

Bellevue City Council Meeting +++Amended Agenda+++

Tuesday, October 20, 2020 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE

2. INVOCATION - Associate Pastor Mick Huntley, Midlands Bible Baptist Church, 2407 Chandler Road E.

3. CALL TO ORDER AND ROLL CALL

4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers

5. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:

a. Approval of the Agenda

b. Approval of the Consent Agenda *(Items marked with an (*) are approved where this item is, unless otherwise removed)*

1. (*) Acknowledge Receipt of September 23, 2020 Board of Adjustment Minutes.

2. (*) Acknowledge Receipt of September 24, 2020 Planning Commission Minutes.

3. +++ (*) Acknowledge Receipt of June 9, 2020, July 14, 2020, August 11, 2020, and September 8, 2020 Tree Board Minutes.

4. (*) Approval of October 6, 2020 City Council Minutes.

6. (*) APPROVAL OF CLAIMS

7. SPECIAL PRESENTATIONS: None

8. ORGANIZATIONAL MATTERS:

a. Recommend approval for the creation of the City of Bellevue Sidewalk Construction & Maintenance Task Force (Councilwoman Welch)

9. APPROVED CITIZEN COMMUNICATION: None Received

10. LIQUOR LICENSES: None

11. ORDINANCES FOR ADOPTION (3rd reading):

a. Ordinance No. 4007 - An ordinance to amend Section 6-117 of the Bellevue Municipal Code pertaining to the Regulation of Bees Violations- Revocations. (City Attorney)

b. Ordinance No. 4008 - An ordinance to amend Sections 9-17 & 9-18 of the Bellevue Municipal Code pertaining to Elections. (City Attorney)

c. Ordinance No. 4009 - An ordinance to amend Sections 15-194 of the Bellevue Municipal Code pertaining to Unlawful Acts - Sale or Rental. (City Attorney)

d. Ordinance No. 4010 - An ordinance to repeal Section 20-5 of the Bellevue Municipal Code Pertaining to Swearing, Cursing, Etc. (City Attorney)

e. Ordinance No. 4012 - 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. (Planning Manager)

12. ORDINANCES FOR PUBLIC HEARING (2nd reading):

a. Ordinance No. 4013 - 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. Applicant: HC Belle Lago, LLC. General Location: Looking Glass Drive and South 45th Street. (Planning Manager)

1. Request to approve a preliminary plat for Lots 122 through 124, Belle Lago South. **(No action required at this meeting)**

b. Ordinance No. 4015 - 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. Applicant: APOGEE Professional Services. General Location: Childs Road and Nebraska Drive. (Planning Manager)

1. Request to approve a small subdivision plat for Lot 1, South Woods Replat 4. **(No action required at this meeting)**

c. Ordinance No. 4014 - 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. Applicant: Carlson Consulting Engineers, Inc. General Location: 25th Street and West Chandler Road. (Planning Manager)

1. Request to approve a small subdivision plat for Lots 2 and 2A, Kennedy Town Center Replat 7. **(No action required at this meeting)**

d. Ordinance No. 4016: An ordinance to amend Sections 18-106 to 18-112 of the Bellevue Municipal Code pertaining to reserved spaces for handicapped persons. (Legal)

e. Ordinance No. 4003: Request to rezone the Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW 1/4, located in the NW 1/4 of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of Tax Lot 12, Except right-of-way in the SW 1/4, located in the SW 1/4 of Section 14, T13N, R13E of the 6th P.M., Saryp County, NE, from AG to ML for the purpose of industrial development. Applicant: Frank R. Krejci. General Location: Fort Crook Road South and Fairview Road. (Planning Manager) **[Request for a continuance until December 1st by Mr. Kellner, on behalf of applicant]**

13. ORDINANCES FOR INTRODUCTION (1st reading):

a. Ordinance No. 4019: An ordinance to amend Section 6-22 of the Bellevue Municipal Code pertaining to restraint - dogs. (Legal)

14. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

a. Request for a Conditional Use Permit for Lot 2, One Cornhusker Place, to allow for automobile sales. Applicants: James Howe and John Beckby for Tuffy Tire and Auto Service. Location: 2204 Pratt Avenue. (Planning Manager)

b. Request for approval of the Southwoods Manager, LLC Redevelopment Plan for Lots 9 through 11, South Woods. Applicant: Southwoods Manager, LLC. General Location: Nebraska Drive and Childs Road West. (Planning Manager)

