

CITY OF GERING

PLANNING COMMISSION MEETING AGENDA



A REGULAR MEETING OF THE CITY OF GERING PLANNING COMMISSION WILL BE HELD ON **TUESDAY, AUGUST 6, 2024 AT 6:00 P.M.** IN THE GERING CITY HALL COUNCIL CHAMBERS, 1025 P STREET, GERING, NEBRASKA.

All agenda items are for discussion and action will be taken as deemed appropriate.

Call to Order and Roll Call

1. Pledge of Allegiance
2. Open Meetings Act - Neb. Rev. Stat. Chapter 84, Article 14, As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Chairperson or Vice-Chairperson. Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and the Planning Commission determines that the matter requires emergency action.
3. Approval of Minutes of the July 16, 2024 regular Planning Commission meeting
4. Current Business:
 - A. Public hearing for the purpose of reviewing and obtaining comments on a Redevelopment Plan submitted by Integrity Developments LLC for the Integrity Developments Housing Project
 - i. Review and take action on Resolution PC8-24-1 regarding a recommendation on the Redevelopment Plan for the Integrity Developments Housing Project
5. City Engineer Report
6. **OPEN COMMENT:** Discussion or action by the Planning Commission regarding unscheduled business will not take place. This section is for citizen comment only.
7. Adjourn

**CITY OF GERING PLANNING COMMISSION MEETING
July 16, 2024**

A regular meeting of the City of Gering Planning Commission was held in open session on July 16, 2024, at 6:00 p.m. in the Gering City Hall Council Chambers at 1025 P Street, Gering, NE. Present were Commissioners Taylor, Crews, Shimic, Palm, Miles, Kaufman, Keener, Hauck and Alvizar. Absent None. Also present were City Engineer Annie Folck, and Secretary Carol Martin. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public.

Call to Order and Roll Call:

Chairman Miles called the meeting to order at 6:00 p.m. and noted that a quorum of the Planning Commission was present and business could be conducted.

1. Pledge of Allegiance

2. Open Meetings Act - Neb. Rev. Stat. Chapter 84, Article 14

Chairman Miles stated: As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Chairperson. Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and the Planning Commission determines that the matter requires emergency action.

3. Approval of Minutes of the June 4, 2024, regular Planning Commission meeting

Motion by Commissioner Palm to approve the minutes of the June 4, 2024 regular Planning Commission meeting. Second by Commissioner Alvizar. There was no discussion. The Clerk called the roll. "AYES": Taylor, Crews, Palm, Kaufman, Hauck. "NAYS": None. Abstaining: Shimic, Miles, and Keener, Alvizar. Absent: None. Motion carried.

4. Current Business:

A. Public Hearing to consider changes to the Zoning Code to add a definition for Veterinary Clinic-Limited, and to amend the Land Use Table to add the uses of Veterinary Clinic-Limited

Chairman Miles opened a public hearing to consider changes to the Zoning Code to add a definition for Veterinary Clinic-Limited and to amend the Land Use Table to add the uses of Veterinary Clinic-Limited at 6:04 P.M.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	7/16/24
From:	Planning & Community Development	Zoning:	
Subject:	Change to Zoning Code: Add Definition for Veterinary Clinic- Limited and Add to Land Use Table	Property Size:	
Location:		#Lots/Parcels:	

Owner:	N/A	City Council Public Hearing:	8/12/24
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Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

Our zoning code is meant to be a living document that can be changed over time as needed to better fit the needs of the community. We have had interest recently in locating a veterinary clinic in our downtown (C-2) zone. Currently veterinary clinics are only allowed in heavy commercial (C-3), or light industrial zone (ML), due to the potential for impacts on neighboring properties. These impacts include noise from barking dogs, smells from animal waste (particularly if large animals are held outside), and traffic that includes pickups and stock trailers. Most of these impacts comes from treating large animals or from overnight boarding. After visiting with some of the interested parties, staff is recommending adding a definition to the zoning code called “Veterinary Clinic- Limited”, which would be a clinic that would only treat small animals on site. Horses, cows, pigs, sheep, etc., would not be allowed on site. This definition would also prohibit boarding of animals. This will help distinguish a small-animal clinic from a traditional vet clinic.

Once the use is defined, we have to determine where within the community it can be allowed. Staff recommends allowing it as a conditional use in the C-2 zone (downtown). The reason for a conditional use is because there could still be some impacts on neighboring properties from barking, and each proposal should be reviewed on a case-by-case basis, as the distance from neighboring properties will make a big difference. Attached buildings on main street may need additional noise mitigation to prevent issues with neighboring properties, whereas freestanding buildings may not have as many issues.

This was discussed at the June meeting, and it was determined that due to concerns over parking, particularly parking of pickups with stock trailers, that it should be tabled for the time being. After reviewing the issue, staff is recommending adding additional parking requirements to address that concern. The attached draft ordinance includes the additional requirements, which would require 1.5 parking spaces per 1000 square feet of clinic space. In the draft ordinance, it specifies that public and on-street parking cannot count towards the required parking spots. This should preclude the attached buildings in the core of the downtown from being used in this manner.

Engineer Folck stated that this is a continuation of the discussion from the last meeting. Not one, but two different entities have approached the City that are considering a veterinary clinic somewhere within Gering. There are a lot of buildings available that are zoned C-2, which is the Downtown Zone; it goes all the way from the railroad tracks clear down to D Street along 10th Street and covers a wide area. It’s the core downtown with all the attached buildings, but there are a lot more buildings as well. Staff looked at this and have some concerns about allowing it in the core downtown with some of the attached buildings because typically vet clinics are a fairly intensive use. There is typically noise from barking, there could be smells, it is not necessarily something that is wanted in the main downtown. What they are proposing was a more limited vet clinic, they would not do any large animals, they would not have any larger vehicles going in and out. It would only be small animals like dogs, cats, reptiles, birds and things of that sort. They wanted to know, if it was more limited like that, if staff would consider allowing it in the C-2 Zone. At the public hearing last time, one of the veterinarians who is interested in doing this

spoke and said that even if Gering doesn't allow large animals, if someone comes and wants to treat their large animals (with a pickup and trailer), he would do so. He also said that he can't control his clients, that if they're stopping to pick up some medications and they're in town at the sale barn, they're going to show up whether they're supposed to be there or not.

Engineer Folck said because of those concerns, Planning Commission chose not to make a recommendation and to table it to consider it further. She thinks that was a good decision and in further discussions with this individual, she believes that he now has a better understanding of the standards the City has for its downtown and what the concerns were. He has since come back and made it very clear that he would not be treating any large animals if this were to pass.

To address the concerns about parking, like a pickup and stock trailer, she did add into the recommended definition that the clinic must have off-street parking, which vet clinics already are required to have parking, but currently our code is written so that on-street parking and public parking lots can count towards those requirements. For any use, if they were to put in a restaurant downtown somewhere, then they could consider the fact that there is plenty of parking up and down the street and wouldn't necessarily have to have their own parking lot. She said because of the concerns about people stopping in with a pickup and stock trailer, she has in there that no public parking or on-street parking could count towards those requirements. She thinks this would help alleviate some of the concerns about doing it in some of the core downtown area with the attached buildings because typically those are built out to the lot lines and do not have additional off-street parking.

