

BELLEVUE PLANNING COMMISSION

Thursday, May 28, 2020 7:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. CALL TO ORDER:

a. Roll Call

b. The Open Meetings Act location

c. Approve Minutes of April 23, 2020 Regular Meeting.

d. Accept into the record all staff reports, attachments, memos, and handouts regarding each application.

2. CONSENT AGENDA/PUBLIC HEARINGS:

3. PUBLIC HEARINGS:

a. Request to rezone Lots 1 and 2, Watson's Replat Three, being a replat of Lot 2, Watson's Replat II, from AG to AG and ML, for the purpose of industrial development; preliminary plat Lots 1 and 2, Watson's Replat Three; and final plat Lots 1 and 2, Watson's Replat Three.

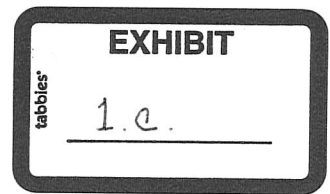
Applicant: DLWC Real Estate, LLC. General Location: 36th Street and Cornhusker Road.

Case #'s Z-2004-02, S-2004-04 and S-2004-05

b. Request to rezone Lot 1, Riverview Heights Replat III, from RS-120 to RS-84 for the purpose of an existing single family residence. Applicant: Tom and Mary Hansen. Location: 513 Ridge Road. Case #: Z-2004-03.

4. CURRENT BUSINESS

5. ADJOURNMENT



MINUTE RECORD

Bellevue Planning Commission Meeting, April 23, 2020 Page 1

Pursuant to the Governor's Executive Order 20-03, on Thursday April 23, 2020 at 7:00 p.m. the Bellevue Planning Commission meeting was held via video conference. Upon roll call, present were Commissioners Casey, Perrin, Cain, Aerni, Ackley, Hankins, Cutsforth, and Jacobson. Absent was Ritz. Also present were Tammi Palm, Planning Manager, and Angela Curry, Assistant Planning Manager.

Notice of this meeting was given in advance thereof by publication in the Bellevue Leader and posting in two public places, and was also given to the Chairperson and members prior to the meeting. These minutes were written and available for public inspection within ten days of the meeting.

Cutsforth announced the Open Meetings Act pursuant to the Governor's Executive Order 20-03, and said the meeting may be held via videoconference, telephone conference, or by conferencing by other electronic means. As such, said meeting will be by a virtual meeting and the public may join using Facebook live via the City of Bellevue's Facebook page.

Motion was made by Ackley, seconded by Jacobson, to approve the minutes of the March 26, 2020 regular meeting as presented. Upon roll call, Casey, Perrin, Cain, Aerni, Ackley, Hankins, Cutsforth and Jacobson voted yes. Motion carried.

Cutsforth asked if there were any updates or additions to staff reports. Palm advised there were no updates.

Motion was made by Hankins, seconded by Casey, to accept into the record all staff reports, attachments, memos, and handouts regarding each application. Upon roll call, all present voted yes. Motion carried unanimously.

Cutsforth explained the consent agenda process.

There were two items on the consent agenda:

Request to rezone Tax Lots 2A and 2B, located in the Northwest ¼ of Section 21, T14N, R13E, from RS-72 to RE for the purpose of facilitating the construction of a 50' x 60' barn structure. Applicant: John and Alyssa Buettner. General Location: 8405 S 36th St. Case # Z-2003-04; and a request to amend Fiscal Year 2019-2020 Public Works Capital Improvement Plan. Applicant: City of Bellevue.

Palm asked Cutsforth for a moment to check Facebook live for any comments. There were none.

No one spoke in favor of, or opposition to these requests.

Motion was made by Ackley, seconded by Cain, to approve the consent agenda as presented. Upon roll call, all present voted yes. Motion carried unanimously.

These items will proceed to CITY COUNCIL for PUBLIC HEARING ON May 19, 2020.

Meeting adjourned at 7:09 p.m.

A handwritten signature in blue ink that reads "Dianna Van Horn".

Dianna Van Horn
Planning Secretary

3.a.

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT # 1

CASE NUMBERS: Z-2004-07
S-2004-06
S-2004-08

FOR HEARING OF:
REPORT 1#: May 28, 2020

I. GENERAL INFORMATION

A. APPLICANT:

DLWC Real Estate, LLC
12601 South 71st Street
Papillion, NE 68133

B. PROPERTY OWNER:

DLWC Real Estate, LLC
12601 South 71st Street
Papillion, NE 68133

C. GENERAL LOCATION:

3803 Cornhusker Road

D. LEGAL DESCRIPTION:

Lots 1 and 2, Watson's Replat Three, being a platting of Lot 2, Watson's Replat II, located in the Northeast $\frac{1}{4}$ of Section 29, and the Northwest $\frac{1}{4}$ of Section 28, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lots 1 and 2, Watson's Replat III, from AG to AG and ML for the purpose of industrial development.
2. Preliminary plat Lots 1 and 2, Watson's Replat III.
3. Final plat Lots 1 and 2, Watson's Replat III.

