing before the Planning Commission of the City of Columbus, NE, will be held on Monday, June 10, 2024, at 6 P.M., in the Columbus Community Building, Community Room, 2500 14 St., Columbus, NE, to consider and possibly take action on a redevelopment plan entitled: "Redevelopment Plan for the Zegar Investments 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 community redevelopment area of the City, approximately located northeast of the intersection of 8 St and 12 Ave. 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 City Hall, 2500 14 St., Suite 3, Columbus, NE. At said time and place, all interested parties may appear and be heard.  
City of Columbus  
Shuraya Frauendorfer,  
City Clerk  
May 23, 30, 2024 ZNEZ

CITY OF COLUMBUS, NE

PO BOX 1677

COLUMBUS, NE 68602

ORDER NUMBER 1220146

Joe Valcek, being duly sworn, deposes and says she/he is a Clerk of the Columbus Telegram, a legal newspaper printed and published daily Tuesday-Saturday in Platte County, State of Nebraska and of general circulation in Platte County; that said newspaper has a bona fide circulation published within said county for more than 52 successive weeks immediately prior to the first date of the published notice, and is produced in an office maintained at the place of publication.

This affidavit is a true and correct copy of notice which appeared in said newspaper. The notice was



Section: Class Legals

Category: 0099 LEGALS

PUBLISHED ON: 05/23/2024, 05/30/2024

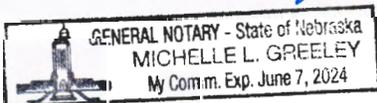
TOTAL AD COST: 36.96

FILED ON: 5/30/2024

Subscribed in my presence and sworn to before me this 30th day

of May, 2024

Michelle L Greeley Notary Public





City Hall  
2500 14<sup>th</sup> St.  
Columbus, NE 68601  
402-562-4232  
columbusne.us

## memorandum

DATE: June 5, 2024  
TO: Tara Vasicek, City Administrator  
FROM: Jean Van Iperen, Planning & Economic Development Coordinator  
RE: Redevelopment Plan for the Zegar Investments Development Project

### RECOMMENDATION:

Approval of the Zegar Investments Redevelopment Project

### DISCUSSION:

The redevelopment plan details a proposed redevelopment project including the construction of housing consisting of phased construction of approximately 84 residential units, tenant garages and approximately 10,750 square feet of commercial space. A detailed description of the project is located on page 2, section D of the plan.

In order for the area to be used for the planned purpose significant infrastructure improvements and other public improvements must be made. These improvements are outlined on page 3, section F of the plan. These improvements required are so significant that the project would not be possible without the use of Tax Increment Financing. Over \$2,278,000 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 the plan is in conformance with the City's comprehensive plan. An in-depth review is provided in section C page 1 and 2 of the Plan. The final plat and development plan were approved by the Planning Commission and the City Council in February 2024.

It has been determined 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. 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.

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ALTERNATIVE:

Do not approve.

Signature:

By:



Approved By:



**REDEVELOPMENT PLAN FOR THE  
ZEGAR INVESTMENTS REDEVELOPMENT PROJECT**

**PREPARED MAY, 2024**

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

**A. Introduction**

This Redevelopment Plan for the Zegar Investments 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, 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 City Council designated a portion of the City as a blighted and substandard community redevelopment area, such area being commonly referred to as the Southeast Area (referred to herein as the “Redevelopment Area”). This Redevelopment Plan sets forth a redevelopment project proposed by Zegar Investment Properties, LLC that will be implemented and undertaken by to to-be-formed affiliate entity of Zegar Investment Properties, LLC (“Redeveloper”), 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 phased construction of approximately 84 multifamily dwelling units, tenant garages, and approximately 10,750 square feet of commercial space, together with such public improvements associated therewith, within the Redevelopment Area (such public and private improvements are collectively referred to herein as the "Redevelopment Project").

**B. Redevelopment Area; Project Site; Existing Conditions**

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the Redevelopment Area. 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 8th Street and 12th Avenue, in the City. The Project Site is completely engrossed within the blighted and substandard Redevelopment Area and is in need of redevelopment.

