

CITY OF YORK PLANNING COMMISSION

August 6, 2024
5:15 O’CLOCK P.M.

PRESENT Nickel, Runge, Riley, Northrop, Stephens, McDougall

ABSENT Heskett, Ronne and Beins

OTHER CITY OFFICIALS Amanda Ring, Dan Aude, Sue Crawford, Charley Campbell

Chairperson Stephens presided and advised that the Open Meetings Act is on the east wall of the Council Chambers. Notice of this meeting was published in the York News Times on July 30, 2024.

MINUTES

Riley moved and Runge seconded that the Minutes of the June 11, 2024 meeting be approved.

Roll Call Vote: Ayes: Nickel, Runge, Riley, Northrop, Stephens and McDougall. Absent and not voting: Heskett, Ronne and Beins. Nays: none. Motion Carried.

PRELIM/FINAL GARNER 2ND SUBDIVISION

A public hearing was held for the preliminary and final plat for a Garner 2nd Subdivision, City of York, York County, Nebraska. Dan Aude informed the Commission that the plat meets all of the City’s subdivision requirements.

Nickel moved and Northrop seconded to recommend approval of the Garner 2nd Subdivision, City of York, York County, Nebraska to the City Council.

Roll Call Vote: Ayes: Nickel, Runge, Riley, Northrop and McDougall. Absent and not voting: Heskett, Ronne and Beins. Abstained: Stephens. Nays: none. Motion Carried.

SPECIAL USE PERMIT – HOPE GOSPEL RESCUE MISSION

A public hearing was held for the special use permit application filed by the Hope Gospel Rescue Mission. Rick Rutter, 13342 L Road, Osceola, NE 68651, a Board Member for the Mission, addressed the planning commission. He shared the application is for the same use as it had been prior to the new owner. The mission provides shelter, clothing and food to those in need. He shared some of the programs the mission provides to those in need and stated it is self-funded. Questions on number of guests was asked and he stated the number varies but generally anywhere from 7-9 overnight guests on average. Dan Aude stated this building was located in the C2 district and that district provides for this special use request and notice was posted at the property more than ten days prior to the meeting.

McDougall moved and Nickel seconded to recommend approval of the application for

special use permit filed by Hope Gospel Rescue Mission to the City Council.

Roll Call Vote: Ayes: Nickel, Runge, Riley, Northrop, Stephens and McDougall. Absent and not voting: Heskett, Ronne and Beins. Nays: none. Motion Carried.

BOSELMAN PUMP AND PANTRY TIF REDEVELOPMENT

A public hearing was held on the Bosselman Pump and Pantry TIF Redevelopment Project. Dr. Sue Crawford shared this TIF was located in the new redevelopment area #10 that was approved last year. The TIF Committee met, reviewed and recommend this project as required by the City of York Municipal Code. After the Planning Commission it will go to the Community Development Agency and City Council for approval. Rich Ostdiek, Chief Financial Officer for Bosselman Pump and Pantry Inc, 4163 Michigan Ave, Grand Island, NE shared more on the Bosselman Redevelopment Project. He stated the new building would be approximately 5,200 square feet and there will be six dispensers with 12 fueling stations. The new layout will utilize the full parcel once completed. Without the TIF aid, this project would be rejected by the company as it would not meet the necessary return on investment threshold. He answered questions asked by the commission.

Nickel moved and McDougall seconded to recommend approval of Resolution 2024-14 recommending approval of a redevelopment plan of the City of York, Nebraska; and approval of related actions to the City Council.

Roll Call Vote: Ayes: Nickel, Runge, Riley, Stephens and McDougall. Absent and not voting: Heskett, Ronne and Beins. Abstained: Northrop. Nays: none. Motion Carried.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson Stephens adjourned the meeting, the time being 5:30 o'clock p.m.