F. EXISTING ZONING AND LAND USE:

AG, Orchard/Greenhouse/Nurseries and Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a change of zone, preliminary plat, and final plat to allow for the current agricultural use as well as light industrial development.

H. SIZE OF SITE:

The site is approximately 25.75 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

A portion of the site is being used as a nursery, greenhouse, and orchard for the Trees, Shrubs and More landscaping business. The site consists of several accessory structures and various varieties of trees. The portion of the site abutting 36th Street is vacant and has most recently been utilized for fill.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Commercial, Light Industrial, and Cornhusker Road right-of-way, General Business (BG)/Light Manufacturing (ML),
2. **East:** Commercial, Light Industrial, and 36th Street right-of-way, General Business (BG) and Light Manufacturing (ML)
3. **South:** Agricultural/Vacant, AG
4. **West:** Agricultural/Vacant, AG

C. REVELANT CASE HISTORY:

1. On September 26, 1991, the Planning Commission recommended approval of a request to final plat Lots 1 and 2, Watson's Replat II, being a replat of Tax Lot 13A, Tax Lot 13B (the north 10 feet of the east 10 feet of Tax Lot 13); together with Lot 1, Watson's Replat, located in the Northeast ¼ of the Northeast ¼ of Section 29; together with Tax Lot 17A, located in the Northwest ¼ of the Northwest ¼ of Section 28; all located in T14N, R13E of the 6th P.M., Sarpy County, Nebraska. The City Council approved the aforementioned request on October 15, 1991.
2. On May 16, 1991 the Planning Commission recommended approval of a request to preliminary plat Lots 1 and 2, Watson's Replat II, being a replat of Tax Lot

13A, Tax Lot 13B (the north 10 feet of the east 10 feet of Tax Lot 13); together with Lot 1, Watson's Replat, located in the Northeast ¼ of the Northeast ¼ of Section 29; together with Tax Lot 17A, located in the Northwest ¼ of the Northwest ¼ of Section 28; all located in T14N, R13E of the 6th P.M., Sarpy County, Nebraska. The City Council approved the aforementioned request on June 10, 1991.

3. On May 16, 1991 the Planning Commission recommended approval of a request to rezone Tax Lot 13A, Tax Lot 13B (the north 10 feet of the east 10 feet of Tax Lot 13); together with Lot 1, Watson's Replat, located in the Northeast ¼ of the Northeast ¼ of Section 29; together with Tax Lot 17A, located in the Northwest ¼ of the Northwest ¼ of Section 28; all located in T14N, R13E of the 6th P.M., Sarpy County, Nebraska. The City Council approved the aforementioned request on June 10, 1991.

D. APPLICABLE REGULATIONS:

1. Section 5.05, Zoning Ordinance, regarding AG uses and requirements.
2. Section 5.27, Zoning Ordinance, regarding ML uses and requirements.
3. Chapter 3, Subdivision Regulations, regarding Preliminary Plats.
4. Chapter 4, Subdivision Regulations, regarding Final Plats.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this area as Agricultural.

B. OTHER PLANS:

The applicant has indicated a desire to sell proposed Lot 2, Watson's Replat III, if his rezoning is approved.

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. Proposed Lot 1 has access from Cornhusker Road, while Proposed Lot 2 has access to South 36th Street.

D. UTILITIES:

All utilities are available to serve this development.

E. ANALYSIS:

1. Dale Watson, on behalf of DLWC Real Estate, LLC, has submitted a request to preliminary plat and final plat Lots 1 and 2, Watson's Replat III, for the purpose of agricultural and industrial development.

2. The applicant is also requesting a change of zone from AG to AG (Agricultural) for proposed Lot 1, and ML (Light Manufacturing District) for proposed Lot 2.

The AG zoning requires a minimum lot area of 20 acres, while the ML zoning requires a minimum lot area for business or industry of 10,000 square feet. Both lots meet the minimum zoning requirements.

3. Proposed Lot 1 is the current location of Trees, Shrubs and More, a design and garden center. The main building, several outbuildings, and greenhouses are on this location.

4. According to the Federal Emergency Management Agency (FEMA) Floodway Boundary and Floodway maps, most of the site lies within the limits of the 100-year flood plain of the Big Papillion Creek.

The applicant has previously received a flood development permit to fill a portion of the site above the elevation of the 100 year flood plain.

5. This application was sent out to the following departments and individuals for review: Public Works, Permits and Inspections, Offutt Air Force Base, Sarpy County Planning Director, Sarpy County Public Works Department, Sarpy County Deputy County Administrator, and Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Matt Knight, Public Works Engineer, made comments pertaining to technical revisions to the final plat. The applicant's engineer has satisfied the requested revisions.

Krista Hoffart, Offutt Air Force Base Community Planner, made comments the property is in the Air Installation Compatible Use Zone (AICUZ) and falls with the 65-69 db and 70-74 db noise ranges. She requested if or when development occurs it complies with the suggested Land Use Compatibility Recommendations for areas within those noise zones. Some will require no modification, while others may suggest

that noise attenuation materials be used in construction to reduce noise levels a specific decibel amount.

Compliance with the AICUZ ordinance will be monitored during the building permit process.

No other comments were received on this case.

6. The applicant's engineer has dedicated 30' of additional right-of-way along 36th Street at the request of the city to allow for future expansion of this roadway.

7. Based on its existing zoning, this property is designated for agricultural use in the Future Land Use Map of the Comprehensive Plan. If the aforementioned requests are approved, staff would also recommend including a motion for an amendment to the Future Land Use Map for this area.

8. Proposed Lot 2 for which the ML zoning is being requested for abuts several lots presently zoned ML. Additionally, staff believes with the continued AG zoning for proposed Lot 1 to the west, along with the current AG zoning and floodplain and floodway to the south and west of this property, the proposed zoning request is compatible with the neighborhood and existing development. There is a multi family residential development to the east of this property; however, that property is across the 36th Street right-of-way, and is also to the east of the existing ML zoning.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance, and Subdivision Regulations; and also based upon the lack of perceived negative impact to the surrounding neighborhood.

V. PLANNING COMMISSION RECOMMENDATION

Under review.

VI. ATTACHMENTS TO REPORT

1. Vicinity map/Zoning Map
2. 2018 GIS aerial
3. Preliminary plat received May 14, 2020
4. Final plat received May 14, 2020
5. Letter from Joe Dethlefs received April 27, 2020

VII. COPIES OF REPORT TO:

1. DLWC Real Estate, LLC (Dale Watson)
2. TD2 Engineering & Surveying
4. Public Upon Request

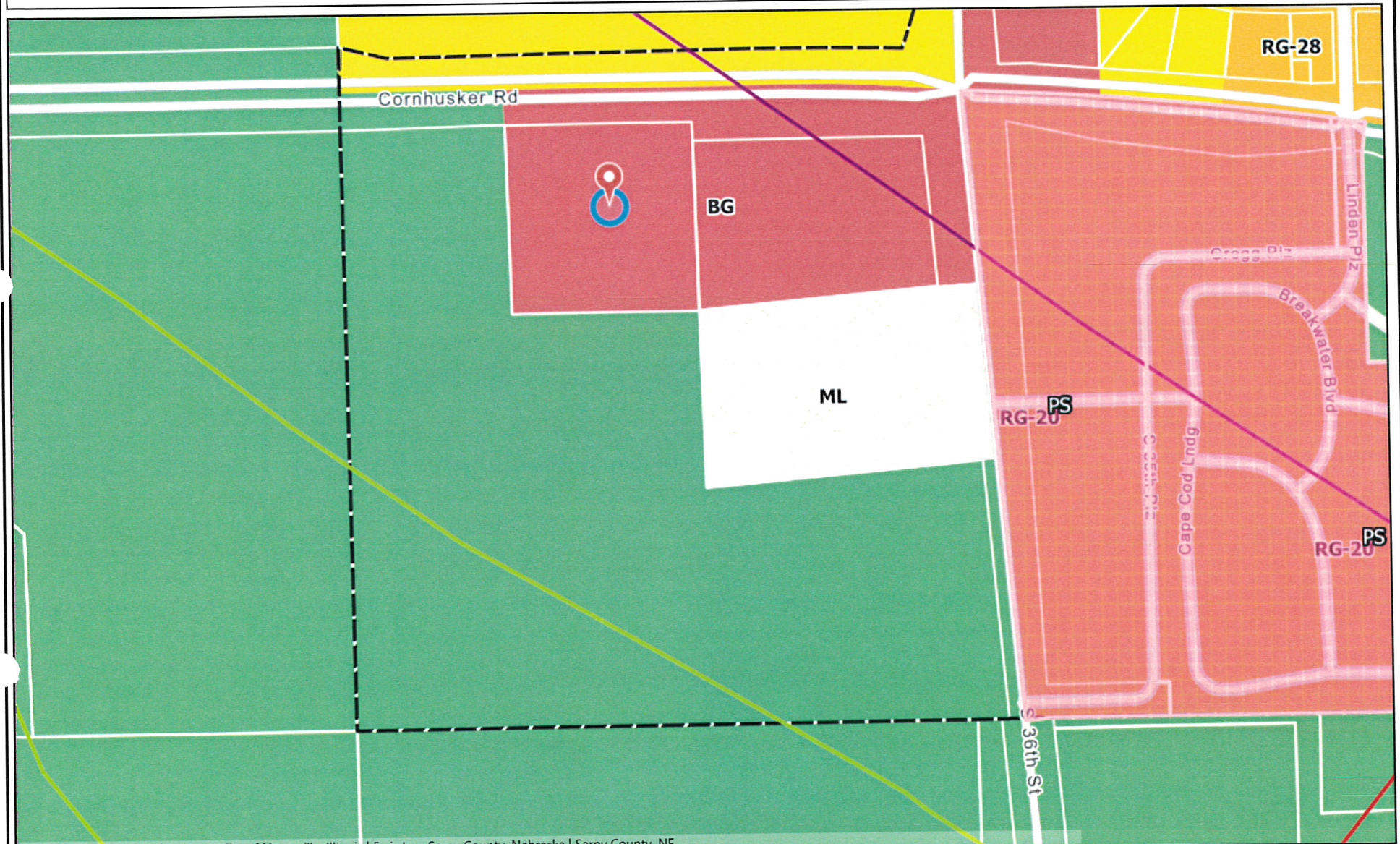
Angela M. Curry 5/20/20
Prepared by:

Jammi R. Palm 05/20/2020
Planning Manager Date of Report



SARPY COUNTY
NEBRASKA

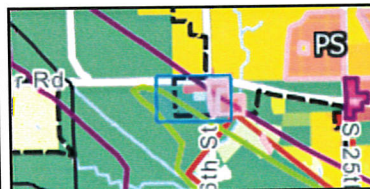
3803 Cornhusker Road



Sarpy County, Nebraska | Esri, Inc. | City of Naperville, Illinois | Esri, Inc. | Sarpy County, Nebraska | Sarpy County, NE

Map Scale 1: 4514

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes





SARPY COUNTY
NEBRASKA

3803 Cornhusker Road



Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

Map Scale 1: 4514

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes



RECEIVED

MAY 14 2020

PLANNING DEPT.

WATSON'S REPLAT THREE

LOTS 1 AND 2

BEING A REPLATTING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.

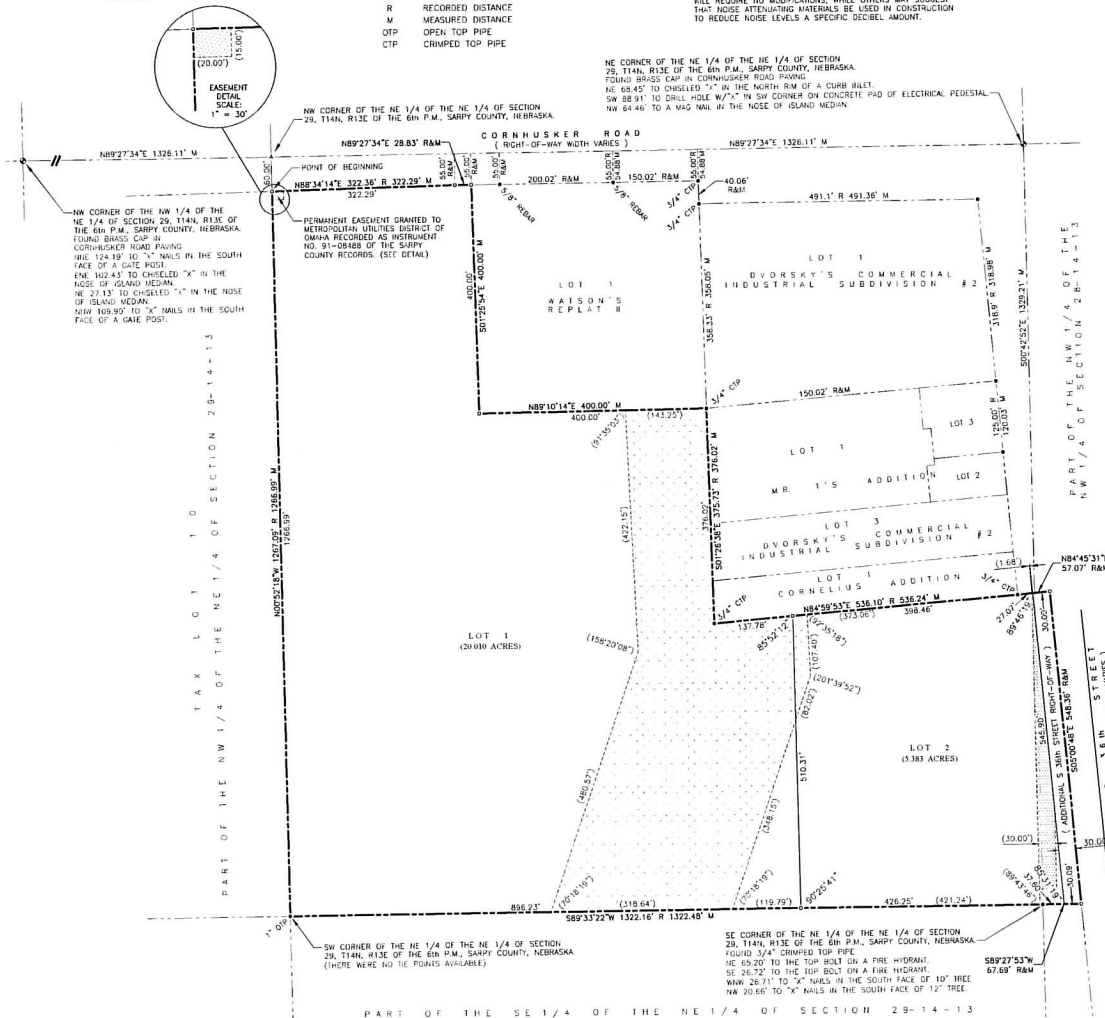
- EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC. BOOK 39 AT PAGE 23 OF THE SARPY COUNTY RECORDS.
- EASEMENT GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MISC. BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

LEGEND

- CORNERS FOUND
- CORNERS SET (5/8" NEAR W/CAP #308)
- △ TEMPORARY POINT
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OPEN TOP PIPE
- CTP CRIMPED TOP PIPE

NOTES

- DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.
- THE PROPERTY LIES WITHIN THE AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) AND FALLS WITHIN THE 65-85dB AND 70-75dB NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THOSE NOISE ZONES. SOME WILL REQUIRE NO MODIFICATIONS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS WATSON'S REPLAT THREE, LOTS 1 AND 2, BEING A REPLATTING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA. ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID LOT 2, SAID CORNER BEING 60.00 FEET SOUTH OF THE NW CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6th P.M., SAID SARPY, AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

THENCE N88°34'14"E (ASSUMED BEARING) 322.29 FEET ON THE NORTH LINE OF SAID LOT 2 AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

THENCE N89°27'34"E 28.83 FEET ON THE NORTH LINE OF SAID LOT 2 AND ON THE SOUTH LINE OF CORNHUSKER ROAD TO THE NE CORNER OF SAID LOT 2;

THENCE S01°25'54"E 400.00 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N89°10'14"E 400.00 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE S01°26'38"E 376.02 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N84°59'53"E 536.24 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N84°45'31"E 57.07 FEET ON THE EAST LINE OF SAID LOT 2; TO THE WEST LINE OF 36TH STREET;

THENCE S02°09'48"E 548.36 FEET ON THE EAST LINE OF SAID LOT 2 AND ON THE WEST LINE OF 36TH STREET TO THE SE CORNER OF SAID LOT 2;

THENCE S89°27'53"W 67.69 FEET ON THE SOUTH LINE OF SAID LOT 2;

THENCE S89°33'22"W 1322.48 FEET ON THE SOUTH LINE OF SAID LOT 2 TO THE SW CORNER THEREOF;

THENCE N00°52'18"W 1266.99 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

CONTAINING 25.770 ACRES MORE OR LESS



JAMES D. WARNER
NEBRASKA RLS 308

APRIL 15, 2020
DATE

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WE, DLWC REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A STREET AND LOTS TO BE NAMED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS WATSON'S REPLAT THREE, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREET AS SHOWN HEREON, AND WE DO FURTHER GRANT PERPETUAL EASEMENTS TO OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURYLINK ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREBY DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO EIGHT (8) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. PERPETUAL EASEMENTS ARE HEREBY GRANTED TO METROPOLITAN UTILITIES DISTRICT AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ELECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND REPLACE PIPES, HYDRAULIC AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER OIL, THROUGH UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL COLLEGE-STREET STREETS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, SHOWWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREBY GRANTED.

DLWC REAL ESTATE, LLC
A NEBRASKA LIMITED LIABILITY COMPANY

BY:
DALE E. WATSON, PRESIDENT

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SARPY)
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020 BY DALE E. WATSON, PRESIDENT OF DLWC REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTIARY PUBLIC

SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS _____ DAY OF _____, 2020.

TREASURER'S SEAL

SARPY COUNTY TREASURER

APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION ON THIS _____ DAY OF _____, 2020. THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

BELLEVUE PLANNING COMMISSIONER

APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL ON THIS _____ DAY OF _____, 2020. APPROVAL OF THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

MAYOR CITY CLERK

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF WATSON'S REPLAT THREE WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE THIS _____ DAY OF _____, 2020.

SARPY COUNTY
SURVEYOR/ENGINEER



thompson, dreesen & dornier, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com

WATSON'S REPLAT THREE
LOTS 1 AND 2



Revision Dates

No.	Description	MM-DD-YY
1		
2		
3		
4		

Job No.: A1561-19-20A
Drawn By: RJR
Reviewed By: JDW
Date: APRIL 15, 2020
Book:
Page:

Sheet Title

CITY OF BELLEVUE
FINAL PLAT

Sheet Number

SHEET 1 OF 1

April 23, 2020

Ms. Tammi L. Palm
City of Bellevue
1510 Wall Street
Bellevue, NE 68005

RE: Watson's Replat Three
Rezoning Justification Letter
TD2 File No. 1561-19-20.1

Ms. Palm:

Once Lot 2, Watson's Replat II is subdivided into Lots 1 and 2, Watson's Replat Three, the Owner plans to sell Lot 2, Watson's Replat Three. To attract potential buyers, the Owner would like to rezone Lot 2 from Agricultural District (AG) to Light Manufacturing District (ML).

Please contact me if you have any other questions.

Sincerely,

Thompson, Dreessen & Dörner, Inc.



Joe Dethlefs, P.E.

RECEIVED
APR 27 2020
PLANNING DEPT.

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 1

CASE NUMBER: Z-2004-03

FOR HEARING OF:
REPORT #1: May 28, 2020

I. GENERAL INFORMATION

A. APPLICANT:

Tom and Mary Hansen
513 Ridge Road
Bellevue, NE 68005

B. PROPERTY OWNERS:

Mary Hansen Revocable Trust
513 Ridge Road
Bellevue, NE 68005

C. LOCATION:

513 Ridge Road

D. LEGAL DESCRIPTION:

Lot 1 Riverview Heights Replat III, located in the Southeast $\frac{1}{4}$ of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTION:

Rezone Lot 1 Riverview Heights from RS-120 to RS-84

F. EXISTING ZONING AND LAND USE:

RS-120, Single Family Residential

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning to be in conformance with lot sizes and setbacks.

H. SIZE OF SITE:

The site is approximately 0.61 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

A single-family residential building is presently developed on this site. The building was constructed in 1987.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Single-Family Residential, RE, RS-120
- 2. **East:** Single-Family Residential, RS-120
- 2. **South:** Single-Family Residential, RE, RS-120
- 3. **West:** Single-Family Residential, RE

C. REVELANT CASE HISTORY:

There have been no recent requests to rezone or replat this property.

D. APPLICABLE REGULATIONS:

- 1. Section 5.08 Zoning Ordinance, regarding RS-84 uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this area as low density residential.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

- 1. There is no traffic data information available for this area.
- 2. This property has access from Ridge Road.

D. UTILITIES:

All utilities are available to this location.

E. ANALYSIS:

1. Tom and Mary Hansen have submitted a request to rezone Lot 1 Riverview Heights Replat III for the purpose of bringing a single-family residential building into conformity.
2. The property is presently zoned RS-120 (Single-family residential, 12,000 Square foot minimum). The applicants are requesting a change of zone to RS-84 (Single-family residential, 8,400 Square Foot Minimum).
3. This neighborhood is largely zoned RE (Residential Estates). The RE zoning district requires a minimum lot size of one acre. The vast majority of the properties in this area do not meet the minimum requirements of the RE zoning district for lot size or setbacks. As such, they are considered legal non conforming structures.

This neighborhood has an aging population. As residents are looking to sell or make improvements to their properties, they face difficulty in doing so under the present zoning districts. Staff has suggested an RS-84 zoning district to bring the neighborhood into conformance and avoid spot zoning.

The Planning Department contemplates more of these requests from this neighborhood for the aforementioned reasons. Staff has suggested several property owners come together for a single request. In the meantime, this request is the first step towards bringing the neighborhood into zoning compliance for the existing lots and structures.