**C. Conformance with the Comprehensive Plan**

It is essential to the City’s comprehensive plan for development (the “Comprehensive Plan”) that dilapidated, inadequate, vacant, 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 "General Commercial" designation for future use of the Project Site. General Commercial allows for high and low density commercial areas along the City's main arterials and collector streets. The Comprehensive Plan further specifies that small-scale General Commercial areas should flank the perimeter of residential areas. Accordingly, the proposed construction of residences flanked by small-scale commercial uses conforms to the desired use of the Project Site set forth in the Comprehensive Plan's future use map.

The Comprehensive Plan further sets forth the following objectives:

- Encourage a variety of housing types and sizes to accommodate the needs of existing and prospective residents. This includes, but is not limited to college students, single professionals, families, empty nesters, seniors, and those of varying economic ability.
- Ensure an adequate supply of housing at a variety of prices and rents by promoting new home ownership opportunities, improvement of the existing housing stock, responsible rental property ownership, and the development of compatible infill housing.
- Increase the compatibility of multi-family residential housing with single family detached residential districts within Columbus.
- Encourage and facilitate commercial development along internal arterials and collector streets, such as 12th Avenue.

The Redevelopment Project will assist in carrying out such objectives. Accordingly, the Redevelopment Project is in conformance with and furthers the objectives under the City's Comprehensive Plan.

#### **D. Redevelopment Project Overview**

The Redevelopment Project consists of the phased construction of approximately 84 residential dwelling units, tenant garages, and approximately 10,750 square feet of commercial space. The dwelling units are anticipated to consist of three (3) 18-plexes on Lot 1, Block A; and one (1) 18-plex and one (1) 12-plex on Lot 2, Block A. It is anticipated that approximately 13,200 square feet of garage space for the tenants will be built on Lot 1, Block B. It is anticipated that Lot 3, Block A, will consist of an approximately 10,000 square foot general commercial building; and that Lot 2, Block B will consist of an approximately 750 square foot coffee shop (or other similar restaurant/retail use). Exhibit "C", attached hereto and incorporated herein, sets forth the proposed site plan for the Redevelopment Project (the "Site Plan"). The site plan is preliminary in nature and subject to change.

Redeveloper currently owns the parcels within the Project Site. No public acquisition of the Project Site is anticipated. Additionally, no families or businesses will be displaced as a result of the Redevelopment Project.

The Redevelopment Project will require infrastructure improvements and other public and private improvements which are not financially feasible to undertake at one time. Completing the Redevelopment Project in phases will allow the Redeveloper to maximize the TIF resources available for public improvements, which will be necessary for the Redevelopment Project to succeed. Further, implementation of the Redevelopment Project in phases will allow Redeveloper to construct the private improvements at a rate that the market can support, and to adapt subsequent phases to the changing needs of the City.

**E. Existing Conditions**

**1. Existing Land Use**

The Project Site currently consists of vacant land.

**2. Existing Zoning**

The southern portion of the Project Site is currently zoned as B-2 (General Commercial). The northern portion is currently zoned as R-3 (Multiple Family Residential).

**3. Existing Public Improvements**

Public access to the Project Site currently exists from abutting 12th Avenue to the west and 8th Street to the south. The Project Site is without internal paving, sewer, water, storm sewer, electrical service, public walks, telecommunications, gas, 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

Public access to the Project Site currently exists via abutting 12th Avenue to the west and 8th Street to the south. Redeveloper will construct paving for ingress and egress therefrom, resulting in the creation and dedication of new public streets, as shown on the Site Plan. The public improvements for the Redevelopment Project will address any traffic and street infrastructure concerns 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's engineer or other designee of the City.

b. Construction of Water and Sewer Improvements.

