

AGENDA
VALLEY CITY COUNCIL
Tuesday, December 17, 2024
City Hall
203 North Spruce
Valley, NE 68064
4:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proof of Publication**
5. **Visitors/Correspondence**

Anyone desiring to speak on any item or issue not on the agenda or any item on the agenda that does not include a public hearing may do so, but shall be limited to three (3) minutes. Persons should identify themselves by name and address. Persons speaking should not expect the Planning Commission to engage in back-and-forth dialogue regarding their comments. Unless an agenda item includes a public hearing, no person may speak during the business portion of the meeting; provided, however, persons speaking during a public hearing are limited to between five (5) and twenty (20) minutes.

The public is advised that a copy of the Open Meetings Act is located on the north wall of the Council Chamber, and one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

6. **Approval of Agenda**
7. **Consent Agenda**

All agenda items on the consent agenda will be acted on in a single motion. Consent agenda items are being forwarded to the Commission Members. Any individual item may be removed by a commission member for special discussion and consideration.

7.A. Approve Minutes of November 19, 2024 Planning Commission meeting

8. **Public Hearings**

8.A. Public Hearing to recommend Bailey Property Investments, LLC (Valley Lakes Business Park) Redevelopment Plan

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

- Open Public Hearing
- Public comments: proponents and opponents
- Close Public Hearing
- Discussion and questions by Planning Commission Members
- Vote on recommendation to City Council - **Resolution 2024-03**

8.B. Public Hearing to recommend Conditional Use Permit - Beefcake Jerky/Dux Bux for warehouse distribution

- Open Public Hearing
- Public comments: proponents and opponents
- Close Public Hearing
- Discussion and questions by Planning Commission Members
- Vote on recommendation to City Council

8.C. Public Hearing to recommend Conditional Use Permit - Jerry Smith for an accessory building or accessory structure exception

- Open Public Hearing
- Public comments: proponents and opponents
- Close Public Hearing
- Discussion and questions by Planning Commission Members
- Vote on recommendation to City Council

8.D. Ordinance No. 806 - considering amending Ordinance to include enclosed trailer storage in residential

- Open Public Hearing
- Public comments: proponents and opponents
- Close Public Hearing
- Discussion and questions by Planning Commission Members
- Vote on recommendation to City Council

9. **Adjourn**

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

**NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
CITY OF VALLEY, NEBRASKA**

PUBLIC NOTICE is hereby given by the Chairman of the Planning Commission of the City of Valley, Nebraska that a public hearing will be held on Tuesday, December 17, 2024, at 4:30 p.m., at Valley City Hall, 203 North Spruce Street, Valley, Nebraska. The purpose of the hearing is to obtain public comment prior to the Planning Commission's review of a Redevelopment Plan prepared by **Bailey Property Investments, LLC**, a Nebraska limited liability company. The Planning Commission shall review the Redevelopment Plan and make a recommendation as to the Plan's conformity with the general plan for the City as a whole, including but not limited to the City's Comprehensive Development Plan and Future Land Use map. The below-described area will have been declared as blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended.

The property that is the subject of the Redevelopment Plan and of the public hearing is described as follows:

THAT PART OF GOVERNMENT LOT ONE (1) LOCATED IN SECTION 6, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, ALSO KNOWN AS THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 10 EAST, AS PER WARRANTY DEED RECORDED IN BOOK 1876, PAGE 401, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 01°00'14" WEST (BEARINGS REFERENCED TO THE DOUGLAS COUNTY LOW DISTORTION COORDINATE SYSTEM) FOR 592.13 FEET ON THE EAST LINE OF SAID SECTION 6; THENCE NORTH 83°18'04" WEST FOR 46.19 FEET; THENCE SOUTH 04°10'29" WEST FOR 161.68 FEET; THENCE SOUTH 55°03'47" WEST FOR 82.02 FEET; THENCE NORTH 44°28'05" WEST FOR 579.23 FEET; THENCE NORTH 26°31'14" WEST FOR 155.12 FEET; THENCE NORTH 14°43'21" WEST FOR 202.23 FEET; THENCE NORTH 76°03'52" EAST FOR 197.21 FEET TO THE NORTH LINE OF SAID SECTION 6, THENCE SOUTH 89°57'17" EAST FOR 470.27 FEET TO POINT OF BEGINNING.