Amanda Ring, City Clerk

PLANNING COMMISSION OF
THE CITY OF YORK

RESOLUTION 2024-14

RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF
THE CITY OF YORK, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

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

Recitals:

- a. 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 Amendment (the “Redevelopment Plan”), has been prepared and submitted to the Planning Commission (the “Commission”) for the purpose of redeveloping the Redevelopment Area legally described in **Exhibit A** and in the form attached hereto as **Exhibit B**; and
- b. The City has previously adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and
- c. This Commission has reviewed the Redevelopment Plan as to its conformity with the Comprehensive Plan for the development of the City.
- d. On the date of this resolution, the Commission held a public hearing and received public comment on the Redevelopment Plan. Public notice of the hearing was provided in strict accordance with the provisions of the Act.

Resolved that:

1. The Commission hereby recommends approval of the Redevelopment Plan.
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.
3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: August 6, 2024

PLANNING COMMISSION OF THE CITY
OF YORK, NEBRASKA

ATTEST:

By: Amanda King
Recording Secretary



By: Amberly O Stephens
Chair

EXHIBIT A

LEGAL DESCRIPTION OF REDEVELOPMENT AREA

Lot Two, Bosselman Subdivision to the City of York, York County, Nebraska.

EXHIBIT B

**REDEVELOPMENT PLAN
[Attach Copy]**

**City of York, Nebraska Community Development Agency
Redevelopment Plan Amendment for CDA Area #10
Bosselman Redevelopment Project**

The Community Development Agency (CDA) of York, Nebraska, intends to adopt a Redevelopment Plan Amendment for a CDA Area #10 within the city, pursuant to the Nebraska Community Development Law (the “Act”) and provide for the financing to assist in site rehabilitation of the Bosselman Pump and Pantry Travel Center.

Executive Summary:

Project Description:

THE REDEVELOPMENT CURRENT PUMP AND PANTRY FACILITY REQUIRING SIGNIFICANT DEMOLITION AND SITE PREPARATION AND CONSTRUCTION OF A NEW LARGER RETAIL STORE AND INCREASED NUMBER OF FUEL PUMPS

The use of Tax Increment Financing to aid in rehabilitation expenses associated with redevelopment of Lot Two, Bosselman Subdivision to the city of York, York County, Nebraska, will incent significant investment in the Bosselman Pump and Pantry Travel Center near the Interstate 80 interchange. The total project is estimated to cost \$5,465,509. The investment will allow for the demolition of the obsolete structure, canopy and fuel pumps and the construction of a larger retail store and additional fuel pumps. The current building is functionally obsolete. As a retail facility, the owner cannot generate a sufficient return to justify this level of investment. This project would not be feasible without the use of TIF and will not be financed without a grant funded by tax increment financing. The CDA has documentation from the Redeveloper showing that the level of project investment yields a rate of return less than its costs of funds.