1. Resolution No. 2020-42: Approve and authorize Mayor to sign agreement with Southwoods Manager, LLC to implement the Redevelopment Plan. (Planning Manager)

15. RESOLUTIONS: None

16. CURRENT BUSINESS:

a. Request approval of the application for waiver of hunting applications. Police Lt. Kurt Stroehrer or Sgt. Don Pleiss has already given approval for the hunters and their specified sites. (City Clerk)

b. Approve contract with Dude Solution, Inc. for the implementation of the SmartGov software application of the following development services processes: Building Permitting, Inspections, Min Housing Enforcement, Contractor Licensing, and Financial Connectors, in an amount not to exceed \$68,042.90. (Chief Building Inspector)

c. Approve the renewal of City Employee insurance plans and premiums for their respective term, for qualified employees and retirees, in an amount not to exceed \$181,931.32. (City Administrator)

d. Approve the purchase of a 2020 Pierce Impel Ascendant 107' aerial unit from Macqueen Emergency, in an amount not to exceed \$1,074,183.00. (Fire Chief)

e. +++ Approve and authorize the Mayor to sign the Lease/Purchase Agreement for the leasing and subsequent purchasing of certain properties in Bellevue Sports Complex for the purpose of establishing and maintaining a six-field athletic complex. (Community Development Director)

17. ADMINISTRATION REPORTS: Comments must be limited to items on the current Reports **(A**

Monthly Report will be given at the first Council Meeting of every month - October report will be attached to the November 3rd meeting).

18. CLOSED SESSION: None

19. ADJOURNMENT

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10/20/2020

Bellevue Board of Adjustment, September 23, 2020, Page 1

The Bellevue Board of Adjustment held a regular meeting on Wednesday, September 23, 2020 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Board Members Anderson, Hawkins, Cain, and Petersen. 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 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.

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

Motion was made by Hawkins, seconded by Cain, to approve the minutes of the August 19, 2020 regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

Motion was made by Hawkins, seconded by Petersen, 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.

Anderson explained the public hearing procedures.

PUBLIC HEARING was held on an appeal of staff's requirement to sign a non-conversion agreement in order to obtain an electrical permit for a garage located in the floodway on Tax Lot 12, located in the Southwest ¼ of Section 8, T13E, 14N, of the 6th P.M., Sarpy County, Nebraska. Applicants: Jacob Benak. Location: 13701 Elbow Bend Road. Case #: BOA-2008-02.

Erin Robak, with McGill, Gotsdiner, Workman, Lepp, 11404 W Dodge Road, #500, Omaha, NE, was present to speak on behalf of Jacob Benak. Robak said she questioned whether the Board of Adjustment had jurisdiction to hear this case. She said the reason for the appeal was the City denied Mr. Benak's application for an electrical permit unless he signed a Non-Conversion Agreement. She said the reason for the denial goes back to the Zoning Regulations and she questions whether the city can require a Non-Conversion Agreement in exchange for an electrical permit. Robak said Mr. Benak applied for a temporary power pole permit for an existing pole on his property. She stated there is nothing in Bellevue city ordinances requiring a Non-Conversion Agreement in exchange for an electrical permit for a temporary power pole. Robak stated the city is demanding Mr. Benak sign a Non-Conversion Agreement simply because there is an existing garage on this property and Bellevue's ordinance states no new structures for habitation are permitted within a flood plain. Robak said Mr. Benak does not intend to violate that ordinance by inhabiting the garage, therefore there is no need for a Non-Conversion Agreement. Robak said Mr. Benak has always been willing to sign a Non-Conversion Agreement but the city's version would force Mr. Benak to comply with additional Zoning Ordinances that apply only if he would make substantial improvements to the garage. Robak specified Mr. Benak has no plans to make substantial improvements to the garage. Robak said according to both State and Federal law, substantial improvements to the structure would include cost which equals or exceeds fifty percent of the market value. Robak read the requirements for substantial renovations under the city's Non-Conversion Agreement. She said the same requirements are found in Section 5.30.05 of the Zoning Ordinance, but those ordinances should only apply if Mr. Benak is seeking to substantially improve the garage or construct a new structure on the property. She stated the garage would be in violation of the agreement and that would give the city the right to inspect the inside of the premises at any time to verify compliance with the agreement if Mr. Benak would sign. She said she knows nothing under the law that would require Mr. Benak to agree to such an unreasonable intrusion of his property and privacy rights. She said no one would be willing to sign an agreement that allowed the city the right to inspect the inside of your property whenever they wanted, thus Mr. Benak simply could not sign the agreement as drafted by the city. She stated the city's report relies upon a recommendation from the NRD (Natural Resource District). Robak said she contacted an attorney for the NRD to confirm the recommendation and discovered the recommendation is only used for new or substantially improved structures. Robak stated the city has not consistently required owners located in the flood plain to sign these Non-Conversion Agreements. Robak provided Board members with copies of a revised Non-Conversion Agreement which she presented to the city's legal department prior to the appeal. Robak stated the reason for the request is to have the Board overturn the decision to require Mr. Benak to sign the Non-Conversion Agreement and to allow him to obtain a permit for a temporary power pole or accept the revised Non-Conversion Agreement.