Engineer Folck said her recommendation is that this would be proposed to Council. She entertained thoughts and concerns from the Planning Commission and asked if it seemed like a reasonable compromise. She stated that some of the other stipulations include:

- The size of animals (nothing large such as cattle, horses, pigs, sheep).
- No boarding; it doesn't mean no overnight stays but "*overnight stays shall be limited to short-term care incidental to the clinic use.*" If they're spaying a dog and need to keep them overnight, something like that, they can keep them overnight; but no overnight boarding just because people are on vacation. That gets into the noise as one of the concerns, because kennels can be very loud.
- Waste management, they have to make sure that everything is disposed of properly.
- No outdoor activity - even if people are dropping off their animals for later appointments or surgery, no dog runs outside whatsoever. Nothing outdoors because of smell and noise.
- Distance from residential - this is to be consistent with the current vet requirements where the City does not allow the building to be within 100 feet of any residential district boundary.
- Requirement for off-street parking.

Engineer Folck stated that it's still fairly restrictive and for even a little more comfort level, staff are proposing that if it's allowed, it be allowed only as a conditional use, not a permitted use. That would give Planning Commission the opportunity to review (not just to say they can go into the downtown), but it would give the opportunity to review this on a case-by-case basis based on the particular site that they're considering before they get the go ahead to locate there.

Chairman Miles asked if she could add a legend on there so they know what the acronyms are when looking at it. Engineer Folck replied, yes; this is an excerpt from the Zoning Code.

Chairman Miles had a question on number 5 regarding residential district boundary. He referenced the Downtown C-2 area and asked if it was one block off of main and what is that boundary. Engineer Folck showed on the overhead screens the lighter pink area (which is the C-2 Zone) and stated that it goes typically about a half a block past 11th Street. All the buildings on

the west side of 11th Street are in the C-2 zone and the alleyway would be the divider; anything on that side would be residential. It does go out a little farther in spots but for the most part that's the boundary. The same thing on 9th Street. Basically, the properties that front onto 11th Street and 9th Street are going to be C-2 and the ones across the alley from those are going to be residential. She pointed out that the property doesn't have to be 100 feet from a residential zone but the building on the property has to be 100 feet. She said just because it borders a residential zone doesn't mean they can't do it there; it just means that the building has to be more than 100 feet away from the Residential Zone.

Commissioner Alvizar asked if there was an identified exact location at the moment. Engineer Folck replied not that she knows of.

Commissioner Palm said she talked to Dr. Van Anne to try to get a feeling for what he was doing. One of the things he expressed to her is that he owned the parking lot behind the Cobblestone Hotel. She took the opportunity before she came to the meeting to drive by there. The buildings on downtown are empty, basically. She understands what he is trying to do and she thinks this tightens it up enough that she is more comfortable than she was at the last meeting.

Commissioner Crews shared a question that he proposed to Engineer Folck prior to the meeting in an email. He noted a couple locations that have off-site parking such as Subway, Stooges and even the Mixing Bowl. He asked in the email if those locations satisfied the parking requirements as proposed in the revisions to this definition and she indicated that all three of those locations do satisfy the parking, so that gives a visual to go off of. That's somewhat helpful in trying to think of placement of such options.

Commissioner Alvizar asked if there was anything in there regarding after-hour emergencies in regards to the noise level or if the noise level definition covers services at anytime of the day or after hours. Engineer Folck said she did not put anything in there for after-hours mainly because in the downtown zone, hours aren't necessarily the issue. There are several bars and several things that would be open late at night. She doesn't know if the hours are as much of a concern as some of the other intensities there.

Chairman Miles asked if there was anyone in the Council Chambers wishing to speak regarding the public hearing and noted the five-minute time limit. With no further comments, the public hearing closed at 6:16 p.m.

i. Make recommendation to City Council

Motion by Commissioner Taylor to recommend adding a definition for Veterinary Clinic-Limited and adding it to the Land Use Table with stipulations including it being a conditional use. Seconded by Commissioner Keener. There was no discussion. The Clerk called the roll. "AYES": Taylor, Crews, Shimic, Palm, Miles, Kaufman, Keener and Alvizar. "NAYS": Hauck. Abstaining: None. Absent: None. Motion carried.

5. City Engineer Report

Engineer Folck stated there are a few meetings coming up. There is a TIF for a housing project south of Dome Rock Manor; there will be a Planning Commission meeting on August 6. Staff also had a request from the casino group for August 20th. They think within the next couple of months, the Racing and Gaming Commission is going to be accepting applications for new casinos. They were granted a Conditional Use Permit initially, then got a one-year extension; after two years they couldn't continue getting extensions. They went through the process again and were granted a one-year permit and are now coming up on the one year. They are requesting another extension so when they submit their application to the Racing and Gaming Commission,

it can be along with the application showing they got the zoning in place through the City along with that permit application. She wanted to make sure that there would be quorums for both meetings before staff moves ahead. Discussion followed. Engineer Folck stated neither meeting should be overly long. She will be out for the August 6th meeting, but Sergio and John Selzer, the TIF attorney, will be present and able to answer any questions about the project.

6. Adjourn

Commissioner Keener moved to adjourn. Commissioner Kaufman seconded the motion. There was no discussion. The Clerk called the roll. "AYES": Taylor, Crews, Shimic, Palm, Miles, Kaufman, Keener, Hauck and Alvizar. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

The meeting adjourned at 6:22 p.m.

Jody Miles, Chairman

ATTEST:

Carol Martin, Secretary

CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT

To:	Planning Commission	Date:	7/26/24
From:	Planning & Community Development	Zoning:	RM
Subject:	Public Hearing to consider Redevelopment Plan for Integrity Developments Housing Project	Property Size:	2.67 Acres
Location:	Along 13 St, North of K St, and South of M St	#Lots/Parcels:	7
Owner:	Integrity Developments, LLC	City Council Public Hearing:	

Public Notice: This Public Hearing was noticed according to Nebraska State Statutes.

Public Hearing

The City has received a TIF application and has had a redevelopment plan drafted for the development of twenty-two residential duplex units. The project is approximately 2.67 acres and is located on 13th Street, North of K Street, and South of M Street. A map of the project area is included in Attachment 1 of the Redevelopment Plan.

In order to develop the properties, the project will require significant investment with the cost estimate at around \$3,660,000.00. To make the project economically feasible, the redeveloper is seeking tax increment financing to be used for eligible expenses, which include land acquisition, site development, utility infrastructure, and engineering. The proposed project is in an area that has been designated by the City Council as blighted and substandard and in need of redevelopment.

The attached memo describes the Planning Commission's standard of review. By statute, the Planning Commission is to determine whether or not the project as proposed conforms to the general plan for development of the City as a whole. This includes ensuring that zoning is appropriate and that the project is in line with the stated goals and policies of the City's Comprehensive Plan. This is outlined on Section 4 of the Redevelopment Plan. The Project Site is in the Southwest Gering Neighborhood District, which the Comprehensive Plan recommends should be developed to include a variety of housing types and densities, including duplexes, tri-plexes, and multifamily housing. It goes on to state that new development should maintain a gridded pattern with alleys to shift garage and parking access away from the street.

Staff recommends that the project meets the stated goals of the district. Additionally, there are numerous principles and policies in the Comprehensive Plan that address this type of development. Policy 3.1.A is to increase housing choices and diversity for all lifestyles, Policy 3.1.C is to promote the integration on multifamily units into neighborhoods with mixes of housing types, Policy 3.2.D is to encourage infill development on vacant and underutilized sites, and Policy 3.2.E is to promote compatible infill and redevelopment that fits Gering's neighborhoods and is consistent with the desired future character of the area. This project meets all of those objectives.