All interested parties shall be afforded a reasonable opportunity to express their views at the public hearing regarding the proposed redevelopment plan. A copy of the proposed Redevelopment Plan, including a map showing the area covered by the Redevelopment Plan, and an associated Cost-Benefit Analysis is available at Valley City Hall.

Larry Bottger, Chair
City of Valley, Planning Commission
11/29, 12/6 ZNEZ



Proof of Publication

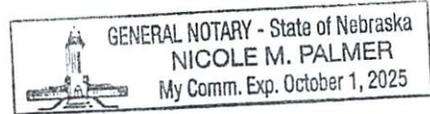
JASON W. HUFF, Publisher

UNITED STATES OF AMERICA,
The State of Nebraska,
District of Nebraska,
County of Douglas,
City of Omaha } ss.

JASON W. HUFF, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 2 consecutive weeks on:

11/29/24 12/6/24

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



Publisher's Fee \$102.09
Additional Copies \$ _____
Filing Fee \$ _____
Total \$102.09

Jason W. Huff
Subscribed in my presence and sworn to before
me this DECEMBER 06 2024
Nicole M. Palmer
Notary Public in and for
Douglas County, State of Nebraska

CITY OF VALLEY
VALLEY PLANNING COMMISSION MINUTES
November 19, 2024

1 and 2. Roll Call and Call to Order: Larry Bottger, Chairman, Scott Burke, Kyle Anderson, Mark Conrey, Brian Foutch, Greg Sunde, and Danielle Lowry. Absent: Jim Tomanek and Jeremy Mayer. Also present: Mayor Cindy Grove, Clerk Christie Donnermeyer, Building Inspector Rune van den Boogaart, City Engineer Greg Perry, and City Attorney Jeff Farnham.

Chairman Bottger noted the location of the open meetings act, and stated one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

3. Pledge of Allegiance: The Pledge of Allegiance was recited.

4. Proof of Publication: The Proof of Publication was on the desk.

5. Visitors/Correspondence: No one spoke.

6. Approval of Agenda: Chairman Bottger made a motion to move item number 10. Public Hearings to the next item after the Consent Agenda and approve the revised agenda. Foutch seconded. YES: Bottger, Anderson, Conery, Foutch, Sunde, and Lowry. NO: no one. ABSENT: Tomanek and Mayer. Motion carried.

7. Consent Agenda member Conrey moved to approve the consent agenda. Foutch seconded. YES: Bottger, Anderson, Conery, Foutch, Sunde, and Lowry. NO: no one. ABSENT: Tomanek and Mayer. Motion carried.

8. Public Hearings:

Request for a Conditional Use Permit for a Private Kennel at 602 S. West Street. Chairman Bottger opened the public hearing. Jeanne Mauseth, 602 S West Street answered questions from the Commission which included but not limited that the dogs were pets, there would be no selling of dogs, and that the entire property is fenced. Frank Borchardt 206 W Waring St stated his concerns regarding selling. Scott Helmick 209 W Warning stated his concerns with barking and maintenance of the property. City Attorney Farnham addressed the Commission regarding suggested conditions to add to the Conditional Use Permit; limiting the number of dogs to 7, that a dog grooming business is not allowed, requiring an annual inspection along with a fee, the property must be fenced and properly maintained. Chairman Bottger closed the public hearing. After much discussion, Conrey moved to recommend approval of the Conditional Use Permit to Council with the following conditions added to the Permit: Dogs limited to seven (7); no grooming allowed; an annual inspection and fee (\$150.00) is required; chronic verifiable complaints will void this Conditional Use Permit; the Conditional Use Permit is tied to the owner and the lot; no selling of dogs is allowed; a fence is required and shall be maintained; if exceeding 5 dogs, they are limited

to 25 pounds or less; the following rules from the NE Humane Society Pet Avocation Permit are enforced: all animals owned, kept, possessed or harbored under this permit must be vaccinated against rabies. Proof of individual rabies vaccinations on each pet must be provided at the time of inspection; each animal shall, at least every 24 hours, receive food suitable for the species, physical condition and safe – sufficient to maintain adequate level of nutrition; must have clean, fresh, potable water available at all times; indoor housing shall provide adequate ventilation, lighting temperature control and construction so as to provide for the safety and comfort of the animals; each animal shall receive care and medial treatment for debilitating injuries, parasites, and disease sufficient to maintain the animal in good health and to minimize suffering; animals shall be maintained predominately indoors. Bottger seconded. YES: Bottger, Anderson, Conery, Foutch, Sunde, and Lowry. NO: no one. ABSENT: Tomanek and Mayer. Motion carried.

The following items were discussed: adding storage of single axle enclosed trailers to the Ordinance. The Building Inspector addressed the Commission with his recommendations. This item will be on the next agenda for a decision. Beefcake/Dux Bux request for a conditional use permit for warehouse distribution in C-3 zoning. The Building Inspector addressed the Commission with his recommendations. This item will be on the next agenda for a decision.

Member Sunde moved to adjourn. Anderson seconded. YES: Bottger, Anderson, Conery, Foutch, Sunde, and Lowry. NO: no one. ABSENT: Tomanek and Mayer. Motion carried.



Christie Donnermeyer, City Clerk

Redevelopment Plan
Southeast corner of the intersection of N. 264th Street and E. Meigs Street,
Valley, Nebraska Redevelopment Area 2024

Bailey Property Investments, LLC (the “Redeveloper”) intends to acquire, redevelop, and improve the area, described in this Plan, pursuant to the Nebraska Community Development Law (Sections 18-2101 to 18-2144 and 18-2147 to 18-2153, R.R.S. Neb. 2012, as amended, the “Act”) by the development of commercial property as a redevelopment project generally located at Southeast corner of the intersection of N. 264th Street and E. Meigs Street, Valley, Nebraska (the “Project”).

A. General Project Description

THE ACQUISITION AND REDEVELOPMENT OF APPROXIMATELY 7.28 ACRES OF VACANT GROUND; AND SUBDIVISION OF SUCH LAND INTO TWO LOTS FOR A COMMERCIAL DEVELOPMENT CONSISTING OF SIX SEPARATE STRUCTURES SUITABLE FOR FLEX INDUSTRIAL USES AND INDOOR STORAGE; AND INSTALLATION OF RELATED PARKING FACILITIES.

Described on Exhibit “1” attached to this Plan is the legal description of the real estate (the “Project Area”) which the Redeveloper intends to redevelop.

The Redevelopment of the Project Area is not economically feasible to implement without assistance from tax increment financing because the current layout of the ground requires significant expenditures for acquisition, site preparation, and public improvements. Documentation that the project is not ~~financially~~ economically feasible without TIF, as the project alone would not produce a return on investment great enough to be commercially reasonable to pursue, unless TIF is ~~also~~ provided. Further documentation is provided by the Redeveloper’s prospective lender indicating that the project is not ~~commercially reasonable~~ economically feasible without TIF and it would not make loan funds available for the development. The Project would not occur in the Project Area without the use of tax-increment financing. The Redeveloper believes that the redevelopment of the Project Area will provide the City and its surrounding area with significant new commercial activity, expanding both the tax base and employment opportunities.

B. Boundaries of Project Area and Existing Conditions and Uses

Exhibit “1” shows the outer boundaries of the Project Area. The existing use of the property within the Project Area is vacant land.

The Project Area has significant topographical challenges. This topography makes development difficult and adds a large expense for redevelopment of the Project Area. Substantial excavation and fill will be required to prepare the Project Area for redevelopment.

No water or sanitary or storm sewer facilities are located within the Project Area. No street improvements have been installed. The proposed final plat for the Project Area is attached hereto

as Exhibit “2”. It will also be necessary to provide for appropriate easements for water and sewer service to serve the City connections.

C. Land Use Planning Show Proposed Uses

Exhibit “3” shows the ultimate use for the Project Area. Exhibit “3” shows the proposed configuration of the anticipated flex-industrial use buildings. The actual development of the Project Area on a proposed two buildings per year construction schedule will ultimately depend on the ever changing market conditions.

D. Information Concerning Population Densities, Land Coverage and Building Intensities

The Project Area currently has no residents. Under this Plan, all of the Project Area is intended at full development to provide flex business use opportunities. No families will be displaced in connection with redevelopment of the Project Area. Anticipated land coverage and building intensities are shown on Exhibit “3”. Building densities will not exceed such densities as are permitted under local regulations.

E. Statement as to Proposed Changes in Zoning, Street Layout, Street Levels or Grades.

The Project Area is currently zoned as Industrial-2 (I-2). Redeveloper is not requesting a change in existing zoning. All construction will be subject to applicable building codes and ordinances. The street layout and street levels will depend upon the finalized construction development plans.

F. Site Plan for the Project Area

Exhibit “3” shows the site plan for the area.

