

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 19, 2018 AGENDA**

Subject:	Type:	Submitted By:
84 TH STREET REDEVELOPMENT AREA PRELIMINARY STATEMENT REGARDING ADDITIONAL PROPOSED IMPROVEMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared to approve a Preliminary Statement regarding additional proposed improvements in connection with the Mixed Use Redevelopment Project and Public Improvement Redevelopment Project, 84th Street Redevelopment Area, and authorize further actions.

FISCAL IMPACT

There are substantial public benefits to be realized by the City and its residents from additional proposed redevelopment as part of the Mixed Use Redevelopment Project and Public Improvement Redevelopment Project, including eliminating and preventing recurrence of the substandard and blighted Area, expanding the array of entertainment and employment opportunities to the City and its residents, attracting visitors to the City, and enhancing the possibility of additional tax revenues for supporting costs of public services.

RECOMMENDATION

Approval.

BACKGROUND

The Mayor and City Council, to eliminate and prevent recurrence of the substandard and blighted area, in 2013 adopted the Redevelopment Plan - 84th Street Redevelopment Area, and amended it in 2016 to provide for Mixed Use and Public Improvement Redevelopment Projects ("Redevelopment Plan"), which Redevelopment Plan included an indoor event center, adjacent outdoor amphitheater, and various other private and public improvements. The following are proposed for the Area.

La Vista City Centre, LLC ("LVCC"), the redeveloper of the Mixed Use Redevelopment Project, together with Mammoth Inc. and 1% Productions have announced the intent to develop as part of the Mixed Use Redevelopment Project a state of the art indoor/outdoor, best in market specialty performance venue and related improvements in the Mixed Use Redevelopment Project Area. LVCC also intends to construct an anchor office building. The City anticipates that the proposed Event Venue, office building, and other redevelopment will attract visitors to the City and serve additional public purposes of eliminating and preventing recurrence of the substandard and blighted Area, expanding the array of entertainment and employment opportunities to the City and its residents, and enhancing the possibility of additional tax revenues for supporting costs of public services. The proposed venue also would be available for City use.

In the interests of public health, safety and welfare, the City as part of the Public Improvement Redevelopment Project would construct additional public improvements on City owned property, including without limitation, emergency vehicle and pedestrian ways and access, landscaping, sewer relocation, retaining walls, ramps, stairs, restrooms, and additional public offstreet parking facilities to facilitate safe and uncongested traffic flows through, in and around Nebraska State Highway 85 (84th Street), Harrison Street, Giles Road, and connectivity to I-80 and other parts of the metropolitan area.

The Preliminary Statement contains other proposed items, including for example proposed tax increment financing, economic development program grant, and general business occupation tax. All proposals in the Preliminary Statement would be subject to sufficient funding and definitive documents, and conditioned on satisfaction of applicable processes and requirements of applicable laws and regulations.

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,
NEBRASKA APPROVING PRELIMINARY STATEMENT OF INTENT**

WHEREAS, to eliminate and prevent recurrence of the substandard and blighted area, the Mayor and City Council in 2013 adopted the Redevelopment Plan - 84th Street Redevelopment Area, and amended it in 2016 to provide for Mixed Use and Public Improvement Redevelopment Projects ("Redevelopment Plan"), which Redevelopment Plan included an indoor event center, adjacent outdoor amphitheater, and various other private and public improvements; and

WHEREAS, a preliminary statement of intent is presented regarding proposals for the Area; and

WHEREAS, such proposals are subject to sufficient funding and definitive documents, and conditioned on satisfaction of all applicable processes and requirements of applicable laws and regulations.

NOW THEREFORE, BE IT RESOLVED that the preliminary statement of intent is hereby approved, and the City Administrator or her designee is hereby authorized and directed to take all actions as she determines necessary, appropriate, or required by applicable laws and regulations with respect to the matters described in this Resolution or the Staff Report, including without limitation, proceeding with applicable procedural requirements.

PASSED AND APPROVED THIS 19TH DAY OF JUNE, 2018.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

84TH STREET REDEVELOPMENT AREA --

Preliminary Statement

The Mayor and City Council, to eliminate and prevent recurrence of the substandard and blighted area, in 2013 adopted the Redevelopment Plan - 84th Street Redevelopment Area, and amended it in 2016 to provide for Mixed Use and Public Improvement Redevelopment Projects ("Redevelopment Plan"), which Redevelopment Plan included an indoor event center, adjacent outdoor amphitheater, and various other private and public improvements. The following is proposed for the Area.

Private Improvements. La Vista City Centre, LLC ("LVCC"), redeveloper of the Mixed Use Redevelopment Project, together with Mammoth Inc. ("Mammoth") and 1% Productions ("1%") (together LVCC, Mammoth, and 1% referred to as "Redeveloper") announced the intent to design, construct, own, operate, and maintain at their cost as part of the Mixed Use Redevelopment Project a state of the art indoor/outdoor, best in market specialty performance venue and related improvements, at a scale and operated in a manner to draw new performers to the market ("Event Venue"). The Event Venue would have an indoor capacity of approximately 2,400 persons and outdoor capacity of approximately 5,000 persons. LVCC also intends to construct an anchor office building. The City anticipates that the proposed Event Venue, office building, and other redevelopment will attract visitors to the City and serve additional public purposes of eliminating and preventing recurrence of the substandard and blighted Area, expanding the array of entertainment and employment opportunities to the City and its residents, and enhancing the possibility of additional tax revenues for supporting costs of public services.

Public Improvements. The City would design, construct, own, operate, and maintain at its cost as part of the Public Improvement Redevelopment Project additional public improvements on City owned property, including without limitation, emergency vehicle and pedestrian ways and access, landscaping, sewer relocation, retaining walls, ramps, stairs, restrooms and additional public offstreet parking facilities having 500 stalls. Public offstreet surface parking initially would be constructed where indicated. Timing of additional public offstreet parking facilities would be determined by the City as needed for safe and uncongested traffic flows through, in and around Nebraska State Highway 85 (84th Street), Harrison Street, Giles Road, and connectivity to I-80 and other parts of the metropolitan area, taking into consideration factors including the pace of redevelopment and commitment of an anchor office tenant.

Other Items:

- Redeveloper would use tax increment financing for eligible expenses.
- City would provide a \$3,000,000 grant to Redeveloper under the City's economic development program for acquisition, development, and construction of the Event Venue, subject to any applicable requirements or conditions in connection with such grant.
- The Event Venue would be available for use of the City or its designee for various City events; for example, use of the outdoor amphitheater for events in connection with the City's Salute to Summer currently held over the Memorial Day weekend ("Salute to Summer"). More specifically:
 1. The City or its designee would have the option each calendar year to use the Event Venue for Salute to Summer, and on days when other events are not previously scheduled for events of the Redeveloper (together "City Events").
 2. Use of the Event Venue for City Events would be provided, fully staffed, by the Redeveloper at no cost or expense to the City, except for actual costs of entertainment and labor, with no markup or profit.
 3. If tickets are used for City Events, Redeveloper would provide ticket services, including ticket orders, sales, issuance, processing, and customer service, at no cost to the City or additional charge to attendees.
- Any acoustics or other issues of outdoor events at the Event Venue would be addressed in a conditional use permit, if required, or other manner. Operating parameters for outdoor events would be established,

including without limitation the number of events, times, and decibel levels permitted. For example, the following ending times are preliminarily proposed for outdoor events:

1. Sunday through Thursday Nights: Ending all amplified sound by 10:30 pm.
 2. Friday and Saturday Nights: Ending all amplified sound by 11pm.
- City would levy and collect General Business Occupation Taxes (GBOT) in the 84th Street Redevelopment Area, in addition to any other applicable taxes and tax receipts, on businesses or users of space engaged in whole or in part in certain classifications of businesses or kinds of transactions, including without limitation those in whole or part engaged in event businesses. The amount of any GBOT would be determined in the manner specified in accordance with applicable law (more than one classification and GBOT might apply if multiple activities are conducted). The GBOT for businesses or users of space in whole or part engaged in event businesses would be determined as 3.5% of total gross receipts derived from ticket sales, event space and related personal property rentals, admissions to events, or similar activities or transactions.

Conveyances, replats, and other actions with respect to real property, on terms satisfactory to the City and in accordance with applicable laws and regulations, would be necessary to carry out improvements described above. Redeveloper, LVCC and City would cooperate in such conveyances, replats, and other actions as necessary, with any conveyances of real property by equivalent exchanges or other sufficient consideration as agreed. Final site plans, components, and designs would be subject to approval of the City in accordance with applicable law and regulations.

The foregoing proposals constitute a preliminary statement of intent with respect to the matters described, subject to sufficient funding and definitive documents, and conditioned on satisfaction of applicable processes and requirements of applicable laws and regulations. It is not binding on either party.

Dated this ____ day of _____, 2018.

City :

Douglas Kindig, Mayor

Dated this ____ day of _____, 2018.

Redeveloper:

LVCC

Mammoth Inc.

1% Productions

Christopher Erickson
Managing Member

Josh Hunt

Jim Johnson

Jeff Fortier

Marc Leibowitz