

PLANNING COMMISSION AGENDA
Wednesday, April 23, 2025
4:00 P.M. So Sioux City Council Chambers

1. CALL MEETING TO ORDER
2. ROLL CALL (Arlan Kuehn, Robert Rapp, John Lounsbury, Mike Wojcik, Martin Hohenstein, Gary Ogden, Tim Pickinpaugh, Jared Langel, Amber Munoz and Jeff Lantz)

3. OPEN MEETING ACT

A current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance.

A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a Federal Grant requirement. It is strictly voluntary to complete the sign-in sheet.

4. MINUTES

Approve the minutes of April 9, 2025, Planning Commission meeting.

5. UNFINISHED BUSINESS

6. NEW BUSINESS

- A. **Public Hearing Resolution 2025-02 AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN FOR THE NORTHEAST REDEVELOPMENT AREA (SECOND AMENDMENT TO THE HOVEY CONSTRUCTION REDEVELOPMENT PROJECT**

7. ANNOUNCEMENTS

8. ADJOURNMENT

**CITY OF SOUTH SIOUX CITY, NEBRASKA
PLANNING COMMISSION MINUTES
4/9/2025**

A regular meeting of the Planning Commission of the City of South Sioux City, Nebraska was held at the City Hall Council Chambers on 4/9/2025.

CALL TO ORDER

Kent Zimmerman called the meeting to order at 4:00 o'clock P.M.

ROLL CALL	Present	Absent
Arlan Kuehn Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Robert Rapp	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Lounsbury	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Wojcik	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Martin Hohenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gary Ogden	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jeff Lantz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tim Pickinpaugh	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jared Langel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber Munoz	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Staff in attendance: Kent Zimmerman, Elizabeth Reyes

NOTICE OF PUBLICATION

Notice of the meeting was given in advance by advertising in the Dakota County Star as certified in the attached affidavit of printer. Notice of the meeting and agenda were simultaneously given to the Chairman and members of the Commission. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

OPEN MEETINGS ACT

Kent Zimmerman stated that a current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance.

A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a federal grant requirement. It is strictly voluntary to complete the sign-in sheet.

APPROVE MINUTES

Robert Rapp moved Jeff Lantz seconded to approve the minutes of the March 12, 2025, and March 26, 2025, Planning Commission meeting. With the correction to the March 26, 2025 meeting chairman Arlan Kuehn was not present at this meeting and did not open the meeting, Kent Zimmerman did. Motioned carried with Rapp, Wojcik, Hohenstein, Ogden, Lantz, Langel, Munoz. Voting No: None.

Corrections: Kent Zimmerman stated that a current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance.

A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a federal grant requirement. It is strictly voluntary to complete the sign-in sheet.

- ◆ *Sign minute book*

AGENDA ITEM: 6.A. Public Hearing Resolution 2025-01 First Amendment to the Redevelopment Plan for the Hans Residential Redevelopment Project.

At this time Kent Zimmerman opened the public hearing to comment. No one came forward to speak on the issue and the public hearing was closed. Present at the meeting was Economic Development Director Oscar Gomez who notified members the First Amendment to the Redevelopment Plan for the Hans Residential Redevelopment Project is part of the processes of the redevelopment plan that was approved in the past. Additional phases of the project will require additional amendments.

Robert Rapp moved and Jeff Lantz seconded to send a favorable recommendation to City Council for the approval of resolution 2025-01 First Amendment to the Redevelopment Plan for the Hans Residential Redevelopment Project. Voting yes: Rapp, Wojcik, Hohenstein, Ogden, Lantz, Langel and Munoz. Voting No: None

ADJOURNMENT

There being no further business to come before the Commission Robert Rapp and Jeff Lantz seconded to adjourn the meeting at 4:13 o'clock P.M.

CHAIRMAN

VICE CHAIRMAN

I, the undersigned Secretary of the Planning Commission of the City of South Sioux City, Nebraska hereby certify that all of the subjects were contained in said agenda for at least twenty four (24) hours prior to said meeting, and that said minutes were in written form and available to the public for inspection within ten (10) working days and prior to the next convened meeting.

SECRETARY

RESOLUTION NO. 2025-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN AMENDMENT ENTITLED, "AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN FOR THE NORTHEAST REDEVELOPMENT AREA (SECOND AMENDMENT TO THE HOVEY CONSTRUCTION REDEVELOPMENT PROJECT)," TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA.

WHEREAS, the Mayor and City Council for the City of South Sioux City, Nebraska (the "City"), previously approved and adopted a redevelopment plan entitled, "Amendment to the General Redevelopment Plan for the Northeast Redevelopment Area (The Hovey Construction Redevelopment Project)," for redevelopment in a blighted and substandard area in the City (the "Redevelopment Plan"), all in accordance with Chapter 18, Article 21, Nebraska Reissue Revised Statutes, as amended, known as the Community Development Law (the "Act"); and

WHEREAS, an amendment to the Redevelopment Plan setting forth the third phase of the redevelopment projected included therein, attached hereto and incorporated herein as Exhibit 1 (the "Plan Amendment"), was submitted to the Planning Commission of the City for its review and recommendation, in accordance with the Act; and

WHEREAS, on April 23, 2025, the Planning Commission held a duly noticed public hearing on the Plan Amendment; and

WHEREAS, pursuant to the Act, the Planning Commission reviewed the Plan Amendment for its conformity to the City's comprehensive plan for land use and development ("Comprehensive Plan"); and

WHEREAS, after public hearing and review of the Plan Amendment, the Planning Commission determined that the Plan Amendment conformed to and met the objectives of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA:

Section 1. Based upon the foregoing and the substantial evidence in the record of this proceeding, the Planning Commission determines that the Plan Amendment conforms to and meets the objectives of the Comprehensive Plan of the City.

Section 2. The Planning Commission recommends approval and adoption of the Plan Amendment to the Mayor and Council of the City.

INTRODUCED BY _____

PASSED AND ADOPTED THIS 23RD DAY OF APRIL, 2025.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT 1
Plan Amendment

(See attached)

**AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN FOR
THE NORTHEAST REDEVELOPMENT AREA**

**(SECOND AMENDMENT TO THE HOVEY CONSTRUCTION
REDEVELOPMENT PROJECT)**

SOUTH SIOUX CITY, NEBRASKA

PREPARED MARCH, 2025
FOR THE COMMUNITY DEVELOPMENT AGENCY OF
SOUTH SIOUX CITY, NEBRASKA

1. Introduction

The Mayor and City Council for the City of South Sioux City, Nebraska (the "City"), previously approved and adopted a redevelopment plan entitled, "Amendment to the General Redevelopment Plan for the Northeast Redevelopment Area (The Hovey Construction Redevelopment Project)," as amended by that certain "Amendment to the General Redevelopment Plan for the Northeast Redevelopment Area (First Amendment to The Hovey Construction Redevelopment Project)" (collectively, the "Redevelopment Plan").

This second amendment to the Redevelopment Plan ("Amendment") sets forth certain information relating to and incorporating Phase Three of the Redevelopment Project, as Redeveloper wishes to begin construction of Phase Three following the approval of this Amendment. This Amendment incorporates the terms of the Redevelopment Plan as if fully set forth herein; provided, however, that if the terms of this Amendment conflict with the Redevelopment Plan, this Amendment shall control. Any capitalized terms not otherwise defined herein shall have the meaning set forth in the Redevelopment Plan.

2. Purpose and Necessity of Amendment

The City, Agency and Redeveloper wish to amend and supplement certain parts of the Redevelopment Plan to incorporate Phase Three of the Redevelopment Project in order to authorize and approve the use of TIF for the same. No further substantive changes to the Redevelopment Plan are necessary, except those provided in the sections below. As such, in compliance with section 18-2117 of the Act, this Amendment to the Redevelopment Plan is necessary to ensure that the Redevelopment Plan reflects the updated financing plan for the Redevelopment Project.

3. Phase Three Estimated Valuation and TIF Indebtedness

Based upon the most current and accurate estimates, the City, Agency and Redeveloper anticipate that the average final taxable valuation of each single-family home/lot constructed as part of Phase Three will equal \$340,000. In accordance therewith and Exhibit "F" of the Redevelopment Plan, as amended below by Exhibit "3" of this Amendment, the TIF Indebtedness for Phase Three shall be an amount not to exceed a present value of \$1,383,075, at an interest rate of 3.25% per annum.

4. City's Construction of Public Improvements

Similar to Phase One and Phase Two, the City will undertake a majority of the public infrastructure improvements for Phase Three, including but not limited to: (i) construct road and sidewalk/bike path improvements; (ii) construct and/or extend water and sewer systems (both storm and sanitary) to provide appropriate service to the residences constructed as part of Phase Three; and (iii) street lighting and electrical extension. A detailed breakdown of such improvements and the costs associated with the same is set forth in Exhibit "3", attached hereto. The City will finance the public infrastructure improvements detailed herein via an infrastructure grant and issuance of the appropriate

bond(s) – which will ultimately be reimbursed via the City’s receipt of TIF. Redeveloper will fill and grade the Phase Three Project Site to provide for effective surface water runoff.

5. Sources and Uses of Financing

In accordance with Section 3 of this Amendment, Section I(2) of the Redevelopment Plan shall be amended and replaced in its entirety as follows:

Based upon the projections provided in Exhibit "F", attached hereto and incorporated herein, the Agency and Redeveloper contemplate issuance of a series of TIF bonds or notes (the "TIF Indebtedness") as follows:

Phase One:

TIF Indebtedness not to exceed an amount equal to a present value of \$795,000, at 3.25% interest.

Phase Two:

TIF Indebtedness not to exceed an amount equal to a present value of \$721,000, at 3.25% interest.

Phase Three:

TIF Indebtedness not to exceed an amount equal to a present value of \$1,383,075, at 3.25% interest.

Phase Four:

TBD

The total estimated cost of Phase One is \$2,840,935. The total estimated cost of Phase Two is \$2,849,265. The total estimated cost of Phase Three is \$6,643,075. Redeveloper will finance the balance of the private costs via a mix of owner's equity and traditional bank financing. The City, Agency and Redeveloper anticipate that the City will construct the public infrastructure improvements for Phase One, Phase Two and Phase Three in the amounts of approximately \$412,608.75, \$331,320.00 and \$1,383,075, respectively, each financed at an interest rate of 3.25 percent (the "City's Costs").

Redeveloper, the City and the Agency anticipate that the City will have first priority on the TIF Revenues and a first lien on the area of the Project Site comprising Phase One, Phase Two and Phase Three until the City's Costs are paid in full, at which point the TIF Revenues shall be paid to Redeveloper as reimbursement for other TIF-eligible costs and/or allocated toward the eligible costs of subsequent phases. Redeveloper’s eligible costs shall be limited to:

(i) Redeveloper's legal fees, not to exceed \$15,000 per phase; (ii) reimbursement of the \$5,000 (per lot) special assessments paid by Redeveloper to the City, as applicable; (iii) and such other public improvements constructed by Redeveloper during Phase Three and Phase Four, as may be approved via subsequent amendments to the Redevelopment Plan.

Redeveloper and the Agency will provide a more detailed breakdown of the Redevelopment Project's financing and the TIF sources and uses in the redevelopment contract(s), or amendments thereof, for each phase of the Redevelopment Project, or in the resolution of the Agency authorizing issuance of the TIF Indebtedness. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

6. Supplement to Exhibit "D"

Exhibit "1", attached hereto and incorporated herein, sets forth the updated site plan for Phase Three. Exhibit "1" shall supplement and be made part of Exhibit "D" of the Redevelopment Plan for the purpose of incorporating and updating the Phase Three site plan only; and shall not amend, replace or change any information set forth therein with respect to Phase One or Phase Two.

7. Supplement to Exhibit "E"

Exhibit "2", attached hereto and incorporated herein, sets forth the estimate of construction costs for Phase Three. Exhibit "2" shall supplement and be made part of Exhibit "E" of the Redevelopment Plan for the purpose of incorporating Phase Three, and shall not amend, replace or change any information set forth therein with respect to Phase One or Phase Two.

7. Amendment to Exhibit "F"

Exhibit "3", attached hereto and incorporated herein, sets forth the estimated sources and uses for Phase Three. Exhibit "3" shall supplement and be made part of Exhibit "F" of the Redevelopment Plan for the purpose of incorporating Phase Three, and shall not amend, replace or change any information set forth therein with respect to Phase One or Phase Two.

8. Phase Three Project Costs and Implementation

The total estimated costs of Phase Three of the Redevelopment Project are \$6,643,075. Redeveloper is unable to undertake the construction in Phase Three of the Redevelopment Project without some assurance that Redeveloper can undertake Phase Four. Redeveloper would not complete the initial public improvements for Phase One, Phase Two and Phase Three but-for the approval of the entire Redevelopment Project and, likewise, the subsequent phases of the Redevelopment Project would not occur but-for these initial public improvements. Accordingly, this Redevelopment Plan contemplates that the costs and expenses of all the public improvements for the Redevelopment Project are eligible TIF uses for each phase of the Redevelopment Project. As such, City and Redeveloper may apply the payments toward the TIF Indebtedness generated from each phase of the Redevelopment Project toward the

payment of the eligible expenses of the entire Redevelopment Project, if necessary, provided there is no duplication of expenses.

Redeveloper anticipates construction of Phase Three to commence upon the approval of this Amendment. Redeveloper anticipates the completion of Phase Three by approximately December of 2027, consisting of multiple sub-phases. Notwithstanding the foregoing, Phase Three's construction schedule will depend on the rate that the residential dwelling units are sold, based upon the current housing market and the need for housing in the City. Accordingly, the anticipated start dates and completion dates are preliminary and subject to change based upon market conditions, availability of materials, workforce availability and other extraneous factors. If applicable, Redeveloper will provide the construction schedule for Phase Four in an amendment to the Redevelopment Plan or the redevelopment contract.

Upon the completion of Phase Three, or each sub-phase thereof, Redeveloper will submit to the Agency an amendment to the redevelopment contract on a form prescribed by the Agency. Each amendment to the redevelopment contract shall set forth the "effective date" (as defined in the Act) for the pertinent phase, or each sub-phase thereof, which must be submitted to the Agency on or before June 30 of the year in which taxes are to be divided for such phase or sub-phase.

9. Issuance of Notes/Bonds

In addition to the TIF Indebtedness previously issued in relation to Phase One in the amount of \$500,000 and Phase Two in the amount of \$721,000, the Agency shall have the authority to issue a second TIF bond or note for Phase Three, not to exceed an amount equal to the present value of \$1,383,075, at 3.25% interest. The City shall have first lien priority with respect to all TIF Revenues allocated as debt service on such TIF Indebtedness up to the amount(s) expended by the City as part of the City's Costs in Phase One, Phase Two or Phase Three, or as may be expended in subsequent phases. Upon the full satisfaction thereof, any excess TIF Revenues shall be paid to Redeveloper as reimbursement for other TIF-eligible costs expended by Redeveloper in constructing the Redevelopment Project. If there are any excess TIF Revenues remaining after completion of the Redevelopment Project and full satisfaction of the above uses, the Agency shall remit the same in accordance with the Act.

10. Phases Treated as Part of Single Project

The City and Redeveloper are unable to undertake construction of the public infrastructure and improvements but-for the approval of the entire Redevelopment Project and, likewise, the subsequent phases of the Redevelopment Project would not occur but-for these initial improvements. Accordingly, the Redevelopment Plan and this Amendment contemplates that the costs and expenses of all the TIF-eligible improvements for the Redevelopment Project are eligible TIF uses for each phase of the Redevelopment Project (as allocated). As such, the City may apply the TIF Revenues generated from each phase of the Redevelopment Project toward the payment of the eligible expenses of the entire Project, if necessary, irrespective of which phase the TIF Indebtedness, and the TIF Revenues allocated for debt payment on the same, is associated with. For example, any TIF Revenues generated from the private improvements constructed as part of Phase One and allocated for debt service on the TIF

Indebtedness issued as part of Phase One may be treated as grants for reimbursement of eligible cost expenditures incurred as part of the build out of Phase Three, Phase Three and/or Phase Four, and vice versa.

11. Headings

Headings of sections of this Amendment and the exhibits attached hereto are for convenience of reference only and do not form a part of the Redevelopment Plan and do not in any way modify the Redevelopment Plan except as otherwise provided in this Amendment.

Exhibit "1"
Supplement to Exhibit "D" of Redevelopment Plan

Phase Three Site Plan:

HOVEY THIRD SUBDIVISION
 IN THE CITY OF SOUTH SIOUX CITY
 DAKOTA COUNTY, NEBRASKA
 FINAL PLAT

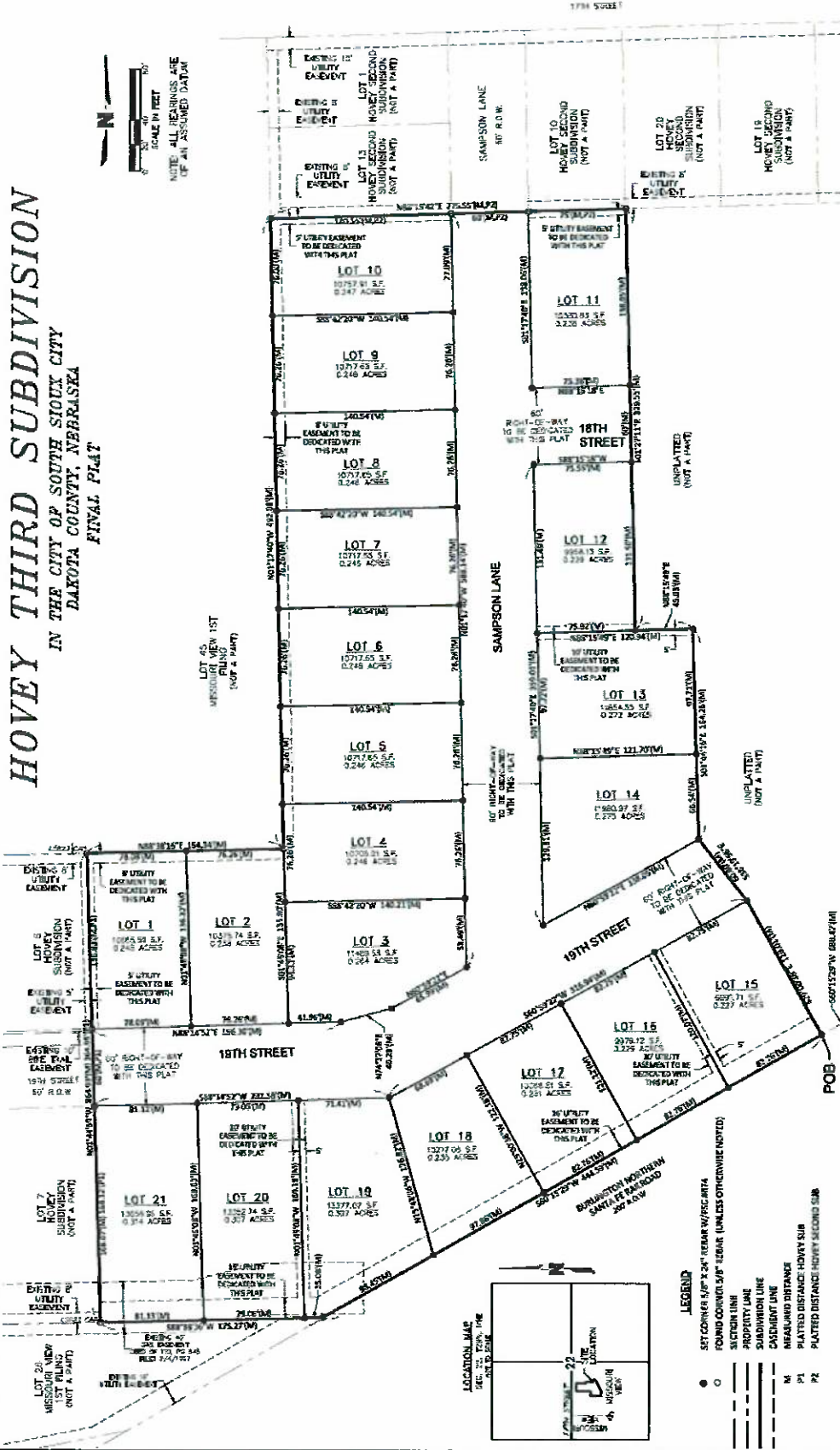


Exhibit "1"

