

BELLEVUE PLANNING COMMISSION

Thursday, September 24, 2020 7:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. CALL TO ORDER:

a. Pledge of Allegiance

b. Roll Call

c. The Open Meetings Act location

d. Approve Minutes of August 27, 2020 Regular Meeting

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

2. CONSENT AGENDA/PUBLIC HEARINGS:

3. PUBLIC HEARINGS:

a. Request for a conditional use permit for Lot 2, One Cornhusker Place, for the purpose of auto sales. Applicants: James Howe and John Beckby. General location: 2204 Pratt Avenue. Case #: CUP-2006-01

b. Request to rezone Lots 122 through 124, Belle Lago South, being a platting of a tract of land located in part of the Southwest ¼ of the Northwest ¼ of Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RG-50-PS, for the purpose of single family residential development; and preliminary plat Lots 122 through 124, Belle Lago South. Applicant: HC Belle Lago, LLC. General Location: Looking Glass Drive and South 45th Street. Case #'s: Z-2007-08 and S-2007-16.

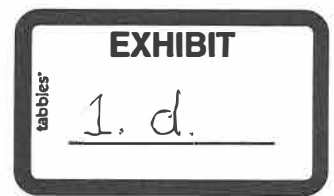
c. Request to approve the Redevelopment Plan for Lots 9 through 11, South Woods. Applicant: Southwoods Manager, LLC. General Location: Nebraska Drive and Childs Road West. Case: ECD #47.

d. Request to rezone Lot 1, South Woods Replat 4, being a replat of Lots 9 through 11, South Woods, from RG-8 and RG-8-PS to RG-8-PS for the purpose of multi-family residential development, with site plan approval; and small subdivision plat Lot 1, South Woods, Replat 4. Applicant: APOGEE Professional Services. General location: Childs Road and Nebraska Drive. Case #'s: Z-2008-11 and S-2008-19

e. Request to rezone Lots 2 and 2A, Kennedy Town Center Replat Seven, being a replat of Lot 2, Kennedy Town Center Replat Four, from RG-20- PS to BG-PCO and RG-20-PS for the purpose of a commercial and multi-family residential development; and small subdivision plat Lots 2 and 2A, Kennedy Town Center Replat Seven. Applicant: Carlson Consulting Engineers, Inc. General location: 25th Street and West Chandler Road. Case #'s: Z-2008-10, S-2008-18.

4. CURRENT BUSINESS: none

5. ADJOURNMENT



MINUTE RECORD

Bellevue Planning Commission Meeting, August 27, 2020 Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, August 27, 2019 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Cain, Aerni, Ritz, Ackley, Hankins, and Jacobson. Absent were Perrin and Cutsforth. Also present were Tammi Palm, Planning Department Manager, and Angela Curry, Assistant Planning Manager.

Notice of this meeting was given in advance thereof by publication in the Gretna Guide 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.

Ritz announced a copy of the Open Meetings Act was posted in the entry to the City Council Chambers.

Motion was made by Casey, seconded by Jacobson, to approve the minutes of the July 23, 2020 regular meeting as presented. Upon roll call, Casey, Cain, Aerni, Ritz, Hankins, and Jacobson voted yes. Ackley abstained. Motion carried.

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

Motion was made by Ackley, seconded by Cain, 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.

Ritz explained the public hearing procedures

PUBLIC HEARING was held on a request to rezone Lot 1 Riverview Heights Replat IV, being a replat of Lot 1 Riverview Heights Replat III, and Lot 6 Riverview Heights Replat, from RE and RS-120 to RE for the purpose of an existing single family residence; and small subdivision plat Lot 1 Riverview Heights Replat IV. Applicants: Tom and Mary Hansen. General location: 513 Ridge Road. Case #'s: Z-2007-06 and S-2007-12.

Tom Hansen, 513 Ridge Rd., Bellevue, NE was present. Hansen stated he is handicapped and needs to put a handicap accessible addition onto his current residence. He stated he purchased the property on Lot 6, Riverview Heights Replat, from his neighbor and that residence has since been demolished. Hansen said he is consolidating the lots to allow for the construction of a handicap accessible addition to his residence.

Hankins asked staff if a permit for the demolition of the residence on Lot 6 had been obtained. Palm stated a permit was issued.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

MOTION was made by Aerni, seconded by Ackley to recommend APPROVAL of a request to rezone Lot 1 Riverview Heights Replat IV, being a replat of Lot 1 Riverview Heights Replat III, and Lot 6, Riverview Heights Replat, from RE and RS-120 to RE for the purpose an existing single family residence; and small subdivision plat Lot 1 Riverview Heights Replat IV. Applicant: Tom and Mary Hansen. Location: 513 Ridge Road. Case #'s: Z-2007-06 and S-2007-12. APPROVAL of the application based upon conformance with the Zoning Ordinance, Subdivision Regulations, and lack of perceived negative impact to the surrounding area. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to City Council for PUBLIC HEARING ON October 6, 2020.

PUBLIC HEARING was held on a request to rezone Lots 1 and 2, Southroads Technology Park, from BG-PCO to BGH, for the purpose of further commercial development. Applicant: Deep Well dba Southroads Technology Park. General location: 1001 Fort Crook Rd N. Case #: Z-2007-09,

Tari Asche, 4907 N 126th St, Omaha, NE was present to speak on behalf of Deep Well. Asche stated Deep Well is doing business as Southroads Technology Park, which they purchased in February 2020. She stated Deep Well has an agreement with United Parcel Service (UPS) to potentially lease the northwest corner of Lot 1 and all of Lot 2 for the purpose of the temporary staging of trucks and trailers. Asche said the staging would be primarily from November to January, and the maximum number of trailers on site would be one hundred and twenty-five (125). She stated the peak day would be Saturday, with some possible traffic on Tuesdays and Wednesdays. Asche stated the peak hours

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Bellevue Planning Commission Meeting, August 27, 2020, Page 2

would be 2 a.m. to 7 a.m. and 7 p.m. to 9 p.m., and the average trips per day would be ten (10).

Palm stated this was the rezoning request and any details regarding the Conditional Use Permit (CUP) should be discussed when public hearing is held for that item.

Steve Denton, 2535 Ed Babe Gomez Avenue, Omaha, NE, stated he was representing UPS and felt he could give Commissioners some insight on UPS's intent for the property. Ritz stated the public hearing was for the rezoning and Mr. Denton would have an opportunity to speak during the hearing for the CUP.

Palm stated Denton could voice his opinion on the rezoning. Denton stated UPS was in-favor of the rezoning. He stated it is a challenge for UPS to find property close to their facility they can lease for temporary storage of their equipment.

There was no one else present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Jacobson stated the area to the north, known as the prior Sears area, has a fair number of tractor-trailers parked on that lot. Jacobson asked Palm if the zoning was consistent in that area with the change that is being proposed. Palm stated the adjacent zoning along the Fort Crook corridor is industrial and she did not have any issues with the zoning being changed to BGH for this property.

Ackley asked staff what is the purpose of the rezoning application if it is paired with the CUP and staff has recommended denial on the CUP. Palm stated the rezoning request for BGH goes along with the Comprehensive Plan. Palm said Southroads Technology Park has changed greatly in the last five years. She said Southroads was once only retail space but now there are two schools in this location; Cornerstone Christian School which is K through 12, located on the north end of the building and Omaha Public Schools (OPS) is utilizing the south end of the building with a five to ten year lease option. Palm stated the Planning Commission and the city must find that there are no safety concerns with the CUP. She stated she has concerns for safety because there are two playgrounds and a bus route next to the proposed leasing area.

Aerni asked what are some of the uses allowed in BGH. Palm stated BGH allowed for a wider range of commercial uses. Palm listed some of the uses allowed in BGH.

Discussion ensued regarding the zoning and Planned Center Overlay Districts.

MOTION was made by Jacobson, seconded by Hankins to recommend APPROVAL of a request to rezone Lots 1 and 2, Southroads Technology Park, from BG-PCO to BGH, for the purpose of further commercial development. Applicant: Deep Well dba Southroads Technology Park. General location: 1001 Fort Crook Rd N. Case #: Z-2007-09. APPROVAL also based upon perceived negative impact upon the surrounding area and conformance with the Zoning Ordinance and Comprehensive Plan. Upon roll call, Casey, Aerni, Ritz, Ackley, Hankins and Jacobson voted yes. Cain voted no. MOTION carried.

This item will proceed to City Council for PUBLIC HEARING ON October 6, 2020.

PUBLIC HEARING was held on a request for a Conditional Use Permit for Lots 1 and 2, Southroads Technology Park, for the purpose of the temporary parking of trucks and trailers. Applicant: UPS. General location: 1001 Fort Crook Rd N. Case #: CUP-2007-02.

Denton stated he was present on behalf of UPS. He stated he is the Industrial Engineer Section Leader, which means he primarily coordinates all the planning for the hub from 4 p.m. to 8 p.m. Denton said UPS is asking to lease the Southroads lots for temporary parking of leased trailers beginning with their peak season in early November through Christmas. He stated the peak trailer count would be approximately one hundred and twenty five with a few remaining after the peak season until they are returned to the rental companies. Denton stated UPS has a long history of working with their drivers to ensure safety and consideration for the surrounding communities. Denton stated UPS utilized this site last year and there were no issues. He said the trailers would be staged approximately ten times a day and then brought back to the UPS main building. Denton said most of the activity would take place on Saturdays or past 7 p.m. He stated UPS is around schools all day everyday throughout the country and safety is a common practice for UPS.

Bryan Bartels, 2510 Pinehurst Dr, Papillion, NE, Board President of Cornerstone Christian School and Deep Well was present to speak on behalf of UPS. He stated Deep Well is a non-profit organization for childhood education with their first school established in Mali, Africa. Bartels said they support not only Cornerstone

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Christian School but also OPS. He said Deep Well will create more schools overseas and they have collaborated with some of the Jesuit Universities who will take Deep Well's students when they are ready for college. He stated all Deep Well funding goes to children or feeding the hungry. Bartels stated the leasing of the site to UPS would help in Deep Well's goals. He stated the site will be fenced, and if required a separate entrance would be constructed for UPS. Bartels said UPS activities would be at night when the children are not present.

Asche stated traffic from UPS trucks will enter from Camp Brewster Road. He said their only entrance will be on the north side and trucks will enter directly into the gated area. She stated there would be no traffic on the site itself. Asche said their main concern was for the children's safety.

There was no one else present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Cain stated there were letters of concern from residents in the area. She stated part of the Commission's responsibility is concern for the health, safety, and welfare of all citizens; not just the children. Cain said she could not disagree that the safety of children is major, but residents have commented regarding the noise and times of operation. She said UPS working hours are from 4 p.m. to 4 a.m. and this is the time when most people are home with their family or sleeping and they may be bothered by the truck noise. Cain asked how UPS plans to deal with those complaints. Denton said last year they used the parking lot for employee parking as well as for trailers. He stated this year they would not have any employee parking in this lot. Denton stated the truck noise is comparable to the traffic noise that is already in the area. He said there would be some noise from the disconnecting of hoses and brake lines but with a maximum amount of ten per day, not all of them would be done in the middle of the night.

Ackley stated last fall the Commission had several hearings on the location across the street where OPS is building their new school. He said at that time the Commission raised a number of safety concerns and the city recommended approval on that application. Ackley stated for this application there is a confined fenced area where the truck traffic would be entering and various routes for the children coming to school, but staff is recommending denial. Ackley asked staff how they came to that recommendation. Palm stated this CUP would allow truck parking on the same lot as the two schools. She said the elementary school across the street does not have trucks parking on the lot. Palm stated with the elementary school application the concern was for the safety of children getting to school and the city felt OPS adequately addressed that concern. Palm said the difference in this application is there will be trucks moving in and out on the same property as two existing elementary schools.

Ackley asked if the applicant was going to limit hours of operation outside of the school hours. Palm stated the information submitted by the applicant said OPS is requesting zero to limited mobility from 7 a.m. to 9 a.m. and 3 p.m. to 5 p.m. weekdays. Palm stated the response from the applicant said they could not commit to zero but movement levels would be similar to last year, which were busiest on Tuesdays and Wednesdays.

Ackley asked if the applicant would agree to limit their movements outside of school hours would that change the recommendation from staff. Palm stated that would be very difficult to enforce. Palm stated if there is a complaint and Code Enforcement is dispatched the best they can do is have a Code Enforcement Officer sit there and count movements if it is during normal business hours for the city.

Jacobson asked for details of traffic patterns of the trucks entering and exiting the campus. Denton said the route would be from Q Street to Highway 75 and exiting on Chandler.

Cain asked if UPS or Southroads Technology Park had a meeting with the residents in that area. Denton and Asche stated they have not.

Discussion ensued regarding the UPS trailers and the fencing surrounding the parking lot.

Palm stated she would need an updated site plan before this item moved to City Council. She said she would need details on the type of fencing to be installed on the site plan.

Ritz asked if this CUP is approved would Southroads be able to bring in another vendor to utilize the parking lot. Palm said the CUP would stay with the property; however, the Conditional Use Agreement could put certain restrictions in place.

Discussion ensued regarding types of limitations that could be placed in the Conditional Use Agreement.

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Jacobson asked Deep Well if lighting was going to be examined. Bartels stated lighting is a key issue because of teachers going in and out in the dark so most of the lighting has been updated. He stated they would also be adding cameras to the lot. Jacobson said his concern was the lighting being too bright and interfering with neighbors' sleep. Bartels stated they have never received any complaints.

Discussion ensued regarding playground locations and the children's movement between the school and the playground.

Aerni asked staff if UPS applied for a CUP because complaints were received. Palm stated there had been complaints to Code Enforcement. She stated Code Enforcement notified the property owner the property was not properly zoned to have the trucks and trailers parked there. Aerni asked if there were screening requirements for this property. Palm stated there were fencing requirements that needed to be approved by the Planning Department.

Ackley asked if the Commission would recommend approval based on hours of operation being outside of school hours and would UPS be willing to accept that restriction. Denton stated it could hinder UPS's operations but they would consider it if it was the deciding factor for this request.

Ackley stated an alternative might be to access Lot 2 from a new access point that would allow the trucks to enter entirely into the fenced area. Denton stated creating a new access point might create problems for the residents with driveways adjacent to the new access point. Palm stated she agreed the new access point would create problems for adjacent neighbors.

Ackley asked Casey for his opinion on trucks in parking lots with two schools and the inability to restrict the children from being near the trailers. Casey stated the ideal situation would be to totally separate the truck activity from the school activity. Casey asked if buses or parents dropping off children would be entering at the same entrance as the trucks.

Discussion ensued regarding constructing a new entrance.

Casey stated when schools are designed the ultimate goal is to separate all school bus traffic from parent traffic to avoid issues and now UPS is adding a third element. He stated he appreciates the fact the truck traffic will be limited during school hours, but it is still a concern and he would like to see some type of separation. Bartels stated Deep Well is happy to do whatever is needed.

Ritz asked if there was a possibility of moving the fencing back to a point where the trucks would not enter the school lot and rather enter directly into the fenced area. Denton stated there would be plenty of space to make that a possibility.

Ritz asked if the required parking is still adequate for the building usage. Palm stated they had adequate parking.

Palm stated she wanted to speak to a secondary access. She said she did not know if that would be a possibility due to specific engineering requirements regarding commercial driveways and spacing. Palm stated there was not a lot of frontage on that side of the lot, which might not allow spacing for an additional commercial driveway.

Hankins stated when trailers are disengaged it sounds like a shotgun blast. He said he agreed with Ms. Cain and felt the noise aspect was a problem.

Aerni asked Denton if a one year limitation on this CUP would affect UPS's investment. Denton stated his role was only to find an area to lease and he was not familiar with the investment part. He stated he would agree to a one-year agreement.

Discussion ensued regarding the zoning change and the permitted uses in those zones.

Ritz stated although truck traffic would be limited the residents may have some problems with the noise. He stated if the Conditional Use Permit Agreement had a timeline of one year placed on it, the city would be able to monitor complaints and address those issues before another CUP was granted. Bartels stated if there is going to be an issue each time there is lights or people working they may have to move the school to another location. He said Deep Well's intentions are to build a large school at this location. Ritz stated his comment regarding noise was related to 2 a.m. movements rather than normal school hours.

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Palm asked if the Commission was considering a one-year trial basis, what would be the guidelines for denial of a renewal of the CUP. She stated it would be difficult to determine the baseline for approval or denial.

Ackley stated he appreciated the concerns of the neighbors with regard to the noise, but Southroads Mall was built in the 1960's and most of the homeowners purchased their homes knowing they were neighbors to that facility. He stated safety is the number one item to be considered and with a properly crafted motion and the discussion that has been had we establish separation between children, buses, and truck traffic.

MOTION was made by Ackley, seconded by Aerni to recommend APPROVAL of a request for a Conditional Use Permit for Lots 1 and 2, Southroads Technology Park, for the purpose of the temporary parking of trucks and trailers. Applicant: UPS. General location: 1001 Fort Crook Rd N. Case #: CUP-2007-02. APPROVAL based upon satisfaction of the technical deficiencies referenced in item F on page five (5) of the staff report; and the City Council approval of the rezoning application. Also limiting hours of operation to be outside of school hours. Upon roll call, Casey, Aerni, Ritz, Ackley, Hankins and Jacobson voted yes. Cain voted no. MOTION carried.

This item will proceed to City Council for PUBLIC HEARING ON October 20, 2020.

Meeting adjourned at 8:15 p.m.



Dianna Van Horn
Planning Secretary

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT #1

CASE NUMBERS: CUP-2006-01

FOR HEARING OF:

REPORT #1: September 24, 2020

I. GENERAL INFORMATION

A. APPLICANT:

James Howe and John Beckby
2204 Pratt Avenue
Bellevue, NE 68123

B. PROPERTY OWNER:

J M Properties Inc.
2954 South 84th Street
Omaha, NE 68124

C. LOCATION:

2204 Pratt Avenue

D. LEGAL DESCRIPTION:

Lot 2, One Cornhusker Place, located in the Northwest ¼ of Section 27, T14N,
R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

Conditional Use Permit for Lot 2, One Cornhusker Place.

F. EXISTING ZONING AND LAND USE:

BG, Commercial Service Repair Garage

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a conditional use permit to allow for automobile sales.

H. SIZE OF SITE:

The site is approximately 33,587 Square Feet.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently developed with a concrete parking lot and tire and auto service repair garage.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Cornhusker Road right-of-way
2. **East:** Restaurant (Drive-in or fast-food), BG
3. **South:** Commercial and Vacant, BG Drive right-of-way
4. **West:** Restaurant (Drive-in or fast-food), BG

C. REVELANT CASE HISTORY:

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

D. APPLICABLE REGULATIONS:

1. Section 5.22, Zoning Ordinance, regarding BG uses and requirements.
2. Article 6, Zoning Ordinance, regarding Conditional Use Permits.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. The property has access from Pratt Avenue.