4. Mr. Hansen, through a previous platting request, does meet the minimum lot size for his present RS-120 zoning; however, based on the neighborhood need as a whole, it makes sense for him to go to the RS-84 zoning the remainder of the neighborhood will require.
5. The Riverview Heights neighborhood is adjacent to the College Heights neighborhood to the east, which is zoned RS-84 and RS-120. The adjacent Forest Hills neighborhood to the west is zoned RG-50. An RS-84 zoning would be compatible with these neighborhoods.
6. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

No comments were received on this case.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance, and lack of perceived negative impact upon the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

Under Review


VI. ATTACHMENTS TO REPORT

1. Zoning Map
2. 2018 GIS aerial
3. Letter from Tom Hansen received April 29, 2020

VII. COPIES OF REPORT TO:

1. Tom and Mary Hansen
2. Larry Jobeun
5. Public Upon Request

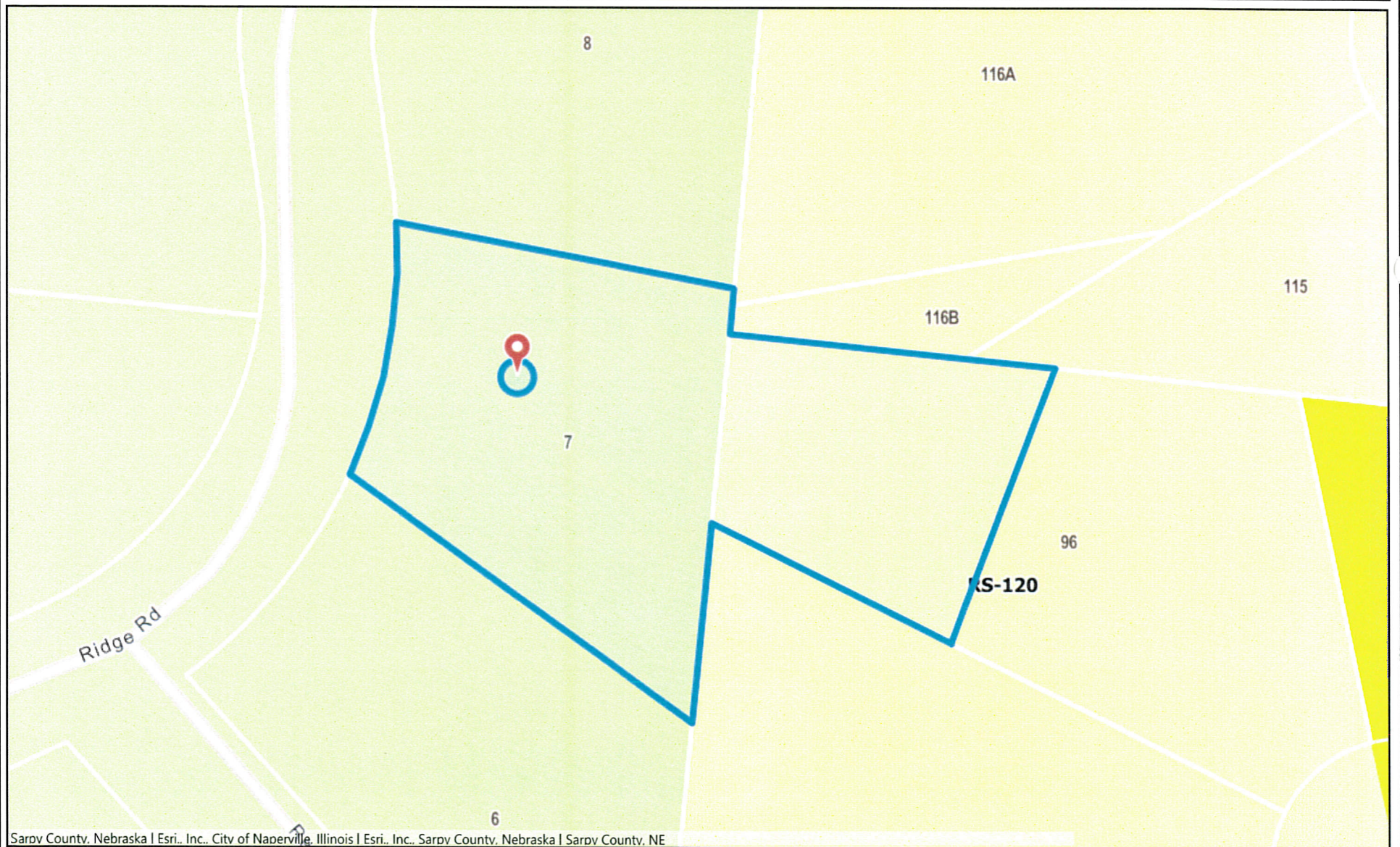
 5/14/20
Assistant Planning Manager Date