G. Statement as to Kind and Number of Additional Public Facilities

Water, sanitary and storm sewer main extensions throughout the Project Area will be provided in accordance with specifications and requirements of the City. The location and sizing of sewer lines will depend upon building configuration within the Project Area, which will in turn depend upon marketing requirements. The Redeveloper will be responsible for all on-site utility infrastructure installation. The Redeveloper will be responsible for obtaining appropriate gas and electric service.

H. Implementation of Plan

No project redevelopment contract or agreement between the Agency and the Redeveloper will be entered into until the Redeveloper has provided evidence of a financing commitment from a recognized financial institution acceptable to the Agency for financing of the Redeveloper’s costs, including an undertaking to purchase any tax increment revenue bonds proposed to be issued by the Agency in accordance with the terms of this Plan.

I. Description of Redevelopment Project

The Redeveloper intends to develop a commercial development consisting of general industrial flex business uses. The Redevelopment Project will encompass initial site development and grading, public infrastructure installation, and the development of 2 commercial lots. Redeveloper intends to construct 5 buildings on Lot 2 and one building on Lot 1. Redeveloper will retain ownership of Lot 2 and lease the 5 buildings to be constructed thereon to commercial tenants. The single building on Lot 1 will be sold to the user. No outdoor storage will be permitted on any Lot. Redeveloper shall comply with the requirements of the City of Valley Highway Corridor Protection District (Overlay District) Zoning District.

The Redeveloper expects a total final valuation upon completion of \$12,224,347.00, with construction commencing in Spring of 2025 and projecting an up to three-year total build out with final completion of all six buildings in 2028.

J. Plan of Finance

The overall estimated costs for the entire Project are estimated to be \$15,465,750.00. The total valuation of the Project upon completion is estimated to be \$12,224,347.00. The current base value for the entire Project Area is \$520,300, resulting in an overall increase of valuation of \$11,704,047.00.

The Redeveloper seeks assistance from the Community Development Agency of the City of Valley (the “Agency”) to overcome the site development, infrastructure, construction, and certain other tax increment eligible expenses, to include a portion of the following:

TIF ELIGIBLE EXPENSES

The grant to be provided for from the issuance of community development revenue bonds to be issued by the Agency, provided however that in no event shall the tax revenue development revenue bonds to be issued by the Agency for the Project as a whole exceed \$650,000.00

The incremental ad valorem tax revenues for the Project (the increase in real property taxes based upon the resulting increase in taxable valuation) for a period of up to fifteen years after a designated effective date as determined by the terms of the Redevelopment Contract with written notice to the Agency to notify the County Assessor of Douglas County to initiate a division of taxes pursuant to Neb. Rev. Stat. § 18-2147 to pay debt service on the Indebtedness. The Redeveloper is to have full responsibility for the (i) the purchasing of the Indebtedness from the Agency, or (ii) arranging for the purchase of the Indebtedness from the Agency. Any issuance of the Indebtedness is to be upon the basis of a private placement with the purchaser signing and delivering an investment letter satisfactory in form to the Agency.

K. Description of Project Area

TAX INCREMENT REVENUES TO PAY THE INDEBTEDNESS IS TO COME FROM THE FOLLOWING REAL PROPERTY ATTACHED HERETO AS EXHIBIT 1 (as such property may be replatted).

Exhibit “2” shows the boundaries of the area constituting the Project Area. Improvements related to the Project Area may be constructed and installed both inside and outside of the Project Area in order to serve the Project Area.

The tax increment revenues are to be allocated under the terms of Section 18-2147(1)(b) of the Act for those tax years for which the payments become delinquent in the 15-year period commencing on the effective date established in the Redevelopment Contract, and, if collected on or before the end of such fifteen-year period, may also be allocated to the Agency and applied to payment of principal and interest on the Indebtedness. The effective date for such allocations shall be set forth in a project Redevelopment Contract and/or bond resolution and shall be noticed to the County Assessor of Douglas County in accordance with the terms of Section 18-2147(b)(3) of the Act.

The real property ad valorem taxes on the current taxable valuation for the year prior to redevelopment in accordance with this Plan and the Act will continue to be paid to the effective date established in the Redevelopment Contract applicable taxing bodies in accordance with the terms of Section 18-2147(1)(a) of the Act.

L. Statutory Pledge of Taxes

Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the Project Area shall be divided, for the period not to exceed 15 years after the effective date of the provision.

Such effective date under this Plan shall be set forth in the Redevelopment Contract. Such effective date may be confirmed and restated in the resolution authorizing the Indebtedness and/or in the Project Redevelopment Contract to be entered into between the Agency and the Redeveloper.

References to “authority” in such Section 18-2147 of the Act, include the Agency in accordance with Section 18-2101.01 of the Act. Pursuant to Section 18-2147(b) of the Act, the ad valorem tax so divided is to be pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed or otherwise, by the Agency to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

The Indebtedness shall be payable solely from the tax increment revenues available under Section 18-2147 and shall not otherwise constitute indebtedness of the Agency or the City. Neither the City nor the Agency shall be liable for any portion of the indebtedness.

M. Redevelopment Plan Complies with the Act:

The Community Development Law requires that a redevelopment plan and project consider and comply with a number of requirements. This Plan meets the statutory qualifications as set forth below.

1. The project must be in an area declared blighted and substandard. [Section 18-2109]

The Project Area has been declared blighted and substandard by action of the Mayor and Council of the City prior to the adoption and approval of this Plan [Section 18-2109]. Public hearing was held on January 14, 2025. Resolution No. ____, adopted by City Council on January 14, 2025.

2. Conformance to the general plan for the municipality as a whole. [Section 18-2103(13)(a) and Section 18-2110]

The City of Valley has adopted the Valley Comprehensive Plan 2018 adopted on March 13, 2018 by Ordinance No. 708, as amended from time to time (the “Comprehensive Plan”). The Redeveloper will work with City Staff on ensuring that this Plan is in conformance with the Comprehensive Plan, and/or amend the Comprehensive Plan to contemplate the propose Project.

3. The Redevelopment Plan must be sufficiently complete to address the following items: [Section 18-2103(13)(b) and Section 18-2111]

- a. Land Acquisition:** The Project Area has been acquired by the Redeveloper, by private purchase. The Agency will not acquire any portion of the Project Area.
- b. Demolition and Removal of Structures:** The project to be implemented under this Plan does not include rehabilitation of any existing structures. No building will be required to be removed or demolished. However, substantial dirt haul-in and relocation, including infill placement will be required to make the site useful for the planned development. Elevations and street and sewer plans will be provided to the City Planning Department for approval prior to commencement of construction.
- c. Future Land Use Plan:** See the attached map (Exhibit “3”) for the proposed development land use. See the attached map (Exhibit “3”) for the proposed development land use. The attached maps also show an accurate site plan of the area after redevelopment, showing the proposed commercial buildings projected for the Redevelopment Project, all depending upon market conditions. Such building layouts may vary depending on final design implementation.
- d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes.** The area is zoned- I-2; no change in zoning is requested. Redeveloper shall comply with the requirements of the City of Valley Highway Corridor Protection District (Overlay District) Zoning District. The proposed street layouts, depending upon marketing terms, are shown on Exhibit “2”. Streets within the project boundaries will be dedicated public streets. No changes are anticipated in building codes or ordinances. Re-platting is contemplated.

d.e. Site Coverage and Intensity of Use. The Project as fully developed will encompass 2 commercial lots with 6 flex-industrial use buildings. Site coverage after development is shown on Exhibit “3”.

e.f. Additional Public Facilities or Utilities. Water, storm and sanitary sewer connections to the city mains will be required.

- 4. The Act requires that a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation.** There are no residents or operating businesses currently located in the Project Area and no relocation requirements apply or are contemplated.
- 5. Conflicts of interest by an Agency member must be disclosed.** No member of the governing body of the Agency nor any employee of the City or the Agency holds any interest in any property located in the Project Area.
- 6. The Act requires that the Agency consider:**
 - a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.** The Redeveloper has acquired the property located in the Project Area (other than portions thereof currently or subsequently dedicated for public streets) using its own resources. There will be no acquiring of property by the Agency and therefore Section 18-2119 of the Act requiring publication of notice for contract proposals does not apply. The Agency may enter into a project redevelopment contract with the Redeveloper having such undertakings as the Agency determines appropriate. Because all of the real property within the Project Area (other than portions thereof currently or subsequently dedicated for public streets) will be privately owned the requirements of Section 18-2118 of the Act relating to transfers of property by the Agency do not apply. The Redeveloper intends to develop the Project Area with a resulting investment up to \$15,465,750.00 of funds from grant proceeds as provided for in this Plan and from private resources (including bank or other financing). A grant or grants to the Redeveloper to provide for contributions by the Redeveloper in aid of construction are expected to be needed and applied in order to complete the Redevelopment Project.
 - b. Statement of proposed method of financing the redevelopment project.** This Plan contemplates that the Agency may issue its Indebtedness (development revenue bond or bonds) in an amount sufficient to provide a grant from the Agency, not to exceed \$650,000.00 (after payment of the Agency’s incurred costs) to the Redeveloper to bear interest at a rate of 0%. The Indebtedness shall be held by the Redeveloper or privately placed to obtain the proceeds needed to make the grant. The Redeveloper will purchase or cause the Indebtedness to be purchased. Application of the proceeds of the Indebtedness will be supervised by or on behalf of the Agency. The Indebtedness shall be repaid from the tax increment revenues generated from the Project Area during the period described in Paragraph J above.

f.g. This Project will be developed on real estate that is undeveloped. No tax shift as a result of the usage of TIF is therefore contemplated. However, the incremental tax revenues generated by the Project to pay the indebtedness is equal to the payment of principal and interest on the Indebtedness. That amount is shown on Exhibit “4” (the “Proforma”).

9. **Time Frame for Development.** The Redeveloper intends to initiate construction of the first building on Lot 2 in Spring of 2025 and construct two buildings per year thereafter, with an anticipated three-year total build out concluding construction in 2028.

DRAFT

Exhibit 1

That part of Government Lot One (1) located in Section 6, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, also known as the Northeast Quarter of Section 6, Township 15 North, Range 10 East, as per Warranty Deed recorded in Book 1876, Page 401, described as follows: Beginning at the Northeast corner of said Section 6; thence South 01°00'14" West (bearings referenced to the Douglas County Low Distortion Coordinate System) for 592.13 feet on the East line of said Section 6; thence North 83°18'04" West for 46.19 feet; thence South 04°10'29" West for 161.68 feet; thence South 55°03'47" West for 82.02 feet; thence North 44°28'05" West for 579.23 feet; thence North 26°31'14" West for 155.12 feet; thence North 14°43'21" West for 202.23 feet; thence North 76°03'52" East for 197.21 feet to the North line of said Section 6; thence South 89°57'17" East for 470.27 feet to the Point of Beginning.

DRAFT

Exhibit 2

{Attached}

DRAFT

Exhibit 3

Proposed Site Layout



Exhibit 4

Pro Forma

DRAFT

Valley Lakes Business Park Development Project
Valley, Nebraska
December 17, 2024

A special meeting of the Planning Commission (the “**Commission**”) of the City of Valley, Nebraska (the “**City**”) was held on Tuesday, December 17, 2024, at 4:30 P.M. in the City Council Chambers, City Hall, 203 North Spruce Street, Valley, Nebraska, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended, as set forth on **Exhibit A** attached hereto stating (a) the time, date and place of the meeting, (b) that the meeting would be open to the attendance of the public and (c) that an agenda for the meeting, kept continuously current, was available for public inspection at the City Clerk’s Office, 203 North Spruce Street, Valley, Nebraska. Each member of the Commission was also given advance notice of the meeting as acknowledged on **Exhibit B** attached hereto.

The Chair of the Commission, Larry Bottger, presided, and the Secretary, _____, recorded the proceedings. The meeting was called to order and on roll call the following Members were present: _____; the following Members were absent: _____. A quorum being present and the meeting duly commenced, the following proceedings were had and done while the meeting was open to the attendance of the public. The Chair publicly announced the location of a current copy of the Open Meetings Act posted in the meeting room for access by the public.

The Chair stated that it was now 4:30 p.m., at which time the meeting was opened. The Clerk reported that notice of this public meeting had been published in *The Daily Record* on November 29, 2024 and December 6, 2024, as indicated on **Exhibit A** attached hereto. Board Member _____ then introduced Resolution No. 2024-03 and moved its passage and approval:

**A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT
PLAN OF THE CITY OF VALLEY, NEBRASKA, AND APPROVAL OF
RELATED ACTIONS**

Board Member _____ seconded the motion. On roll call vote, the following Board
Members voted in favor of the motion: _____
_____; the following Members voted against the motion:
_____; the following Members were absent or did not vote:
_____. The passage of the resolution having been agreed upon by a majority of the
Commission, the Chair declared the resolution passed and signed the resolution in the presence of the
Commission, and the Secretary attested to its passage by signing the same. A true and complete copy of
the resolution is attached hereto as **Exhibit C**.

