

**VILLAGE OF WATERLOO
RESOLUTION NO. 12-14-21-01**

WHEREAS, the Village of Waterloo has received the LaRita Properties Redevelopment Plan (the "Redevelopment Plan") pursuant to the Nebraska Community Development Law (the "Act"); and,

WHEREAS, the Authority desires that the Redevelopment Plan be adopted to redevelop the unimproved redevelopment area into a residential subdivision and to include a provision for dividing *ad valorem* real estate taxes pursuant to § 18-2147 of the Revised Statutes of Nebraska pursuant to the fulfillment of certain conditions; and,

WHEREAS, the Project is located in an area designated by the Village of Waterloo, and remains, as blighted and substandard pursuant to the provisions of the Act.

WHEREAS, this proposed Redevelopment Plan has been recommended by the Village of Waterloo Planning Board after public hearing, notice of which has been duly published and given pursuant to the provisions of the Act.

WHEREAS, this Resolution has been considered at a public hearing, notice of which has been duly published and given pursuant to the provisions of the Act.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WATERLOO, NEBRASKA, AS FOLLOWS:

THAT, the LaRita Properties Redevelopment Plan is hereby approved.

PASSED THIS 14 DAY OF December, 2021

ATTEST:

Melissa Smith
Melissa Smith
Clerk



Travis Harlow
Travis Harlow
Chairperson

**LARITA PROPERTIES LLC
REDEVELOPMENT PLAN
VILLAGE OF WATERLOO,
NEBRASKA**

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Exhibit "A" Redevelopment Area Description

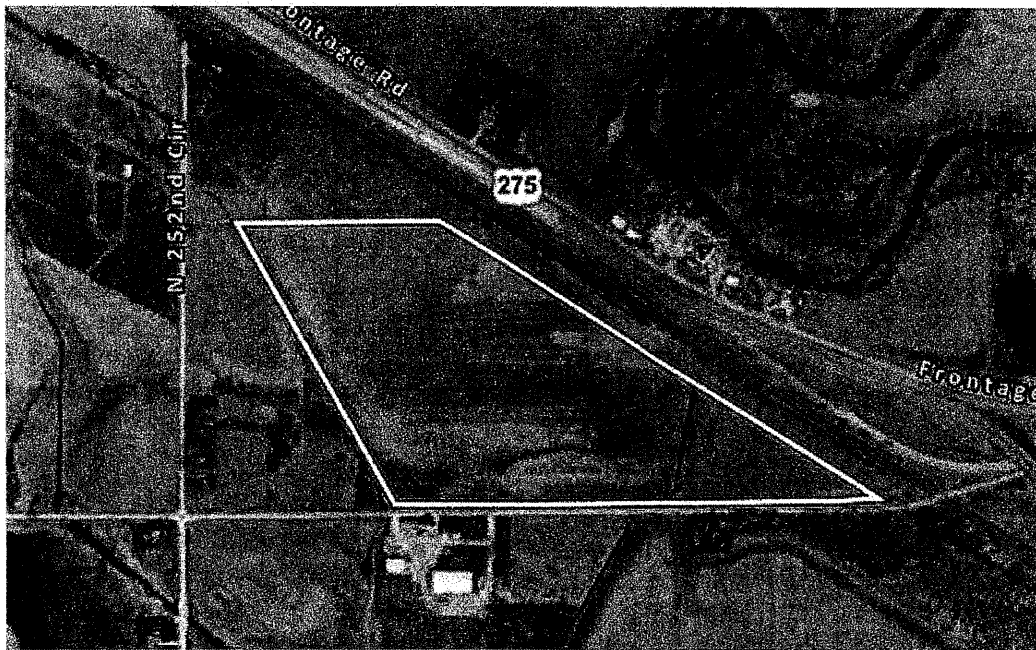
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LARITA PROPERTIES LLC REDEVELOPMENT PLAN

INTRODUCTION

This Redevelopment Plan is prepared pursuant to the authority granted by the Nebraska Community Development Law (the “Act”). The Village Board of the Village of Waterloo (the “Village”), recognizing that blighted and substandard conditions are a threat to the continued stability and vitality of the Village, on November 9, 2021, passed a resolution declaring certain properties to be blighted and substandard. Included among these properties is the area to be redeveloped through the Redevelopment Plan (the “Redevelopment Area”). One of the purposes of this Redevelopment Plan is to identify a redevelopment project, developed in phases, that will utilize tax increment financing pursuant to the Act. The Redevelopment Area includes the initial two redevelopment project sites and subsequent project phases as described below.

The Redevelopment Area is a tract of approximately 61.39 acres and the abutting section of West Maple Road in the Village of Waterloo, Nebraska. The Redevelopment Area is now undeveloped; and, is proposed to be platted as Lots 1-8 and Outlots A-D, Industrial Quarter Subdivision, Waterloo, Nebraska. Descriptions of the Redevelopment Area and the proposed subdivision are attached hereto as Exhibits “A” and “A-1”, respectively.