 5/14/20
Planning Manager Date



SARPY COUNTY
NEBRASKA

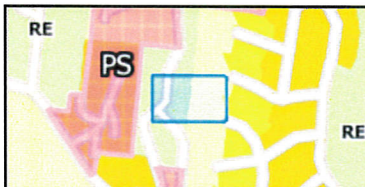
513 Ridge Road



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

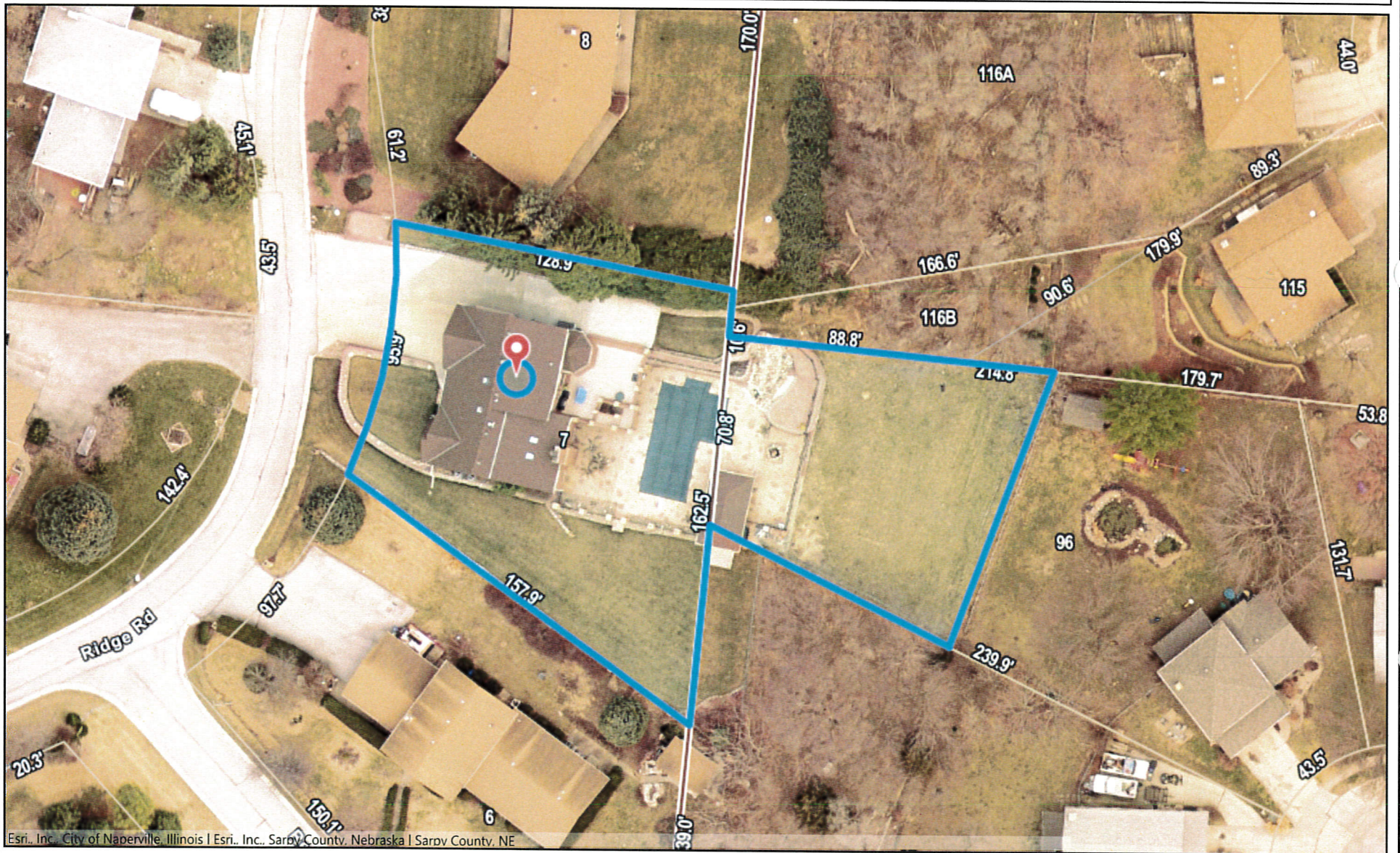
Map Scale 1: 796

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes





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Map Scale 1: 796

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Notes



To: City of Bellevue
Rezoning Application

I, Tom Hansen would like to request rezoning
my property at 513 Ridge Rd Bellevue, Riverview
Heights Lot 7 from Residential Estate to RS-84
to conform with lot sizes and set backs.

Thank You
Tom Hansen

4-24-2020

402-666-7000

402-339-7007 office T. Hansen Construction Inc

Email thansen@thansenconstruction.com

RECEIVED
APR 29 2020
PLANNING DEPT.