* * * * *

(Other Proceedings)

* * * * *

[The remainder of this page intentionally left blank.]

There being no further business to come before the Commission at the meeting, on motion duly made, seconded and carried by unanimous vote, the meeting was adjourned.

**PLANNING COMMISSION OF THE CITY
OF VALLEY, NEBRASKA**

By: _____
Secretary

EXHIBIT A

**AFFIDAVIT OF PUBLICATION
OF NOTICE OF MEETING**

EXHIBIT B

**ACKNOWLEDGEMENT OF RECEIPT OF
ADVANCE NOTICE OF MEETING**

We, the undersigned, the Chair and each Board Member of the Planning Commission (the “**Commission**”) of the City of Valley, Nebraska (the “**City**”), hereby acknowledge having received advance notice of the special meeting of the Commission and the agenda for the same held on Tuesday, December 17, 2024, at 4:30 p.m., at the City Council Chambers, City Hall, 203 North Spruce Street, Valley, Nebraska.

DATED: December 17, 2024

Chair

Member

EXHIBIT C

**RESOLUTION NO. 2024-03
PLANNING COMMISSION OF
THE CITY OF VALLEY, NEBRASKA**

**A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT
PLAN OF THE CITY OF VALLEY, NEBRASKA AND APPROVAL OF RELATED
ACTIONS**

WHEREAS, pursuant to and in furtherance of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), a Redevelopment Plan (the “**Redevelopment Plan**”), has been prepared and submitted to the Planning Commission by the Community Development Agency (the “**Agency**”) of the City of Valley, Nebraska by Bailey Property Investments, LLC, a Nebraska limited liability company (collectively, the “**Redeveloper**”), in the form attached hereto as **Exhibit A**, for the purpose of redeveloping the Redevelopment Area legally described on **Exhibit B**; and

WHEREAS, the City has previously adopted and has in place a Comprehensive Development Plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and

WHEREAS, this commission has reviewed the Redevelopment Plan as to its conformity with the general plan for the development of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF VALLEY, NEBRASKA AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Redevelopment Plan with such changes and revisions as are deemed appropriate by the Agency.

Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: December 17, 2024

**PLANNING COMMISSION OF THE CITY
OF VALLEY, NEBRASKA**

ATTEST:

By: _____
Chair

By: _____
Recording Secretary

EXHIBIT A

Attach Copy of Redevelopment Plan

*** * * * ***

EXHIBIT B

LEGAL DESCRIPTION OF REDEVELOPMENT AREA

That part of Government Lot One (1) located in Section 6, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, also known as the Northeast Quarter of Section 6, Township 15 North, Range 10 East, as per Warranty Deed recorded in Book 1876, Page 401, described as follows: Beginning at the Northeast corner of said Section 6; thence South 01°00'14" West (bearings referenced to the Douglas County Low Distortion Coordinate System) for 592.13 feet on the East line of said Section 6; thence North 83°18'04" West for 46.19 feet; thence South 04°10'29" West for 161.68 feet; thence South 55°03'47" West for 82.02 feet; thence North 44°28'05" West for 579.23 feet; thence North 26°31'14" West for 155.12 feet; thence North 14°43'21" West for 202.23 feet; thence North 76°03'52" East for 197.21 feet to the North line of said Section 6; thence South 89°57'17" East for 470.27 feet to the Point of Beginning.

A warehouse + distribution

P.O. Box 682
Valley, NE 68064
Phone: 402-359-2251 Ext. 306
Fax-402-359-2610
www.valleyne.org
Business Hours 9 am - 5 pm M-F



Official Use Only
Planning Meeting Date 11/19/24
 Check Cash Credit Card
Check # 130

APPLICATION FOR CONDITIONAL USE PERMIT

Date: 10-11-24 Landlord/owner: Advantage Investment Prop LLC

Form must be filled out completely before acceptance of this application for processing. Please print.