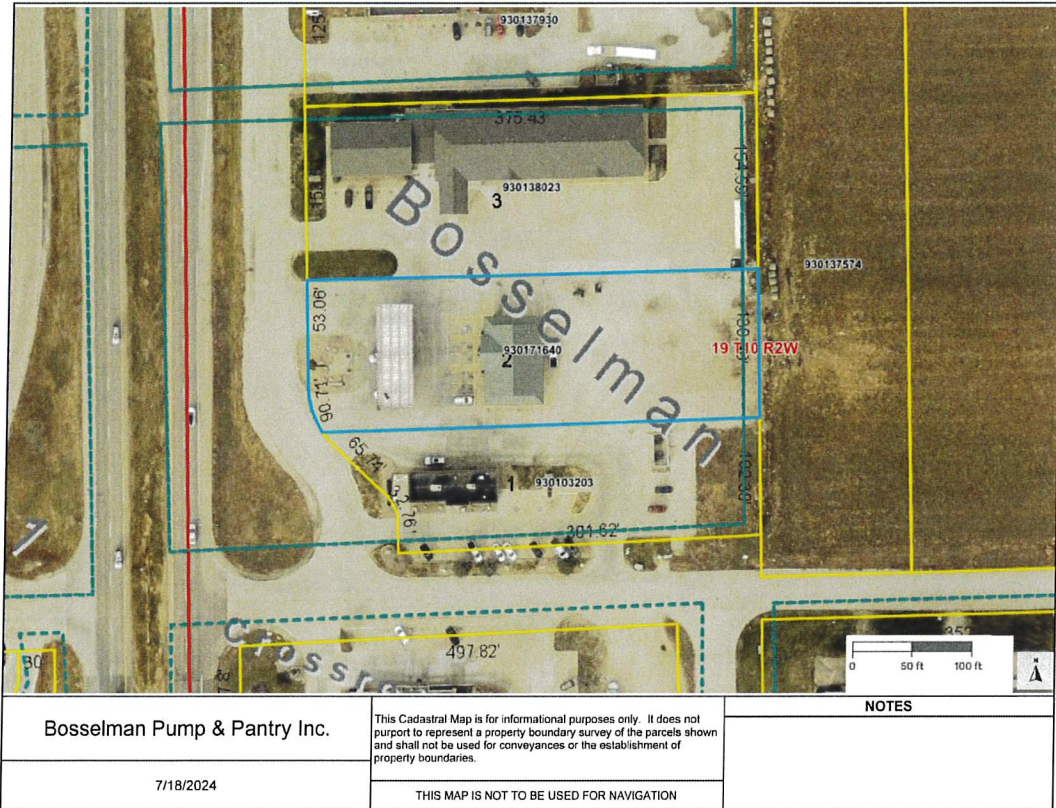
Bosselman Pump and Pantry, Inc., is the owner and redeveloper of the site. The redeveloper is responsible for and has provided evidence that it can secure adequate debt financing to cover the costs associated with the remodeling and rehabilitation of this property, subject to receipt of tax increment financing. The CDA is requested to pledge the ad valorem taxes generated over the 15 year period, beginning with an effective date determined by a redevelopment contract and contract amendment, towards the allowable costs and associated financing for rehabilitation.

TAX INCREMENT FINANCING TO PAY FOR THE REHABILITATION OF THE PROPERTY WILL COME FROM THE FOLLOWING REAL PROPERTY:

Property Description (the “Redevelopment Project Area”)

Legal Description: Lot Two Bosselman Subdivision to the City of York, York County, Nebraska.

Existing Land Use is shown below.



The current assessed valuation of the real estate is \$834,314 (“base value”) and is taxed at \$14,173. During the 15-year period of division of taxes for tax increment financing taxes on the base value will continue to be paid to the normal taxing entities. The assessed property valuation above the base value is estimated to be \$1,300,000 as a result of the rehabilitation.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the CDA hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract and Redevelopment Contract Amendment, consistent with this Redevelopment Plan. Said taxes shall be divided as follows:

- a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes

collected by or for the bodies; and

b. That portion of the ad valorem tax on real property, as provided in the redevelopment contract, bond resolution, or redevelopment plan, as applicable, in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the CDA to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, of the CDA for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the CDA shall so notify the county assessor and county treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CDA 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.

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 Redevelopment Project Area has been declared blighted and substandard by action of the York City Council.

The York City Council received a substandard and blight analysis for the Redevelopment Project Area and declared it substandard and blighted and in need of redevelopment after compliance with the requirements of the Act.

2. Conformation to the General Plan for the Municipality as a whole. [§18-2103 (13) (a) and §18-2110]

York adopted a Comprehensive Plan in 2019. This redevelopment plan and project are consistent with the Comprehensive Plan, in that the proposed project is maintain a consistent use as designated in the Comprehensive. This plan merely provides funding for the redeveloper to rehabilitate the Redevelopment Project Area for permitted uses on this property as defined by the current and effective zoning regulations.

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

a. Land Acquisition:

The Redevelopment Plan does not require site acquisition There is no proposed

acquisition by the CDA.

b. Demolition and Removal of Structures:

The project to be implemented with this plan provides for the demolition of the current building, canopy, pumps and concrete.

c. Future Land Use Plan

Exhibit A, attached hereto is a map showing the Future Land Use Plan for the Redevelopment Area after rehabilitation.

d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes.