The redevelopment of this property will add new industrial and commercial inventory to the Village. This Redevelopment Plan is proposed to encourage private investment in this blighted and substandard area and to provide an economic benefit to the Village as a whole.

The proposed Redeveloper, LaRita Properties LLC, presently owns all of the real estate located within the Redevelopment Area except dedicated public rights-of-way.

This Redevelopment Plan authorizes the Village of Waterloo, acting as a Community Redevelopment Authority pursuant to the Act, to negotiate a redevelopment contract consistent with the provisions herein. The Redeveloper and the Village shall enter into a redevelopment contract with such terms and conditions that the Village deems appropriate to carry out the purposes of this Redevelopment Plan. The cost of the proposed redevelopment will be considerable and unless the Redeveloper receives some assistance from the Village through the allocation of excess *ad valorem* real estate taxes (hereinafter “tax increment financing” or “TIF”), the proposed redevelopment will not be economically feasible.

I. EXISTING CONDITIONS

A. Existing Land Use

The Redevelopment Area is currently undeveloped and not used.

B. Existing Zoning

The Redevelopment Area upon which the proposed project would be constructed is currently zoned agricultural.

C. Existing Public Improvements

The Redevelopment Area has primary access from both abutting 204th Street and West Maple Road. Gas and electrical services generally suitable to the proposed use are available in nearby ROW.

D. Existing Building Conditions

The Redevelopment Area has no existing structures.

II. THE PROPOSED REDEVELOPMENT PROJECT

The Redevelopment Project consists of the redevelopment of the Redevelopment Area in phases. The initial phase is the construction of redeveloper improvements throughout the Redevelopment Area and construction on the Phase One Redevelopment Site of an industrial facility as further described below. The Phase One Redevelopment Site is Lot 4 of the Industrial Quarter Subdivision. The second phase is the construction on the Phase Two Redevelopment Site of a commercial building as further described below. The Phase Two Redevelopment Site is Lot 1 of the Industrial Quarter Subdivision. This proposed redevelopment takes advantage of an opportunity to bring about an important expansion of the Village’s commercial and industrial inventory by encouraging the improvement and financing of this project. If the Village is to continue to grow and compete in a highly competitive market, a variety of types of commercial/industrial uses must be entertained. Therefore, new business development in the Village of Waterloo is critical.

A. Public Improvements

The following public or quasi-public improvements will be constructed.

1. Public Access. A private drive will be constructed and maintained to public street specifications by the redeveloper to provide access from the abutting public streets, including access for emergency services. Primary truck access to the Redevelopment Area is proposed to be from 204th Street.

2. Utilities. Water and sewer are not to be provided by the Village. Water and wastewater treatment are to be provided on each lot as it develops by the redeveloper, or its successors, through the construction, respectfully, of a private wells and septic facilities. Electrical and gas extensions are available from OPPD and MUD.

3. Other Public Improvements. There will be no other changes in public facilities necessary for this Redevelopment Project.

B. Zoning and Platting

The Redevelopment Area requires re-zoning to commercial or industrial. The Industrial Quarter Subdivision is proposed to accomplish the redevelopment.

C. Comprehensive Plan—Village of Waterloo

The private improvements and land use proposed in the Redevelopment Project are consistent with the Village of Waterloo’s Comprehensive Plan.

D. Private Improvements

The Redevelopment Project will consist of a commercial/industrial park developed in multiple phases. The initial phase will be a business constructed on the Phase One Redevelopment Site that provides the fabrication, sale, and repair of industrial air compressor systems and compressed gas equipment. The second phase will be a commercial building constructed on the Phase Two Redevelopment Site that will include commercial/retail/restaurant and office space that be leased out to various to be determined tenants. The Redeveloper and its successors will develop the remaining lots in the Redevelopment Project.

E. Financing

The following funding sources are contemplated for the Redevelopment Project:

Tax Increment Financing. The excess ad valorem real property taxes (the “TIF”) may be utilized to assist with the cost of public improvements, demolition, site preparation, site improvements, land assembly and all soft costs associated with these activities. The initial phase will utilize available TIF proceeds, as same becomes available from the redevelopment of each lot in the Redevelopment Area, to assist in financing all eligible activities. Eligible activities may include those associated with the initial phase and additional eligible costs incurred in the development of subsequent phases. The excess *ad valorem* taxes from each subsequent phase will be computed from generated real property taxes of each site over the real property base tax value assessed on each subsequent phase for the year prior to the effective date determined by subsequent redevelopment contract to initiate this TIF provision. The Redevelopment Plan anticipates the allocation of excess *ad*

valorem real property taxes for a period up to 15 years, respectively, after each contract is approved to help finance any costs associated with eligible activities within the Redevelopment Area.