Staff recommends that the project and the plan conform to the City's general plan for development.

Recommendation

Approve

Approve Resolution PC8-24-1 stating that the Redevelopment Plan conforms to the Comprehensive Plan and recommending approval to the Gering Community Development Agency

Deny

Deny Resolution PC8-24-1 stating that the Redevelopment Plan conforms to the Comprehensive Plan and recommending approval to the Gering Community Development Agency.

Table

Table Resolution PC8-24-1 stating that the Redevelopment Plan conforms to the Comprehensive Plan and recommending approval to the Gering Community Development Agency

RESOLUTION 8-24-1

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GERING, NEBRASKA:

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a redevelopment plan titled *Integrity Developments Housing Project* (the “Redevelopment Plan”) has been submitted to the Planning Commission.

b. The Planning Commission has reviewed the Redevelopment Plan as to its conformity with the City’s Comprehensive Plan (the “Comprehensive Plan”).

Resolved:

1. The Planning Commission finds that Redevelopment Plan conforms to the Comprehensive Plan and recommends approval of the Redevelopment Plan to the Gering Community Development Agency and City Council.

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

3. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on August ____, 2024.

PLANNING COMMISSION OF THE CITY OF GERING, NEBRASKA

ATTEST:

By: _____
Chair

By: _____
Recording Secretary

APPLICATION FOR TAX INCREMENT FINANCING

- 1. Please state the name, address, telephone number and email address of the Redeveloper(s) (the applicant). If the Redeveloper is a business entity, please include the name of the designated representative of the business and the position title.**

Integrity Developments, LLC 161 E Saturn Dr, Unit 4-B Fort Collins, CO 80525
Byron J Hedahl (Owner) (970) 480-7663 byron@integritydevelopmentsllc.com
John Busch (Owner) (970) 702-3462 john@integritydevelopmentsllc.com

- 2. Please describe the property to be redeveloped (the "Project Site") by address, legal description or, if necessary, general location. Please include all parcel numbers included in the Project Site. Please attach a map of the Project Site if available.**

There are five contiguous lots on the corner of K St and 13th St, going north. These five lots will be replatted into 8 duplex lots. There is also a block of land between 12th and 13th with the south bordering on K St that is currently platted as 2 lots. We will be replatting this portion of the property into 14 duplex lots. Total there will be 22 lots that will be designated for duplex units so overall there will be 11 duplex buildings with 22 duplex units.

- 3. Please describe the existing uses and conditions of the Project Site.**

This is currently raw land, nothing built on it. We will need to install a new main sewer line and main water line, as well as a new alleyway on the lot between 12th & 13th.

- 4. If you do not currently own the Project Site, please explain your plan for acquiring the Project Site, including whether you have a current agreement to acquire the Project Site.**

We closed on this property on Dec 29, 2023 with an agreement that we would have it paid for by Dec 29, 2024 so we could hold a deed for this property.

- 5. Please describe the Redevelopment Plan on the Project Site. In your description, please address (*please include your answers in an attached document*):**

- Proposed land uses after redevelopment (please attach a land use plan if available).
 - This property will have 22 duplex units built on it and be a residential neighborhood.
- The necessity of and plan to demolish or remove structures.
 - There are currently no structures on the property.
- Land coverage and building intensities in the Project Site after redevelopment (please attach a site plan if available).
 - I have included a proposed site plan that shows property with duplex units & garages as designed.
- Standards of population densities in the Project Site expected after redevelopment.
 - This will still be residential as each unit will be a 3 bedroom/2 bath unit.

- E. A statement of any proposed changes to zoning, street layouts, building codes or ordinances.
 - a. We will be adding an alleyway, that is it for streets.
- F. A statement of any planned subdivision to the Project Site.
 - a. I believe we need to have paperwork filed for a subdivision - I am working with Annie Folck on that process.
- G. A statement of additional public facilities and utilities required to support the Project Site after redevelopment.
 - a. We will need to install a new main sewer line and main water line, as well as a new alleyway on the lot between 12th & 13th. In addition, the electrical will need to be installed by the City of Gering.
- H. Employment within the Project Site before and after redevelopment.
 - a. No new employment - all residential

6. Please itemize your estimated project costs (*please attach copies of bids or estimates to support estimated project costs*):

- A. Land Acquisition (if applicable): \$201,835.75
- B. Site Development (itemize):
 - a. Utilities: \$372,583
 - i. Sewer: \$192,254
 - ii. Water: \$180,329
 - b. Concrete sidewalks/gutters/curbs: \$187,000
 - c. Alleyway: \$24,300
- C. Building Cost: \$250,000 per building (11 buildings total)
- D. Architectural & Engineering Fees: \$47,400
 - a. Architectural: \$0.00
 - b. Engineering: \$47,400
 - i. Civil Engineering: \$38,000
 - ii. Survey / Platting: \$9,400
- E. Legal Fees: \$18,900
- F. Financing Costs: n/a
- G. Broker Costs: n/a
- H. Contingencies: (10% contingency built into above numbers)
- I. Other (itemize):
 - a. Stormwater: \$30,000
 - b. Preconstruction Grading / Dirtwork: \$13,800

7. Please list the names and address of all known architects, engineers and contractors who will be involved with the Project.

Contractor: Mountain States Building Services
JB Construction
Eric Henning (utility work)
Fahl Bros Excavation & Septic
VS Concrete

Surveyor: MC Schaff & Associates
JEO Consulting Group

Engineer: MC Schaff & Associates
Paul Sorenson

8. Please itemize the following regarding the valuation of the Project Site:

- A. Total estimated assessed valuation of Real Property at completion:
 - a. 22 units at \$160,000 each = \$3,520,000
- B. Latest property valuation (from R.E. Tax Statement):
 - a. The total property valuation assessment is currently \$118,505

9. Please itemize your projected sources of financing for the Project (please include a construction pro forma if available):

- We will be using a combination of sources to finance the project. The previous owner of the property is financing the land at interest only rates until we acquire the TIF funding. TIF funding is imperative for this project as it will cover the cost of the land, all of the utility work, engineering, legal work, survey work and associated fees that are required. We have a private investor in Colorado who will supply the funds for the first two buildings (and beyond, however once the initial two buildings are completed, we hope to be able to self-finance the rest). In addition, we are working with Platte Valley Bank to become a lender for units that we are hoping to pre-sell over the upcoming months.
- A. Equity: n/a
 - B. Bank Loan: n/a
 - C. Tax Increment Financing: \$895,818.75
 - D. Other (initial private funding): \$750,000

10. Please set forth your Project schedule.

- A. Expected acquisition date (if applicable): n/a
- B. Demolition start date (if applicable): n/a
- C. Construction start date: Appx September, 2024
- D. Construction completion date: 2025
- E. If project is phased:
 - Year - 2024 - 25% Complete
 - Year - 2025 - Remaining 75% Completed

11. Please name any other municipality wherein you, or other entities the applicant has been involved with, has completed developments within the last 5 years.

I have completed multiple new builds, additions, remodels, basement finishes, barns, sheds, etc over the past 20 years in multiple municipalities in Colorado. I personally have not been involved with the development of 22 units at once but am extremely confident that we can complete the task simply because we have already completed so many projects in the past 20 years. We will just be focusing more on this project than others this year.

12. Tax Increment Financing Request:

- A. Describe amount and purpose for which Tax Increment Financing is required:
 - a. We are applying for \$895,818.75 in TIF funding. We will be using these funds for the utility and infrastructure work, land purchase, survey work, engineering fees, legal fees.
- B. Statement of necessity for use of Tax Increment Financing (attach any supplementary documentation):
 - a. Without the TIF funding, we will be unable to complete this project. Between the infrastructure work that is required (including the engineering), the cost of the land, the fees associated with the process, the legal work and all of the other aspects of the project, the TIF funding is the only way we will be able to build this project in the City of Gering.
- C. Have you filed or do you intent to file an application with the Nebraska Department of Revenue to receive tax incentives under the Nebraska Advantage Act for a project located or to be located within the Project Site:
 - a. No
- D. If your answer to the previous question 12.C is "Yes", does such application include, or will such application include, as one of the tax incentives, a refund of the City's local option sales tax revenue?
 - a. n/a
- E. If your answer to question 12.C is "Yes", has the application been approved under the Nebraska Advantage Act?
 - a. n/a

CITY OF GERING REDEVELOPMENT PLAN

Integrity Developments Housing Project

By: Integrity Developments LLC

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Attachments

Attachment 1: *Map of Project Site*

Attachment 2: *Site Plan*

Attachment 3: *Excerpts from Comprehensive Plan*

Attachment 4: *Cost-Benefit Analysis*

CITY OF GERING REDEVELOPMENT PLAN
Integrity Developments Housing Project
By: Integrity Developments LLC

1. Introduction

Integrity Developments LLC (the “Redeveloper”) submits this Redevelopment Plan (“Plan”) to the City of Gering City Council (the “City”), the City of Gering Planning Commission (“Planning Commission”), and the City of Gering Community Development Agency (the “CDA”), according to the Nebraska Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*

Under this Plan, the Redeveloper proposes to develop 22 residential duplex units on the Project Site (described below). The “Project” as described in this Plan, requires a significant investment with the cost estimated at around \$3,660,000.00. To make the Project economically feasible, the Redeveloper is seeking tax increment financing for certain eligible costs and expenses related to the Project.

2. Blighted and Substandard Condition of Project Site (NEB. REV. STAT. §§ 18-2103 (3) and (31) and 18-2109)

The Project Site is in an area that the City has declared as blighted and substandard according to the Community Development Law.

3. Statutory Elements (NEB. REV. STAT. §§ 18-2103(27) and 18-2111)

A. *Boundaries of the Project Site:* The “Project Site” is described as:

Lots 1 and 2, Integrity Developments, LLC Subdivision, a Replat of Block 2, MQ Subdivision, City of Gering, Scotts Bluff County, Nebraska, and Lots 1, 2, 3, 4, and 5, Block 2, Thompson Addition to the City of Gering, Scotts Bluff County, Nebraska (Scotts Bluff County Parcel ID Nos. 010241892, 010001526 010241981, 0102741973, 010241965, 010241957, and 010241949), and adjacent public right of way.

A Map of the Project Site is attached as Attachment 1.

There is an existing house on Lot 1, Integrity Developments, LLC Subdivision (Parcel 010241892), which is the northeast lot of the Project Site. There is no current plan to redevelop or divide taxes on this parcel. This parcel is included in the definition of the Project Site because certain improvements will be adjacent to and may affect this parcel. However, the term Project Site should not be interpreted to include this parcel for any other purpose.

B. *Land Acquisition:* The Redeveloper has already acquired the portion of the Project Site east of 13th Street in contemplation of this Project. The Redeveloper will acquire the remainder of the Project Site as part of this Plan.

C. *Existing Uses and Condition:* The Project Site is undeveloped, vacant land.

D. *Proposed Land Uses, Land Coverage, and Building Intensities:* The Redeveloper plans to replat the five lots on the west side 13th Street into four duplex lots (with eight units) and replat the two lots between 12th and 13th Streets into seven duplex lots (with 14 units). See Site Plan attached as Attachment 2.

E. *Site Plan:* See Attachment 2.

F. *Demolition and Removal of Structures:* No demolition is required.

G. *Population Densities:* This Project will result in an increase in the residential population within the Project Site.

H. *Zoning Changes:* The Project Site is zoned as RM-Residential Medium-Density District. The RM-Residential Medium-Density District includes two family dwellings or duplexes as a permitted use. No changes to zoning and planning ordinances, codes, or maps are required under this Plan.

I. *Additional Public Facilities and Utilities:* The Redeveloper must install a new sewer main and water main and sidewalks, curbs and gutters. The Redeveloper must also construct an alleyway on the lots between 12th and 13th Streets.

J. *Street Layouts, Street Levels, and Grades:* No changes to street layouts, street levels, or grades are required under this Plan.

K. *Ordinance and Building Code Changes:* No ordinance or building code changes are required by the Plan.

4. Conformity to General Plan of the City (NEB. REV. STAT. §§ 18-2112, 18-2113(1), and 18-2116(1)(a))

The Planning Commission, City, and CDA are all tasked with determining whether this Plan conforms to the general plan for the development of the City as a whole. NEB. REV. STAT. §§ 18-2112, 18-2113(1), and 18-2116(1)(a).

According to the City’s Comprehensive Plan, the Project Site is in the Southwest Gering Neighborhood District. Excerpts from the Comprehensive Plan related to the Southwest Gering Neighborhood District are attached as Attachment 3.

Under the heading “Future Desired Characteristics” for the Southwest Gering Neighborhood District, the Comprehensive Plan states, “An important goal within the district will be to develop a variety of housing types and densities, including duplexes, tri-plexes, and multifamily housing. . . . New development should maintain a gridded pattern with alleys to shift garage and parking access away from the street.”

Policy 3.1.A of the Comprehensive Plan is to increase housing choices and diversity for all lifestyles to meet community housing needs.

Policy 3.1.C of the Comprehensive Plan is to promote the integration of multifamily units into neighborhoods with mixes of housing types.

Policy 3.2.D of the Comprehensive Plan is to encourage infill development on vacant and underutilized sites.

Policy 3.2.E of the Comprehensive Plan is to promote compatible infill and redevelopment that fits Gering’s neighborhoods and is consistent with the desired future character of the area.

This Plan conforms to and furthers the above principles set forth in the Comprehensive Plan by:

- Increasing the variety of housing choices through the development of duplexes.
- Shifting parking away from the street.
- Promoting compatible infill development.

5. Feasibility and Conformity with Community Development Law (NEB. REV. STAT. §§ 18-2116(1)).

The City and CDA must consider whether the Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law. Those declarations include, among other things that:

[Blighted and substandard] conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the Community Development Law is hereby declared to be a matter of legislative determination. NEB. REV. STAT. § 18-2102.

As stated above, the City has declared the Project Site as blighted and substandard.

6. Proposed Financing

A. Tax Increment Financing. The Redeveloper is requesting tax increment financing to pay for statutorily eligible expenses, to the extent such funds are available. The tax increment financing will be generated from the increased property taxes to be paid on the Project Site after development, all according to NEB. REV. STAT. § 18-2147. The amount of the available proceeds from tax increment financing (“TIF Revenues”) is estimated at approximately \$1,130,145.00, calculated as follows:

a. Estimated Value at Completion:	\$3,520,000.00
b. Estimated Base Value:	<u>\$ 118,505.00</u>
c. Tax Increment (a minus b):	\$3,401,495.00
d. Estimated Levy:	<u>2.215%</u>
e. Average Annual Projected Shift (rounded):	<u>\$ 75,343.00</u>
f. Total TIF Available (e multiplied by 15)	\$1,130,145.00

Note: The above figures are based on estimated values, project completion/phasing timelines, and levy rates. Actual values and rates may vary materially from the estimated amounts. The Project may be developed in phases, so different 15 year periods may be applied to different parcels.

The TIF Revenues will be used to make principal and interest payments toward one or more tax increment financing notes (“TIF Indebtedness”) to be held or sold by the Redeveloper. The principal amount of the TIF Indebtedness will be based upon eligible expenses actually incurred. The interest rate will be established as set forth in the Redevelopment Contract.

Because the Plan proposes the use of tax increment financing, the City must find that the Plan would not be economically feasible without the use of tax increment financing and the Project would not occur in the blighted and substandard area without the use of tax increment financing. The City and the CDA must also find that the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed and been found to be in the long-term best interest of the community. NEB. REV. STAT. §§ 18-2113(2) and 18-2116(1)(b).

The Redeveloper certifies that this Plan would not be economically feasible and would not occur in the blighted and substandard area without the use of tax increment financing due to the current high construction costs. Due to the infrastructure work that is required, the cost of the land, and other associated costs, TIF funding is essential to the completion of the Project.

Notwithstanding the foregoing, the Redeveloper understands the liability of the CDA and City is limited to the TIF Revenues received by the CDA related to the Project to pay the TIF Indebtedness. The Redeveloper shall look exclusively to the TIF Revenues related to this Project for the payment of any TIF Indebtedness. The Redeveloper acknowledges that the TIF Indebtedness will be set based on estimates and assumptions, including expectations as to the completion of construction and property valuations, suggested by the Redeveloper which may alter substantially and materially, and/or certain project costs incurred by the Redeveloper, and that tax increment revenues may be altered or eliminated entirely based on future decision of the Nebraska Legislature or the voters of the State of Nebraska or by future court decisions.

Below are the portions of the project, and estimated costs, which the Redeveloper proposes to be paid for with TIF Revenues:

Land Acquisition	\$ 201,835.75
Site Preparation/Grading	\$ 13,800.00
Utilities/Water	\$ 180,329.00
Utilities/Sewer	\$ 192,254.00
Stormwater Retention	\$ 30,000.00
Sidewalk/Curb/Gutter	\$ 187,000.00
Alley	\$ 24,300.00
Civil Engineering	\$ 38,000.00
Survey/Plat	\$ 9,400.00
Plan Preparation/Legal (City Application, Processing, and Administrative Fees)	\$ 14,020.00
Estimate TIF Eligible Expenses	\$ 890,938.75

A proposed statutory Cost-Benefit Analysis of the Project is attached as Attachment 4.

B. Private Investment/Financing. The Redeveloper is making a substantial private investment related to the Plan, estimated in the amount of approximately \$2,768,900.00.

Below is a breakdown of the estimated costs and expenses of the Project and the use of funds for each.

Description	TIF Funds	Private Funds	
Land Acquisition	\$ 201,835.75		
Site Preparation/Grading	\$ 13,800.00		
Utilities/Water	\$ 180,329.00		
Utilities/Sewer	\$ 192,254.00		
Stormwater Retention	\$ 30,000.00		
Sidewalk/Curb/Gutter	\$ 187,000.00		
Alley	\$ 24,300.00		
Civil Engineering	\$ 38,000.00		
Survey/Plat	\$ 9,400.00		
Building Costs		\$ 2,750,000.00	
Legal		\$ 18,900.00	
Sub Totals	\$ 876,918.75	\$ 2,768,900.00	
Plan Preparation/Legal (City Application, Processing, and Administrative Fees)	\$ 14,020.00		
Estimate TIF Eligible Expenses	\$ 890,938.75		Total Project Costs
Totals	\$ 890,938.75	\$ 2,768,900.00	\$ 3,659,838.75

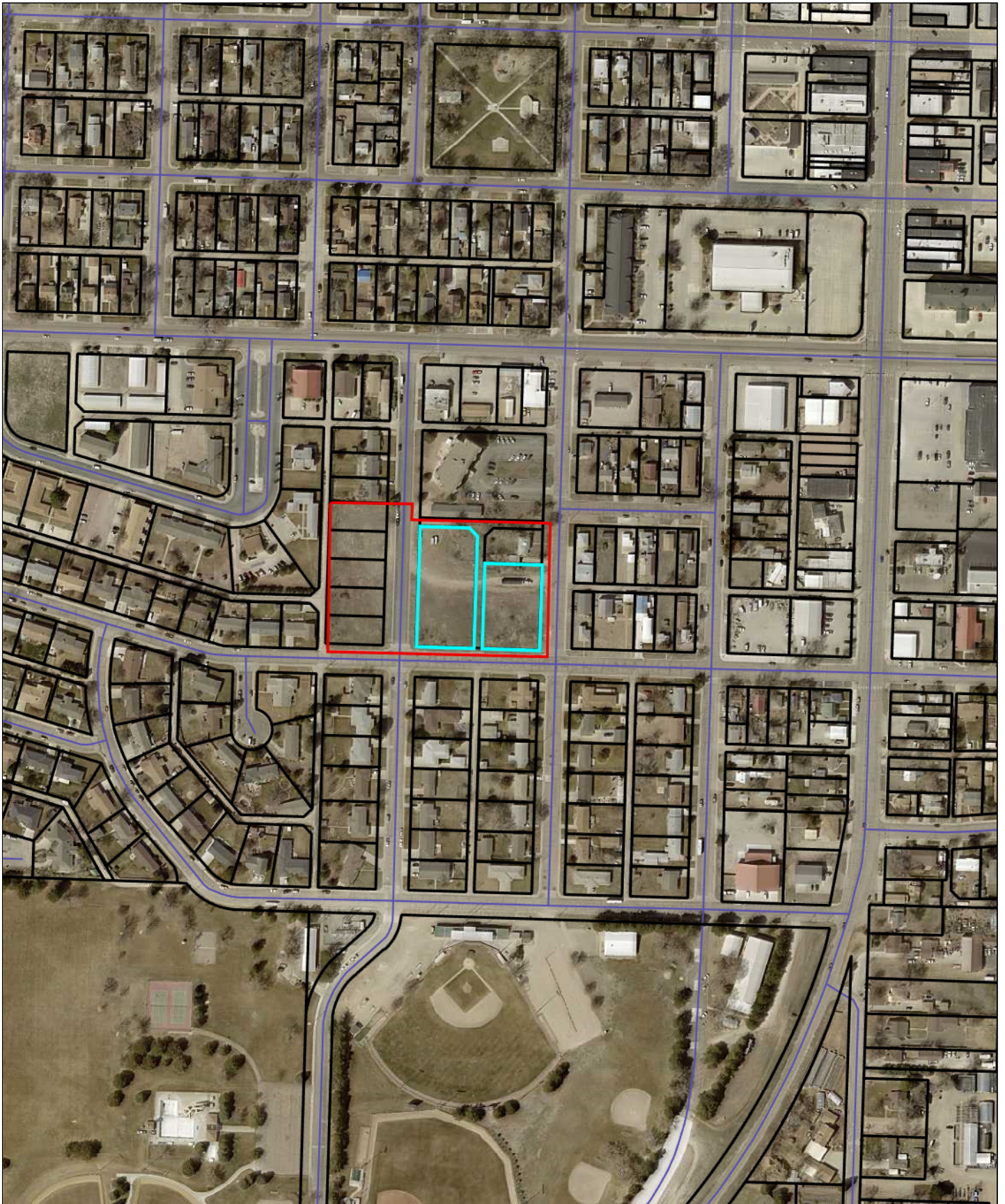
Please note that all the figures in this Plan are estimates and tax increment financing granted will be based on actual costs incurred for eligible expenses.