Redeveloper will construct or extend water and sewer systems to provide appropriate service to the Project Site.

c. Other incidental improvements

The Project Site is currently undeveloped and will require grading to provide effective drainage throughout the area. The Project Site requires filling and grading to properly drain the ground water runoff and provide appropriate grading levels to erect the improvements. Redeveloper also anticipates the construction of electric, gas, and telecommunications utilities extending to the buildings on the Project Site. A non-exclusive list of 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. The Project Site consists of vacant land and does not require demolition of existing structures.

f. Population Density

The Project Site currently sits undeveloped and vacant. Accordingly, the residential portion of the Redevelopment Project will result in an increase to population density within the Project Site. However, the City desires an increase in population density in the area to provide

additional rental housing in the City.

g. Land Coverage

Land coverage for the Project Site includes approximately 6.75 acres of undeveloped land. The Redevelopment Project will consist of the construction of both residential and commercial improvements. A preliminary land coverage footprint of the improvements is set forth in the Site Plan. The Redevelopment Project is subject to and must comply with all applicable land coverage ratios required by City ordinance.

h. Parking

The parking requirements for the residential and commercial improvements under the City's zoning ordinance will depend on the size and use of each improvement. All such requirements will be determined upon Redeveloper's submittal of final plans to the City for the private improvements; and Redeveloper shall be obligated to comply with all parking requirements, as determined by the City.

i. Zoning, Building Code and Ordinance

The Project Site is currently zoned as B-2 (General Commercial). The northern portion of the Project Site was recently rezoned to B-2 to facilitate the Redevelopment Project. Accordingly, no further rezoning is anticipated. Redeveloper will be responsible for all zoning, building code, or ordinance changes that are necessary for the Redevelopment Project.

**2. Private Improvements**

The Redevelopment Project's proposed private improvements consist of the construction of approximately 84 residential dwelling units, tenant garages, and approximately 10,750 square feet of commercial space, in addition to the related facilities and improvements ancillary thereto. The dwelling units are anticipated to consist of three (3) 18-plexes on Lot 1, Block A; and one (1) 18-plex and one (1) 12-plex on Lot 2, Block A. It is anticipated that approximately 13,200 square feet of garage space for the tenants will be built on Lot 1, Block B. It is anticipated that Lot 3, Block A, will consist of an approximately 10,000 square foot general commercial building; and that Lot 2, Block B will consist of an approximately 750 square foot coffee shop (or other similar restaurant/retail use). Redeveloper or other builders taking conveyance from Redeveloper will construct the private improvements. Paragraph H of this Redevelopment Plan details the anticipated construction schedule for the private improvements.

**G. Project Costs**

The total estimated cost of the Redevelopment Project is \$19,741,000. A breakdown of the estimated costs of the Redevelopment Project are attached and incorporated herein as Exhibit "D". Such figures are only estimates based upon 2024 pricing, and are subject to change without further amendment of this Redevelopment Plan.

## **H. Implementation**

Redeveloper is unable to undertake the construction on the infrastructure and/or initial phases of the Redevelopment Project without some assurance that Redeveloper can undertake the additional phases. According to Redeveloper, it could not complete the initial public improvements for the Redevelopment Project but-for the approval of the entire Redevelopment Project and, likewise, the subsequent phases of the Redevelopment Project would not occur but-for these initial public improvements. Accordingly, this Redevelopment Plan contemplates that the costs and expenses of all the public improvements for the Redevelopment Project are eligible TIF uses for each phase of the Redevelopment Project (as allocated), to the extent there is not duplication between phases. As such, Redeveloper may apply the TIF Revenues (defined below) generated from each phase of the Redevelopment Project toward the payment of the eligible expenses of the entire Redevelopment Project, as necessary.

Redeveloper intends to commence construction on the Redevelopment Project's infrastructure in 2024 (pending approval of TIF). Redeveloper anticipates it will construct the Redevelopment Project in separate phases consisting of the commercial and residential improvements. Redeveloper will construct the residential improvements over multiple yearly sub-phases, on a lot-by-lot basis. Redeveloper anticipates the commercial improvements will be constructed over the course of two phases (for the two commercial lots), once all of the supporting infrastructure is completed. While Redeveloper will construct all of the surrounding infrastructure to support the same, the commercial improvements may be undertaken by third-party developers.