Additional TIF proceeds may be available to the Redevelopment Project as subsequent phases are constructed. This Redevelopment Plan authorizes the capture of TIF from subsequently approved amendments. Each subsequent amendment (as new phases are constructed) will cause a new “effective date” to be determined by contract for each such amendment. Any subsequent “effective date” shall only apply to the new lot or lots being developed through such amendment. The policy of the Village is to allow the amendment of the Redevelopment Plan in order to add additional redevelopment phases providing additional TIF to assist in funding the TIF eligible expenses in the Redevelopment Area, including the initial acquisition and infrastructure costs. Such amendments are deemed to consistent with this Redevelopment Plan and are not to be considered significant in nature.

The Redevelopment Plan assumes Phase One Redevelopment Site real estate valuation of approximately \$4,622,000 and Phase Two Redevelopment Site real estate valuation of approximately \$8,216,500. The excess *ad valorem* taxes from the initial phases will be computed from the generated real property taxes over the real property base tax value assessed on the Redevelopment Site for the year prior to the effective date determined by subsequent redevelopment contract to initiate this TIF provision. The Redevelopment Plan anticipates the allocation of excess *ad valorem* real property taxes for a period up to 15 years to help finance the Redevelopment Project. This analysis suggests a principal amount of proceeds available for the Redevelopment Project to be approximately \$8,725,000 for the entire Redevelopment Project to fund the redevelopment, with a principal amount of proceeds available for phase one of the Redevelopment Project to be approximately \$812,000 and a principal amount of proceeds available for phase two of the Redevelopment Project to be approximately \$1,570,350. The Redevelopment Project will assume an “effective date” for the division of real estate taxes on the Phase One Redevelopment Site and the Phase Two Redevelopment Site, respectively, to be determined by redevelopment contract.

Private Funding. It is expected that it will not be economically feasible to develop the Redevelopment Project without the use of TIF. The other funds for this project will come from the Redeveloper’s borrowed money or equity. The estimated valuation of the Redevelopment Project at full build-out is approximately \$43,332,000. The redevelopment cost of the initial phase is estimated to be more than \$15,000,000.

Other Public funding. There are no other publicly funded improvements included in this Redevelopment Project.

F. Cost Benefit Analysis

1) During the TIF amortization period, the underlying real property will continue to be taxed based upon its original assessed value at the time the TIF provision is approved, and the tax revenues based on that base valuation will be distributed to the various taxing jurisdictions. As

such there will be no loss of current tax revenues. The Redevelopment Project will improve the tax base in the area, in that it will result in the encouragement of development of a parcel of property that is not presently being fully utilized. Additional sales and use tax revenue can be expected from the project.

2) No significant public costs to provide infrastructure or service are expected as a result of this project. New infrastructure directly attributable to the project will be funded by the redeveloper. The Village police and volunteer emergency services have asserted that no additional expansion will be necessary to serve the project.

3) This project will not adversely impact business in the area but will increase the ability of the community to attract and retain existing businesses and residents. The initial phase provides an industrial base that currently does not exist in the Village.

4) This new commercial/industrial park will have no direct negative impact on public schools, and will indirectly assist in retaining existing families in the community.

5) The area where the Redevelopment Project will be located is in a designated blighted and substandard area.

6) The Redevelopment Project will further objectives of the Village's Comprehensive Plan in that it further develops underutilized land for commercial/industrial uses. This will improve the tax base in the Village and will increase employment opportunities in the Village.

Exhibit A

LaRita Properties LLC Redevelopment Area

PROPOSED DEVELOPMENT PROPERTY LEGAL DESCRIPTION AS SURVEYED

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N3°09'05"W (ASSUMED BEARING), A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S86°50'19"W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD, A DISTANCE OF 1537.18 FEET; THENCE N31°36'46"W, A DISTANCE OF 1687.04 FEET; THENCE N86°51'41"E, A DISTANCE OF 1055.92 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAIL ROAD; THENCE S60°20'54"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAIL ROAD, A DISTANCE OF 2723.79 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD; THENCE S85°06'16"W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD, A DISTANCE OF 235.07 FEET; THENCE S86°51'30"W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST MAPLE ROAD A DISTANCE OF 769.24 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 2674366 SQUARE FEET OR 61.39 ACRES MORE OR LESS

DOUGLAS COUNTY RIGHT-OF-WAY

THE SIXTY-SIX FOOT WIDTH OF WEST MAPLE ROAD RIGHT-OF-WAY EXTENDING FROM A POINT ABUTTING THE WESTERN BOUNDARY OF THE ABOVE-DESCRIBED DEVELOPMENT PROPERTY EASTERLY TO CONNECT TO THE ANNEXED EASTERN RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD.