

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, April 13, 2020
5:15 PM - City Council Chambers

Rationale: The public may access the meeting by utilizing the following video conference link:
<https://us04web.zoom.us/j/2470811045> Meeting ID: 247 081 1045.

For assistance downloading the zoom app, go to: cityofmccook.com

Open Meetings Act Announcement.

Rationale:

**A copy of the Open Meetings Act is posted by the entrance to the Council Chambers and is available for public review.*

Items

1. Approve the minutes of the March 9,2020 regular Planning Commission meeting.
2. Public Hearings and Regular Agenda.
 - A. Public Hearing - Regarding the Redevelopment Plan for the N-Stant Convenience Redevelopment Project as to its conformity with the general plan for the development of the City as a whole.
 1. Adjourn the Public Hearing.
 - B. Approve Resolution No. PC2020-02 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the development of the N-Stant Convenience Redevelopment Project.

Adjournment.

CITY MANAGER'S REPORT
APRIL 13, 2020 PLANNING COMMISSION MEETING

ITEM: _____

RECOMMENDATION:

Approve the minutes of the March 9, 2020 regular meeting.

BACKGROUND:

Receive and approve the minutes.

FISCAL
IMPACT: None.

APPROVALS:

Lea Ann Doak, City Clerk

April 10, 2020

McCook Planning Commission
March 9, 2020
5:15 PM Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Vosburg; Vice Chair Hilker; Commissioners Bradley (arrived 5:18 P.M.), Davidson, Dueland, Lyons, McDowell, Stevens, Graham.

Absent: Commissioner Friehe.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on March 5, 2020, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chair Vosburg announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the February 10, 2020 regular Planning Commission meeting.

Motion to approve the minutes of the February 10, 2020 regular Planning Commission meeting. This motion, made by McDowell and seconded by Dueland, passed.

Vosburg: YEA, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Lyons: YEA, McDowell: YEA, Stevens: YEA, Graham: YEA
YEA: 8, NAY: 0, ABSENT: 2

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Regarding the Redevelopment Plan for the Blackwood Enterprises Redevelopment Project as to its conformity with the general plan for the development of the City as a whole.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment with respect to the proposed Redevelopment Plan for the Blackwood Enterprises Redevelopment Project as to its conformity with the general plan for the development of the City as a whole, with the City Attorney to act as hearing officer. This motion, made by Vosburg and seconded by Stevens, passed.

Vosburg: YEA, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Lyons: YEA, McDowell: YEA, Stevens: YEA, Graham: YEA

YEA: 8, NAY: 0, ABSENT: 2

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the March 9, 2020 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - proposed Resolution No. PC2020-01 (3 pages); Exhibit #4 - Redevelopment Plan for the Blackwood Enterprises Redevelopment Project (14 pages); and Exhibit #5 - copies of notice of public hearing mailed by certified mail to the required taxing jurisdictions (5 pages).

City Manager Schneider reviewed the information presented in Exhibit #1 and the proposed Redevelopment Plan in Exhibit #4. He stressed that the developer must address the parking requirements before a building permit could be issued. He needs to identify what use the building will be used for, so that staff can determine the number of parking spaces.

Commissioner discussion included what percentage of this project will be used for TIF, noting that it seems higher than previous projects; whose responsibility is it to determine if the required but - for test is met; how the Annual Projected Tax Shift of \$19,200 was calculated; the need to be consistent in the process so that we can say yes to future projects; why the hurry?, proceeding before the developer knows what the development will be; concerns regarding lack of parking; overall, the commissioners were in support of the project.

Andy Long, McCook Economic Development Director, spoke in support of the request.

Motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: YEA, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Lyons: YEA, McDowell: YEA, Stevens: YEA, Graham: YEA
YEA: 9, NAY: 0, ABSENT: 1

2.B. Approve Resolution No. PC2020-01 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the development of the Blackwood Enterprises Redevelopment Project.

Motion to approve Resolution No. PC2020-01 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the development of the Blackwood Enterprises Redevelopment Project. This motion, made by Kurt and seconded by McDowell, passed.

Vosburg: YEA, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: YEA, Friehe: ABSENT, Lyons: YEA, McDowell: YEA, Stevens: YEA, Graham: YEA
YEA: 8, NAY: 0, ABSENT: 2

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 6:10 P.M.

Lea Ann Doak, Recording Secretary

**CITY MANAGER'S REPORT
APRIL 13, 2020 PLANNING COMMISSION MEETING**

ITEM NO. 2.A. Public Hearing - Regarding the Redevelopment Plan for the N-Stant Convenience Redevelopment Project as to its conformity with the general plan for the development of the City as a whole.

ITEM NO. 2.B. Approve Resolution No. PC2020-~~42~~ recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the development of the N-Stant Convenience Redevelopment Project.

BACKGROUND:

Earlier this year, Redevelopment Area #4 was approved, declaring an area located near the intersection of Highways 83 and 6/34 as blighted and substandard. A redevelopment application has been received from Smoker's Outlet, Inc., d/b/a N-Stant Convenience, said business owning property within Redevelopment Area #4. City Staff has reviewed the application and found that the request was eligible for Tax Increment Financing (TIF).

The project site at issue is located on a lot directly northeast of the Highway 83 and Highway 6/34 intersection. The site is currently a vacant lot that was purchased from the State of Nebraska. In order for development to occur, the Redeveloper is requesting redevelopment assistance.

The Redeveloper owns and operates a convenience store adjacent to the Project Site and desires to expand its business to offer fuel sales. The project under consideration will consist of the construction and development of a fuel station site that will contain 8-fuel pumps, or 4-island double-sided fuel canopies on the Project Site. TIF assistance is being requested in order to assure funding is available for the project. The Redeveloper has confirmed, but for the approval of TIF assistance, the project will not occur.

The N-Stant Convenience Redevelopment Plan includes a number of costs that would qualify for Tax Increment Finance consideration. Page 4 of the Redevelopment Plan lists the eligible TIF uses in the amount of \$237,000. Pursuant to the Redevelopment Plan's Cost-Benefit Analysis (ie. Exhibit "D"), it is anticipated that approximately \$196,500 of the public improvements can be financed with the proceeds of the TIF generated improvements. There are enough TIF uses to cover the issuance of a Promissory Note in the amount of \$196,500.

With respect to the statutory elements necessary to qualify under the Nebraska Community Development Law, the N-Stant Convenience Redevelopment Plan qualifies for TIF consideration. The project will not negatively affect population density in the project area. The project will meet the applicable land-coverage ratios and zoning requirements. There will be no adverse impacts with respect to traffic flow. There are no parking concerns related to the project. The land is zoned appropriately for the intended use.

EXHIBIT #1

PAGE(S) - 2

With respect to the City's Comprehensive Plan, the Redevelopment Plan addresses several important goals. The Plan encourages local reinvestment in McCook by both the public and private sectors. It provides needed amenities to support future growth of commercial, industrial, and residential areas. The Plan utilizes available public programs of financing to fund development.

As far as how the Plan's Cost-Benefit Analysis works, the current project valuation is \$125,000. It is estimated the completed project will be assessed at \$1,107,724, generating a projected tax increment base of \$982,724. At the estimated tax levy of 1.911555, the annual projected tax shift is \$18,785. This annual projected tax shift will be available to the developer to pay TIF related indebtedness that will be memorialized in a Redevelopment Agreement. While \$196,500 of public improvements will be financed with TIF proceeds, the redeveloper will privately infuse approximately \$1,000,000 of its own money into the project. This means that for every \$1 of public financing the redeveloper will privately spend approximately \$5.

APPROVALS:



April 9, 2020

Nathan A. Schneider, City Manager



April 9, 2020

Lea Ann Doak, City Clerk

NOTICE OF PUBLIC HEARING

Public notice is hereby given by the Planning Commission that a public hearing will be held at 5:15 p.m. on Monday, April 13, 2020, in the City Council Chambers at the McCook Municipal Center, 505 W C Street, McCook, Nebraska. An agenda for such meeting, kept continuously current, is available for public inspection at the City of McCook Planning Commission office, West 5th and C Street McCook, NE 69001.

The purpose of the hearing is to obtain public comment prior to the review and consideration of a proposed redevelopment plan for the City of McCook, including a specific redevelopment project.

The property that is the subject of this notice and of the public hearings is located at 1111 West B Street, in the City of McCook, Nebraska and legally described as follows:

A TRACT OF LAND LOCATED IN PART OF LOT 1, BLOCK 6, WEST MCCOOK ADDITION IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 29 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE S86°50'11"E (ASSUMED AND ALL BEARINGS RELATIVE TO), A DISTANCE OF 1964.38 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE S86°45'44"E, A DISTANCE OF 245.39 FEET TO THE NORTHWEST CORNER OF PLATTED MISSISSIPPI AVENUE (WEST 12TH STREET); THENCE S01°50'20"W, A DISTANCE OF 45.86 FEET ALONG THE WEST LINE OF SAID PLATTED MISSISSIPPI AVENUE (WEST 12TH STREET); THENCE S15°05'58"W, A DISTANCE OF 98.34 FEET; THENCE N74°11'03"W, A DISTANCE OF 204.42 FEET; THENCE N12°06'48"W, A DISTANCE OF 101.18 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; CONTAINING 27,087.88 SQUARE FEET, MORE OR LESS.

All interested parties shall be afforded at the public hearing a reasonable opportunity to express their views regarding the proposed redevelopment plan. A map of the redevelopment area and a copy of the cost-benefit analysis shall be maintained at the office of the City Clerk.

-s- Lea Ann Doak, City Clerk

Publish: March 27, 2020 and April 3, 2020

EXHIBIT #2

PAGE(S) - 1

RESOLUTION NO. PC2020-02

(Redevelopment Plan- N-Stant Convenience Redevelopment Project)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA, MAKING A RECOMMENDATION TO THE COMMUNITY DEVELOPMENT AUTHORITY AND THE CITY COUNCIL OF THE CITY OF MCCOOK, NEBRASKA, WITH RESPECT TO THE REDEVELOPMENT PLAN FOR THE CITY OF MCCOOK, NEBRASKA, INCLUDING A SPECIFIC REDEVELOPMENT PROJECT.

RECITALS

A. The Community Development Authority of the City of McCook ("CDA") has submitted the question of whether the Redevelopment Plan for Redevelopment Area, a copy of which is on file and available for public inspection with the City Clerk, (the "Redevelopment Plan") should be approved for the redevelopment of certain real property within the Redevelopment Area identified and legally defined in said plan (the "Project Site"), of which proposed plan is on file and available for public inspection with the McCook City Clerk.

B. Notice of public hearing regarding the question of whether the Redevelopment Plan should be recommended to the City Council and ultimately be adopted and approved by the City was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Community Development Law, Neb. Rev. Stat. §§ 18-2115 and 18-2115.01, and Nebraska law.

C. On April 13, 2020, the Planning Commission held a public hearing relating to the question of whether the Redevelopment Plan should be recommended to the City Council and ultimately be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

D. The Planning Commission has reviewed the Redevelopment Plan and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of McCook, Nebraska, in accordance with the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2154 (the "Act"), as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to the Act.
2. The Redevelopment Plan will, in accordance with the present and future needs of the City of McCook, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan is in conformance with the general plan for development of the City of McCook as a whole, as set forth in the City of McCook Comprehensive Plan, as amended.

EXHIBIT #3

PAGE(S) - 4

BE IT FURTHER RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Planning Commission does hereby recommend: (i) recommendation of the Redevelopment Plan by the CDA to the City Council; and (ii) approval of the Redevelopment Plan by the City Council as the governing body for the City of McCook.

Passed and approved by the Planning Commission on this 13th day of April, 2020.

PLANNING COMMISSION OF THE
CITY OF MCCOOK, NEBRASKA

By: _____
Kurt Vosburg, Chair

ATTEST:

By: _____
Lea Ann Doak, Secretary

EXHIBIT A

LEGAL DESCRIPTION OF REDEVELOPMENT AREA

The property is located at 1111 West B Street, in the City of McCook, Nebraska and legally described as follows:

A TRACT OF LAND LOCATED IN PART OF LOT 1, BLOCK 6, WEST MCCOOK ADDITION IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 29 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE S86°50'11"E (ASSUMED AND ALL BEARINGS RELATIVE TO), A DISTANCE OF 1964.38 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE S86°45'44"E, A DISTANCE OF 245.39 FEET TO THE NORTHWEST CORNER OF PLATTED MISSISSIPPI AVENUE (WEST 12TH STREET); THENCE S01°50'20"W, A DISTANCE OF 45.86 FEET ALONG THE WEST LINE OF SAID PLATTED MISSISSIPPI AVENUE (WEST 12TH STREET); THENCE S15°05'58"W, A DISTANCE OF 98.34 FEET; THENCE N74°11'03"W, A DISTANCE OF 204.42 FEET; THENCE N12°06'48"W, A DISTANCE OF 101.18 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; CONTAINING 27,087.88 SQUARE FEET, MORE OR LESS.