Exhibit "2"
Supplement to Exhibit "E" of Redevelopment Plan

Estimate of Construction Costs

Phase Three:

Infrastructure Costs (hard and soft costs):	\$1,383,075
Site Development & Building Costs (hard and soft costs):	\$5,250,000
<u>Legal Fees:</u>	<u>\$10,000</u>
TOTAL:	\$6,643,075

* The above construction cost estimates are preliminary in nature and subject to change.

Exhibit "3"
Amendment to Exhibit "F" of Redevelopment Plan

(See Attached)

EXHIBIT "F"

Sources and Uses of TIF

USES

Phase Three:

DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
Mobilization	LS	1	\$ 75,000.00	\$ 75,000.00
Earthwork	LS	1	\$100,000.00	\$ 100,000.00
6" Bike Trail	SY	525	\$ 60.00	\$ 31,500.00
6" PCC Pavement	SY	4000	\$ 65.00	\$ 260,000.00
8" Water Main	LF	1000	\$ 60.00	\$ 60,000.00
8" Valves	EA	6	\$ 3,000.00	\$ 18,000.00
8" Fittings	EA	5	\$ 1,000.00	\$ 5,000.00
Fire Hydrants	EA	2	\$ 6,500.00	\$ 13,000.00
Water Services	EA	19	\$ 2,000.00	\$ 38,000.00
Sanitary Sewer Main	LF	1100	\$ 70.00	\$ 77,000.00
Sanitary Manholes	EA	5	\$ 7,500.00	\$ 37,500.00
Sanitary Services	EA	19	\$ 2,500.00	\$ 47,500.00
Storm Sewer Pipe	EA	1200	\$ 80.00	\$ 96,000.00
Storm Sewer Structures	EA	12	\$ 5,500.00	\$ 66,000.00
Street Lighting	LS	1	\$100,000.00	\$ 100,000.00
Additional Eligible Costs				TBD
			Subtotal	\$ 1,024,500.00
			Contingency (15%)	\$ 153,675.00
			Survey & Design (10%)	\$ 102,450.00
			Construction Observation (10%)	\$ 102,450.00
			Phase 3 Total Cost	\$ 1,383,075.00

* "Additional Eligible Costs" are eligible first lien priority costs incurred by the City in relation to construction of infrastructure for subsequent phases and/or second lien priority costs incurred by Redeveloper in constructing the Redevelopment Project; provided such costs shall be limited to: (i) Redeveloper's legal fees, not to exceed \$15,000 per phase; and (ii) such other public improvements constructed by Redeveloper during other phases.

SOURCES

Phase Three: TBD

Single-family unit valuation:

Base Value/Unit	\$5,000
Number of Units	21
Final Value/Unit	\$340,000
Total Final Value	\$7,140,000
Tax Levy (2024):	1.681677
Interest Rate:	3.25%

Subphase	1	2	3
Effective Date	2025	2026	2027
# of Units	7	7	7
TIF Period	15	15	15
Base Value (sub-phase)	\$35,000	\$35,000	\$35,000
Base Taxes (sub-phase)	\$588	\$588	\$588
Completed Value	\$2,380,000	\$2,380,000	\$2,380,000
Total Taxes	\$39,984	\$39,984	\$39,984
Yearly Tax Increment	\$39,396	\$39,396	\$39,396
less 1% fee	\$39,002	\$39,002	\$39,002
Phase Years	1 to 15	2 to 16	3 to 17
Total Tax Increment (all sub-phases)	\$1,799,820		
TIF Indebtedness (all sub-phases)	\$1,383,075		

* The above "sources" for the Redevelopment Project are estimates based upon the assumptions listed herein and are subject to change.

* The "TIF Indebtedness" contemplates a 3.25% interest rate and may vary in relation to establishment of an actual, provided that the aggregate principal and interest paid on the TIF Indebtedness shall not exceed the Total Tax Increment for the respective phase.