D. UTILITIES:

All utilities are available to this property.

E. ANALYSIS:

1. James Howe and John Beckby, Tuffy Tire & Auto Service, have submitted a request for a conditional use permit for Lot 2, Cornhusker Place, for the purpose of automobile sales. Mr. Beckby will be the Sales Manager for the business, and he is partnering with Tuffy Tire and Auto Service owner James Howe.

2. The property is presently developed with a service repair garage and parking lot. Mr. Beckby states he would like to display up to ten pre-owned vehicles on the property for sale in addition to his current business.

3. The applicant has submitted a site plan showing his proposed location for staging of the vehicles, which meets the Zoning Ordinance requirements. Per the proposed conditional use permit agreement, these vehicles will be displayed in the specified area only.

The applicant has indicated his hours of operation for Tuffy Auto Service Center are Monday through Friday 7:30 a.m. to 5:30 p.m., and Saturday 8:00 a.m. to 3:00 p.m. These hours will be the same for the dealership portion of the applicant's business.

4. This application was sent out to the following departments for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Engineer, Sarpy County Administrator 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.

5. Per Section 6.06, the Zoning Ordinance requires no conditional use permit shall be granted unless the Planning Commission or City Council has found:

6.06.01 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.

- 6.06.02 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
- 6.06.03 That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
- 6.06.04 Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- 6.06.05 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 6.06.06 The use shall not include noise which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.
- 6.06.07 The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.
- 6.06.08 The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.
- 6.06.09 The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.
- 6.06.10 The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.
- 6.06.11 The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.

The Planning Department believes this application meets the criteria for approval of the Conditional Use Permit.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon compliance with the requirements of the zoning ordinance and lack of perceived negative impact to the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

Under review.

VI. ATTACHMENTS TO REPORT

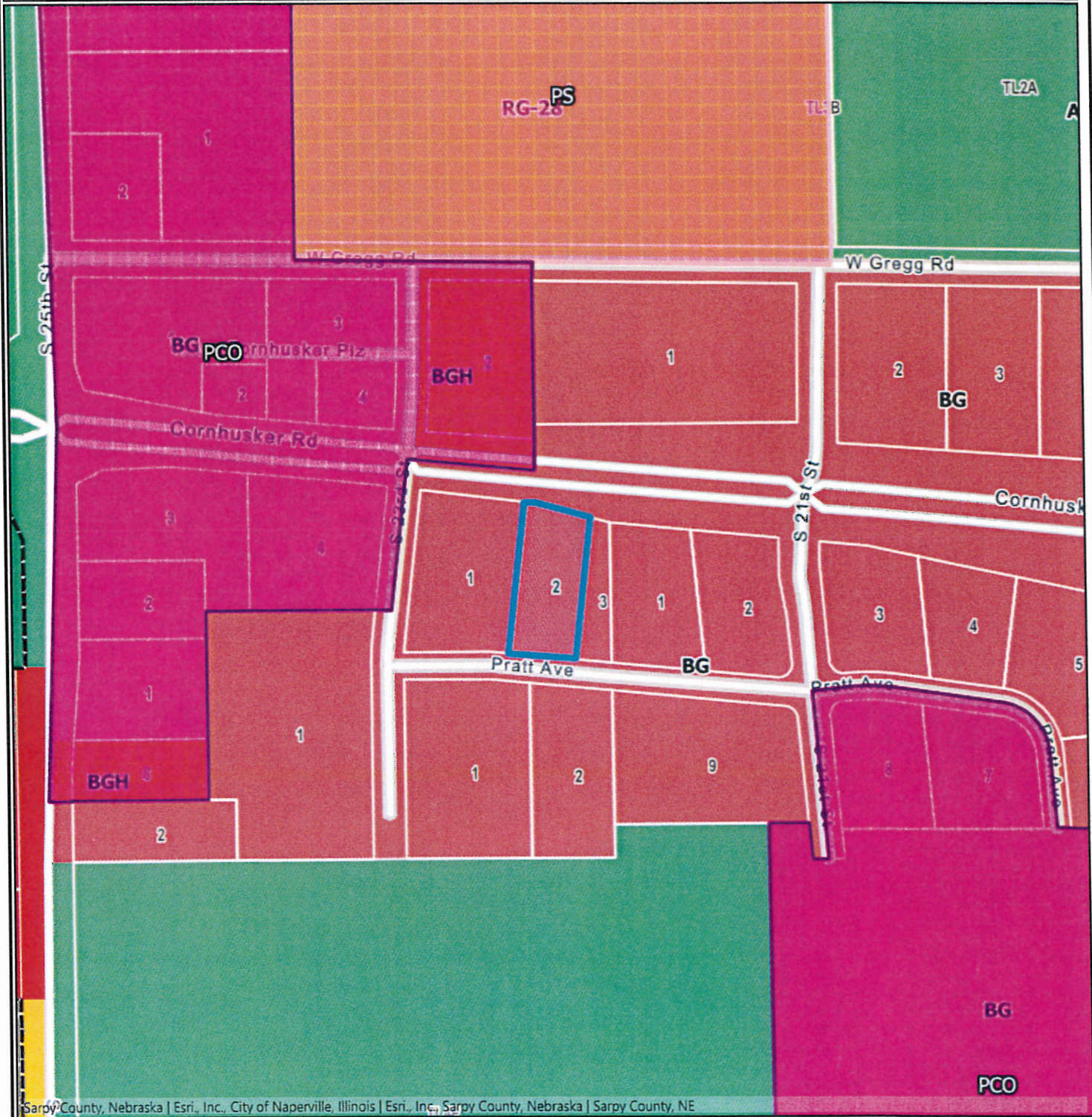
1. Zoning Map
2. 2020 GIS aerial
3. Site plan received June 16, 2020
4. Letter from the applicants received June 9, 2020
5. Conditional Use Permit Agreement

VII. COPIES OF REPORT TO:

1. Tuffy Tire & Auto Service (James Howe and John Beckby)
2. Public Upon Request

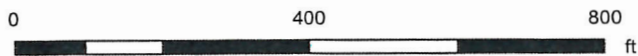
Angela M. Cury 9/16/20
Prepared by: _____ Date

Jammi R. Palm 09/17/20
Planning Manager _____ Date of Report



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

Notes



Map Scale 1: 3985

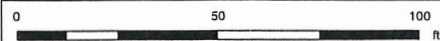
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Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

Notes

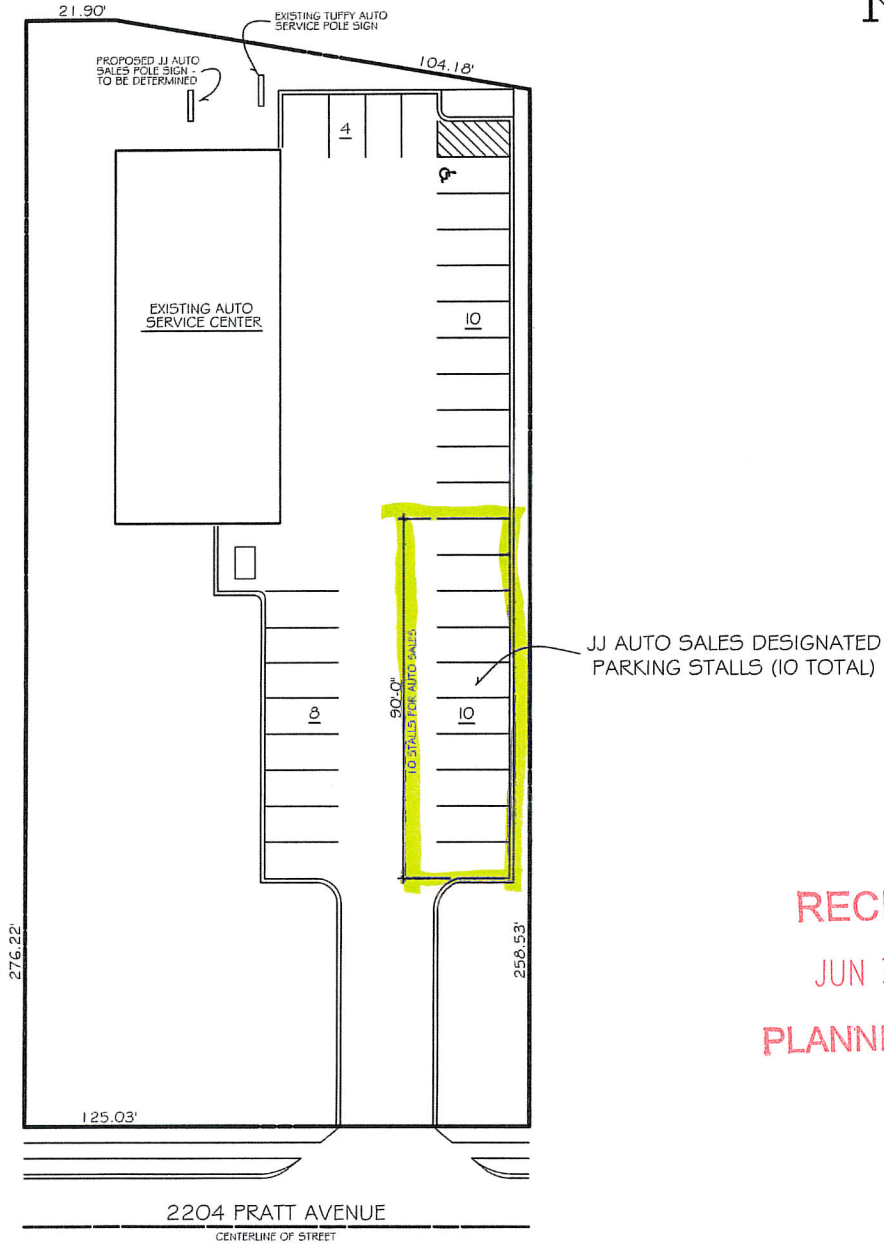
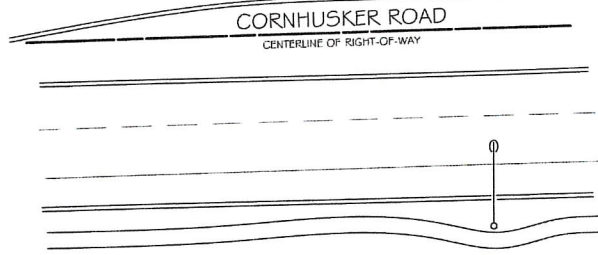


Map Scale 1: 478

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NOTE: CONTRACTOR TO CONFIRM LOCATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.



RECEIVED
JUN 16 2020
PLANNING DEPT.

SITE PLAN

1" = 30' 0"

LOT # 2

ONE CORNHUSKER PLACE
SARPY COUNTY, NE

JJ Auto Sales

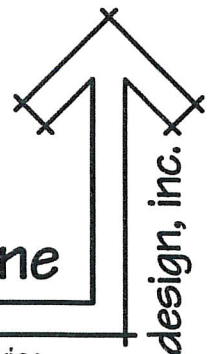
JOB: # 2758

straightline

June 3rd, 2020

Design and Drafting Service

3925 So. 147th Street • #119 • Omaha, NE • 68144 402 • 334 • 6752





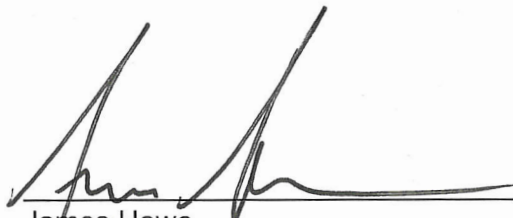
Tuffy Tire and Auto of Bellevue
204 Pratt Avenue, Bellevue NE 68131
402-291-3229 Phone #
Fed Tax ID # 47-3478782

June 9, 2020


To: Bellevue City Planning Dept

RE: Conditional use Permit for Tuffy Tire & Auto


We have put in a request for a conditional use permit for 2204 Pratt Avenue, this would enable us to sell and display up to 10 cars; (see site plans for display area). These cars would only be displayed in specified display area and would not exceed 10 vehicles. Having this permit would enable us to be able to sell cars to customers of Tuffy Tire and Auto when repairs exceed customers budgets or to fulfil their needs of needing a vehicle. We would comply with all state and county zoning laws. Our hours of operation consist of Monday- Friday 7:30 a.m. - 5:30 p.m. and Saturday 8:00 a.m. - 3:00 p.m.



James Howe
Owner



John Beckby
Sales Manager



Mari Howe
Owner

Record & Return To:
City of Bellevue Planning Department
1510 Wall Street
Bellevue, NE 68005

CITY OF BELLEVUE
CONDITIONAL USE PERMIT
LOT 2, ONE CORNHUSKER PLACE,
LOCATED IN THE NORTHWEST ¼ OF SECTION 27, T14N, R13E OF THE 6TH P.M., SARPY
COUNTY, NEBRASKA

Conditional Use Permit for 2204 Pratt Avenue

This Conditional Use Permit issued this _____ day of October, 2020 by the City of Bellevue, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to James Howe and John Beckby, (“Applicant”), pursuant to the Bellevue Zoning Ordinance.

WHEREAS, JM Properties, is the legal owner of Lot 2, One Cornhusker Place, located in the Northwest ¼ of Section 27, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, consisting of approximately 33,587 Square Feet, more or less (“Property”). Applicant desires to use the Property for the purpose of an automobile dealership; and

WHEREAS, Applicant has applied for a conditional use permit for the purpose of using the Property as described above; and

WHEREAS, the Mayor and City Council of the City of Bellevue are agreeable to the issuance of a conditional use permit to the Applicant for such purpose, subject to certain conditions and agreements as hereinafter provided (the “Permit”).

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this Permit is issued to the Applicant to use the Property for the purpose described above, said use hereinafter being referred to interchangeably as a “Permitted Use” or “Use”.

Conditions of Permit

The conditions to which the granting of this Permit is subject are as follows:

1. Development and operation on the Property is governed by this Permit. The rights granted by this Permit are transferable and any breach of any terms hereof shall cause Permit to expire and terminate, subject to the rights of the Applicant to cure such default or deficiency as set forth in this Permit.
2. In respect to the proposed Use:
 - a. A site plan showing the Property’s boundaries, proposed structures, parking, access points, and drives, is attached hereto and incorporated herein as Exhibit “A.”

- b. The Property shall be developed and maintained in accordance with the site plan (Exhibit “A”) and all other exhibits, if any, of this Agreement. Any modifications to the site plan must be submitted to the Planning Department for approval. Modifications of any other document or exhibit shall be subject to approval of the City, as directed by the City Administrator, unless otherwise expressly provided in the document or exhibit to be modified.
 - c. Applicant hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court costs) arising out of or resulting from the acts, omissions or negligence of the Applicant or its agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violations of any applicable environmental or safety law, rule or regulation relating to the Applicant’s Use of the Property.
3. The Applicant’s right to maintain the Use of the Property, as contemplated by this Permit, shall be based on the following conditions:
 - a. A periodic inspection to determine compliance with the conditions of this Permit. The Permit may be revoked only upon a finding by the City that there is a material violation of the material terms of this Permit if the violation occurs after written notice from the City to Applicant and opportunity to cure in the time and manner described below.
 - b. The Use authorized by this Permit must be initiated within 12 months after the date of the approval of this Permit otherwise such Permit shall become void.
 - c. The Use shall be in compliance with all State of Nebraska regulations regarding the sale of automobiles. A copy of required license shall be provided to the Planning Department.
 - d. Applicant may maintain a service repair garage and automobile dealership on the Property.
 - e. Approved hours of operation shall be 7:30 a.m. – 5:30 p.m. Monday through Friday, and 8:00 a.m. – 3:00 p.m. on Saturday.
 - f. No more than ten automobiles shall be for sale on the property at any one time.
 - g. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed from the Property at Applicant’s expense within twelve (12) months of cessation of the Use of the Property.
 - h. All signage on Property related to Use shall be in conformance with the City Zoning Ordinance.
 - i. Applicant shall record this Permit with the Sarpy County Register of Deeds at Applicant’s expense.
4. Notwithstanding any other provision herein to the contrary, this Permit, and all rights granted hereby, shall expire and terminate as to a Permitted Use hereunder upon the first of the following to occur:
 - a. Applicant’s abandonment of the Permitted Use. There shall be a presumption that the project on the Property has been abandoned if the Applicant fails to use the Property for the Permitted Uses for any twelve (12) consecutive month period.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use, and such cancellation, revocation, denial or failure to maintain any federal, state or local rights are provided under laws, rules and regulations governing said permit.
 - c. Applicant’s breach of other terms hereof and its failure to cure such breach in the time and manner set forth below.
5. In the event the Applicant fails to promptly remove any safety, environmental or other hazard or nuisance from the Property, or upon the expiration or termination of this Permit the Applicant fails to promptly remove any remaining safety, environmental or other hazard or nuisance, the City may at its

option (but without any obligation to the Applicant or any third party to exercise said option) cause the same to be removed at Applicant's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable in connection with the removal thereof) and the Applicant shall reimburse the City the costs incurred to remove the same. Applicant hereby irrevocably grants the City, its agents and employees, the rights, provided notice is furnished to the Applicant along with a reasonable time to remove or cure such hazard, to enter the Property and to take whatever action as is necessary or appropriate to remove any such hazards, nuisances in accordance with the terms of this Permit, and the right of the City to enter the Property as may be necessary or appropriate to carry out any other provision of this Permit.

6. If any provisions, or any portion thereof, contained in this Permit are held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

7. The conditions and terms of this Permit shall be binding upon Applicant, its successors and assigns.

a. Delay of City to terminate this Permit on account of breach of Applicant of any terms hereof in accordance with the terms hereof shall not constitute a waiver of City's right to terminate this Permit, unless the City has expressly waived said breach. A waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.

b. Cure Rights. Notwithstanding any other provision of this Permit to the contrary, Applicant shall be entitled to notice and opportunity to cure a breach of this Permit as follows. City will notify the Applicant of any breach of this Permit. Cure shall be commenced and completed as soon as possible and in all cases within thirty (30) days after City provides notice of breach; provided, however, in any case that cure cannot be completed within 30 days, additional time will be allowed, so long as cure is commenced within the time required in this Section b and diligently pursued and completed as soon as possible, and allowing additional time does not present or increase risk of harm to persons or property. City shall have the right to terminate this Permit if a breach is not timely cured.

c. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this Permit.

d. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed as follows:

James Howe
John Beckby
2204 Pratt Avenue
Bellevue, NE 68123

e. All recitals at the beginning of this document and exhibits or other documents referenced in this Permit shall be incorporated herein by reference.

Effective Date:

This Permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

The City of Bellevue

By: _____
Rusty Hike, Mayor

ATTEST:

Susan Kluthe, City Clerk

STATE OF NEBRASKA)
)SS:
COUNTY OF SARPY)

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Susan Kluthe, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipal corporation, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and Deputy City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

Witness my hand and notarial seal this ____ day of _____, 2020.

Notary Public

James Howe

STATE OF NEBRASKA)
)SS:
COUNTY OF _____)

The undersigned, a notary public qualified in and for said county, does hereby certify that James Howe signed the foregoing instrument, acknowledged before me on this day and he executed and delivered said instrument as his voluntary act and deed.

Witness my hand and notarial seal this ____ day of _____, 2020.

Notary Public

John Beckby

STATE OF NEBRASKA)
)SS:
COUNTY OF _____)

The undersigned, a notary public qualified in and for said county, does hereby certify that John Beckby signed the foregoing instrument, acknowledged before me on this day and he executed and delivered said instrument as his voluntary act and deed.

Witness my hand and notarial seal this ____ day of _____, 2020.

Notary Public

David Moritz for JM Properties Inc.

STATE OF NEBRASKA)
)SS:
COUNTY OF _____)

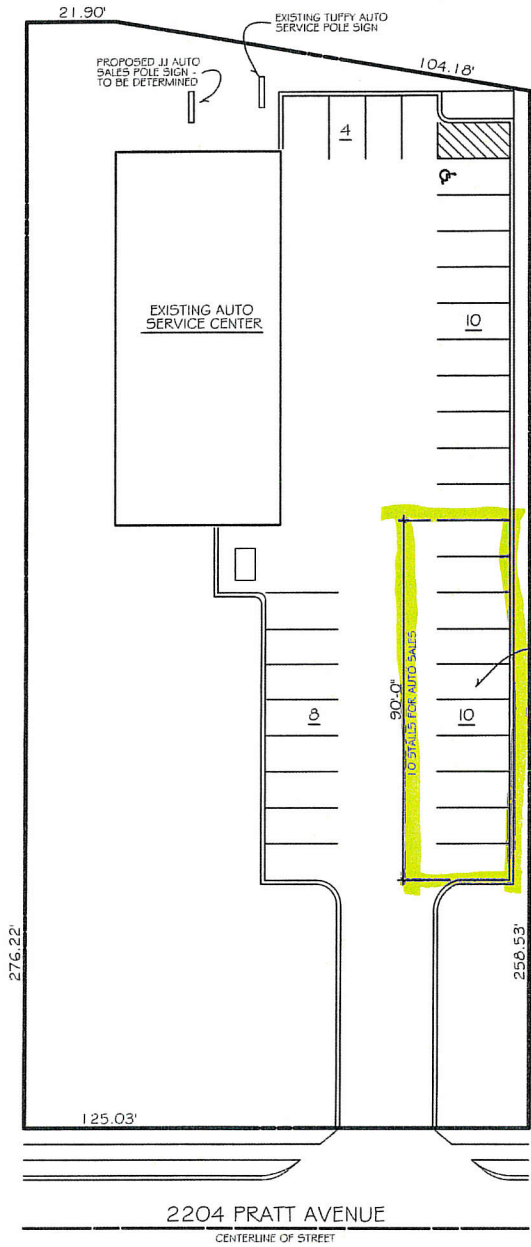
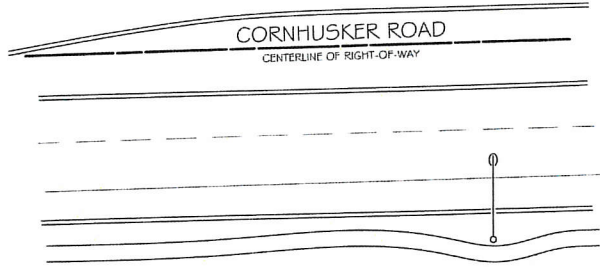
The undersigned, a notary public qualified in and for said county, does hereby certify that David Moritz signed the foregoing instrument, acknowledged before me on this day and he executed and delivered said instrument as his voluntary act and deed.

Witness my hand and notarial seal this ____ day of _____, 2020.

Notary Public



NOTE: CONTRACTOR TO CONFIRM LOCATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.



JJ AUTO SALES DESIGNATED PARKING STALLS (10 TOTAL)

RECEIVED
JUN 16 2020
PLANNING DEPT.

SITE PLAN

1" = 30' 0"

LOT # 2

ONE CORNHUSKER PLACE
SARPY COUNTY, NE

JJ Auto Sales

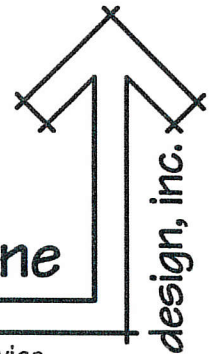
JOB: # 2758

straightline

June 3rd, 2020

Design and Drafting Service

3925 So. 147th Street • #119 • Omaha, NE • 68144 402 • 334 • 6752



**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT # 1

CASE NUMBERS: Z-2007-08
S-2007-16

FOR HEARING OF:
REPORT #1: September 24, 2020

I. GENERAL INFORMATION

A. APPLICANT:

HRC Belle Lago, LLC
Attn: Dave Vogtman
6900 Westown Parkway
West Des Moines, IA 50266

B. PROPERTY OWNER:

Maalreo, LLC
P.O. Box 461178
Papillion, NE 68046

C. GENERAL LOCATION:

South 45th Street and Lookingglass Drive

D. LEGAL DESCRIPTION:

Lots 122 through 124, Belle Lago South, being a platting of a tract of land located in part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lots 122 through 124, Belle Lago South, from AG to RG-50-PS for the purpose of single-family residential development
2. Preliminary plat Lots 122 through 124, Belle Lago South.

F. EXISTING ZONING AND LAND USE:

AG, Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a change in zone and preliminary plat approval to enable single family residential development.

H. SIZE OF SITE:

The site is approximately 1.374 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently vacant and most recently used agriculturally.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Vacant, AG
2. **East:** Vacant (Belle Lago Subdivision), RG-50-PS
3. **South:** Single Family Residential, RS-72-PS
4. **West:** Vacant, AG

C. REVELANT CASE HISTORY:

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

D. APPLICABLE REGULATIONS:

1. Section 5.12, Zoning Ordinance, regarding RG-50 uses and requirements.
2. Section 5.17, Zoning Ordinance, regarding PS uses and requirements.
3. Chapter 3, Subdivision Regulations, regarding Preliminary Plats.
4. Chapter 6, Subdivision Regulations, regarding Minimum Design Standards.
5. Chapter 7, Subdivision Regulations, regarding Capital Improvements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. These lots will have access from newly created extensions of Lookingglass Drive and South 45th Street.

D. UTILITIES:

All utilities are available or will be constructed to serve this development.

E. ANALYSIS:

1. Dave Vogtman, on behalf of HRC Belle Lago, LLC, has submitted a request to preliminary plat Lots 122 through 124, Belle Lago South, for the purpose of single family residential development.
2. The applicant is also requesting a change in zone from AG to RG-50-PS (General Residence, 5,000 Square Foot Zone, Planned Subdivision) for Lots 122 through 124, Belle Lago South.

The setbacks in the RG-50-PS zone would be as follows:

Front Yard	25 feet
Rear Yard	20 feet
Side Yard	5 feet
Street Side Yard	15 feet

The standard front yard setback in the RG-50 zoning district is 35 feet, with a rear yard of 25 feet. The requested setbacks are the same setbacks which were approved for the existing platted Belle Lago subdivision. The applicant's justification letter is attached.

The proposed lots are an extension of the approved Belle Lago South subdivision and were required as a condition of the original plat approval in order to provide additional access by connecting Lookingglass Drive and South 45th Street.

3. 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, Sarpy County Planning Director, Sarpy County Public Works Department, Sarpy County Planning Director, Sarpy County IS/GIS/Public Safety, Metro Area Planning Agency, Metropolitan Utilities District, CenturyLink, Omaha Public Power District, Black Hills Energy, Cox Communications, Papio-Missouri NRD, Bellevue Public School District, and the Springfield Platteview 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.

Krista Hoffart, Offutt Community Planner stated the project area does not fall within Offutt Air Force Base Accident Potential Zones or Noise Contours.

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

No other comments were received on this case.

4. The Public Works Managing Engineer has reviewed the grading and drainage plans for this proposed development and found them to be acceptable.

5. This development is compatible with the Comprehensive Plan.

6. A draft amendment to the Belle Lago South Subdivision Agreement has been submitted by the applicant and reviewed by the City Attorney.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance, Comprehensive Plan, Subdivision Regulations, and lack of perceived negative impact to the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

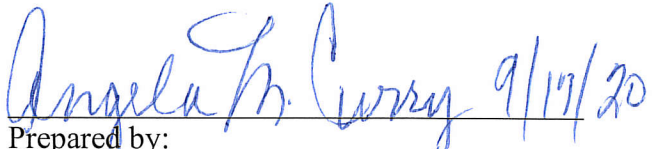
Under review.

VI. ATTACHMENTS TO REPORT

1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Preliminary plat received August 21, 2020
4. Zoning justification letter received July 23, 2020

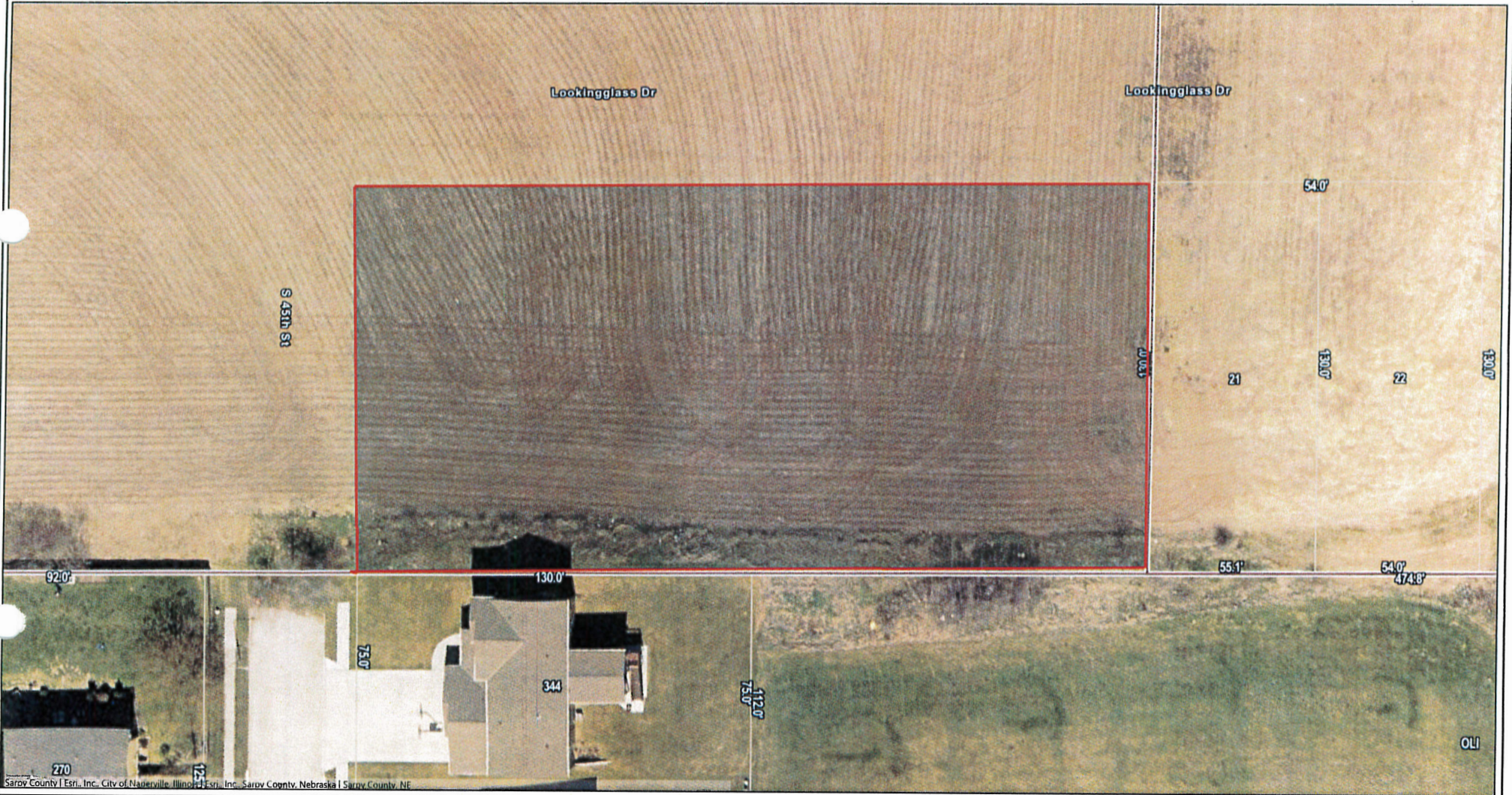
VII. COPIES OF REPORT TO:

1. HRC Belle Lago, LLC (Dave Vogtman)
2. E & A Consulting Group, Inc. (Mark Westergard)
3. Fullenkamp, Doyle, and Jobeun (Larry Jobeun)
4. Public Upon Request

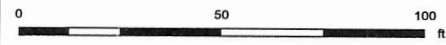

Prepared by: _____



Planning Director Date of Report



Sarpy County | Estri, Inc., City of Madisonville, Illinois | Estri, Inc., Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 478



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

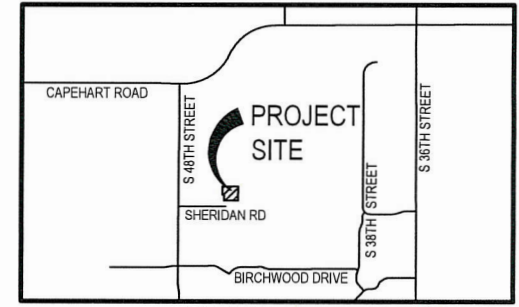
Notes

RECEIVED
AUG 21 2020
PLANNING DEPT.

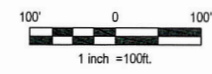
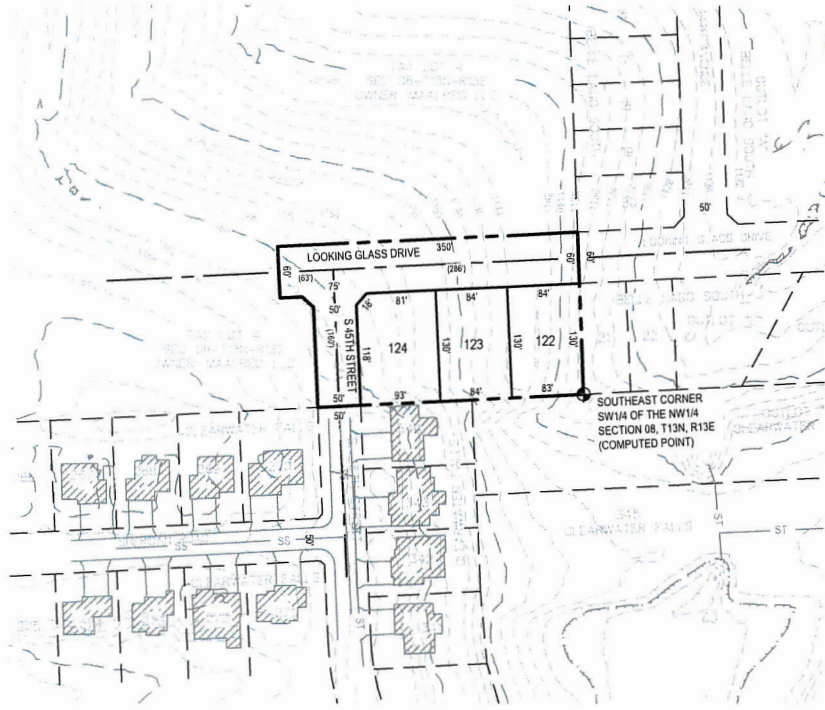
BELLE LAGO SOUTH

LOTS 122 THRU 124 INCLUSIVE

A TRACT OF LAND LOCATED IN PART OF THE SW1/4 OF THE NW1/4 OF SECTION 08, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.



VICINITY MAP



LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- EXIST. MAJOR CONTOURS
- EXIST. MINOR CONTOURS
- SANITARY SEWER LINE
- STORM SEWER LINE
- BUILDING

RG-50-PS ZONING SETBACK TABLE	
FRONT YARD	25'
SIDE YARD	5'
STREET SIDE YARD	15'
REAR YARD	20'

LOT AREAS	
LOT NO.	SQ. FOOTAGE
122	10,908
123	10,869
124	12,012

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SW1/4 OF THE NW1/4 OF SECTION 08, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SAID TRACT OF LAND CONTAINS 59,868 SQUARE FEET OR 1.374 ACRES, MORE OR LESS.

DEVELOPER	OWNER
HRC BELLE LAGO, LLC	MAALREO LLC
6900 WESTOWN PARKWAY	PO BOX 481178
WEST DES MONIES, IA 50266	PAPILLION, NE 68046

ZONING:

EXISTING	AG	
PROPOSED	RG-50-PS, LOTS 122 THRU 124	0.776 AC
	PROPOSED RIGHT-OF-WAY	0.588 AC
	TOTAL	1.374 AC

NOTES:

- TEMPORARY TURNAROUNDS WILL BE CONSTRUCTED AT ALL DEADEND STREETS.
- CHAMFERS FOR SIDEWALKS ON CORNER LOTS ARE SET AT TWELVE AND HALF FEET (12.5) RADII FROM THE INTERSECTION OF RIGHT-OF-WAY LINES.
- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAT.

Proj No:	P2018.090.001
Date:	07/24/2020
Designed By:	JRS
Drawn By:	EHN
Scale:	1" = 100'
Sheet:	1 of 1

Revisions	
Date	Description

PRELIMINARY PLAT

BELLE LAGO SOUTH
LOTS 122 THRU 124 INCLUSIVE
BELLEVUE, NEBRASKA



E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.4700 • Fax: 402.895.3599
www.eacg.com



E & A CONSULTING GROUP, INC.

Engineering Answers

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154-3950
P 402.895.4700 • F 402.895.3599
www.eacg.com

July 23, 2020

Tammi Palm
City of Bellevue, NE
1510 Wall Street
Bellevue, NE 68005

RE: Belle Lago South Lots 122 thru 124 – Planned Subdivision District Zoning Justification Letter

Dear Tammi,

The proposed Belle Lago South (122-124) is an extension of the approved Belle Lago South subdivision and was required by the City of Bellevue as a condition of the original plat approval in order to provide additional access by connecting Looking Glass Drive and S 45th Street. The development extension's zoning is proposed to be RG-50-PS, the same zoning as the original Belle Lago South. Therefore, the justification for the rezoning request is nearly identical the justification provided and approved for the original Belle Lago South rezoning.