EXHIBIT B
REDEVELOPMENT PLAN

**REDEVELOPMENT PLAN FOR THE
N-STANT CONVENIENCE REDEVELOPMENT PROJECT
IN THE CITY OF MCCOOK, NEBRASKA**

Introduction

The City of McCook, Nebraska ("City") has undertaken a plan of redevelopment within a certain redevelopment area in the City identified as Redevelopment Area #4 (the "Redevelopment Area"). A Blight and Substandard Analysis for the Redevelopment Area was prepared in January, 2020 by Miller & Associates Consulting Engineers, P.C., the Redevelopment Area was declared blighted and substandard in January, 2020. This Redevelopment Plan is a project-specific redevelopment plan and shall serve as the guide for the implementation of redevelopment activities on the Project Site, as defined herein, which is located in the Redevelopment Area.

Pursuant to the Nebraska Community Development Law codified at Neb. Rev. Stat. §§ 18-2101 through 18-2154 (the "Act"), the City created the Community Development Authority of the City of McCook ("CDA"), which has administered the overall plan of redevelopment for the City. The purpose of this Redevelopment Plan is to identify specific property within the Redevelopment Area that is in need of redevelopment to cause the removal of blight and substandard conditions identified as the site legally described on the attached and incorporated Exhibit "A" (the "Project Site").

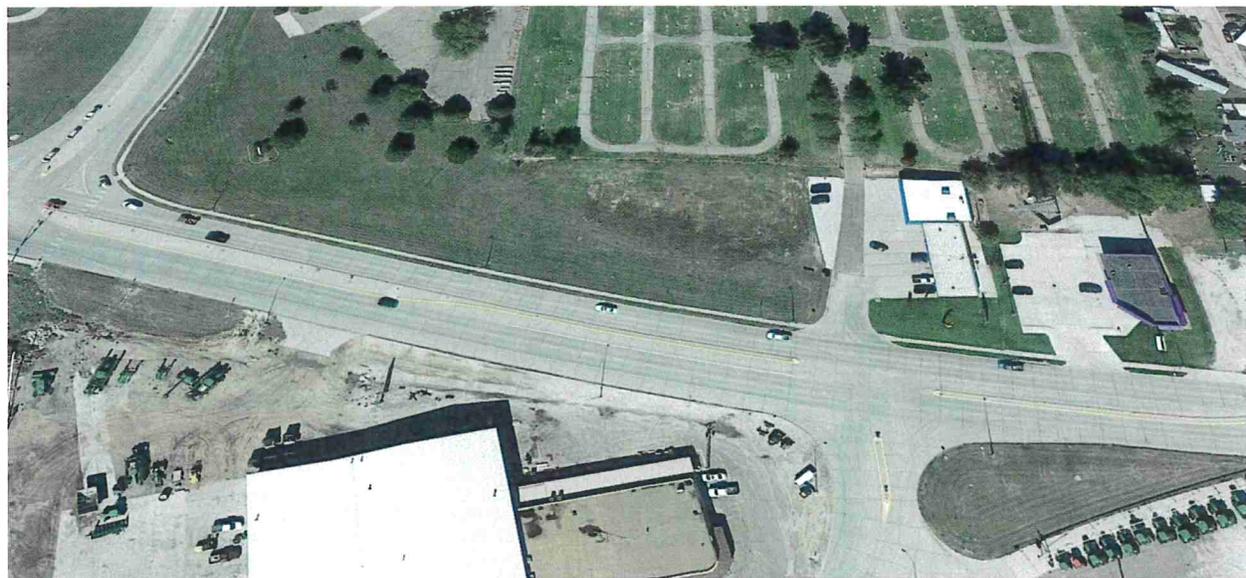
The Project Site

The Project Site located within the Redevelopment Area and has been declared blighted and substandard. The Project Site is in need of redevelopment. The CDA has considered whether redevelopment of the Project Site will conform to the general plan and the coordinated, adjusted, and harmonious development of the City and its environs. In this consideration, the CDA finds that such a redevelopment of the Project Site will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of safety from fire, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight. The blighted condition of the Project Site and the Redevelopment Area has contributed to its inability to attract businesses and/or development. In order to support private development, the Project Site and the Redevelopment Area are in need of renovation and redevelopment.

Depictions of the general area and the Project Site are set forth below.

EXHIBIT #4

PAGE(S) - 14



The Project Site is currently vacant and requires substantial improvements to be developable. Smoker's Outlet, Inc., a Nebraska corporation d/b/a N-Stant Convenience (the "Redeveloper"), recently acquired the Project Site from the Nebraska Department of Roads subject to several conditions and restrictions, including the following: no ingress or egress over the Project Site to the adjacent highway, Department of Roads retained all mineral rights, restriction against using the Project Site for the storage, processing, sorting, transfer or any other use related to or connected with scrap material of any nature or kind; or any other use which would cause an unsightly or obnoxious appearance upon the premises herein conveyed, a reserved an easement for the Department of Roads for the operation, maintenance and use of any and all existing utilities which are located over, under or upon the Project Site, and a reserved permanent easement to the State of Nebraska for highway vehicular impacts and disturbances (noise, air, light, dust, etc.). The Project Site has an existing sewer line running across the property diagonally underneath the surface that must be relocated prior to the construction of the Project and the development of the Project Site.

Additionally, the grade of the Project Site will require a retaining wall to stabilize the property and allow for the safe development of the Project Site.

Description of the Project

Redeveloper owns and operates a convenience store adjacent to the Project Site and desires to expand its business to offer fuel sales. The project under consideration will consist of the construction and development of a fuel station site that will consist of 8-fuel pumps, or 4-island double-sided fuel canopy on the Project Site and associated improvements on the Project Site to create a commercial fuel site (the "Project"). The Project is anticipated to offer unleaded, super-unleaded, and premium unleaded fuels from Shell Oil Company and diesel fuel from a different company as part of the Project. In order to construct the Project on the Project Site, Redeveloper must grade and prepare the site for any use. The steep existing grade of the Project Site will require Redeveloper to stabilize the Project Site and construct a retaining wall prior to the use of the Project Site and the operation of the Project. Additionally, the Project Site has an underground sewer line currently running diagonally across the property which inhibits any real development of the property. Redeveloper must relocated the existing sewer line as part of the Project in order to fully utilize the Project Site.

Redeveloper has submitted a proposal for the Project and the redevelopment of the Project Site. The redevelopment of the Project Site pursuant to this Redevelopment Plan will eliminate the current blight and substandard conditions of the Project Site and will further the purposes of the Act.

As part of the Project, the CDA shall capture available tax increment from the Project Site to assist in payment for the public improvements listed as eligible expenditures under the Act in the Redevelopment Area. Such public improvements may include, but are not limited to: land acquisition, site preparation and stabilization, utility relocation, and other improvements deemed feasible and necessary in support of the public health, safety, and welfare which qualify as eligible expenditures for public improvements under the Act. Redeveloper shall be responsible for all other costs and expenses associated with the Project.