The Redevelopment Project's construction timeline requires flexibility as a result of market demand and other extraneous factors. Notwithstanding, it is anticipated that all phases (and sub-phases) will be completed no later than December 31, 2029. In accordance therewith, the "Redevelopment Contract" (as defined in the Act) entered into between the Agency and Redeveloper with respect to the Redevelopment Project will specify that, vis-à-vis the division of excess ad valorem taxes within the Project Site in relation to the TIF, all parcels within the Project Site must have an "Effective Date" (as defined in the Act) of no later than January 1, 2030.

Upon the completion of each phase (or sub-phase), Redeveloper will notify the Agency of the same in writing on a form prescribed by the Agency. Such notice shall set forth the Effective Date for the pertinent phase (or sub-phase) and must be submitted to the Agency on or before June 30 of the year in which taxes are to be divided for such phase.

**I. Financing**

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

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body (“Base Tax Amount”); and
- (b) That portion of the ad valorem tax on real property, as provided in the Redevelopment Contract or bond/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 each phase (or sub-phase) of the Redevelopment Project will be established via the notifications from Redeveloper to the Agency referenced in Paragraph H, above, as shall be further detailed in the Redevelopment Contract. The Agency and Redeveloper anticipate that the effective dates will be different for each phase (or sub-phase), and therefore the increment period for each phase (or sub-phase) will be different.

Notwithstanding any provision herein to the contrary, TIF Revenues derived from each phase (or sub-phase) shall only be divided and allocated over the applicable 15-year increment period or until full payment of the TIF Indebtedness, 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 the following in its TIF application submitted to the Agency:

*“The Project is not economically feasible without TIF. The significant infrastructure cost needed to develop this site makes this cost-prohibitive without the use of TIF. The additional per unit cost without TIF would make both the residential and commercial components simply unaffordable; the additional cost would increase rent significantly to recover the costs, which prices the units out of a reasonable target market for rental. Therefore, without TIF, the Applicant cannot develop the property.”*

The City and Agency accept Redeveloper’s representation that the cost to construct all of the infrastructure on the site, in addition to the vertical improvements, likely would cause rents to increase to a level the market couldn’t support, thereby making the Redevelopment Project, as presented, economically infeasible without the assistance of TIF. Accordingly, 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 \$2,268,293. The TIF Indebtedness shall bear interest at a rate not to exceed 7.40% 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 \$19,741,000. 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:

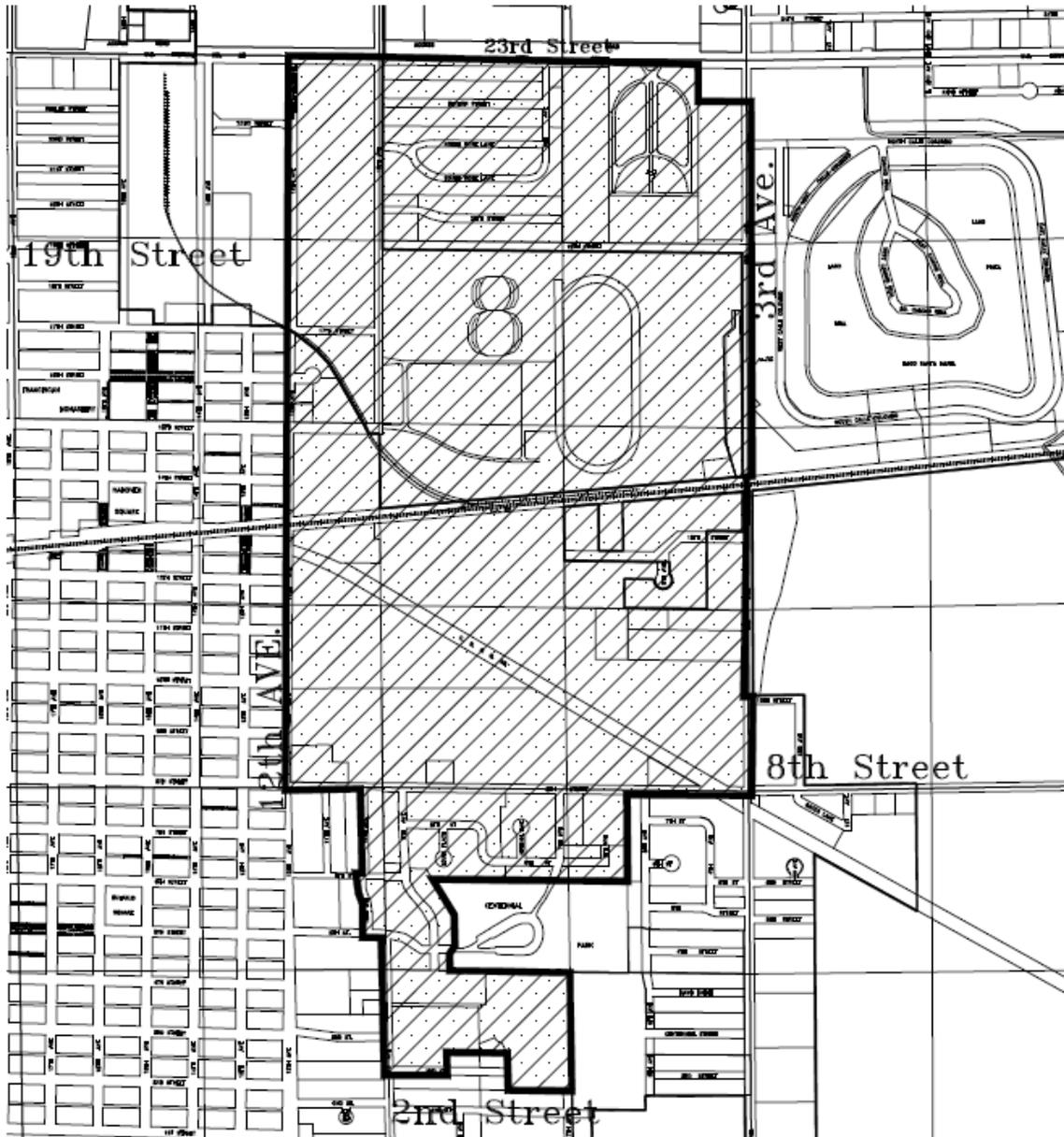
- Exhibit A: Redevelopment Area
- Exhibit A-1: Project Site and Existing Land Use
- Exhibit B: Future Land Use Map
- Exhibit C: Site Plan and Future Land Use
- Exhibit D: Estimated Construction Cost of the Redevelopment Project
- Exhibit E: Sources and Uses of TIF
- Exhibit F: Cost-Benefit Analysis

**EXHIBIT "A"**

**Redevelopment Area and Existing Land Use**

Depiction of Redevelopment Area:

**COLUMBUS NE  
AREA #8**



Existing Conditions of Redevelopment Area and Surrounding Area:



Exhibit "A"

**EXHIBIT "A-1"**

**Project Site and Existing Land Use**

Legal Description:

Lots 1 through 3, Block A, Cuzzin's Corner 4th Addition, Columbus, Platte County, Nebraska; AND

Lots 1 and 2, Block B, Cuzzin's Corner 4th Addition, Columbus, Platte County, Nebraska.

\* In the event Redeveloper subdivides or replats the Project Site, 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 legal description.