The area is zoned C-3 Highway Commercial. No zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances. Nor are any other planning changes contemplated.

e. Site Coverage and Intensity of Use

The redeveloper is demolishing a 2,779 square foot building and will construct a new 6,480 square foot retail building.

f. Additional Public Facilities or Utilities

Sewer and water are available to support this development. Electric utilities are sufficient for the proposed use of this building. No other utilities would be impacted by the development. No other utilities would be impacted by the development.

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation.

The redeveloper will not be required to relocate individuals or families as part of the site redevelopment.

5. No member of the CDA, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]

No members of the CDA have any interest in this property.

6. Section 18-2114 of the Act requires that the CDA consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The redeveloper is the owner of the property. The estimated costs for preparation for redevelopment include an estimated \$474,654 for demolition and site preparation. The

total project is estimated to cost \$5,348,500. No disposal of the property is planned.

b. Statement of proposed method of financing the redevelopment project.

Project financing includes \$1,886,509 in equity, a commercial loan of \$2,700,000, a PACE loan of \$250,000, a USDA grant of \$275,000 and a TIF grant of \$179,000. The TIF grant from the CDA will be repaid from the Tax Increment Revenues generated from the project.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, the CDA shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The CDA has considered these elements in proposing this Plan. This amendment, in and of itself will promote consistency with the Comprehensive Plan. This will have the intended result of preventing recurring blighting conditions due to site obsolescence.

8. Time Frame for Development

Development of this project is anticipated to begin in August of 2024.

9. Cost Benefit Analysis

Section 18-2113 of the Act, further requires the CDA conduct a cost benefit analysis of the Plan in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Act, §18-2147, *Neb. Rev. Stat.* (2022), the CDA has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses. Approximately \$354,000 (\$179,000 in principal and \$175,000 in interest) in public funds from tax increment financing provided by the York Community Development Agency will be required to complete the project. This investment by the CDA will leverage \$5,128,509 in private sector financing; a private investment of \$14.48 for every tax dollar invested.

The grant from TIF funds of \$179,000 will reimburse the Redeveloper for a portion of the site development costs of the project expenditures shown here:

A. Land Acquisition:	\$0
B. Site Development:	\$474,654
C. Building Costs:	\$4,272,620
D. Equipment	\$495,123
E. Architectural & Engineering	\$60,000
F. Legal Fees	\$17,000
G. Broker Costs	\$0
H. Financing Costs	\$57,064
I. Contingencies	\$106,048
J. Other	\$0

TOTAL \$5,482,509

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2024, valuation of approximately \$843,314. Based on the 2023 levy this would result in a real property tax of approximately \$14,173. It is anticipated that the assessed value will increase by \$1,300,000 upon full completion, as a result of the site redevelopment. This development will result in an estimated tax increase of over \$23,600 annually. The tax increment gained from this Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

Estimated 2024 assessed value:	\$ 843,314
Estimated value after completion	\$2,143,314
Increment value	\$1,300,000
Annual TIF generated (estimated)	\$ 23,600
TIF bond issue	\$ 179,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

Tax shifts will be equal to the principal of \$179,000 and interest of \$175,000 on the TIF Note.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient

capacity to support the development. Fire and police protection are available and should not be negatively impacted by this development.

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;

This project will add 3 full time jobs.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the York area.