Property Owner's Name: Beefcake Jerky / Dux Box Telephone No. 402-350-9943

Applicants Address: 26099 Fort Cir, Valley, NE 68064

Applicants Email: Jeff@DuxBox.com

Legal Description of Property: West 1/2 of the Northeast 1/4 lying North of the UP Railroad right of way and state highway, in Section 5, Township 15 North, Range 10 East of the 6th P.M. Douglas County NE

Lot Size: 9600 (Sq. Ft. / Acres) Zoning District Industrial Commercial

Will use in all other respects conform to the applicable regulations of the district in which it is located? Yes C-1

Will use conform to all other applicable regulations and laws of any governmental jurisdiction? Yes

Will use have adequate water, sewer, and drainage facilities? Yes

Will ingress and egress be so designed as to minimize traffic congestion in the public streets/ roads? Yes

Estimated Cost of Structure \$ 1.1 million

Applicant Signature [Signature]

Enclosed(Y/N): Site Plan _____ Easements _____ Permit Plans (If Applicable) _____ \$150.00 (Non-Refundable) Fee X

OFFICE USE ONLY

Permit # _____ Permit is: _____ transferable, _____ transferable upon review/renewal

X _____
Chair, Valley Planning Commission

Date: _____ Approved _____ Approved with added condition's _____ Disapproved _____

X _____
Mayor

X _____
City Clerk

I hereby state that that the information submitted on this application is accurate and correct. I recognize that the issuance of this application shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law, and that this application shall not prevent the building official from requiring site to be in compliance with all applicable code provisions during field inspections.

P.O. Box 682
Valley, NE 68064
Phone: 402-359-2251 Ext. 306
Fax-402-359-2610
www.valleyne.org
Business Hours 9 am – 5 pm M-F



Official Use Only
Planning Meeting Date _____
 Check Cash Credit Card
Check # 20184

APPLICATION FOR CONDITIONAL USE PERMIT

Date: 10/24/2024

Form must be filled out completely before acceptance of this application for processing. Please print.

Property Owner's Name: Centaur Development Corp Telephone No. _____

Applicants Address: 25050 US HWY 275 DOUGLAS COUNTY, NE 68069

Applicants Email: _____

Legal Description of Property: L&J SUBDIVISION LOT 1 BLOCK 0 LOT 1 90.6 AC

Request: Accessory Building or Accessory Structure Exception

Lot Size: 419,482 (Sq. Ft. / Acres) Zoning District C-3

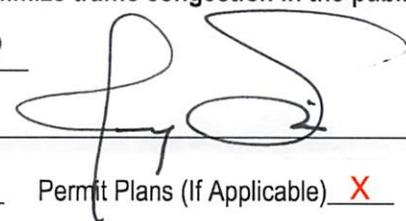
Will use in all other respects conform to the applicable regulations of the district in which it is located? Yes

Will use conform to all other applicable regulations and laws of any governmental jurisdiction? Yes

Will use have adequate water, sewer, and drainage facilities? Yes

Will ingress and egress be so designed as to minimize traffic congestion in the public streets/ roads? Yes

Estimated Cost of Structure \$ 6,000

Applicant Signature _____ 

Enclosed(Y/N) : Site Plan _____ Easements _____ Permit Plans (If Applicable) X \$150.00 (Non-Refundable) Fee X

OFFICE USE ONLY

Permit # Pending Permit is: _____ transferable, _____ transferable upon review/renewal

X _____
Chair, Valley Planning Commission

Date: _____ Approved _____ Approved with added condition's _____ Disapproved _____

X _____
Mayor

X _____
City Clerk

BK
10/28

I hereby state that that the information submitted on this application is accurate and correct. I recognize that the issuance of this application shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law; and that this application shall not prevent the building official from requiring site to be in compliance with all applicable code provisions during field inspections.

7.02.21 Storage of any boat, boat trailer, camp trailer, recreational vehicle, utility trailer, or other vehicle shall not be permitted in any required yard; except that a boat, boat trailer, camp trailer, utility trailer may be placed on concrete, asphaltic concrete surfacing, or **maintained** crushed rock surfacing pad in a side or rear yard. This section only applies to personal storage.

When used for storage of any of the items above, crushed rock will be counted in the impervious coverage for the lot.

Pad has to cover entire footprint of stored item.

PROPOSED

7.02.21 Storage of any boat, boat trailer, camp trailer, recreational vehicle, utility trailer, **enclosed trailer** or other vehicle shall not be permitted in any required yard; except that a boat, boat trailer, camp trailer, utility trailer may be placed on concrete, asphaltic concrete surfacing, or **maintained** crushed rock surfacing pad in a side or rear yard. This section only applies to personal storage.

When used as personal storage, enclosed trailers are limited to two axles.

PROPOSED

Enclosed Trailer, also known as a cargo trailer, is a device that is towed by a motor vehicle and has a roof and walls to protect the items being hauled or stored