7. Implementation of the Plan.

Upon approval of this Plan, the Redeveloper will enter into a Redevelopment Contract with the CDA which shall govern the implementation of this Plan. All public improvements related to this Plan must be according to (a) plans and specifications approved in writing by the City in advance of commencement of construction, (b) all ordinances and codes adopted by the City, as in effect at the time that the public improvements are constructed, and (c) any other agreement related to the public improvements between the Redeveloper and the City. The Redevelopment Contract between the Redeveloper and the CDA does not replace or supersede the need for the Redeveloper to obtain other agreements, consents, permits, or licenses from the City related to the public improvements or other improvements as may be required by the City for the type of work to be performed on the Project Site.

**Integrity Developments Housing Redevelopment Plan
Attachment 1
Map of Project Site**

Project Site



**Integrity Developments Housing Redevelopment Plan
Attachment 2
Site Plan**



REVISIONS	
NO.	REMARKS
1	
2	
3	
4	
5	
6	

COTTAGES @ K STREET - BIRDSEYE VIEW



SCALE : 1" = 30'

A



COTTAGES @ K STREET
 DUPLEX DEVELOPMENT - GERING, NE



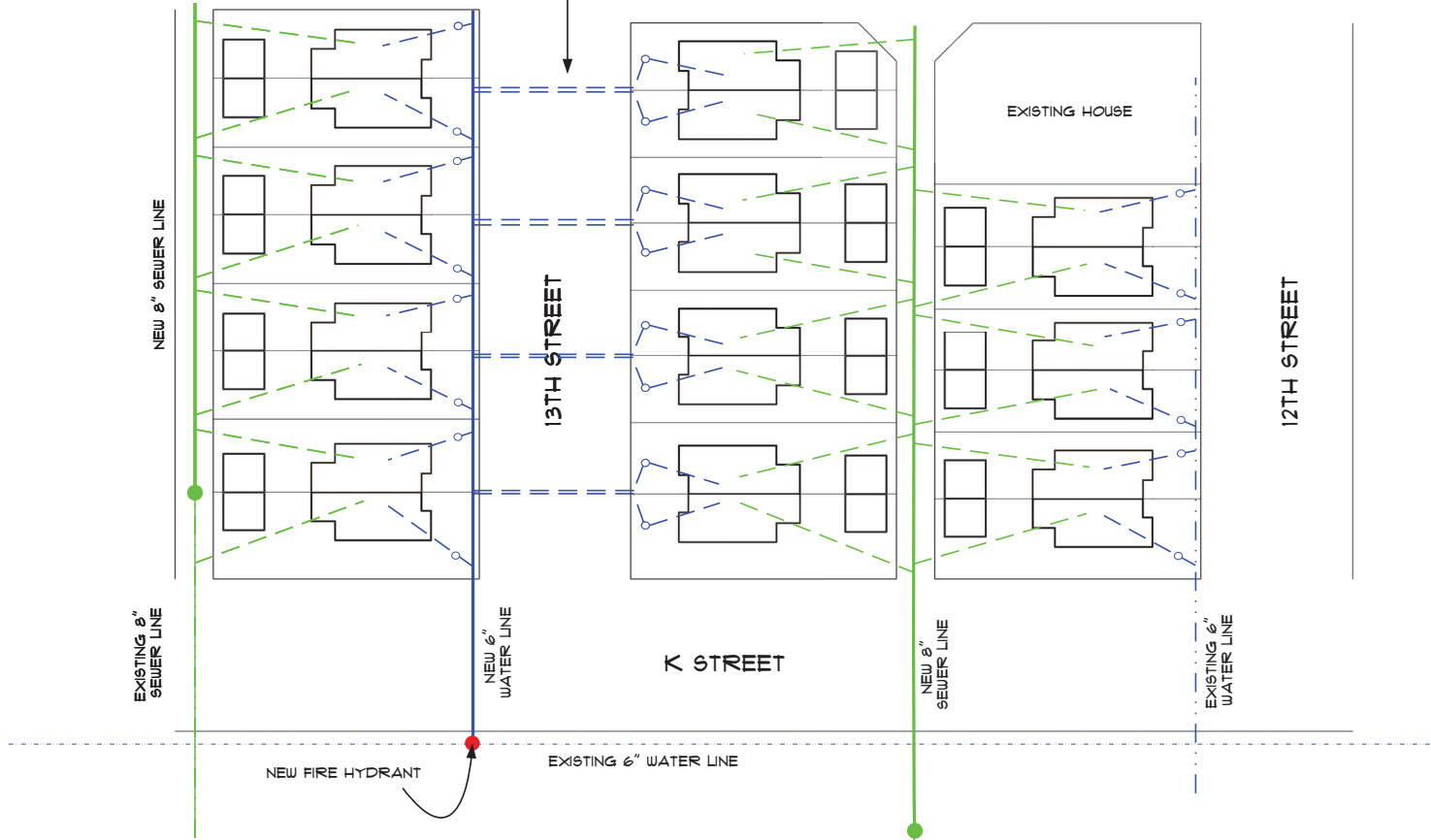
INTEGRITY
 DEVELOPMENTS, LLC

NO.	REVISION	DATE
1	PROVIDE	
2	ADD	
3	REVISE	
4	REVISE	
5	REVISE	
6	REVISE	

COTTAGES @ K STREET - WATER/SEWER INFRASTRUCTURE

- NEW 3/4" SOFT COPPER
- NEW 4" SCH 40 PVC
- NEW WATER METER PIT

NEW BORE UNDER STREET. THERE WILL BE TWO 3/4" LINES IN EACH BORE THAT WILL RUN TO A NEW WATER METER PIT SET ON THE OPPOSITE SIDE OF THE STREET.



NO.	DATE	REVISIONS
1		
2		
3		
4		
5		
6		

INTEGRITY DEVELOPMENTS, LLC

COTTAGES @ K STREET
 DUPLEX DEVELOPMENT - GERING, NE

COTTAGES @ K STREET - SCENES



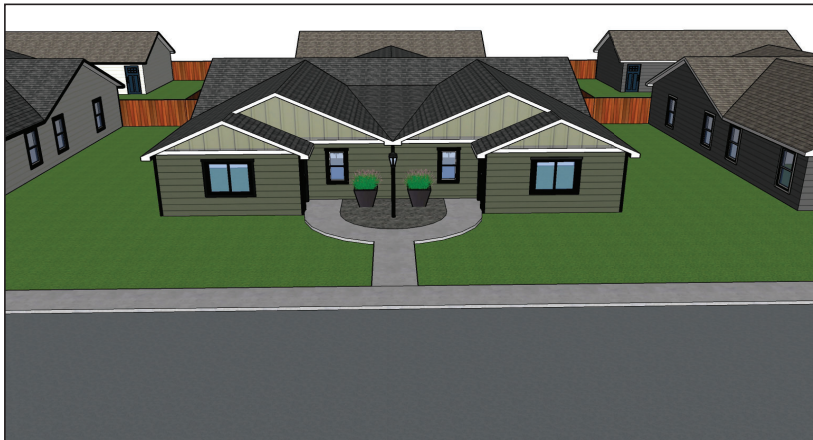
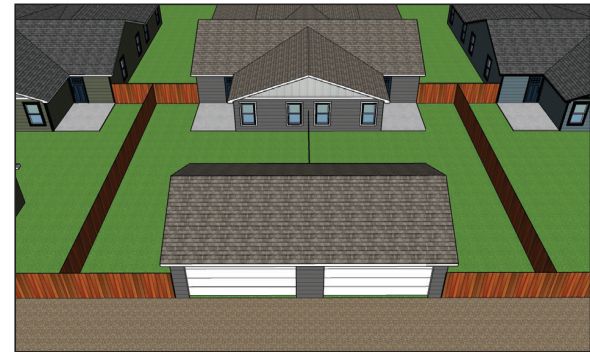
REV/ISS	
NO.	REMARKS
1	ISSUE
2	ISSUE
3	ISSUE
4	ISSUE
5	ISSUE
6	ISSUE



INTEGRITY DEVELOPMENTS, LLC

COTTAGES @ K STREET
 DUPLEX DEVELOPMENT - GERING, NE

COTTAGES @ K STREET - SCENES



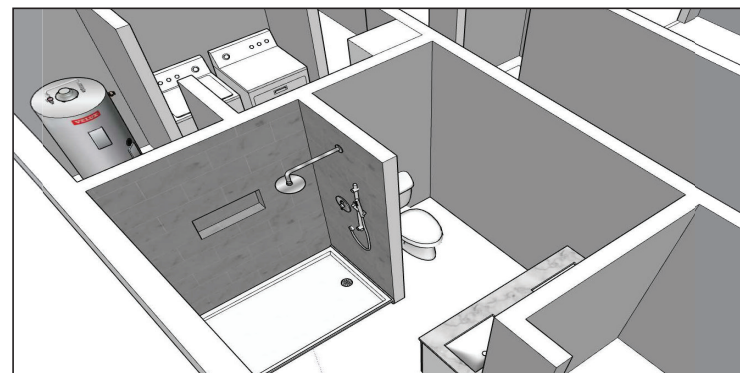
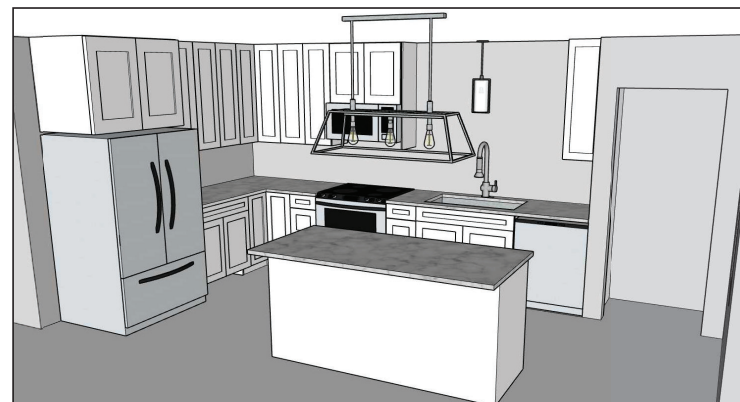
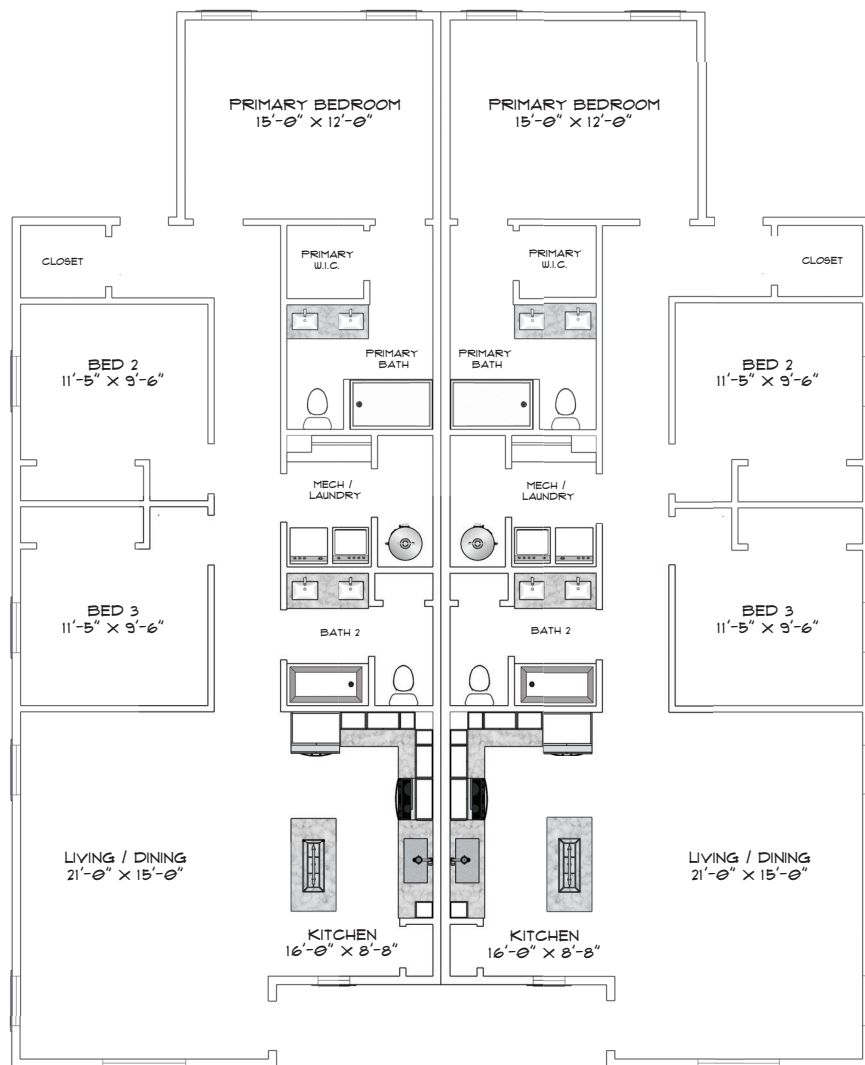
REV/SONS	
NO.	REMARKS
1	ISSUE
2	REVISED
3	REVISED
4	REVISED
5	REVISED
6	REVISED

INTEGRITY DEVELOPMENTS, LLC



**COTTAGES @ K STREET
DUPLEX DEVELOPMENT - GERING, NE**

COTTAGES @ K STREET - PLAN VIEW



REV/ISS	REMARKS
1	ISSUE
2	ISSUE
3	ISSUE
4	ISSUE
5	ISSUE
6	ISSUE

INTEGRITY DEVELOPMENTS, LLC


COTTAGES @ K STREET
 DUPLEX DEVELOPMENT - GERING, NE

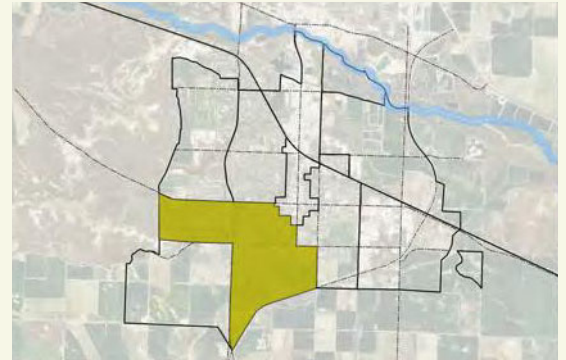
**Integrity Developments Housing Redevelopment Plan
Attachment 3
Excerpts from Comprehensive Plan**

District 3

Southwest Gering Neighborhood District

Existing Characteristics

The Southwest Gering Neighborhood District is predominately single-family detached residential uses on medium sized lots. Several small-scale multifamily uses are located off of M Street with neighborhood serving uses such as medical, schools, parks, and churches embedded throughout the district. Individual lots are wide and deep resulting in longer rectangular blocks. Front loaded driveways with alleys in the rear are typical with buildings set back from the street.