(e) Impacts on student populations of school districts within the City or Village:

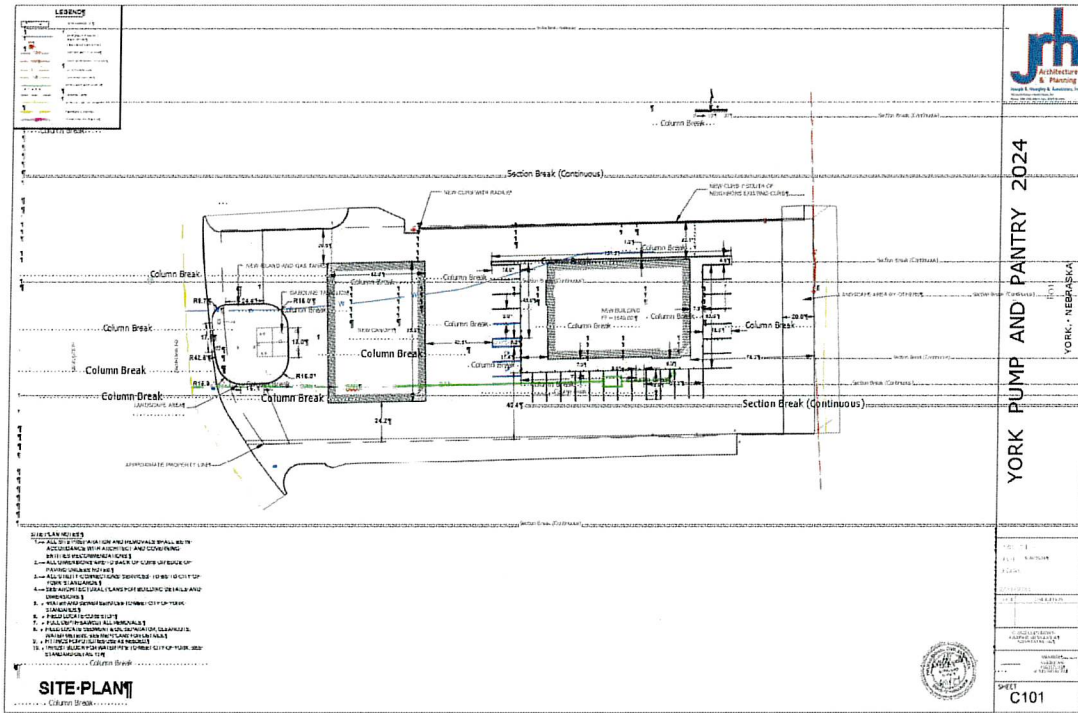
This development will have no impact on the York School system as it will likely not result in any increased attendance.

(f) Any other impacts determined by the CDA to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project should generate more sales tax revenue for the city based on increased sales.

Exhibit A

Future Land Use After Rehabilitation



AGENDA
PLANNING COMMISSION, YORK, NEBRASKA
Tuesday, August 6, 2024
5:15 PM

THE OPEN MEETINGS ACT IS POSTED ON THE EAST WALL OF THE COUNCIL
CHAMBERS

Public participation in City Council meetings follows the rules established in the City of York Ordinances and the state Open Meetings Act. Pursuant to section 2-32(a) of the City Code and the Open Meetings Act, the presiding officer allows public comments during council meetings on matters designated as public hearings and on matters on the agenda that require passage or other action by the Council. Public comment is not allowed after a motion is made by a council member to pass or act on an agenda item. Comments are not allowed on any item that is not on the agenda to ensure full transparency of discussion items to the public before the meeting as required by the Open Meetings Act.

1. The Open Meetings Act is posted on the East Wall of the Council Chambers
2. Notice of this meeting was published in the York News Times on July 30, 2024
3. Roll Call
4. Minutes of the June 11, 2024 meeting
5. Public hearing on preliminary and final plat; discuss and make recommendations to City Council:
 - 5.1. Garner 2nd Subdivision, City of York, York County, Nebraska
6. Public hearing on special use permit; discuss and make recommendations to City Council:
 - 6.1. Application for special use permit filed by Hope Gospel Rescue Mission to operate a shelter and mission located in Parcel 930196775, Lot One (1) in Reetz Subdivision, a part of the City of York, York County, Nebraska; 701 S. Lincoln Ave.
7. Public hearing on TIF Redevelopment Project; discuss and make recommendations to City Council:
 - 7.1. Resolution 2024-14 - Bosselman Pump & Pantry Inc. - Site Specific Redevelopment Plan for City of York CRA Area #10
8. Adjournment