A preliminary site plan is attached hereto as Exhibit "B" and incorporated herein by this reference. The CDA acknowledges that these plans are preliminary in nature and subject to change, but has included the current information submitted by Redeveloper. Redeveloper intends to commence construction in 2020 (as soon as the Project is approved) and complete construction in 2020. The base year for the Project is anticipated to be 2020 and the effective date for the division of taxes shall be January 1, 2021.

Tax Increment Financing

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

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body (“Base Tax Amount”); and
- (b) That portion of the ad valorem tax on real property, as provided in the redevelopment contract or bond resolution, in the redevelopment project in excess of the Base Tax Amount, if any, 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 Project Site will be set forth in the redevelopment agreement. It is anticipated that the CDA will issue one TIF note for the entire Project. Notwithstanding any provision herein to the contrary, all incremental tax revenues resulting from the Project shall only be divided and allocated for no more than the applicable 15-year increment period provided by the Act.

The base value of the Project Site is approximately \$125,000. The Redeveloper has discussed the proposed Project with the Red Willow County Assessor, and the Assessor has provided a preliminary appraisal of the proposed project with a projected completed valuation of the Project of approximately \$1,107,724. The preliminary appraisal is not binding and is based upon the information and assumptions provided to the Assessor. The CDA does not make any representations to the final value of any Project, but has used the value of the preliminary appraisal as the estimated completed valuation of the Project.

Based upon the anticipated completed valuation of \$1,107,724 and a 5.0% interest rate for the TIF Note, the Project will yield TIF Indebtedness in the amount of approximately \$196,500. Redeveloper estimates that the total Project costs shall be approximately \$1,110,000. Redeveloper shall also be responsible for the CDA’s administrative fee and the City’s cost of issuance related to the Project and the TIF Indebtedness, which costs are TIF-eligible expenses. Redeveloper has identified approximately \$237,500 TIF-eligible expenditures. The estimated TIF uses are set forth below:

CDA Administrative Fee	\$6,000
Cost of Issuance	\$6,000
Land Acquisition	\$125,000
Site Preparation/Stabilization (Retaining Wall Improvements)	\$75,000
Sewer Line Relocation	\$25,000
<hr/>	
Total estimated TIF uses:	\$237,000

All TIF uses identified above are estimated amounts and the actual TIF Uses shall be determined based upon actual costs and documented invoices for all eligible public uses. The list of TIF uses identified above is not exhaustive and additional documented eligible public uses may be considered by the CDA.

Statutory Elements

As described above, the Project envisions the capture of the incremental taxes created by the Project on the Project Site to pay for those eligible expenditures as set forth in the Act. Attached hereto as Exhibit “C” and incorporated herein by this reference is a consideration of the statutory elements under the Act.

Cost-Benefit Analysis

Pursuant to Section 18-2113 of the Act, the CDA must conduct a cost-benefit analysis for any redevelopment project that will utilize TIF. The Cost-Benefit Analysis for the Project is attached hereto as Exhibit “D” and incorporated by this reference.

Comprehensive Plan

Several goals of the McCook, Nebraska Comprehensive Plan 2013–2023 (the “McCook Comprehensive Plan”) will be furthered by this Project, including but not limited to:

COMMUNITY GROWTH, LAND USE & ZONING

Goal 1: Population Growth Activities.

Action Step 3: ... The location of future automotive-oriented commercial uses are recommended along the Highway 6/34 and 83 Corridors.

EDUCATION AND COMMUNITY/ECONOMIC DEVELOPMENT

Goal 3: Community Development.

Action Step 1: Encourage local reinvestment in McCook by both the public and private sectors. Provide infrastructure and needed amenities to support future growth of commercial, industrial and residential areas...

Action Step 3: Utilize all available public programs of financing in funding development and redevelopment programs. . . .

Additionally, the following selections from the McCook Comprehensive Plan are supported and implemented by the Project:

- The majority of the future “automotive orientated” commercial uses are recommended along the right-of ways of Highways 6/34 and 83.

- Encourage property and business owners to utilize the provisions of Tax Increment Financing as both a development and redevelopment tool in Downtown McCook and along the commercial highway corridors.
- The strategic development of infill lots and other vacant land areas within the Corporate Limits would allow for managed growth and the utilization of the existing infrastructure, including streets, electrical, gas, water and sewer systems.
- Future commercial land use areas are anticipated to include replacing vacant lots and existing deteriorated and/or abandoned buildings along the Highway 6/34 and 83 Corridors. Automotive oriented commercial uses ... should continue to be Developed along the Highway 83 Corridor.
- To develop the Community in the most efficient and orderly manner possible, the focus should be placed, first, on the development of suitable vacant land within the Corporate Limits of McCook.
- Encourage property and business owners to utilize the provisions of Tax Increment Financing as both a development and redevelopment tool ... along the commercial highway corridors.