There is a high degree of interconnectedness yet limited multimodal choices. The wider lots and longer blocks makes travel by car most convenient for trips due to the separation between land uses. However the proximity of the district to the downtown, coupled with its relatively low density, should allow pedestrians and cyclists to share roads with vehicles in order to access downtown amenities.

A large community serving park and ball park are located within the district.

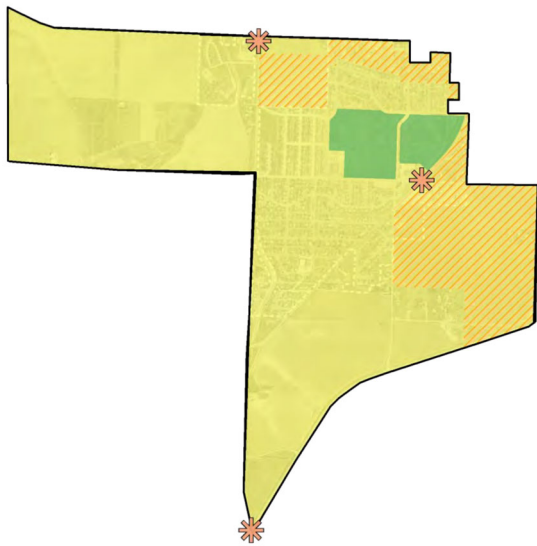
Future Desired Characteristics

The district includes some multifamily uses along M Street but contains predominately single-family detached housing forms. An important goal within the district will be to develop a variety of housing types and densities, including duplexes, tri-plexes and multifamily housing. Generally speaking, higher-density housing should be located along major streets or intersections with transit availability, or within or adjacent to commercial or mixed-use areas as a buffer between single-family neighborhoods and areas of commerce activities. Duplexes and tri-plexes can be blended and integrated throughout the neighborhood as part of an overall mix of housing.

New development should maintain a gridded street pattern with alleys to shift garage and parking access away from the street. As new residential areas are developed, sidewalks with street trees should be incorporated as well as multimodal linkages so residents can access key community amenities by foot, bike, or transit, including parks, schools, and commercial activity nodes. The large vacant piece of land located on the south-east corner of M Street and 5 Rocks Road is well suited for a commercial node that includes an assemblage of neighborhood serving uses such as convenience and small retail, professional services, food establishments, daycares and other uses that are compatible with the nearby residential.

District 3: Southwest Gering Neighborhood District

Future Places



Land Use

 Residential

Intensity

 Higher Density

Node

 Commercial Node

Land Use Scale & Form

Residential: The district is envisioned to contain a variety of residential densities and residential types. Existing residential should be maintained and enhanced whenever possible. New residential development should include a mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are appropriate to intersperse between single- and two-unit residential with mid-scale multi-unit appropriate along heavier trafficked areas.

Commercial Node: Mixed-use along arterial/ collector streets as well as important intersections may be appropriate. Small scale commercial with a mix of medium and smaller scale buildings may be appropriate near the intersection of M Street and 5 Rocks Road. Transitions from the commercial activity node to nearby residential will be an important consideration.

Neighborhood and community based public/ semi-public facilities— places of worship; public safety facilities; schools.

Neighborhood parks, trails, and recreational facilities.

Primary Zoning

R1 Low Density Residential

R2 Medium Density Residential

R3 High Density Residential

C1 Neighborhood Commercial

**Integrity Developments Housing Redevelopment Plan
Attachment 4
Cost Benefit Analysis**

CITY OF GERING, NEBRASKA
Integrity Developments Housing Project
COST-BENEFIT ANALYSIS
(Pursuant to Neb. Rev. Stat. § 18-2113)

A. Project Sources/Use of Funds:

An estimated \$890,938.75 of TIF Revenues are requested for this Project. The public investment from TIF will leverage approximately \$2,768,900.00 in private sector investment, which is a private investment of approximately \$3.10 for every TIF dollar invested. Below is a breakdown of estimated costs and expenses of the Project and the use of funds for each. (This breakdown does not account for interest to be paid out of TIF Revenues).

Description	TIF Funds	Private Funds	
Land Acquisition	\$ 201,835.75		
Site Preparation/Grading	\$ 13,800.00		
Utilities/Water	\$ 180,329.00		
Utilities/Sewer	\$ 192,254.00		
Stormwater Retention	\$ 30,000.00		
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Estimate TIF Eligible Expenses	\$ 890,938.75		Total Project Costs
Totals	\$ 890,938.75	\$ 2,768,900.00	\$ 3,659,838.75

B. Tax Revenues and Tax Shifts Resulting from the Division of Taxes.

The current “base” value of the Project Site is \$118,505.00, which will generate tax revenues of approximately \$2,625.00. Taxes from base value of the Project Site will be available and distributed to the local taxing jurisdictions regardless of the tax increment financing. The local taxing jurisdictions are the City, Scotts Bluff County, Gering Public Schools, WNCC, ESU 13, and North Platte NRD.

The tax increment revenues from this Project will not be available to local taxing jurisdictions for up to 15 years after the effective date of the division of taxes for each parcel. During those times, the tax increment revenues from the Project Site will be used to reimburse the Redeveloper for the eligible development costs (with interest) necessary for the Project. The Project may be developed in phases, so different 15 year periods may be applied to different parcels.

The estimated tax increment revenues are calculated as follows:

a. Estimated Value at Completion:	\$3,520,000.00
b. Estimated Base Value:	<u>\$ 118,505.00</u>
c. Tax Increment (a minus b):	\$3,401,495.00
d. Estimated Levy:	<u>2.215%</u>
e. Average Annual Projected Shift (rounded):	<u>\$ 75,343.00</u>
f. Total TIF Available (e multiplied by 15)	\$1,130,145.00

Note: The above figures are based on estimated values, project completion/phasing timelines, and levy rates. Actual values and rates may vary materially from the estimated amounts.

C. Public Infrastructure and Community Public Service Needs Impacts and Local Tax Impacts Arising from Project Approval.

The Redeveloper must install a new sewer main and water main and sidewalks, curbs and gutters. The Redeveloper must also construct an alleyway on the lots between 12th and 13th Streets. These expenses will be the responsibility of the Redeveloper, so there will be no additional tax impacts, other than the impacts from tax increment financing as stated above.

D. Impacts on Employers and Employees of Firms Locating or Expanding Within the Boundaries of the Redevelopment Project Area.

This is a residential project, so there are no employers located within the Redevelopment Project Area.

E. Impacts on other Employers and Employees within the City and immediate area located outside the Redevelopment Project Area.

This project will provide housing, which will have a positive impact on employers and employees near the Redevelopment Project Area.

F. Impacts on Student Populations of Gering Public Schools.

No negative impacts on Gering Public Schools are anticipated.

G. Other Impacts

Housing
Infill Development