Depiction and Current Condition (outlined in red):



Exhibit "A-1"

**EXHIBIT "B"**

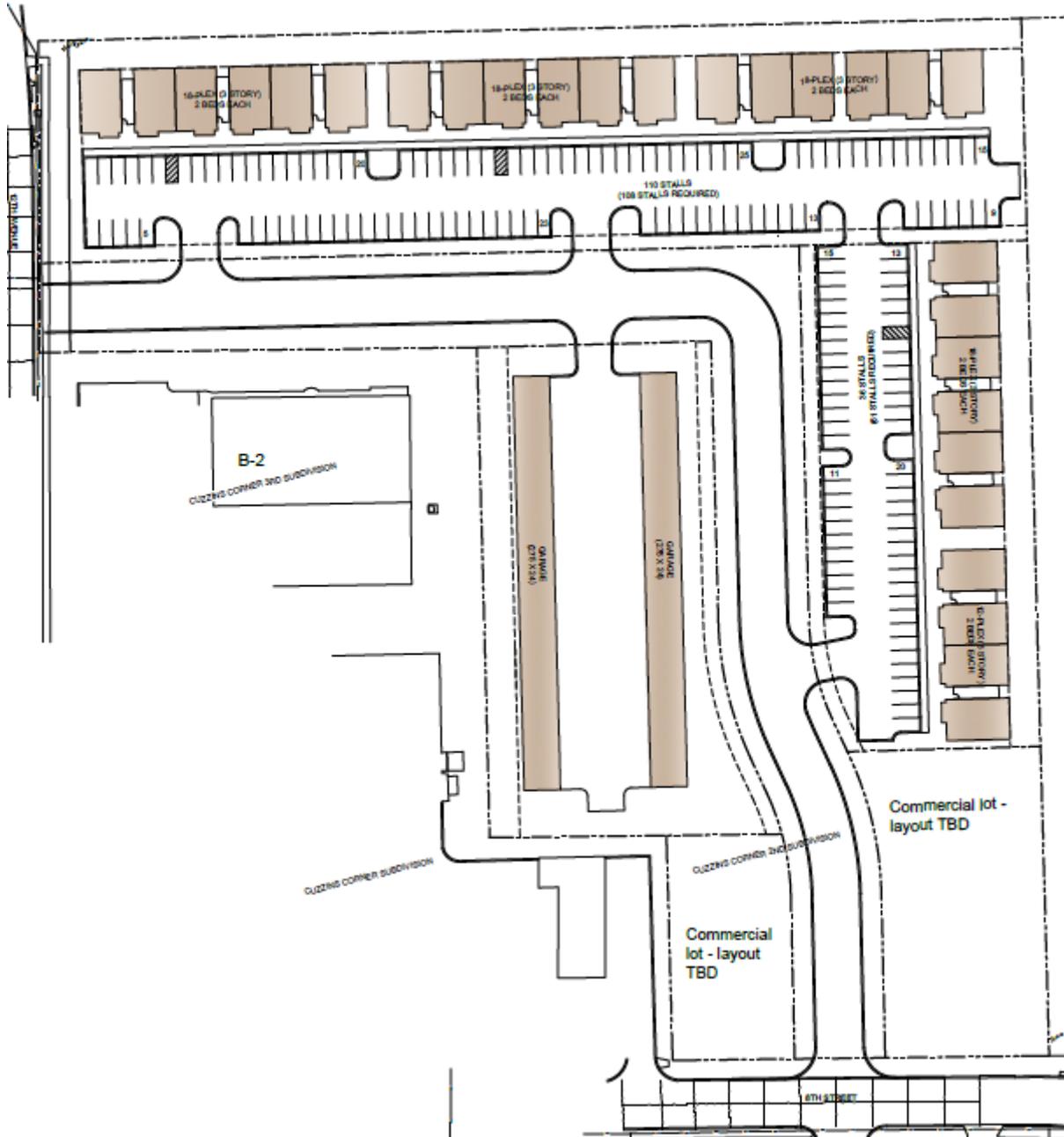
**Future Land Use Map**



\* Project Site designated as “General Commercial”.

# EXHIBIT "C"

## Site Plan and Future Land Use



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

**EXHIBIT "D"**

**Estimate of Construction Costs**

Land Acquisition	\$260,000
Site Development	\$885,000
Hard Construction Costs	\$18,500,000
Architectural and Engineering Fees	\$81,000
Legal Fees	\$15,000
<hr/>	
<b>TOTAL</b>	<b>\$19,741,000</b>

\* 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 commencement of construction.