The proposed changes to the RG-50 zoning shall be a reduced front setback from 35 feet to 25 feet and a reduced rear setback from 25 feet to 20 feet. This development meets multiple categories within Section 5.17.03 (1-4) of the City of Bellevue Zoning Ordinance, our justification is as follows:

5.17.03 (1) – This parcel of ground has a future land use designation of Medium Density Residential. RG-50 zoning and thus fits the proposed character of this portion of the City of Bellevue's ETJ and thusly shouldn't adversely affect neighboring properties. The minimum lot size for RG-50 is 5000 sq. ft. The smallest single family lot proposed in the Belle Lago South (122-124) development is 10,869 sq. ft, over twice as large as the minimum requirement.

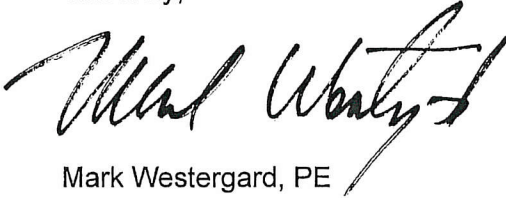
The density of the proposed single family lots is 2.2 lots per acre. This density is well within the range of medium density developments, again meeting the future land use plan for the City of Bellevue.

5.17.03 (2) – The designation of the planned subdivision allows this development more flexibility in fitting homes to lots. The floorplans of the house styles that will be developed in this neighborhood fit better on the lots by reducing the front and rear yard setbacks.

The current rate that the cost of construction is going up is outpacing any increase in the valuation of homes. Valuations needed to make these SIDs work struggle to increase fast enough to keep up with these increased cost. Because of this, finding ways to best utilize the land available on a given development is important. Solving the debt ratio difficulties for SIDs cannot simply be a situation where we try build higher priced, larger homes. This will quickly stymie growth by only making new home construction available to a smaller pool of wealthier individuals. New developments are needed with diverse home costs to provide opportunities for the widest range of citizen's to achieve their dreams of home ownership.

5.17.030 (4) – We do not feel that the reduced front and rear yard setbacks that are being requested for this development should be considered to be for the purposes of convenience, profit or caprice. The developer is creating a development that fits within the future land use designation and is aimed at a different market than is currently available within the existing and proposed developments along 48th Street. This request is not being made to create more lots, but to develop workable lots with better house fits.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Westergard". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping underline.

Mark Westergard, PE
E & A Consulting Group

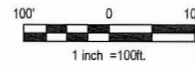
BELLE LAGO SOUTH

LOTS 122 THRU 124 INCLUSIVE

A TRACT OF LAND LOCATED IN PART OF THE SW1/4 OF THE NW1/4 OF SECTION 08, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.



VICINITY MAP



LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- ZONING LINE
- EXIST. SECTION CORNER
- EXIST. SECTION LINES
- EXIST. PROPERTY LINES

RG-50-PS ZONING SETBACK TABLE	
FRONT YARD	25'
SIDE YARD	5'
STREET SIDE YARD	15'
REAR YARD	20'

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SW1/4 OF THE NW1/4 OF SECTION 08, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

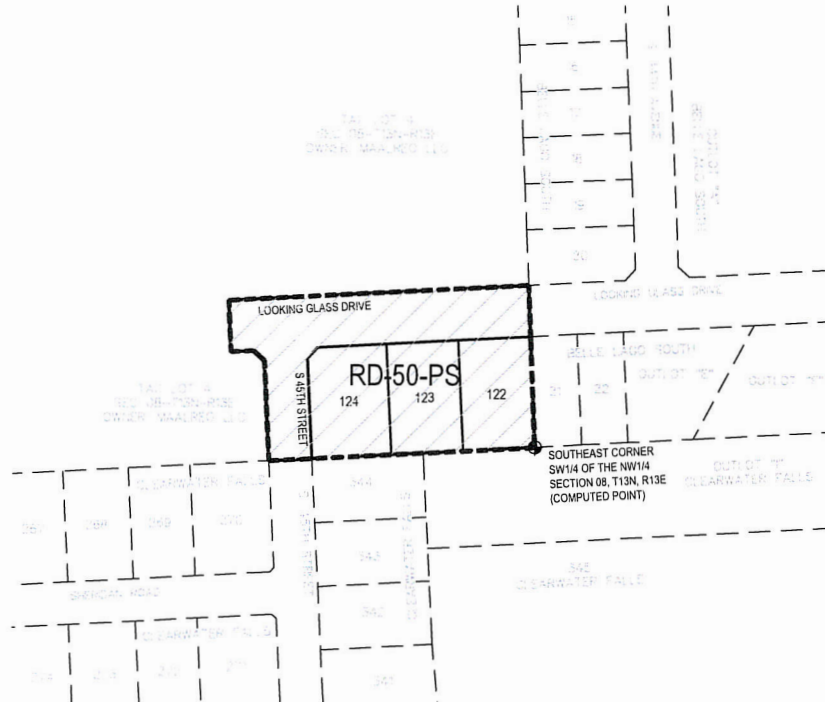
BEGINNING AT THE SOUTHEAST CORNER OF SAID SW1/4 OF THE NW1/4 OF SECTION 08, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 21, BELLE LAGO SOUTH, A SUBDIVISION LOCATED IN SAID NW1/4 OF SECTION 08; SAID POINT ALSO BEING ON THE NORTHERLY LINE OF OUTLOT "T", CLEARWATER FALLS, A SUBDIVISION LOCATED IN THE SW1/4 OF SAID SECTION 08; THENCE S87°02'38"W (ASSUMED BEARING) ALONG THE SOUTHERLY LINE OF SAID SW1/4 OF THE NW1/4 OF SECTION 08, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID CLEARWATER FALLS, A DISTANCE OF 310.05 FEET TO THE NORTHEAST CORNER OF LOT 270, SAID CLEARWATER FALLS, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 45TH STREET, THENCE N02°57'22"W, A DISTANCE OF 117.50 FEET; THENCE N47°57'22"W, A DISTANCE OF 17.68 FEET; THENCE N02°57'22"W, A DISTANCE OF 60.00 FEET; THENCE N87°02'38"E ALONG A LINE 190.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTHERLY LINE OF THE SW1/4 OF THE NW1/4 OF SECTION 08, A DISTANCE OF 323.92 FEET TO THE SOUTHWEST CORNER OF LOT 20, SAID BELLE LAGO SOUTH, SAID POINT ALSO BEING ON THE EASTERLY LINE OF SAID SW1/4 OF THE NW1/4 OF SECTION 08; THENCE S02°32'30"E ALONG SAID EASTERLY LINE OF THE SW1/4 OF THE NW1/4 OF SECTION 08, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID BELLE LAGO SOUTH, A DISTANCE OF 190.01 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 59,868 SQUARE FEET OR 1.374 ACRES, MORE OR LESS.

DEVELOPER HRC BELLE LAGO, LLC 6900 WESTOWN PARKWAY WEST DES MONIES, IA 50266	OWNER MAALRÉO LLC PO BOX 461178 PAPILLION, NE 68046
--	---

ZONING:

EXISTING	AG	
PROPOSED:	RG-50-PS, LOTS 122 THRU 124	0.776 AC
	RIGHT-OF-WAY	0.598 AC
	TOTAL	1.374 AC



Proj No.	P2018.090.001
Date:	07/24/2020
Designed By:	JRS
Drawn By:	EHN
Scale:	1" = 100'
Sheet	1 of 1

Revisions	
Date	Description

CHANGE OF ZONE

BELLE LAGO SOUTH
LOTS 122 THRU 124 INCLUSIVE
BELLEVUE, NEBRASKA



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www.eacg.com



City of Bellevue
Planning Department

1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3026

3.c.

MEMORANDUM

TO: Planning Commission
FROM: Tammi Palm, Planning Manager
DATE: September 17, 2020
RE: Proposed Redevelopment Plan for 1366 Nebraska Drive

Attached for your review and recommendation is the Redevelopment Plan for Southwoods Manager, LLC. This plan proposes the redevelopment of the vacant properties of Lots 9, 10, and 11, South Woods. This area was previously designated as blighted and substandard by the City Council. Approval of the Redevelopment Plan is the next step in the redevelopment process.

The applicant is proposing to redevelop the 4.52 acres as a 107-unit multi family residential development. The property has been vacant for fifty years. As described by the applicant, the site proposes some unique development challenges to include a large Omaha Public Power District transmission pole, and a 70' utility easement located on Lot 11, South Woods. The site also slopes steeply from south to north.

The applicant indicates this project will allow for new employment opportunities and will provide additional rental housing in this area of the city.

The applicant is estimating the property's valuation to be \$15,500,000 upon completion of the redevelopment project.

The Redevelopment Plan states there is approximately \$1,732,956 of Tax Increment Financing (TIF) eligible redevelopment costs associated with the project. The applicant is proposing the use of TIF to fund \$1,732,956 of the expenses. The breakdown of costs and data supporting the payback of TIF expenditures is attached to the Redevelopment Plan for your review.

The Planning Department believes this project will be a benefit to the City through the improvement of a blighted and substandard area that has remained vacant and underutilized for decades. The Comprehensive Plan designates this area as multi-family residential. The properties are presently zoned for multi-family residential development, and the applicant is in the process of requesting site plan approval for this project.

The Redevelopment Plan meets the requirements of Section 18-2111 of Nebraska State Statutes with respect to required plan contents. As required by Nebraska State Statutes, the Planning Department advertised the public hearing on this application twice in local publications, and sent notification to the governing bodies of Sarpy County, the Papio-Missouri River NRD, Metropolitan Community College, ESU #3, and the Bellevue Public School District.

PLANNING DEPARTMENT RECOMMENDATION:

The Planning Department recommends approval of the Southwoods Manager, LLC Redevelopment Plan based on conformance with the Comprehensive Plan, elimination of a blighted and substandard area, conformance with the requirements of the State Statutes, and the opportunity for redevelopment along the Childs Road corridor.

SOUTHWOODS MANAGER, LLC

**THE REDEVELOPMENT PLAN FOR MULTI-FAMILY
HOUSING**

AT 1366 NEBRASKA DRIVE LOTS 9, 10 & 11

BELLEVUE, NE

September 2020

SUBMITTED BY:

Applicant:
Southwoods Manger, LLC
Metonic Real Estate Solutions, LLC
Apogee Professional Services, LLC
12149 W Center Road, Omaha NE
68144

Attorney:
Larry A. Jobeun
Fullenkamp Jobeun Johnson &
Beller, LLP
11440 West Center Road
Omaha, NE 68144

RECEIVED
SEP 15 2020
PLANNING DEPT.

Introduction:

This redevelopment plan proposes to develop Lots 9, 10 & 11, located at 1366 Nebraska Drive in Bellevue Nebraska, Sarpy County, each as legally described in Exhibit A attached hereto, into a multi-family development project. The redevelopment site is immediately to the West of the new Elementary Omaha Public School project, currently under construction.

Site History:

The redevelopment site contains approximately 4.52 acres of vacant land. The site is currently underdeveloped and underutilized and has been vacant for 50 years. The site poses some challenges including a large OPPD transmission pole and 70' utility easement located on the northern parcel, Lot 11. In addition, the existing topography slopes steeply from south to north making the northern portion of Lot 11 unusable for anything other than a detention basin, landscaping buffer, driveway and parking stalls.

The cost of the acquisition, public improvements and other TIF eligible costs are estimated to be \$1,732,956.00. The itemized cost-breakdown of the TIF eligible costs is attached hereto as Exhibit B. The approval of this redevelopment plan will facilitate the rehabilitation of the proposed site by creating the opportunity for TIF to be used as a financing method to cover some of the TIF eligible costs.

The Sarpy County assessor shall determine the redevelopment project valuation based upon the fair market valuation of the parcel(s) as of January 1 of the year prior to the year that the ad valorem taxes are to be divided. The proposed valuation upon full build-out of the site is expected to be approximately \$15,500,000.00, based upon the site plan attached hereto as Exhibit C.

This site will contribute to the redevelopment and growth of Bellevue NE, specifically to Child's Road corridor, and contribute housing for families and young professionals attending the new Elementary School and surrounding businesses.

Substandard and Blighted:

The Nebraska Community Redevelopment Law requires that the site be "Substandard" as defined under Neb. Rev. Stat. Section 18-2103(31) and "Blighted" as defined under Neb. Rev. Stat. 18-2103(3), subsections (a) and (b). The area meets the requirements of the Community Development Law to be declared blighted and substandard by the City of Bellevue and the City declared the same pursuant to Resolution No. 2010-37 dated November 23, 2010, and Resolution NO. 2013-22 dated July 8, 2013.

Land Use/Zoning:

The redevelopment site is currently zoned RG-8 General Residential, which permits high density multifamily housing. The developer plans to combine the existing three lots into one parcel and build approximately 107 multifamily units and community amenities, including, but not limited to, bike racks, fitness room, package lockers and an exterior community grilling area.

Utilities/Infrastructure:

Currently, utility services are located within the public rights-of-way adjacent to the property. However, the developer will be incurring costs to improve the entryway to the site and parking along Nebraska Drive per the Site Plan attached hereto as Exhibit C. Additional utility services and public facilities will be added as required by the redevelopment plans and as required by the City.

The developer will use TIF to fund the eligible acquisition, site preparation, and public improvement costs as outlined in Exhibit B (collectively, the "TIF Eligible Expenses").

TIF Compliance:

The developer's request meets the necessary requirements for consideration under the Nebraska Community Redevelopment Act. The project will provide new housing and various employment opportunities within the City, during and after project completion. The TIF proceeds will be used to cover TIF Eligible Expenses. The project will add housing and positive economic growth to the City of Bellevue. Furthermore, as set forth in the financial proforma attached hereto as Exhibit D, the up-front costs associated with the acquisition and development of the proposed site would be prohibitively high without the use of TIF. Therefore, the developer requests TIF to help offset the costs in order to make this redevelopment viable.

Financing:

The estimated assessed value of the project upon completion is estimated to be \$15,500,000.00. Consequently, the project will support the TIF request in the maximum principal amount of \$1,732,956.00, with interest accruing at the rate of 4.75% per annum. The amortization schedule is attached hereto as Exhibit E. The remaining project costs will be paid through equity and debt financing.

TIF Cost Benefit Analysis:

The proposed multi-family project provides for development in the area of the City that has remained relatively undeveloped and underutilized. Because of the high cost associated with the development of the project, the rate of return to the developer in developing this property is marginal and unacceptable to the developer without the use of TIF to defray the TIF Eligible Expenses. It is necessary to implement innovative financing approaches to be used to encourage redevelopment and to support the potential growth that will occur as a result of this and other improvements that are likely to follow within the surrounding area. The following are a list of benefits from the redevelopment of this area through the use of TIF:

- 1) No community public service needs will be generated as a result of this project. The proposed TIF will be used, in part, to offset infrastructure and building improvement costs that are eligible for TIF.
- 2) The use of TIF will not result in tax shifts. The current level of taxes will continue to flow to the current taxing authorities and only the increased value of revenues resulting from the improvements will be applied to the cost of the improvements through the use of TIF.
- 3) The development of this site will allow for new employment opportunities. Additionally, the site will have a positive impact on employers, Omaha Public Schools and employees in the immediate area outside of the site. The architecture and material choices of the project will be aesthetically pleasing, which will result in a positive impact to the traffic and residents in the surrounding area.
- 4) The development of this site will provide additional rental housing in this part of the City.
- 5) The development project would not be economically feasible and would not occur within the proposed site without the use of TIF.
- 6) The project site is zoned for housing (RG-8) and meets the requirements of the City's Comprehensive Development Plan and City Ordinances as well as the Nebraska Community Redevelopment Law that establishes the process and requirements for the approval of this plan.

Based upon the abovementioned, the applicant respectfully requests TIF in the principal amount of \$1,732,956.00.

Respectfully Submitted,

Kassie Inness
President – Apogee Professional Services

Exhibit A

LEGAL DESCRIPTION

Lot 9, 10 and 11 South Woods

Parcels #'s: 010532587, 010532676, 010532242,

SOUTH WOODS LEGAL DESCRIPTION – A SUBDIVISION OF TAX LOT 20 IN THAT PART
OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14, NORTH, RANGE 13
EAST OF THE 6TH, SARPY COUNTY, NEBRASKA

Exhibit B

TIF ELIGIBLE COSTS

(Attached Hereto)

SUMMARY OF ESTIMATED TIF ELIGIBLE COSTS

The Project:

The project consists of approximately 4.5 acres of raw ground with a planned development of approximately 107 apartment homes in three 3-story buildings.

107 UNITS

Description	Labor	Materials	Subcontracts	Equipment	Other	Line Totals	Cost per Unit
Div 2 - Sitework						\$ 32,050.00	
Site Grading	\$ 7,500.00	\$ -	\$ 12,000.00			\$ 19,500.00	\$ 182.24
Backfill at Elevator Pit			\$ 800.00			\$ 800.00	\$ 7.48
Termite Control			\$ 1,750.00			\$ 1,750.00	\$ 16.36
Footing & Utility Spoils Removal			\$ 10,000.00			\$ 10,000.00	\$ 93.46
Infrastructure & Misc						\$ 994,700.00	
Site Excavation/Backfill	\$ 1,500.00		\$ 150,000.00		\$ 15,000.00	\$ 166,500.00	\$ 1,556.07
Maintenance of access roads			\$ 10,000.00			\$ 10,000.00	\$ 93.46
Fine Grading	\$ 2,500.00		\$ 15,000.00			\$ 17,500.00	\$ 163.55
Additional gravel fill			\$ 8,000.00			\$ 8,000.00	\$ 74.77
Retaining Walls	NA					\$ -	\$ -
Site Utilities			\$ 150,000.00		\$ 10,000.00	\$ 160,000.00	\$ 1,495.33
Site Electrical			\$ 150,000.00			\$ 150,000.00	\$ 1,401.87
Retaining wall railing			\$ 10,000.00			\$ 10,000.00	\$ 93.46
Site paving			\$ 319,200.00		\$ 20,000.00	\$ 339,200.00	\$ 3,170.09
Landscaping, irrigation, sod			\$ 80,000.00			\$ 80,000.00	\$ 747.66
Site Improvements			\$ 15,000.00			\$ 15,000.00	\$ 140.19
Trash Enclosures			\$ 10,000.00			\$ 10,000.00	\$ 93.46
Joint Sealant			\$ 20,000.00			\$ 20,000.00	\$ 186.92
Parking Lot Striping/HC Signage			\$ 8,500.00			\$ 8,500.00	\$ 79.44
Land Acquisition						\$ 488,906.00	
Engineering						\$ 217,300.00	
TIF Eligible Costs						\$ 1,732,956.00	

Exhibit C

SITE PLAN

(Attached Hereto)

Exhibit D

PRO-FORMA

(Attached Hereto)

Development Underwriting Summary with TIF | Southwoods



RETURN SUMMARY:

Net IRR	9.9%
Equity Multiple	3.1x
Average Unleveraged Cash Yield	5.4%
Average Leveraged Cash Yield	8.1%

REFI SUMMARY:

Refi Value	\$14,244,331
Refi Loan Amount	\$10,683,248
Refi LTV	75.0%
Refi Value Cap Rate	6.50%
Net Refi Proceeds	-\$1,341,051

SOURCES & USES:

Construction Cap Rate: 5.32%

Total Sources	\$ Total	\$ per Unit	%	Total Uses	\$ Total	\$ per Unit	%
Construction Loan	\$13,063,275	\$120,956	75.0%	Total Hard Costs	\$15,004,906	\$138,934	86.1%
Other Funding Sources	\$1,732,956	\$16,046	9.9%	Total Soft Costs	\$666,750	\$6,174	3.8%
Contributed Equity	\$2,621,469	\$24,273	15.1%	Total Contingency	\$491,405	\$4,550	2.8%
				Developer Fee	\$983,572	\$9,107	5.6%
				Metonic Fees	\$0	\$0	0.0%
				Total Reserves	\$271,066	\$2,510	1.6%
Total	\$17,417,699	\$161,275	100%	Total	\$17,417,699	\$161,275	100%

Development Underwriting Summary without TIF | Southwoods



RETURN SUMMARY:

Net IRR	-1.4%
Equity Multiple	0.9x
Average Unleveraged Cash Yield	5.2%
Average Leveraged Cash Yield	1.9%

REFI SUMMARY:

Refi Value	\$14,244,331
Refi Loan Amount	\$10,683,248
Refi LTV	75.0%
Refi Value Cap Rate	6.50%
Net Refi Proceeds	-\$1,319,175

SOURCES & USES:

Construction Cap Rate: 5.33%

Total Sources	\$ Total	\$ per Unit	%	Total Uses	\$ Total	\$ per Unit	%
Construction Loan	\$13,038,969	\$120,731	75.0%	Total Hard Costs	\$15,004,906	\$138,934	86.3%
Other Funding Sources	\$0	\$0	0.0%	Total Soft Costs	\$666,750	\$6,174	3.8%
Contributed Equity	\$4,346,323	\$40,244	25.0%	Total Contingency	\$491,359	\$4,550	2.8%
				Developer Fee	\$981,740	\$9,090	5.6%
				Metonic Fees	\$0	\$0	0.0%
				Total Reserves	\$240,536	\$2,227	1.4%
Total	\$17,385,292	\$160,975	100%	Total	\$17,385,292	\$160,975	100%

Project Pro Forma	Stabilized Per Door	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
Revenue																
Gross Potential Rent	\$12,770	\$1,379,160	\$1,382,040	\$1,405,850	\$1,434,226	\$1,463,175	\$1,492,438	\$1,522,287	\$1,552,733	\$1,583,787	\$1,615,463	\$1,647,772	\$1,680,728	\$1,714,342	\$1,748,629	\$1,783,602
Parking Income	\$482	\$52,020	\$52,129	\$53,027	\$54,097	\$55,189	\$56,293	\$57,419	\$58,567	\$59,738	\$60,933	\$62,152	\$63,395	\$64,663	\$65,956	\$67,275
Other Income	\$1,050	\$84,240	\$113,610	\$115,346	\$117,420	\$119,540	\$121,931	\$124,370	\$126,857	\$129,394	\$131,982	\$134,622	\$137,314	\$140,061	\$142,862	\$145,719
Vacancy	-\$858	-\$1,429,021	-\$299,792	-\$92,064	-\$93,895	-\$95,762	-\$100,240	-\$102,245	-\$104,289	-\$106,375	-\$108,503	-\$110,673	-\$112,886	-\$115,144	-\$117,447	-\$119,796
Application/Admin/Pet Fees	\$18	\$9,900	\$25,230	\$11,283	\$4,668	\$1,900	\$1,938	\$1,977	\$2,016	\$2,057	\$2,098	\$2,140	\$2,183	\$2,226	\$2,271	\$2,316
Concessions	\$0	-\$35,118	-\$73,428	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Revenue	\$13,461	\$61,182	\$1,199,788	\$1,493,441	\$1,516,516	\$1,544,042	\$1,572,360	\$1,603,808	\$1,635,884	\$1,668,601	\$1,701,974	\$1,736,013	\$1,770,733	\$1,806,148	\$1,842,271	\$1,879,116
Operating Expenses																
Payroll	-\$1,100	-\$49,500	-\$119,110	-\$121,681	-\$124,758	-\$127,913	-\$131,111	-\$134,388	-\$137,748	-\$141,192	-\$144,722	-\$148,340	-\$152,048	-\$155,849	-\$159,746	-\$163,739
Administrative	-\$600	-\$6,600	-\$62,419	-\$70,071	-\$69,550	-\$70,371	-\$72,130	-\$73,933	-\$75,781	-\$77,676	-\$79,618	-\$81,608	-\$83,649	-\$85,740	-\$87,883	-\$90,080
Repair and Maintenance	-\$700	-\$3,850	-\$63,022	-\$77,433	-\$79,391	-\$81,399	-\$83,434	-\$85,520	-\$87,658	-\$89,849	-\$92,096	-\$94,398	-\$96,758	-\$99,177	-\$101,656	-\$104,198
Management Fees	-\$404	-\$5,000	-\$35,994	-\$44,803	-\$45,495	-\$46,321	-\$47,171	-\$48,114	-\$49,077	-\$50,058	-\$51,059	-\$52,080	-\$53,122	-\$54,184	-\$55,268	-\$56,373
Insurance	-\$350	-\$9,450	-\$37,899	-\$38,717	-\$39,696	-\$40,700	-\$41,717	-\$42,760	-\$43,829	-\$44,925	-\$46,048	-\$47,199	-\$48,379	-\$49,588	-\$50,828	-\$52,099
Real Estate Taxes	-\$1,800	-\$11,341	-\$88,123	-\$199,114	-\$204,149	-\$209,312	-\$214,545	-\$219,908	-\$225,406	-\$231,041	-\$236,817	-\$242,738	-\$248,806	-\$255,026	-\$261,402	-\$267,937
Utilities	-\$600	-\$16,200	-\$64,969	-\$66,371	-\$68,050	-\$69,771	-\$71,515	-\$73,303	-\$75,135	-\$77,014	-\$78,939	-\$80,913	-\$82,935	-\$85,009	-\$87,134	-\$89,312
Total Operating Expenses	-\$5,554	-\$101,941	-\$471,537	-\$618,190	-\$631,089	-\$645,786	-\$661,622	-\$677,926	-\$694,634	-\$711,755	-\$729,298	-\$747,275	-\$765,697	-\$784,574	-\$803,917	-\$823,739
Net Operating Income	\$7,907	-\$40,759	\$728,251	\$875,251	\$885,427	\$898,256	\$910,738	\$925,882	\$941,250	\$956,846	\$972,676	\$988,738	\$1,005,036	\$1,021,574	\$1,038,354	\$1,055,377
Key Metrics																
Apartment Rent Per Square Foot	\$1.24	\$1.24	\$1.24	\$1.26	\$1.29	\$1.31	\$1.34	\$1.37	\$1.39	\$1.42	\$1.45	\$1.48	\$1.51	\$1.54	\$1.57	\$1.60
Rent Per Unit	\$1,064	\$1,064	\$1,066	\$1,085	\$1,107	\$1,129	\$1,152	\$1,175	\$1,198	\$1,222	\$1,246	\$1,271	\$1,297	\$1,323	\$1,349	\$1,376
Vacancy %	6.00%	94.30%	19.37%	5.85%	5.85%	5.85%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%
Concessions %	0.00%	2.55%	5.31%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Operating Expense Ratio	41.26%	166.62%	39.30%	41.39%	41.61%	41.82%	42.08%	42.27%	42.46%	42.66%	42.85%	43.05%	43.24%	43.44%	43.64%	43.84%
Apartment NOI Margin	58.74%	-66.62%	60.70%	58.61%	58.39%	58.18%	57.92%	57.73%	57.54%	57.34%	57.15%	56.95%	56.76%	56.56%	56.36%	56.16%
Revenue Growth Rate			0.00%	1.72%	2.02%	2.02%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Expense Growth Rate				31.10%	2.09%	2.33%	2.45%	2.46%	2.46%	2.46%	2.46%	2.46%	2.47%	2.47%	2.47%	2.47%
NOI Growth Rate				20.19%	1.16%	1.45%	1.39%	1.66%	1.66%	1.66%	1.66%	1.65%	1.65%	1.65%	1.64%	1.64%

Southwoods

Operating Assumptions

Analysis Start Date

5/1/2021

Apartment Unit Mix

# Beds	# Baths	# of Units	Mix %	Unit Square Feet	Total Square Feet	Rent Per Unit	Rent PSF	Notes
Studio		9	8%	570	5,130	\$785	\$1.38	A
1		18	17%	755	13,590	\$955	\$1.26	B
1		27	25%	670	18,090	\$895	\$1.34	B2
1		9	8%	670	6,030	\$895	\$1.34	B2B
2		9	8%	1,080	9,720	\$1,240	\$1.15	D
2		18	17%	1,110	19,980	\$1,265	\$1.14	D3
2		3	3%	1,009	3,027	\$1,185	\$1.17	E
2		6	6%	1,009	6,054	\$1,185	\$1.17	E2
3		9	8%	1,253	11,277	\$1,540	\$1.23	F
Total / Average		108	100%	860	92,898	\$1,064	\$1.24	

Other Income

# Garages	51
Garage Rent (Monthly)	\$85
Pet Rent Per Unit (Monthly)	50%
Other Income Per Unit (Monthly)	\$35
Utility Income Per Unit (Monthly)	\$480 Annually
Cable TV NET Income/(Expense) (Annual)	\$40
	\$360

Growth and Occupancy

Rent Growth	2.00%
Expense Growth	2.50%
Grow Income/Expense During Construction Period?	No
Stabilized Occupancy	94.00%

Expenses

	Annual Per Door
Payroll	\$1,100
Administrative	\$600
Repair and Maintenance	\$700
Insurance	\$350
Real Estate Taxes	\$1,800
Utilities	\$600
Management Fees	\$404
Total	41.3% \$5,554

Property Taxes (See RE Tax Tab)

Current Taxes	\$11,341
Stabilized Taxes	\$1,800/unit \$194,400
Fully Assessed Year (After Final C/O)	2022 0.0
Fully Assessed Pmt Start Date (Years)	1/31/2023 1.0

Fees

Management Fee (% of Income)	3.0%
Minimum Management Fee (\$/Month)	\$1,000
Asset Management Fee Type (Commencing at Lease Up)	% Income
Asset Management Fee %	1.000%

Construction / Lease Up Assumptions

Construction Lease Up Timing

Construction Period & Final C/O (Months)	7/31/2022	14
Lease Up Start Month	3/31/2022	10
Payroll Start Month	1/31/2022	8
# Units Pre Leased	0.0%	0
Units Leased/Month		11
Stabilized Occupancy Month	12/31/2022	19

Lease Up, Concessions and Turn Over

Reservation Fee	\$0
Admin Fee Income	\$150
Pet Fee Income	\$300
Lease Up Concessions (Months Free)	1.00
Renewal Concessions (Months Free)	0.00
Stabilized Concessions (% of Rent)	0.00%
Incentive Management Fees	\$100
Turn Over Rate	45%

Financing

Construction Loan

Is TIF Involved?	See TIF Calculator	Yes
Loan-to-Cost		75%
Interest Rate		3.70%
Interest Only (months)		24
Amortization (years)		30
Annual Reserve Per Unit		\$250
Guaranty Fee	Equity	0.00%
Guaranty Burnoff DCR / # of Months	1.25x	6
Post Burnoff Guaranty %	Month 52	50.00%

Refinance

Refinance Month	5/31/2028	84
Refinance Cap Rate		6.50%
Minimum DCR		1.30x
Loan to Value Target		75.0%
Interest Rate		4.50%
Interest Only (Months)		24
Amortization (Years)		30
Annual Reserve Per Unit		\$250
Loan Fee		1.00%
Guaranty % / Guaranty Fee	0.00%	0.00%
Closing Costs		1.50%

Exhibit E

AMORTIZATION SCHEDULE

(Attached Hereto)

TIF Analysis

First Installment Month	3	3/31/2021	TIF Loan Advance Rate	100%
Second Installment Month	7	7/31/2021	TIF Loan Amount	1,732,956
Current TAV (Current)	276,378		Interest Rate	4.75%
As-Complete TAV	8,387,400		Amortization	13.50
First Installment Date	3/31/2023		Term	15.00
Tax Levy	2.31975%		Payment Periods/Yr	2.00
Treasurer's Fee	1.0%		Payments/Period	\$87,681
Discount/Interest Rate	4.75%		Payments/Yr	\$175,362
Net Present Value	1,732,956			

Year	Date	Total TAV	Less Pre-Dev Base TAV	TIF TAV	Mill Rate	Gross TIF Tax Revenue	Less Treasurer's Fee	Tax Revenue Available for TIF DS	TIF Loan Beg. Bal.	Principal	Interest	TIF DS PMT	TIF Loan End Bal.	DSCR
1.0	7/31/2021	0	0	0	2.32%	0	0	0	1,732,956	0	0	0	1,732,956	0.00x
1.0	3/31/2022	0	0	0	2.32%	0	0	0	1,732,956	0	41,158	41,158	1,732,956	0.00x
2.0	7/31/2022	0	0	0	2.32%	0	0	0	1,732,956	0	41,158	41,158	1,732,956	0.00x
2.0	3/31/2023	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,732,956	46,523	41,158	87,681	1,686,433	1.06x
3.0	7/31/2023	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,686,433	47,628	40,053	87,681	1,638,804	1.06x
3.0	3/31/2024	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,638,804	48,759	38,922	87,681	1,590,045	1.06x
4.0	7/31/2024	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,590,045	49,917	37,764	87,681	1,540,128	1.06x
4.0	3/31/2025	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,540,128	51,103	36,578	87,681	1,489,025	1.06x
5.0	7/31/2025	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,489,025	52,316	35,364	87,681	1,436,709	1.06x
5.0	3/31/2026	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,436,709	53,559	34,122	87,681	1,383,150	1.06x
6.0	7/31/2026	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,383,150	54,831	32,850	87,681	1,328,319	1.06x
6.0	3/31/2027	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,328,319	56,133	31,548	87,681	1,272,185	1.06x
7.0	7/31/2027	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,272,185	57,466	30,214	87,681	1,214,719	1.06x
7.0	3/31/2028	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,214,719	58,831	28,850	87,681	1,155,888	1.06x
8.0	7/31/2028	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,155,888	60,228	27,452	87,681	1,095,659	1.06x
8.0	3/31/2029	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,095,659	61,659	26,022	87,681	1,034,000	1.06x
9.0	7/31/2029	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	1,034,000	63,123	24,558	87,681	970,877	1.06x
9.0	3/31/2030	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	970,877	64,623	23,058	87,681	906,255	1.06x
10.0	7/31/2030	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	906,255	66,157	21,524	87,681	840,097	1.06x
10.0	3/31/2031	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	840,097	67,729	19,952	87,681	772,369	1.06x
11.0	7/31/2031	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	772,369	69,337	18,344	87,681	703,032	1.06x
11.0	3/31/2032	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	703,032	70,984	16,697	87,681	632,048	1.06x
12.0	7/31/2032	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	632,048	72,670	15,011	87,681	559,378	1.06x
12.0	3/31/2033	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	559,378	74,396	13,285	87,681	484,983	1.06x
13.0	7/31/2033	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	484,983	76,162	11,518	87,681	408,820	1.06x
13.0	3/31/2034	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	408,820	77,971	9,709	87,681	330,849	1.06x
14.0	7/31/2034	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	330,849	79,823	7,858	87,681	251,025	1.06x
14.0	3/31/2035	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	251,025	81,719	5,962	87,681	169,307	1.06x
15.0	7/31/2035	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	169,307	83,660	4,021	87,681	85,647	1.06x
15.0	3/31/2036	8,387,400	276,378	8,111,022	2.32%	94,078	(941)	93,137	85,647	85,647	2,034	87,681	0	1.06x

3.d.

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT # 1

CASE NUMBERS: S-2008-19
Z-2008-11

FOR HEARING OF:
REPORT #1: September 24, 2020

I. GENERAL INFORMATION

A. APPLICANT:

APOGEE Professional Services
12149 W Center Road
Omaha, NE 68144

B. PROPERTY OWNER:

Southwoods Manager
14710 W Dodge Road, Suite 100
Omaha, NE 68154

C. GENERAL LOCATION:

Childs Road and Nebraska Drive

D. LEGAL DESCRIPTION:

Lot 1, South Woods Replat 4, being a replat of Lots 9 through 11, South Woods, located in the Southeast $\frac{1}{4}$ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lot 1, South Woods Replat 4, from RG-8 and RG-8-PS to RG-8-PS with site plan approval.
2. Small subdivision plat Lot 1, South Woods Replat 4.

F. EXISTING ZONING AND LAND USE:

RG-8 and RG-8-PS, Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning and site plan for the construction of a 107 unit multi-family residential development.

H. SIZE OF SITE:

The site is approximately 4.532 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently vacant and covered in vegetation.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Single Family Residential, RD-60
- 2. **East:** Omaha Public Schools Elementary School (under construction), RG-8
- 3. **South:** Single Family Residential, RS-72
- 4. **West:** Single Family Residential, RD-60

C. REVELANT CASE HISTORY:

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

D. APPLICABLE REGULATIONS:

- 1. Section 5.15, Zoning Ordinance, regarding RG-8 uses and requirements.
- 2. Section 5.17, Zoning Ordinance, regarding the Planned Subdivision District.
- 3. Chapter 5, Small Subdivisions, Subdivision Regulations.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan shows this area as multi-family residential.

B. OTHER PLANS:

The applicant is requesting Tax Increment Financing (TIF) for this project.

C. TRAFFIC AND ACCESS:

1. There is no traffic data available for this specific area.
2. The property will have access from two points: one along Nebraska Drive, and another from Childs Road.

D. UTILITIES:

All utilities are available to this property.

E. ANALYSIS:

1. Kassie Inness, on behalf of APOGEE Professional Services, has submitted a request for a rezoning for Lot 1, South Woods Replat 4, from RG-8 and RG-8-PS to RG-8-PS, for the purpose of a multi-family residential development.
2. The property consists of three existing lots. Two of the lots are presently zoned RG-8, while the northernmost lot is zoned RG-8-PS.

The intent of the RG-8 district is to permit very high density development, multi-story development, and other uses that are typical and compatible in the operation of apartment houses.

The -PS zoning overlay allows for the construction of multiple buildings on one lot, in addition to encouraging the creative design of new living areas.

3. In conjunction with the change of zone, the applicant is also requesting site plan approval for the apartment buildings.
4. The proposal consists of 107 units in three buildings. Additionally, six detached garages are shown on the site plan to provide protected parking.
5. The site plan shows 137 surface parking stalls for the development. Fifty parking stalls will be provided with the detached garages. The site plan also provides for 22 on-street parking stalls which will be created for this development, for a total of 209 stalls available for his project.
6. The applicant plans bike racks, a fitness room, package lockers, and an exterior community grilling area as some of their amenities for their residents.
7. The landscape plan has been reviewed by staff and meets the minimum requirements of the zoning ordinance.

8. Per Section 8.11, Zoning Ordinance, the apartment buildings will need to meet the city's design standards. Compliance with these regulations will be reviewed as part of the building permit process.

9. This application was sent out to the following departments for review: Public Works, Streets Department, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Nebraska Department of Transportation, and the Omaha 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.

Public Works Engineer Matt Knight had technical comments regarding the site plan. These comments have since been satisfied.

Don Gifford, Bellevue Fire Department, had comments regarding fire hydrant placement. The applicant's engineer has been in contact with Mr. Gifford. This item will be addressed as part of the building permit process.

No other comments were received on this case.

10. As part of the site plan approval process, the applicant has been working with the Public Works Department to create on-street parking stalls along the west side of Nebraska Drive. Raised bulbs will be utilized, as well as the sidewalk along Nebraska Drive will be constructed adjacent to the back of the curb to better serve these parking spaces.

The Public Works Department is comfortable from a safety perspective with the proposed on-street parking configuration.

11. Crosswalks will be constructed at the intersection of Columbus Avenue and Nebraska Drive to facilitate pedestrian access from this development to the neighboring city park.

12. The Future Land Use Map of the Comprehensive Plan shows this area as multi-family residential.

13. The property is presently zoned for high density multi family development. The small subdivision plat and site plan approval process allow for the property to be developed in a cohesive, organized manner.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon compatibility with the surrounding neighborhood, lack of perceived negative impact, and conformance with the Zoning Ordinance and Comprehensive Plan.

V. PLANNING COMMISSION RECOMMENDATION

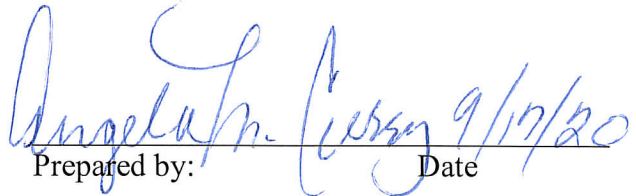
Under Review

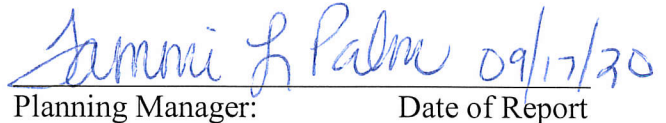
VI. ATTACHMENTS TO REPORT

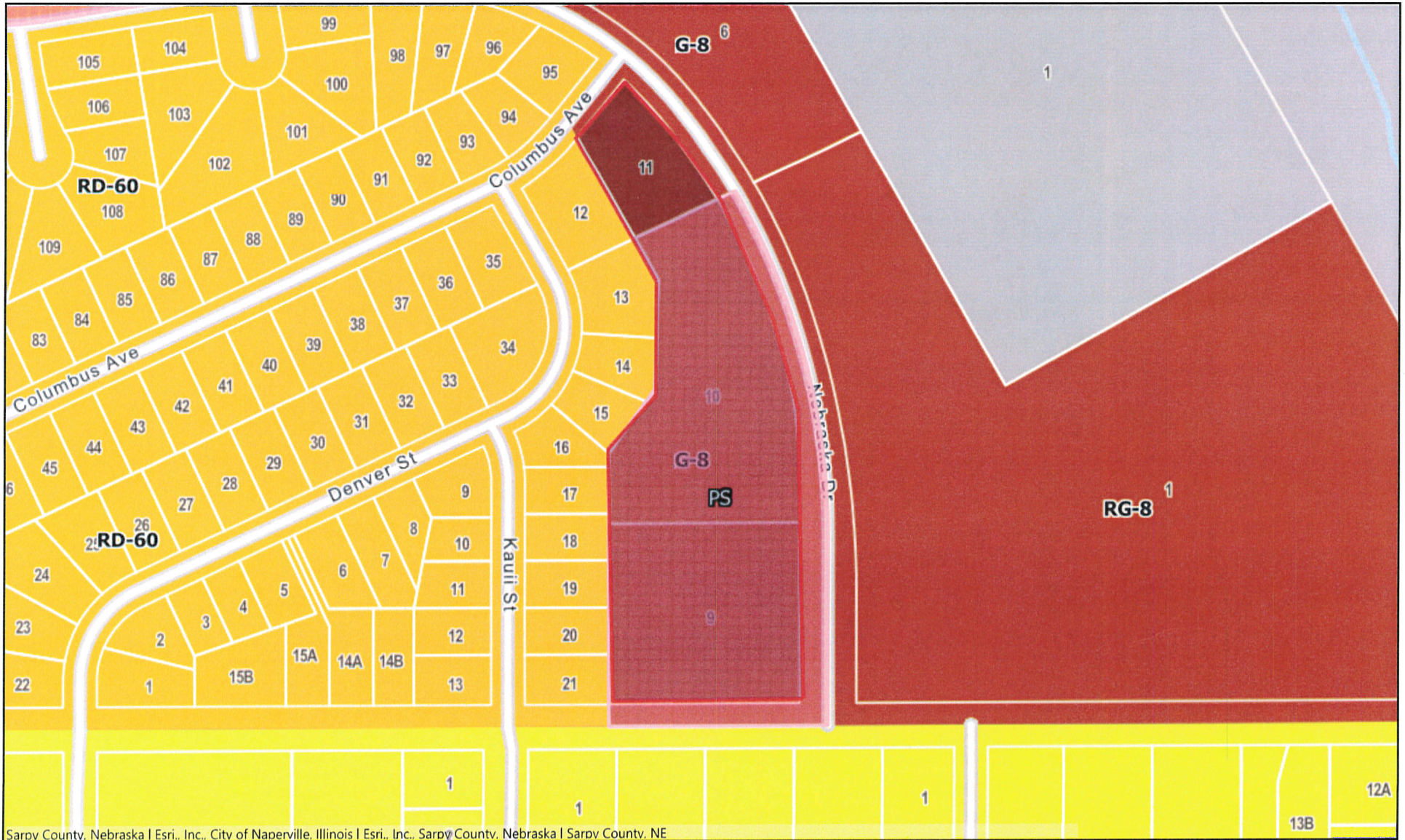
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Justification letter received August 27, 2020
4. Small subdivision plat received September 15, 2020
5. Site plan received September 15, 2020
6. Landscape plan received September 15, 2020
7. Letter from Amy Corriveau received September 17, 2020

VII. COPIES OF REPORT TO:

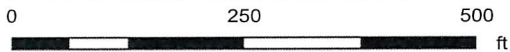
1. APOGEE Professional Services
2. Lamp Rynearson
3. Larry Jobeun, Fullenkamp, Jobeun, Johnson & Bellevue LLP
4. Public Upon Request


Prepared by: _____ Date: 9/17/20


Planning Manager: _____ Date of Report: 09/17/20

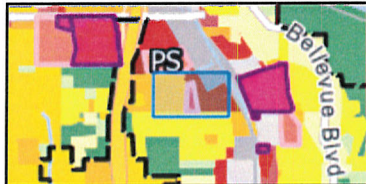


Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 3185

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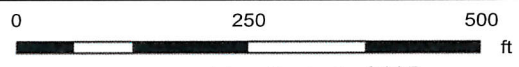


Notes





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



Map Scale 1: 3185

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





Ms. Tammi Palm
Planning Manager
City of Bellevue
1510 Wall Street
Bellevue NE 68005

Re: Rezoning of Lots 9, 10 & 11, Southwoods

Dear Tammi:

This letter serves as a supplement to the application for rezoning of approximately 4.52 acres of vacant land located at 1366 Nebraska Drive in Bellevue, Nebraska. The lots are currently zoned RG-8; with lots 9 and 10 having a Planned Subdivision (PS) overlay. As part of rezoning application, we are requesting that lot 11 be given the PS overlay designation during the approval process.

The applicant is proposing to develop three (3) three (3) story multifamily buildings and community amenities, including, but not limited to bike racks, fitness room, package lockers and an exterior community grilling area. We believe this project will add value to the community by providing housing and various employment opportunities within the City of Bellevue, during and after completion.

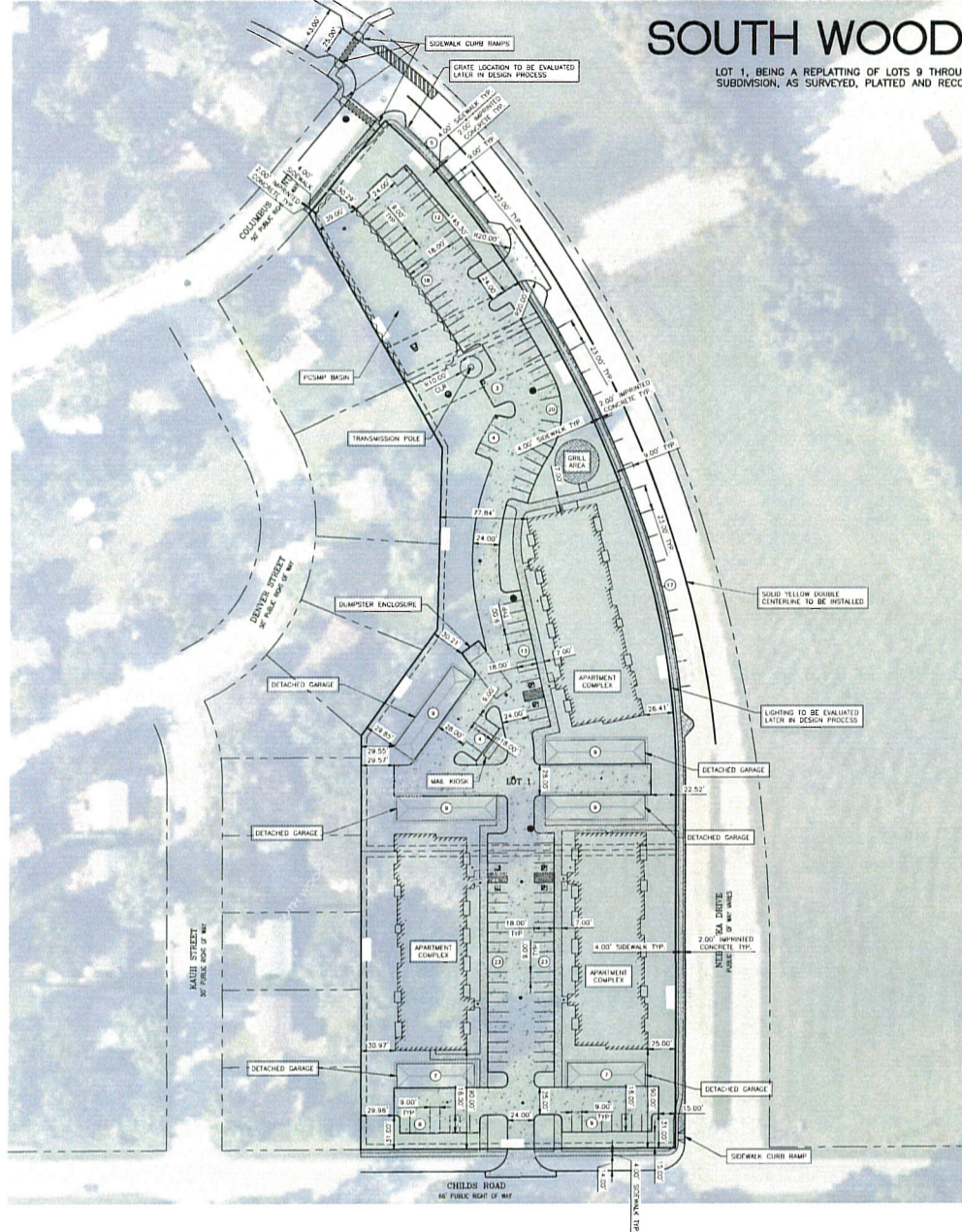
Sincerely,

Kassie Inness

RECEIVED
AUG 27 2020
PLANNING DEPT.

SOUTH WOODS REPLAT 4

LOT 1, BEING A REPLATING OF LOTS 9 THROUGH 11, INCLUSIVE, SOUTH WOODS, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.



LOCATION MAP

PROJECT SUMMARY

UNITS	107
SURFACE STALLS	137
DETACHED GARAGE	50
TOTAL PARKING PROVIDED	187 (1.75 STALLS PER UNIT)
REQUIRED PARKING	214 (2 STALLS PER UNIT)
TOTAL ON-STREET PARKING	22
TOTAL PARKING PROVIDED INCLUDING ON-STREET PARKING	209 (1.95 STALLS PER UNIT)
TOTAL PARKING LOT AREA	60,304 SF
TOTAL PARKING LOT INT. LS	4769 SF (7.9% (5% REQ.))
TOTAL LOT AREA	182,081 SF
IMPERVIOUS COVERAGE	117,309 SF (64.4% (50% MAX))

LEGEND

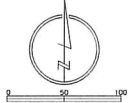
- CONTOUR
- EXISTING CONTOUR
- SIDEWALK
- PAVEMENT
- 7" FC CONCRETE
- SIDEWALK PAVEMENT
- BUILDING
- PARKING STALL COUNT
- STORM SEWER
- SANITARY SEWER
- MANHOLE
- FLARED END SECTION

RECEIVED
SEP 15 2020
PLANNING DEPT.

EXHIBIT A

LAMP RYNEARSON

14710 W. DODGE RD. STE. 100
OMAHA, NE 68154
402.486.2100
Lamp@ryne arson.com



PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

SITE PLAN EXHIBIT

SOUTHWOOD SMALL SUBDIVISION PLAT
BELLEVUE, NEBRASKA



Know what's below.
Call before you dig.

REVISIONS

NO.	DATE	DESCRIPTION

DESIGNER / DRAFTER
VAN WELDEN/SUDOWELL
DATE
09/15/2020
PROJECT NUMBER
0120056 01-008
SHEET AND PAGE

SHEET

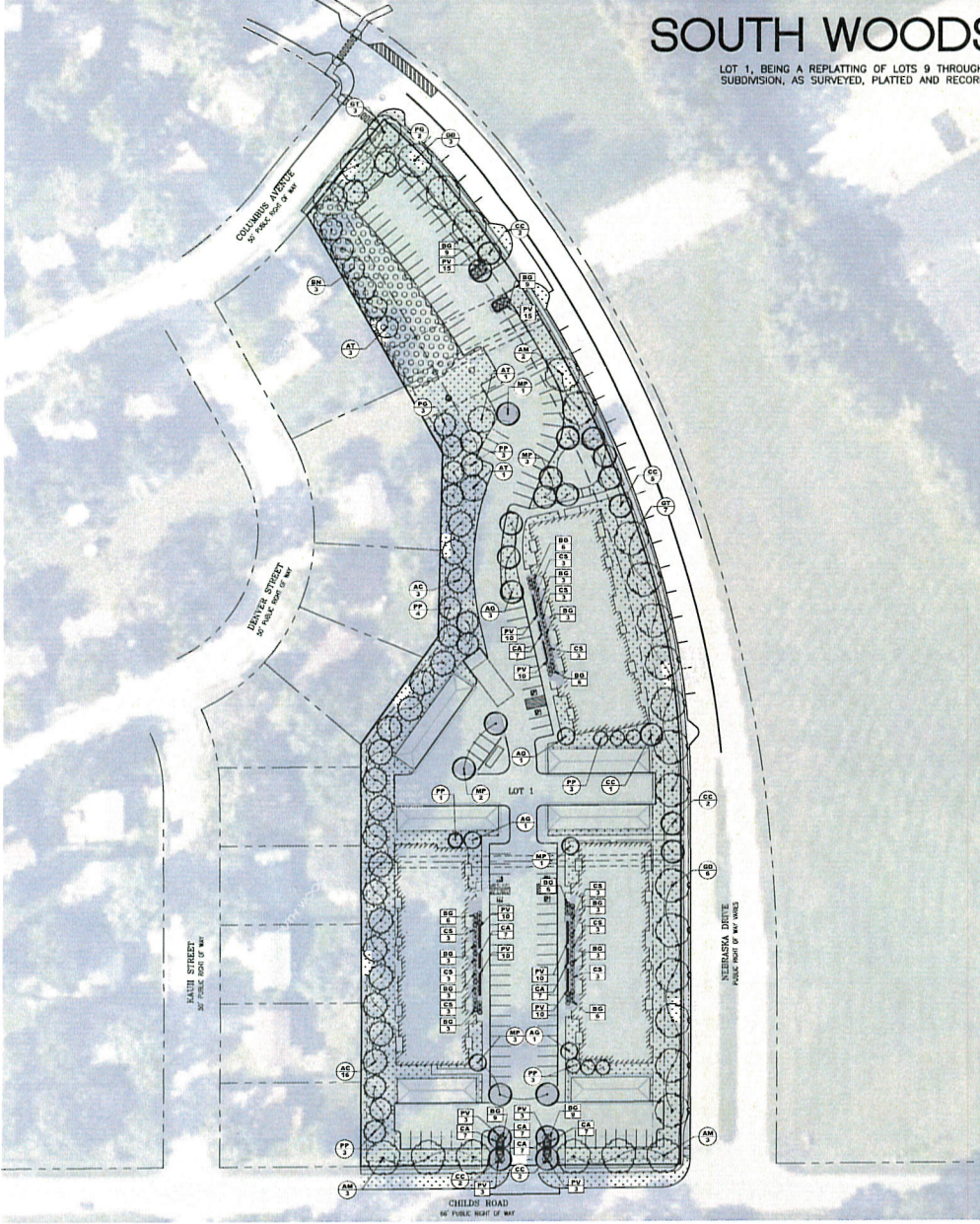
1 OF 1

SOUTH WOODS REPLAT 4

LOT 1, BEING A REPLATTING OF LOTS 9 THROUGH 11, INCLUSIVE, SOUTH WOODS, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.



LOCATION MAP



LEGEND

- SIDEWALK
- PAVEMENT
- BUILDING
- LANDSCAPED AREA
- BIORETENTION BASIN
- DECIDUOUS TREE
- CONIFEROUS TREE
- ORNAMENTAL TREE

LANDSCAPE PLAN LEGEND

BELLEVUE LANDSCAPE CODE REVIEW - APPX. A.8.11.06

	REQUIRED	PROVIDED
A. PARKING LOT LANDSCAPE BUFFER PER APPX. A.8.11.06.9	15'	15' PROVIDED
B. PARKING LOT LANDSCAPE BUFFER REQUIRED TREES PER APPX. A.8.11.06.9.A	ONE DECIDUOUS SHADE OR ONE ORNAMENTAL TREE AND THREE SHRUBS FOR EVERY 40 LINEAR FEET OF STREET FRONTAGE 1,396 LF/40 = 35 TREES & 103 SHRUBS	26 SHADE TREES, 9 ORNAMENTAL TREES AND 106 SHRUBS PROVIDED
C. REQUIRED TREES ON SITE PER APPX. A.8.11.06.8	ONE DECIDUOUS SHADE OR EVERGREEN TREE, OR TWO ORNAMENTAL TREES, AND THREE SHRUBS FOR EVERY TWO DWELLING UNITS	107 UNITS = 49 DECIDUOUS AND EVERGREEN TREES, 10 ORNAMENTAL TREES AND 162 SHRUBS PROVIDED
D. PARKING LOT INTERIOR LANDSCAPE PER APPX. A.8.11.06.10.A	19 SF OF LANDSCAPED AREA PER PARKING STALL 187 STALLS x 19 SF = 3,553 SF	4,769 SF PROVIDED
E. PARKING LOT INTERIOR REQUIRED TREES PER APPX. A.8.11.06.10.B	ONE TREE SHALL BE PROVIDED FOR EVERY 300 SF OF REQUIRED LANDSCAPED AREA 3,553 SF/300 = 12 TREES	12 TREES PROVIDED

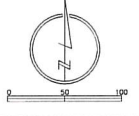
PLANT SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
DECIDUOUS TREES					
GT	QUERCUS BRICANTHOS VAR. BIERWIS 'SHADEMASTER'	SHADEMASTER HONEYLOCUST	2" CAL.	50'-75'	20'-40'
GD	FRAXINUS VIRGINIANA 'ESPRESSO-JFS'	ESPRESSO KENTUCKY COFFEE TREE	2" CAL.	50'	35'
AM	ACER NYCOLOGIA 'WATKINS' STATE STREET	STATE STREET MAPLE	2" CAL.	30'-40'	30'-40'
AT	ACER TRUNCATUM	SHANTUNG MAPLE	2" CAL.	20'-25'	15'-20'
BT	BETULA NIDA	PAPER BIRCH	2" CAL.	40'-60'	30'-50'
AS	AQUILARIUM 'BRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	2" CAL.	15'-25'	15'-25'
CC	CORNUS CANADENSIS	NASTURRY HERRING	2" CAL.	20'-30'	20'-25'
MP	MALUS 'PRINCEPERRE'	PRINCEPERRE CRABAPPLE	2" CAL.	15'-20'	15'-20'
CONIFEROUS TREES					
PG	PICEA GLAUCA VAR. DENSATA	BLACK HILLS SPRUCE	6-7" HT.	30'-60'	15'-20'
PP	PICEA PUNGENS	BLUE SPRUCE	6-7" HT.	30'-60'	10'-20'
AC	ABIES CONCOLOR	WHITE FIR	6-7" HT.	40'-70'	20'-30'
SHRUBS AND PERENNIALS					
PV	PANICUM VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCHGRASS	5 GAL.	4'-5'	1'-2'
CA	CALAMAGRISTIS 'ACEVELONA 'KARL HOUNSLEY'	FEATHER REED GRASS	5 GAL.	3'-5'	2'-3'
BG	BUNIA 'GREEN VELVET'	GRIFIN VELVET BOWWOOD	5 GAL.	3'-4'	3'-4'
CS	CORNUS SARGANEA 'CATY' ARCTIC GUIN	ARCTIC SUN BOWWOOD	5 GAL.	3'-4'	3'-4'

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SEP 15 2020
PLANNING DEPT.

EXHIBIT D

LAMP RYNERSON
14710 W. DODGE RD. STE. 100
OMAHA, NE 68154
402.496.2488
LampRyner.com



PRELIMINARY

NOT RELEASED FOR CONSTRUCTION

LANDSCAPE EXHIBIT

SOUTHWOOD SMALL SUBDIVISION PLAT
BELLEVUE, NEBRASKA

811
Know what's below.
Call before you dig.
NEBRASKA

DESIGNER / DRAWER
FENCE/GRINELL
DATE
09/15/2020
PROJECT NUMBER
0120016 (1) - 004
BOOK AND PAGE

SHEET
1 OF 1

2711 Columbus Avenue
 Bellevue, NE 68005
 623-694-1053

September 17, 2020

City of Bellevue Planning Department
 1501 Wall Street
 Bellevue, NE 68005

RECEIVED
 SEP 17 2020
 PLANNING DEPT.

RE: Case # Z-2008-11, S-2008-19

Mrs. Tammi Palm:

As a resident whose family has lived in lot 12 for many years, I have concerns and questions I would like to address to the Planning Commission Members and Applicant APOGEE Professional Service. I have reviewed the plans.

I would like to state none of these would be issues to me if this was just residential housing being constructed as it is currently zoned for and not apartments. The difference between the two are night and day.

My husband and I will be attending the hearing and if I have any other questions come to mind before then I will address them at that time. I am sure many of these questions will be addressed and answered at the hearing.

Taxes and Home Value

- How will this affect our yearly taxes.
- How will this affect our home values and chance of selling in future.

Approximation of Construction Timeline

- When is construction proposed to begin and when is the proposed completion date?

Privacy and Noise Concerns

- Will there be a retaining wall or fence put up by developer or are all ten homeowners behind this development responsible for this? Specifically, to my lot #12, according to your plans it looks like the only separation will be trees and landscaping, along with a pump basin. I do not find this adequate as we will still see entire parking lot and cars parked along Nebraska Drive from our back deck. Trees being placed between will be nice, however will these trees being planted be somewhat mature trees or small trees? At any rate, it will take years for these trees to grow to give us full privacy from the parking lot, as well as there will be times of the year the trees will not have leaves.

**Please refer to attached picture IMG #1 of my back yard taken from my deck.*

- Specifically to my lot #12, I am extremely concerned with the parking lot being right behind and beside my home. We will be affected more than any other homeowner backed up to the apartment complex hearing car noise and car radios at all hours of the day. As the point made

above about trees giving us no privacy, trees will not help with the noise. Whom do we call in charge of noise complaints when they need to be made?

- An additional retaining wall or fence placed by developer would be nice, if this is not already in the plans, for all ten homeowners that will be behind new complex such as noise reduction and safety concerns of tenants walking freely onto our properties.

Parking

- With street parking limited and Columbus Avenue the closest street to the apartments available for street parking, my concern is people will be parking along this street in front of residential homes, especially my home on Lot 12. In order to not block streets and also create a more safe driving condition for anyone wanting to turn left or right on to Nebraska Drive from Columbus Avenue, there should be a no parking allowed with a sign stating this along Columbus in the area between my driveway of Lot 12 to the stop sign at Nebraska Drive. **See images #5 and #6 for a view of intersection.*
- I also strongly feel that no parking should be allowed on Nebraska Drive in the area between Columbus Avenue and the entrance parking lot of Apartments facing West on Nebraska Drive. The plans show two cars being allowed to park in this area. Allowing any cars to park here creates a blind spot and dangerous intersection for people trying to turn left or right on to Nebraska Drive from Columbus Avenue.

**Please see image #5 and #6*

As you can see from images #5 and #6, parking along road will make drivers have to risk pulling out and hitting another car or pedestrian. As a driver turning left or right at this intersection, cars already come around the corner heading North on Nebraska Drive quickly. As a driver, I will have to pull out farther then the stop sign to see around parked vehicles to make sure no one is coming South on Nebraska Drive before I can turn left. Will a three way stop sign be placed at Nebraska Drive and Columbus Avenue?

- *Parking lot lights*
Specific to Lot #12, what will be done in effort that parking lot lights will not be lighting up my backyard. Trees will not block lights. **Refer to Image 1 of backyard view*

Traffic (Please see images 2,3,4)

- Will stop lights be placed on Childs Road? Turning right or left onto Childs Road from Nebraska Drive, Kauii Street, Denver Street, 9th Street, 11th Street, 13th Street and 15th Street is already extremely risky due to Childs Road being a hill. Adding in the new multiple cars driving Nebraska Drive along with future school traffic and train traffic, turning out from any street on Childs Road from the North or South will be extremely dangerous to do at specific times during the day as people speed and the hills make blind spots for drivers. As a driver of these streets for many years and barely escaping accidents myself along this road, something will need to be done to make this road safer.

- What will be done to make it safe for Apartment tenants to turn left onto Nebraska Drive out of the complex from the Childs Road exit?
- Will Childs Road be expanded adding a middle turning lane into the Apartment entrance to deter accidents from happening? The plans provided make it difficult to tell if there are turning lanes or not. As said above, Childs road has many blind spots due to it being a hill and people driving West on Childs Road will not be able to see drivers stopped to turn into these apartments until it is too late.
- With Nebraska Drive now being a major street for people living in Apartments along with future school traffic, what will be done to provide safety to drivers and pedestrians, besides just the curb ramps? Will the speed limit be reduced, and not just during school hours? As questioned above, will a three way Stop sign be placed on Columbus Ave and Nebraska Drive?

Basically stated, there is going to be a lot crammed into this area now with the new school and apartments, with inadequate sized and safe streets for drivers and pedestrians.

Security

- Besides homeowners being responsible for personal outdoor cameras and possibly having to install fencing, what security and safety measures will be taking place for residences living behind the development be specifically to crime prevention and tenants entering residential properties directly behind apartments.

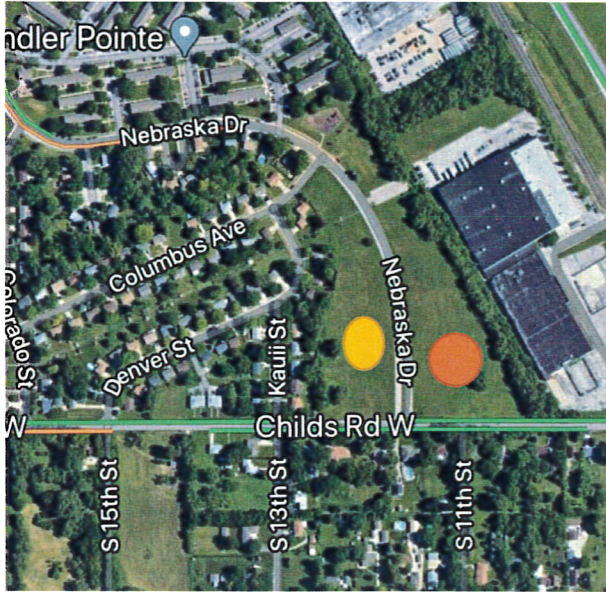
Thank you for taking the time to listen to my concerns on this issue.

Sincerely,

Amy Corriveau



Image #1: View from Lot 12 residence back deck. Proposed parking lot will be directly west of house on other side of white fence.



- OPS Fort Crook School
- Apartments

Image #2 above showing School and Proposed Apartments. The dangerous intersections due to blind spots from hill are intersections on both North and South side of Childs Road West. Denver Street, Kauii Street, Nebraska Drive, 9th Street (not shown), 11th Street, 13th Street, 15th Street are all dangerous intersections.

Worst area of blind spot is located between Kauii Street and Nebraska Drive where entrance will be.

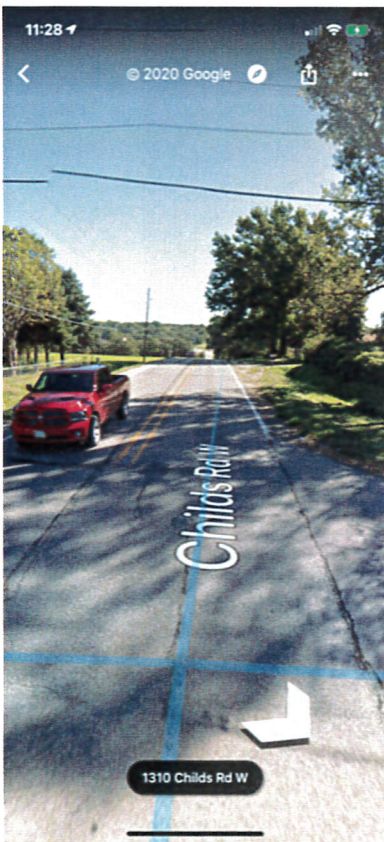


Image #3 showing blind spot due to hill at intersection of Kauii Street and Childs Road looking West. Apartment entrance/exit would be just below top of hill at blind spot.



Image #4 showing blind spot due to hill at intersection of Nebraska Drive and Childs Road looking East. Proposed apartment entrance/exit would be located directly to the South East of this image.

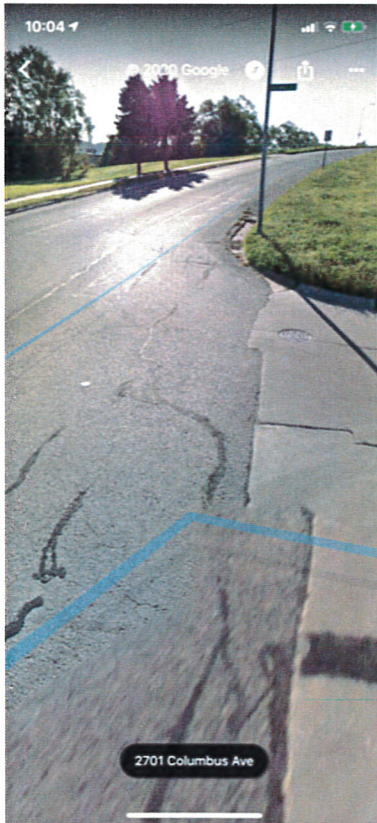


Image #5: View from intersection of Columbus Avenue and Nebraska Drive looking North, as if driver turning right. This image somewhat shows how cars parked along lower Nebraska Drive will make it extremely dangerous and impossible for drivers to see around and turn left.



Image #6: View from intersection of Columbus Avenue and Nebraska drive looking South, as if driver turning left. This image somewhat shows how drivers turning have limited view of other drivers heading North on Nebraska Drive as cars come quickly around curve of Nebraska Drive.

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT # 1

CASE NUMBERS: Z-2008-10
S-2008-18

FOR HEARING OF:
REPORT #1: September 24, 2020

I. GENERAL INFORMATION

A. APPLICANT:

Carlson Consulting Engineers, Inc
Attn: Mike Dedman
7068 Ledgestone Commons
Bartlett, TN 38133

B. PROPERTY OWNERS:

Rural Housing Developers – Nebraska, LLC
Attn: J. Ryan Hamilton
3556 S. Culpepper Circle, Ste. 4
Springfield, MO 65804

C. GENERAL LOCATION:

25th Street and W Chandler Road

D. LEGAL DESCRIPTION:

Lots 2 and 2A, Kennedy Town Center Replat Seven, being a replat of Lot 2, Kennedy Town Center Replat Four, located in the Southwest ¼ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lots 2 and 2A, Inclusive, Kennedy Town Center, Replat Seven, from RG-20-PS to BG-PCO and RG-20-PS for the purpose of commercial and multi-family residential development, with site plan approval for Lot 2.
2. Small Subdivision Plat Lots 2 and 2A, Kennedy Town Center, Replat Seven.

F. EXISTING ZONING AND LAND USE:

RG-20-PS/Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a change of zone and small subdivision plat to allow commercial and multi-family residential development.

H. SIZE OF SITE:

The site is approximately 8.6 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is currently vacant.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Commercial/Retail, BG
- 2. **East:** Multi Family Residential, RG-20-PS
- 1. **South:** Townhome Residential, RG-20-PS
- 2. **West:** Multi Family Residential and Elementary School, RG-28 - RS-72

C. REVELANT CASE HISTORY:

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

D. APPLICABLE REGULATIONS:

- 1. Section 5.22, Zoning Ordinance, regarding BG uses and requirements.
- 2. Section 5.14, Zoning Ordinance, regarding RG-20 uses and requirements.
- 3. Section 5.17, Zoning Ordinance, regarding Planned Subdivision uses and requirements.
- 4. Section 5.25, Zoning Ordinance, regarding Planned Center Overlay District uses and requirements.
- 5. Chapter 5, Subdivision Regulations, regarding Small Subdivisions.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this area as multi family residential.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. Access is proposed on Lot 2 from Albert Street, and on Lot 2A as a restricted right-in, right-out movement onto West Chandler Road.

D. UTILITIES:

All utilities are available or will be constructed to serve this development.

E. ANALYSIS:

1. Mike Dedman, on behalf of Carlson Consulting Engineers, Inc, has submitted a request for a rezoning for Lots 2 and 2A, Kennedy Town Center Replat 7, from RG-20-PS to RG-20-PS and BG-PCO, for the purpose of a multi-family residential and commercial development.

2. Proposed Lot 2A would be zoned BG-PCO, while proposed Lot 2 would be zoned RG-20-PS.

The intent of the RG-20 district is to permit moderately high density development and uses that are typical and compatible in the operation of apartment houses.

The intent of the BG district is to provide for a wide range of retail and service establishments.

The -PS zoning overlay allows for the construction of multiple buildings on one lot, in addition to encouraging the creative design of new living areas.

The -PCO zoning overlay is designed to be appended to any of the business zones. The use characteristics of the zone to which it is appended will control, but the overlay will allow for new and modern design that is not possible under regulations designed for control of individual and independent development of adjacent business properties.

3. Both of the proposed zonings require site plan approval. The applicant is requesting site plan approval for the multi family residential development on Lot 2 with this request. Future site plan approval will be required at such time commercial development occurs on proposed Lot 2A.

4. The multi family residential proposal consists of 48 units in five buildings.

5. The site plan shows 98 surface parking stalls for the development. The number of required parking stalls is met with this proposal.

6. The applicant shows a clubhouse with an onsite community room and computer workstations, playground, and outdoor picnic and barbeque area as some of the provided amenities for their residents.

7. The landscape plan has been reviewed by staff and meets the minimum requirements of the zoning ordinance.

8. Per Section 8.11, Zoning Ordinance, the apartment buildings will need to meet the city's design standards. Compliance with these regulations will be reviewed as part of the building permit process.

9. This application was sent out to the following departments for review: Public Works, Streets Department, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Nebraska Department of Transportation, and the Omaha 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.

Public Works Engineer Matt Knight had technical comments regarding the site plan and small subdivision plat. These comments have since been satisfied.

Don Gifford, Bellevue Fire Department, had comments regarding fire hydrant placement. The applicant's engineer has been in contact with Mr. Gifford. This item will be addressed as part of the building permit process.

No other comments were received on this case.

10. A previous platting currently restricts Lot 2, Kennedy Town Center Replat Four, from having direct access to West Chandler Road. The applicant has provided engineering information to indicate a restricted right-in, right-out access will work for proposed Lot 2A. The Public Works Department has reviewed and found this proposed access to be acceptable at such time Lot 2A is developed.

11. The multi family residential development will have access to Albert Street via a private street through the development. The proposed commercial lot will also have access through this private street as well, in addition to the restricted right-in, right-out access to West Chandler Road.

12. The Future Land Use Map of the Comprehensive Plan shows this area as multi-family residential. A motion to approve this project will also need to include a motion to amend the Future Land Use Map to allow for the commercial use at the corner of 25th Street and West Chandler Road.

13. Staff believes this proposed zoning and site plan are compatible with the adjacent neighborhood. The RG-20-PS multi family zoning fits with adjacent development, while the BG-PCO zoning will provide additional commercial opportunity at a busy intersection.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon compatibility with the surrounding neighborhood, lack of perceived negative impact, and conformance with the Zoning Ordinance and Comprehensive Plan.

V. PLANNING COMMISSION RECOMMENDATION

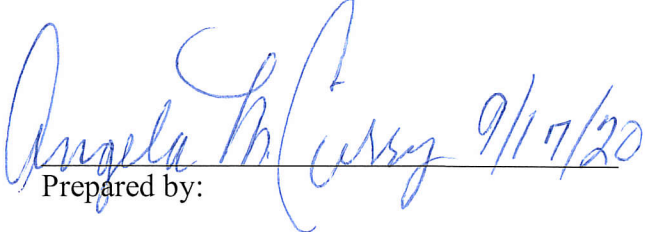
Under Review


VI. ATTACHMENTS TO REPORT

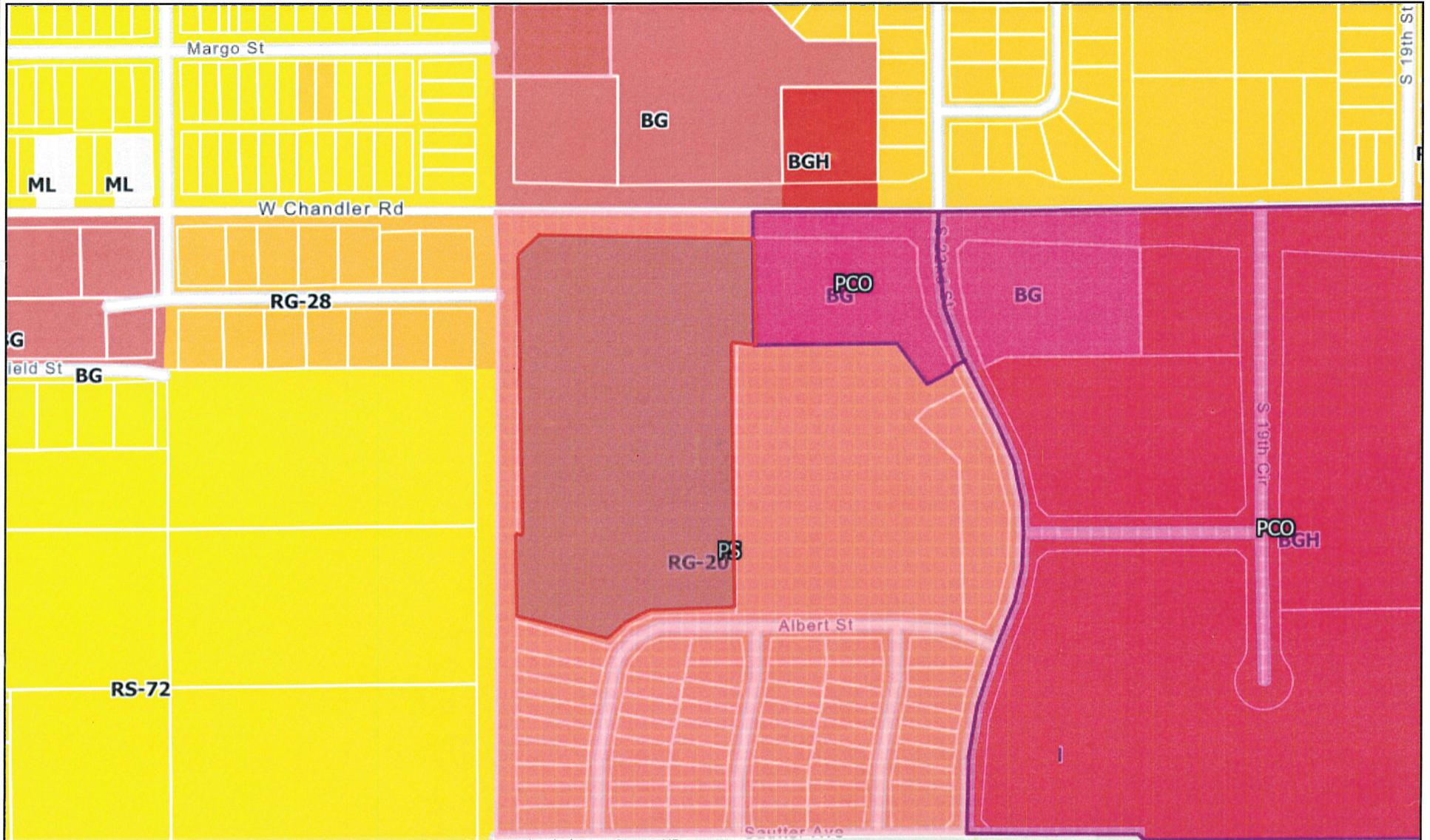
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Small Subdivision Plat received September 15, 2020
4. Site Plan received September 15, 2020
5. Landscape Plan received September 15, 2020.

VII. COPIES OF REPORT TO:

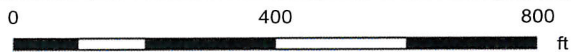
1. Carlson Consulting Engineers, Inc
2. Rural Housing Developers – Nebraska, LLC
5. Public Upon Request


Prepared by: _____ 9/17/20


_____ 09/17/20
Planning Manager Date of Report

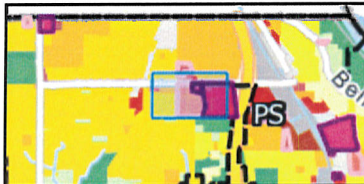


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Map Scale 1: 4514

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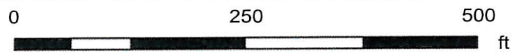


Notes





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



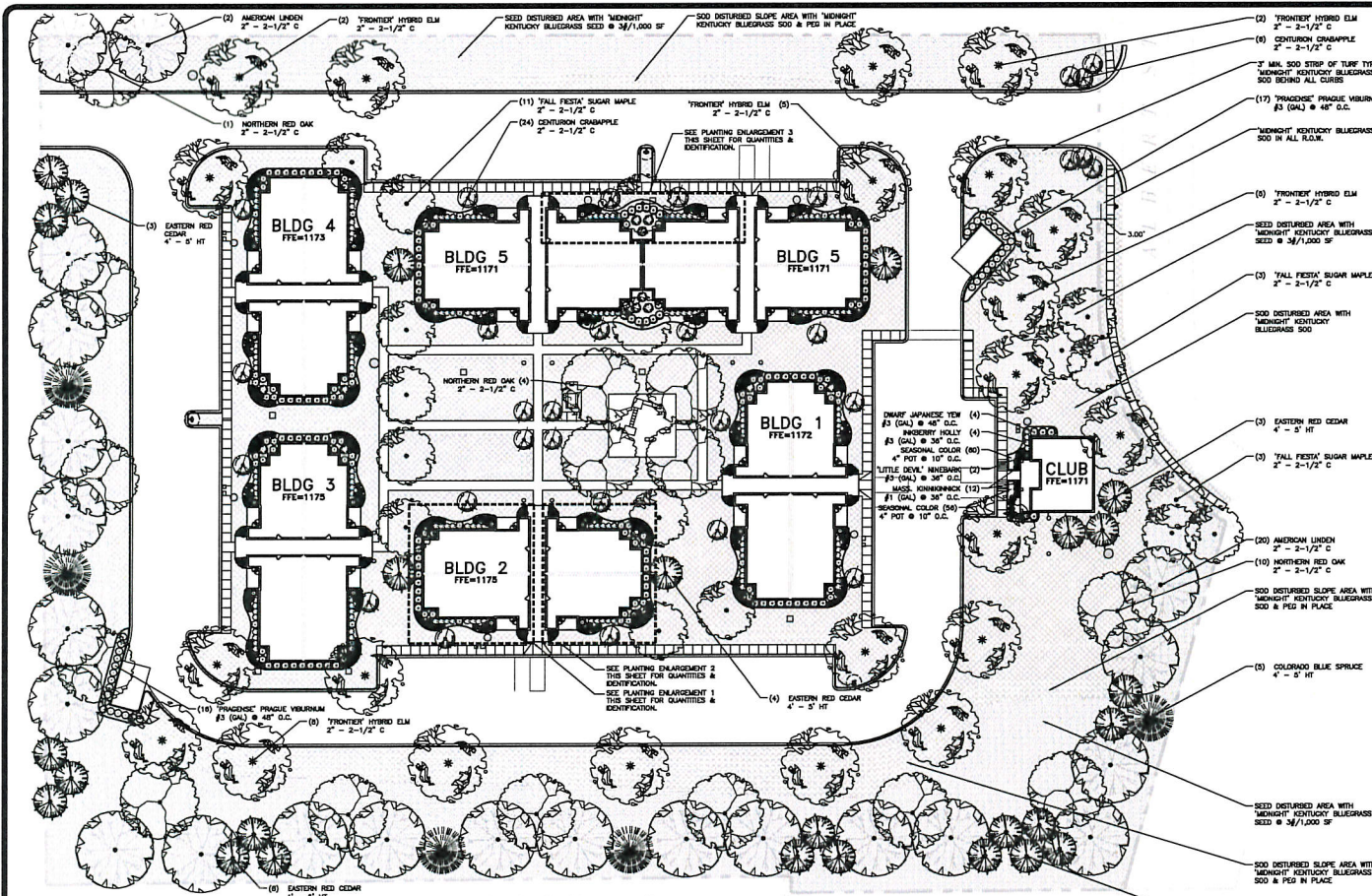
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Notes





CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL MAINTENANCE AND A WARRANTY ON ALL PLANT MATERIAL AND WORKMANSHIP FOR A PERIOD OF ONE YEAR FROM FINAL ACCEPTANCE.

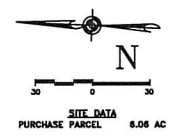
ALL UNSURFACED AREAS SHALL RECEIVE A 6" LAYER OF SUITABLE TOPSOIL AND SOIL WATER TABLE A HEALTHY STAND OF GRASS BE OBTAINED.

SOIL SHALL BE PROVED ON ALL SLOPES TO REMAIN MAINTAIN 20' HORIZONTAL CLEARANCE FROM ALL OVERHEAD UTILITY LINES AND 10' HORIZONTAL CLEARANCE FROM ALL UNDERGROUND UTILITY LINES.

UNLESS SHOWN OTHERWISE, ALL LARGE CANOPY TREES SHALL BE PLANTED IN ORDER TO HOLD SOIL IN PLACE. SEE SPECIFICATIONS FOR OTHER REQUIREMENTS.

ALL LANDSCAPE AREAS SHALL BE FULLY IRRIGATED AS SHOWN ON THE IRRIGATION PLAN. SEE SPECIFICATION PLAN, THIS SET, FOR ADDITIONAL INFORMATION.

NOTE: THERE ARE NO EXISTING TREES ON THE SITE.



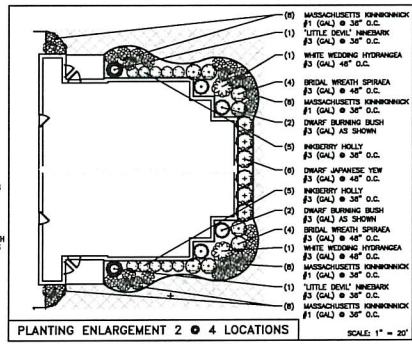
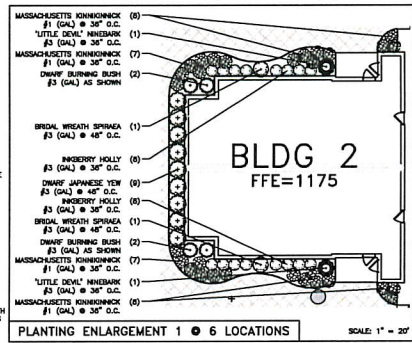
NO.	REVISIONS

NOT FOR CONSTRUCTION

Trinity Housing Development, LLC
 3006 S. CALDWELL CIRCLE, SUITE 4
 BELLEVUE, NE 68005
 PH: (417) 266-7071

DEER CREEK VILLAGE
 PLANTING PLAN
 BELLEVUE, NEBRASKA

CARLSON CONSULTING ENGINEERS, INC.
 1000 S. 10TH STREET, SUITE 100
 BELLEVUE, NE 68005
 PH: (417) 266-7071

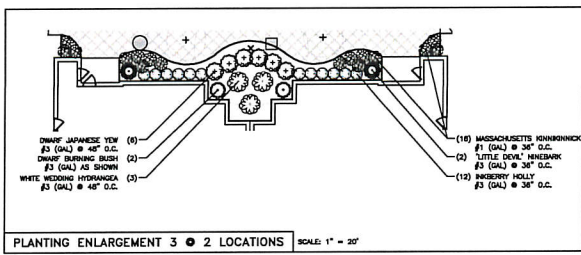


PLANT SCHEDULE

NOTE: ALL SEEDS AND CONDITION OF NURSERY STOCK SHALL MEET THE STANDARDS ESTABLISHED IN THE LATEST EDITION OF "AMERICAN STANDARDS FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSURIES.

QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE (GIRTH MEAS TO BE MET)	SPACING	CONDITION	REMARKS
17	(2)	ACER SACCHARUM 'SWEET'	'TALL FIESTA' SUGAR MAPLE	2" - 2-1/2" C / 10" - 12" HT	AS SHOWN	BAR	FULL HEAD w/UNIFORM GROWTH
26	(3)	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	4" - 5" HT	AS SHOWN	BAR/CONT	FALL TO GROUND w/UNIFORM GROWTH
30	(4)	MAULUS X 'CENTAUR'	COLORADO BLUE SPRUCE	2" - 2-1/2" C / 8" - 10" HT	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
3	(5)	PIEA FRAXINOSA 'SLAUGH'	COLORADO BLUE SPRUCE	4" - 5" HT	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
18	(6)	QUERCUS RUBRA	NORTHERN RED OAK	2" - 2-1/2" C / 10" - 12" HT	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
22	(7)	TILIA AMERICANA	AMERICAN LINDEN	2" - 2-1/2" C / 10" - 12" HT	AS SHOWN	BAR/CONT	STRONG CENTRAL LEADER, FULL HEAD
32	(8)	ULMUS (CAMPIDOLA X PAINFOLIA) 'TRIONET'	FRONTIER HYBRID ELM	2" - 2-1/2" C / 10" - 12" HT	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
44	(9)	ELONCHUS ALATUS 'COMPACTUS'	DWARF BURNING BUSH	#3 (GAL) / 18" - 24" HT	AS SHOWN	CONT	ROUND, FULL HEAD
14	(10)	HYDRANGEA PANICULATA HYBRID 'Lamp' PP2873	WHITE WEDDING HYDRANGEA	#3 (GAL) / 12" - 15" SPD	48" O.C.	CONT	ROUND, FULL HEAD
184	(11)	ILEX CORNATA	INGEBERRY HOLLY	#3 (GAL) / 12" - 15" SPD	36" O.C.	CONT	ROUND, FULL HEAD
26	(12)	PHYSCOCARPUS OPULIFOLIUS 'DONNA MAY'	'LITTLE DEW' NINEBARK	#3 (GAL) / 12" - 15" HT	36" O.C.	BAR/CONT	FULL HEAD w/UNIFORM GROWTH
44	(13)	SPRAME PRUNIFOLIA	BRIDAL WREATH SPIRAEA	#3 (GAL) / 15" - 18" SPD	48" O.C.	CONT	ROUND, FULL HEAD
64	(14)	TAXUS CUSPIDATA 'NANA'	DWARF JAPANESE YEW	#3 (GAL) / 15" - 18" SPD	48" O.C.	CONT	ROUND, FULL HEAD, UNIFORM BRANCHING
33	(15)	VELURNUM 'PRAGENSE'	PRAGUE VELURNUM	#3 (GAL) / 15" - 18" SPD	48" O.C.	CONT	ROUND, FULL HEAD, UNIFORM BRANCHING
382	(16)	ARCTOSTAPHYLOS UVA-URSI 'MASSACHUSETTS'	MASSACHUSETTS KINNONONICK	#1 (GAL) / 8" - 12" SPD	36" O.C.	CONT	FULL HEAD UNIFORM GROWTH
116	(17)	ANNUAL BEDDING PLANTS	SEASONAL COLOR	4" POT, 2" - 4" HT.	10" O.C.	POT	WEED FREE & ACTIVELY GROWING
3	(18)	POA PRATENSIS 'MIDNIGHT'	'MIDNIGHT' KENTUCKY BLUEGRASS	SOLID SOO	SOLID	SLAB/ROLL	WEED FREE & ACTIVELY GROWING
3	(19)	POA PRATENSIS 'MIDNIGHT'	'MIDNIGHT' KENTUCKY BLUEGRASS	3 LBS / 1000 SF	SOLID	SEED	WEED FREE - 80% GERM RATE

NOTE: NO SUBSTITUTIONS OF PLANT MATERIALS ARE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE LANDSCAPE ARCHITECT.



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 PLANNING DEPT.

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DRAWN AND CHECKED
 D.L.C.
 DATE: 8/23/20
 SCALE: 1"=30'
 JOB NO.: N/A
 SHEET: 14 OF 24 SHEETS