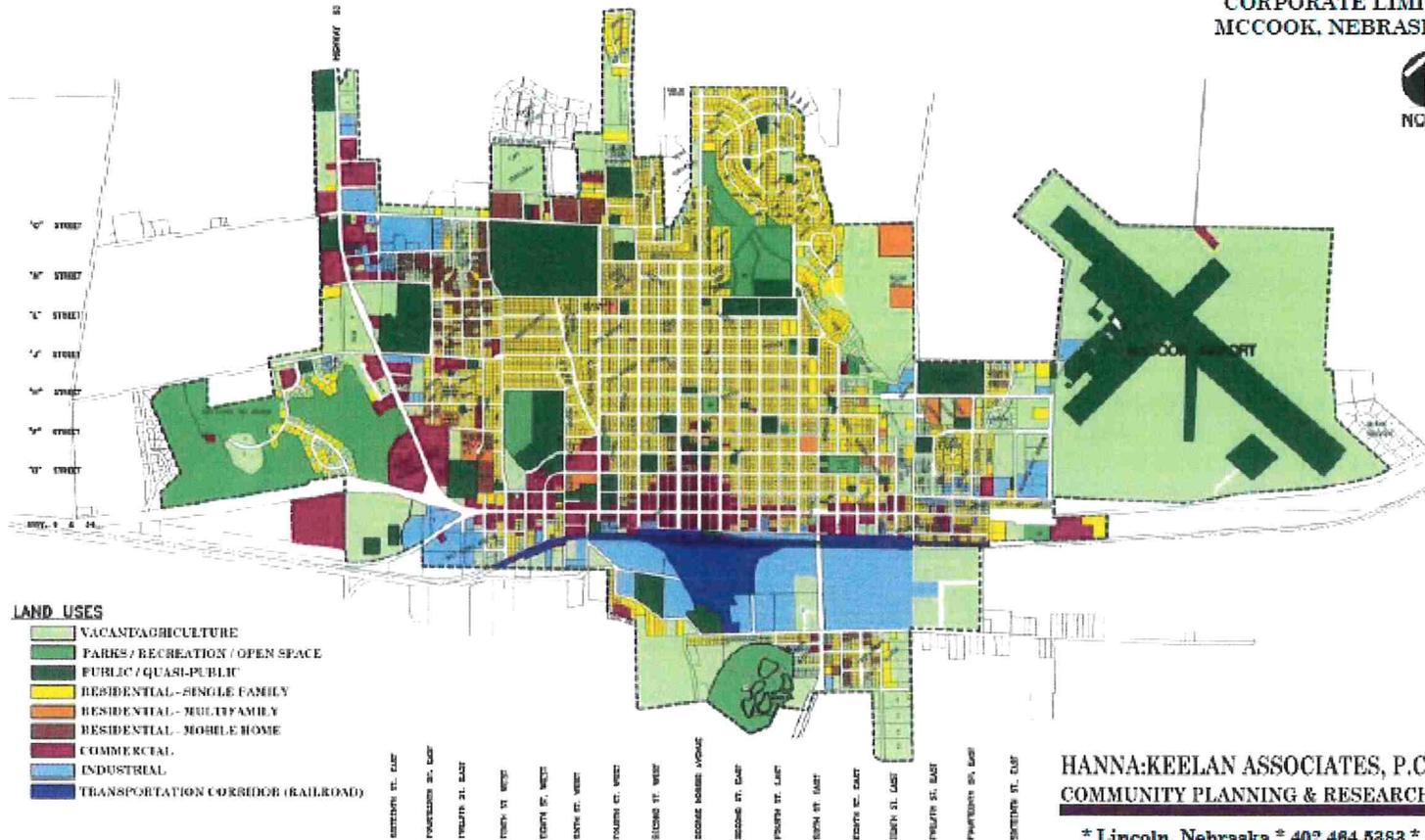
The existing land use map and future land use map from the McCook Comprehensive Plan are included for reference in this Redevelopment Plan. The future land use of the site is designated for commercial use, so the Project conforms to the future land use designation of the Project Site.

Note: This section is not a comprehensive analysis of the Project's conformance with the McCook Comprehensive Plan, but is meant to highlight and summarize the key points on this topic.

Additional Project Information from Redeveloper

Redeveloper has represented that without the use of TIF, this Project would not be feasible and Redeveloper could not develop this Project on the Project Site. Redeveloper has further represented that it does not intend to file an application with the Department of Revenue to receive tax incentives under the Nebraska Advantage Act.

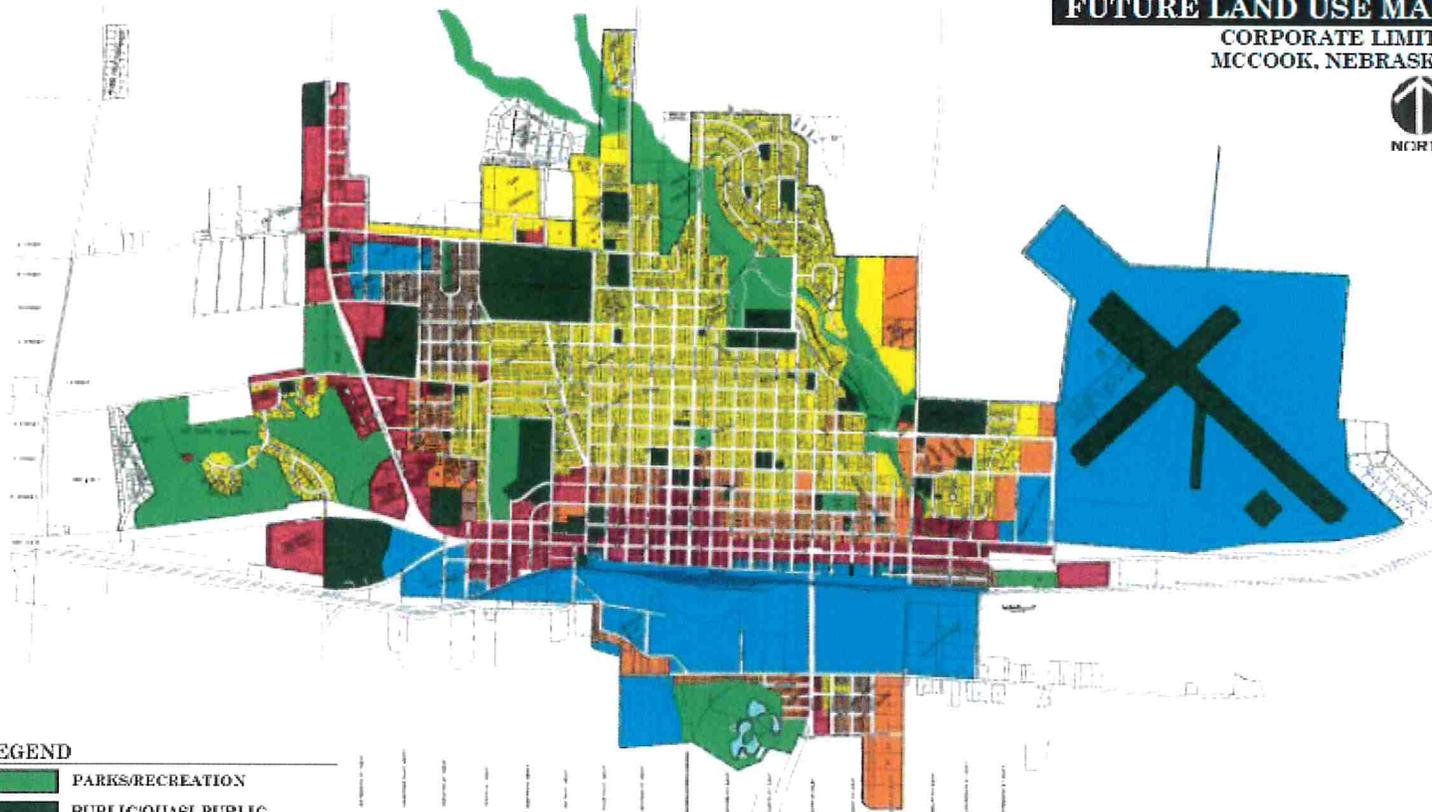
EXISTING LAND USE MAP
CORPORATE LIMITS
MCCOOK, NEBRASKA



HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH
 * Lincoln, Nebraska * 402.464.5383 *

ILLUSTRATION 4.2

FUTURE LAND USE MAP
CORPORATE LIMITS
MCCOOK, NEBRASKA



LEGEND

- PARKS/RECREATION
- PUBLIC/QUASI-PUBLIC
- SINGLE FAMILY RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- MOBILE HOME RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- RAILROAD CORRIDOR
- CORPORATE LIMIT LINE

HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

** Lincoln, Nebraska * 402.464.5353 **

ILLUSTRATION 4.4

EXHIBIT "A"
Legal Description of the Project Site

The property is identified as Parcel No. 001691901 and legally described as follows:

A TRACT OF LAND LOCATED IN PART OF LOT 1, BLOCK 6, WEST MCCOOK ADDITION IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 29 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE S86°50'11"E (ASSUMED AND ALL BEARINGS RELATIVE TO), A DISTANCE OF 1964.38 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE S86°45'44"E, A DISTANCE OF 245.39 FEET TO THE NORTHWEST CORNER OF PLATTED MISSISSIPPI AVENUE (WEST 12th STREET); THENCE S01°50'20"W, A DISTANCE OF 45.86 FEET ALONG THE WEST LINE OF SAID PLATTED MISSISSIPPI AVENUE (WEST 12th STREET); THENCE S15°05'58"W, A DISTANCE OF 98.34 FEET; THENCE N74°11'03"W, A DISTANCE OF 204.42 FEET; THENCE N12°06'48"W, A DISTANCE OF 101.18 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; CONTAINING 27,087.88 SQUARE FEET, MORE OR LESS.

The general location of the Project Site is depicted below:



EXHIBIT "B"
Preliminary Site Plan

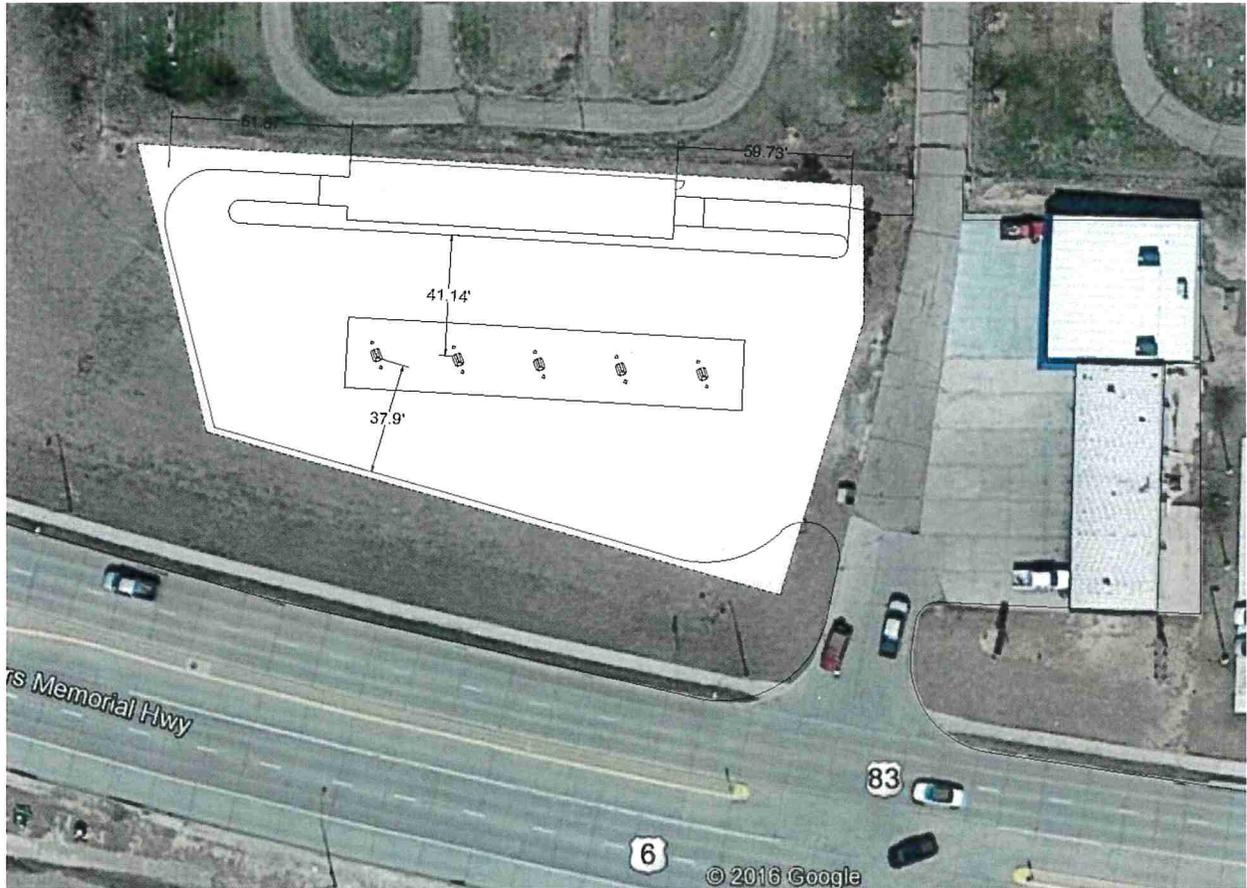


Exhibit "B"

**Exhibit “C”
Statutory Elements**

A. Property Acquisition, Demolition and Disposal

No public acquisition of private property, relocation of families or businesses, or the sale of property is necessary to accomplish the Project. Redeveloper recently purchased the Project Site in preparation to undertake the Project.

B. Population Density

The proposed Project on the Project Site is the construction and development of a fuel station on the Project Site. The Project will not significantly affect population density in the project area.

C. Land Coverage

The Project will consist of the construction and development of 8-fuel pumps, or 4-island double-sided fuel canopy and associated improvements on the Project Site to create a commercial fuel site. The Project will meet the applicable land-coverage ratios and zoning requirements as required by the City of McCook.

D. Traffic Flow, Street Layouts, and Street Grades

No adverse impacts are anticipated with respect to traffic flow, street layouts, and street grades. The existing infrastructure is anticipated to be sufficient for the intended uses of the Project Site upon completion of the Project. The Project Site is adjacent to highway 6 and 83. The Project Site does not have direct access from the Highway but, as depicted on the Site Plan attached as Exhibit “B”, the Project Site has sufficient access and plenty of room for traffic turnaround and navigations on the Project Site.

E. Parking

No parking concerns have been identified. Redeveloper shall be responsible for obtaining any permits and meeting all zoning requirements.

F. Zoning, Building Code, and Ordinances

The Project Site is currently zoned in the Business Commercial zoning district. The Project is a permitted use in the existing zoning district for the Project Site. No additional zoning, building code, or ordinance changes will be necessary for the Project.

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

The cost-benefit analysis for the N-Stant Convenience Redevelopment Project, as described in the Redevelopment Plan to which this cost-benefit analysis is attached, is presented below. The above-referenced project will utilize Tax Increment Financing ("TIF") funds authorized by Neb. Rev. Stat. §18-2147.

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

The taxes generated by the current value of the property shall continue to be allocated between taxing jurisdictions pursuant to standard statutory requirements. Only the incremental taxes created by the Project will be captured to pay eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Project, the true tax shift of this Project is a positive shift in taxes after 15 years. However, for the purposes of illustrating the incremental taxes used for TIF, the 15 year tax shift is as follows:

a.	Redevelopment Project Valuation:	\$125,000
b.	Projected Completed Project Assessed Valuation:	\$1,107,724
c.	Projected Tax Increment Base:	\$982,724
d.	Estimated Tax Levy:	1.911555
e.	Annual Projected Tax Shift:	\$18,785

Note: The Projected Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2019 levy rate. There has been no accounting for incremental growth or change in the tax levy 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:

No substantial effects are anticipated on the public infrastructure and community public service needs. Public infrastructure serving the Project Site is sufficient for the Project. The Project will require the relocation of a sewer line on the Project Site, but TIF will be used to assist with this expense and no adverse effects are anticipated from the relocation of the line. No other public infrastructure improvements are anticipated to be necessary based on this Project, and the Project will not have a material adverse effect on any community public services.

Redeveloper anticipates expenditures of approximately \$1,110,000 for the Project. It is anticipated that approximately \$196,500 of the public improvements will be financed with the proceeds of the TIF generated by the private improvements on the Project Site. The projected uses of the TIF Indebtedness, which will be refined in the

Redevelopment Agreement for this Project, are set forth in the Redevelopment Plan for the Project. All expenditures financed by the TIF Indebtedness shall be eligible under the Community Redevelopment Law.

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

The Project will create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing will defer receipt of a majority of new ad valorem real property taxes generated by the Project, the Project should generate immediate tax growth for the City. The Project will be a fuel service station, and the businesses on the Project Site should generate immediate state motor fuels tax and personal property tax revenue that would otherwise not be produced. Additionally, the Redeveloper owns a convenience store on the adjacent property and this will expand the Redeveloper's business into the fuel service industry, but Project may also result in increased traffic to the convenience store, resulting in higher sales tax revenue. It is not anticipated that the Project will have any material adverse impact on such City services.

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

It is not anticipated that the Project will have a material adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project. The Project will create new fuel service location, which should have a general positive impact on businesses in the Redevelopment Area. The fuel service station will encourage traffic to stop and potentially undertake other business while refueling. There are only two or three other locations in the City that currently offer diesel fuel, and all of these locations are not as convenient for the Red Willow County fairgrounds business as the Project Site. The Project Site will offer a convenient location for large trucks and equipment requiring diesel fuel for business at and relating to the fairgrounds, and the large space on the Project Site will aid with the accessibility and mobility of large equipment on the Project Site for the large equipment's fueling needs. The Project should have a material positive impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project because the Project is intended to ameliorate conditions of blight that might otherwise deter businesses from locating or expanding in the area.

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

The Project should have a material positive impact on private sector businesses in and around the area outside the boundaries of the redevelopment project. The Project is not anticipated to impose a burden or have a negative impact on other local area employers. The Project will offer another fueling location option in the City and this additional amenity should encourage business owners to locate and/or relocate along the "B" Street (Highway 6/34) Corridor, which will allow for further growth of the community. According to the McCook Comprehensive Plan (based on 2011 from U.S. Census Workforce Employment Data), 1,862 workers commute to McCook for employment, and approximately 1,405 (or 42.7%) of employees that live in McCook

commute out of the City for work. An estimated 831 employees commute more than 50 miles to work. This provides competition between the City and other communities for fueling and the relating commerce that goes along with fueling personal vehicles. The Project will include Shell branded gasoline, which is a new product for the City. Redeveloper intends to include Shell loyalty and rewards programs, which encourage brand loyalty through consumer benefits, which may increase the frequency of fueling in the City verses other communities on either end of a daily commute.

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

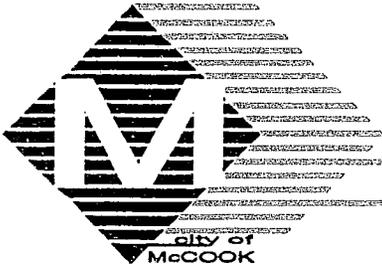
It is not anticipated that the Project will have a material adverse impact on the student populations of the school district within the City.

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

There are no other material impacts determined by the agency relevant to the consideration of the cost of benefits arising from the Project. Redeveloper has identified a need for an additional fueling service station in the City and this Project shall fill that need. The initial site preparation requirements that make this Project infeasible without TIF (particularly the sewer line relocation and the stabilization/retaining wall expenses) would also make the development of the Project Site for any business operations infeasible.

7. Summary of Findings:

The Project will facilitate the redevelopment of a blighted and substandard area of the City without the incurrence of significant public cost. Additionally, the Project will increase property tax revenue in the long-term. The benefits outweigh the costs of the proposed Project.



P.O. BOX 1059 • 505 West C Street • McCOOK, NE 69001 • PHONE (308) 345-2022 • FAX (308) 345-1461

April 2, 2020

CERTIFIED MAIL

McCook Community College
President
1205 East 3rd
McCook, NE 69001

NOTICE OF PUBLIC HEARINGS

Public notice is hereby given by the Planning Commission that a public hearing will be held at 5:15 p.m. on Monday, April 13, 2020, in the City Council Chambers at the McCook Municipal Center, 505 W C Street, McCook, Nebraska. An agenda for such meeting, kept continuously current, is available for public inspection at the office of the City Clerk, 505 W C Street, McCook, NE 69001.

The purpose of the hearing is to obtain public comment prior to the review and consideration of a proposed redevelopment plan for the City of McCook, including a specific redevelopment project.

The property that is the subject of this notice and of the public hearings is located at 1111 West B Street, in the City of McCook, Nebraska and legally described as follows:

A TRACT OF LAND LOCATED IN PART OF LOT 1, BLOCK 6, WEST MCCOOK ADDITION IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 29 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RED WILLOW COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

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All interested parties shall be afforded at the public hearing a reasonable opportunity to express their views regarding the proposed redevelopment plan. A map of the redevelopment area and a copy of the cost-benefit analysis shall be maintained at the office of the City Clerk.

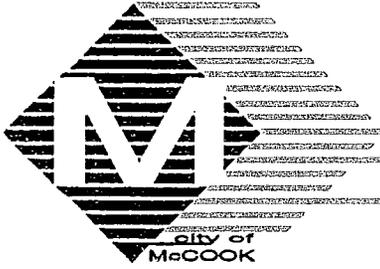
Respectfully,


Lea Ann Doak
City Clerk

EXHIBIT #5

PAGE(S) - 5

Enclosure: Map of redevelopment area



P.O. BOX 1059 · 505 West C Street · McCook, NE 69001 · PHONE (308) 345-2022 · FAX (308) 345-1461

April 2, 2020

CERTIFIED MAIL

Chairman of the Board
Educational Service Unit No 15
PO Box 398 - 344 Main
Trenton, NE 69044

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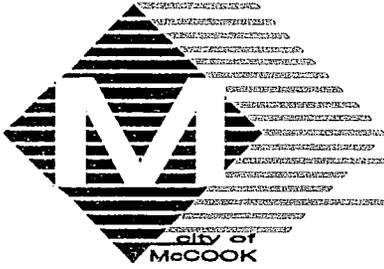
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Respectfully,

Lea Ann Doak
City Clerk

Enclosure: Map of redevelopment area



P.O. BOX 1059 · 505 West C Street · McCOOK, NE 69001 · PHONE (308) 345-2022 · FAX (308) 345-1461

April 2, 2020

CERTIFIED MAIL

Chairman of the Board
Middle Republican NRD
PO Box 81 - 208 Center Ave
Curtis, NE 69025

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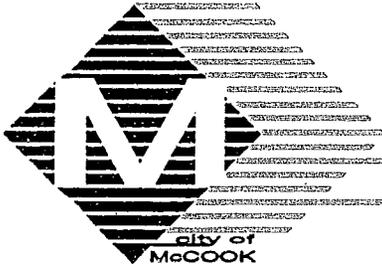
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Lea Ann Doak
City Clerk

Enclosure: Map of redevelopment area



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April 2, 2020

CERTIFIED MAIL

Chairman of the Board
Red Willow County Commissioners
502 Norris Avenue
McCook, NE 69001

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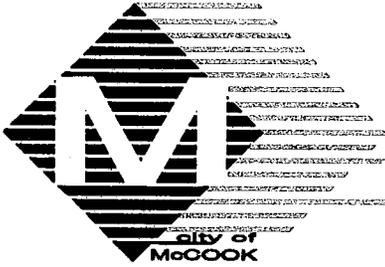
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City Clerk

Enclosure: Map of redevelopment area



P.O. BOX 1059 · 505 West C Street · McCook, NE 69001 · PHONE (308) 345-2022 · FAX (308) 345-1461

April 2, 2020

CERTIFIED MAIL

Board President
McCook School District
600 West 7th
McCook, NE 69001

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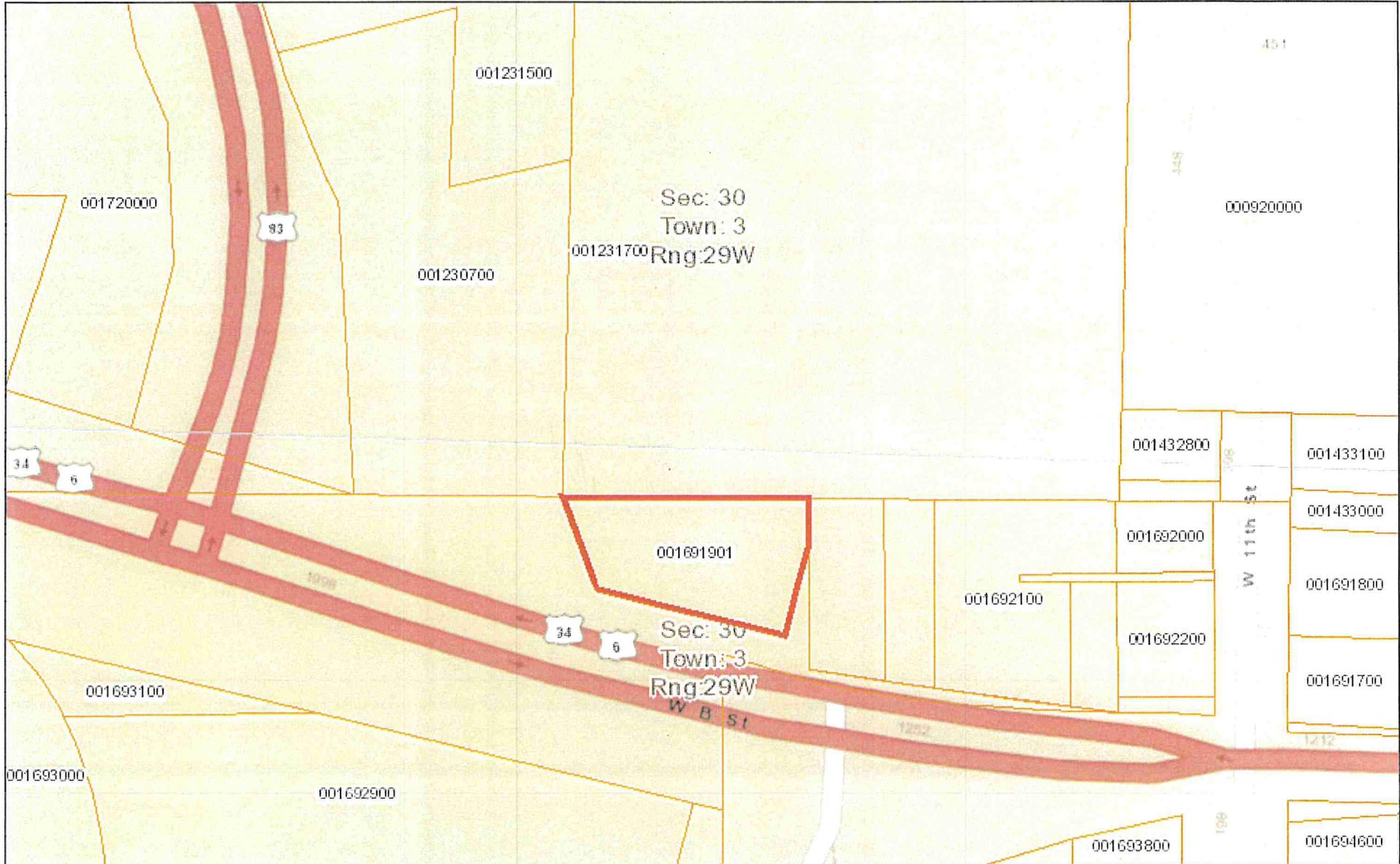
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Respectfully,

Lea Ann Doak
City Clerk

Enclosure: Map of redevelopment area



March 23, 2020

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.

- Parcels
- Sections