**EXHIBIT "E"**

**Sources and Uses of TIF**

**USES:**

Land Acquisition	\$286,000
Dirt Work and Infill	\$600,000
Water Extension	\$94,000
Sanitary Sewer	\$83,000
Storm Sewer	\$220,000
Paving	\$250,000
Façade, Energy Efficiency, and Landscaping**	\$625,000
Architectural and Engineering Fees	\$90,000
Legal Fees	\$15,000
City Fees	\$15,000
<hr/>	
<b>TOTAL</b>	<b>\$2,278,000</b>

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

\*\* Redeveloper is planning to use enhanced façade materials and landscaping to make the buildings more durable and to give them a clean, inviting, modern appearance. With respect to energy efficiency, Redeveloper will evaluate higher-end windows, air barriers, HVAC systems, and water heating. Redeveloper is also considering infrastructure for electric car charging and solar electric panels on the roof to generate power. All such enhancements shall be subject to City review in relation to their eligibility for reimbursement from TIF.

**SOURCES:**

General Assumptions: Tax Levy 1.8246  
Interest 7.4%  
TIF Period 15

Base Value	
Current	\$252,080
total sf	234,884.47
\$/sf	\$0.93

Valuation Assumptions:

Lot	Final Value		
	Units	\$/SF or Unit	Final Value
1, A - apartments	54	\$140,000	\$7,560,000
2, A- apartments	30	\$140,000	\$4,200,000
3, A - commercial	10,000	\$130	\$1,300,000
1, B - garages	13,200	\$58	\$765,600
2, B - coffee shop	750	\$600	\$450,000

Total Base Value: \$252,080  
Total Final Value \$14,275,600  
Total Increment \$14,023,520  
TIF Indebtedness Amount: \$2,268,293



## **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 2023 levy rate. There has been no accounting for incremental growth over the 15 year TIF period.*

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

##### **a. Public infrastructure improvements and impacts:**

The Redevelopment Project requires public infrastructure installation. The Project Site will require the construction of vehicular access from 8th Street and 12th Avenue, along with the construction and/or extension of utilities to serve the improvements constructed thereon. 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 will be filled and graded to provide for effective surface water runoff. The Agency

and Redeveloper do not anticipate that the Redevelopment Project will have a negative impact on now-existing City infrastructure.

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

The Redevelopment Project should create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Redevelopment Project, the Redevelopment Project should generate immediate tax growth for the City. The new residences, as well as the commercial facilities, will require and pay for City services. Additionally, the City will collect sales tax on a portion of the materials used for 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:**

With respect to the commercial improvements, the Redevelopment Project will result in new and expanded business within the Project Site, which will benefit the employers and employees locating therein. Additionally, the new residences will provide housing for employees in the area. 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 should have a material positive impact on businesses surrounding the Project Site. The residential portion will provide much needed housing in the community, which will benefit employers, employees, and the City in general. Further, the additional population density should increase the need for services and products from existing businesses in the surrounding area, such as household products and general consumer goods/services. The commercial portion will result in the expansion of businesses in the area, which will directly benefit area employers and employees via the provision of new services and jobs to the area, and indirectly benefit the same via the increase in consumer traffic. Accordingly, the Redevelopment Project is anticipated to have a positive impact on employers and employees in the vicinity of the Project Site.

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

The increase of population density within the Project Site may result in an increase in school-aged children within the related school districts. However, there is no indication that the schools within the district are unable to withstand an increase in enrollment proportionate to the size of the Redevelopment Project. The school district will not receive taxes from the residences built during the time the increased taxes are utilized to pay the TIF Indebtedness. However, the school district has received state aid to education in the past. Part of the school aid formula involves assessed valuation in the school district. The valuation that generates the TIF payments is not included in the formula and does not count against the state aid that the school district would receive. Taxes on any increase in the base value of the land will benefit the school district. After the TIF indebtedness is paid, or at the end of the respective 15 years of division of taxes, whichever is sooner, the increased valuation from the residential construction will be available to the school district. As such, Redeveloper and the Agency do not anticipate a negative impact on school districts located within the boundaries of the area of the Redevelopment Project.

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

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

**6. Report of Nominating Committee.**

**7. Building report for May.**



# *City of Columbus*

## Building Department

Phone: 402-562-4236 Email: [CommDevPermits@columbusne.us](mailto:CommDevPermits@columbusne.us)  
[www.columbusne.us](http://www.columbusne.us)

### May Building Report Comments

For the Residential area, six new house permits, one townhouse permit and a handful of residential alteration/addition permits were made out. Also, a handful of decks, fences and accessory structures were permitted in the month of May. Cost of product and interest rates still at a high.

On the Commercial side, a new construction permit was made out for Super Saver, a permit for an addition onto MotoPlex, a permit for Five Below and the MOB hospital project. Plan reviews have been started on Duo Lift alteration, a couple wireless tower projects, storage units for central ne storage, and centennial park bathroom/concession building.

*Andy Woehrer*  
Chief Building and Code Official  
City of Columbus



# City of Columbus

## Building Department Monthly Report

06/03/2024

May                      2024                      2023

	May 2024			May 2023		
	Count	Permit Fees	Value	Count	Permit Fees	Value
<b>Accessory Structu</b>	4	\$1021.99	\$176000.00	5	\$960.78	\$182594.00
<b>Building Moving</b>	1	\$50.00	\$0.00	0	\$0.00	\$0.00
<b>Com Addition</b>	1	\$1179.18	\$320564.00	2	\$1003.70	\$210800.00
<b>Com Alteration</b>	6	\$9320.48	\$3276934.00	3	\$4528.02	\$1591602.00
<b>Com New Constr</b>	1	\$21264.38	\$10000000.00	0	\$0.00	\$0.00
<b>Com Plumbing</b>	1	\$112.00	\$150000.00	4	\$372.00	\$103487.00
<b>Deck</b>	12	\$1212.93	\$163658.00	6	\$552.96	\$72200.00
<b>Demolition</b>	0	\$0.00	\$0.00	2	\$57.00	\$15050.00
<b>Egress Window</b>	1	\$68.55	\$8000.00	0	\$0.00	\$0.00
<b>Fence</b>	18	\$576.00	\$89852.88	27	\$767.00	\$101604.00
<b>Gas line</b>	0	\$0.00	\$0.00	0	\$0.00	\$0.00
<b>Res Addition</b>	3	\$1077.05	\$235040.00	4	\$1852.52	\$462280.00
<b>Res Addition Wo</b>	0	\$0.00	\$0.00	0	\$0.00	\$0.00
<b>Res Alteration</b>	4	\$517.02	\$8770.19	6	\$375.06	\$58000.00
<b>Res New Construc</b>	8	\$9008.51	\$2858914.00	3	\$2781.23	\$790000.00
<b>Res Plumbing</b>	6	\$540.00	\$118600.00	6	\$324.00	\$815968.00
<b>Res Pool</b>	0	\$0.00	\$0.00	3	\$643.43	\$112100.00
<b>Signs</b>	3	\$181.00	\$53000.00	1	\$37.00	\$5000.00
<b>Sprinklers</b>	3	\$66.00	\$12800.00	9	\$189.00	\$50900.00
<b>Temporary Acces</b>	0	\$0.00	\$0.00	0	\$0.00	\$0.00
<b>Water Softner/RC</b>	0	\$0.00	\$0.00	1	\$18.00	\$0.00
<b>Wireless Tower</b>	0	\$0.00	\$0.00	1	\$198.00	\$35000.00
<b>YEAR TOTAL</b>	<b>72</b>	<b>\$46195.09</b>	<b>\$17472133.07</b>	<b>83</b>	<b>\$14659.70</b>	<b>\$4606585.00</b>

Population: All Records  
 Permit.DateIssued Between 5/1/2023 12:00:00 AM  
 AND 5/31/2024 11:59:59 PM

## **8. Adjournment.**