Dave Sorich, 13705 Elbow Bend Road, Bellevue, Nebraska stated he applied for a temporary power pole for his property and was not asked to sign a Non-Conversion Agreement. He stated he uses the

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temporary power pole to plug in his camper.

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

Palm stated she wanted to clarify the recommendations for the Non-Conversion Agreement were not from the NRD as stated by counsel, but instead from Department of Natural Resources (DNR) and the state's flood plain coordinators.

Anderson stated the Non-conversion Agreement states it is for structures in the flood plain and the temporary power pole is not considered a structure. Palm stated Mr. Sorich was not asked to sign a Non-Conversion Agreement because neither a camper nor a temporary power pole are considered a structure. Palm said Mr. Benak's legal counsel is correct there have been no other Non-Conversion Agreements required in that area because Mr. Benak's property is the only property in the flood plain with a detached garage without an existing home. She stated the Benak's residence was lost in the 2011 flood. She said residences in the Elbow Bend area that were not destroyed by the flood are legal non-conforming and once they are removed, they will not be able to rebuild in the floodway. Palm said if there were other homeowners with only an accessory structure on their property, they would be required to sign a Non-Conversion Agreement as well. Palm stated the agreement is being used in other jurisdictions locally and statewide.

Hawkins asked if the garage was considered a new structure. Palm said the detached garage is a legal non-conforming structure. She stated the garage cannot be turned into a habitable structure as this is not allowed in the Zoning Ordinance. Hawkins stated according to zoning codes the garage would need to be a new structure and this garage was constructed some time ago. He asked if the Non-Conforming Agreement was the same for all cases. Palm said that was correct, and the form being used was derived from the DNR. Palm said the city attorney reviewed the form prior to any distribution. Hawkins asked if the city's goal was to insure no one would live in the detached structure. Palm said that was correct. The city did not want the garage to be turned into a habitable space. She stated the city is regularly audited by the Federal Emergency Management Agency (FEMA) and all records must be given to them and all permits issued must be justified. Palm stated it is very important to be mindful of any permits issued in the floodway because it could potentially affect the entire flood insurance program for the city. Hawkins asked if staff had seen the revised Non-Conversion Agreement provided by Robak. Palm stated the revised version from Robak was reviewed by the city attorney and some edits were accepted. She said the final approval of the document is in the packet.

Peterson stated several of the pictures in the packet show the Omaha Public Power District (OPPD) tag was cut at the meter and electrical work was being done in the garage. Peterson asked Mike Christensen, Chief Building Official (CBO) for the City of Bellevue, what was the penalty for cutting the tag on an OPPD meter. Christensen stated the meter seal was cut and tapped into to provide electricity to a panel and several electrical circuits in the detached structure. Christensen stated plumbing had also been installed in the garage and no permits were issued for either the plumbing or the electrical work. He said because of life safety issues the power to the temporary power pole was cut off until permits were acquired and inspections could be done. Discussion ensued regarding penalties for work without benefit of a permit and the purpose of a temporary power pole.

Anderson asked if the work completed without benefit of a permit was the reason for the Non-Conversion Agreement. Palm stated it was not and this procedure would be required for any situation where an accessory structure exists without a residence in the floodway.

Anderson stated the Non-Conversion Agreement should be required if there was an improvement to be made to the structure but the temporary power pole is not a structure, so therefore no agreement should be required. Christensen stated there was quite a bit of work done to the garage without benefit of a permit leading to several code violations. Anderson asked if Mr. Benak wanted to correct the violations would the first step be to install a temporary power pole and then apply for the proper permits to improve the garage. Anderson asked if Mr. Benak chose to apply for the permits to improve the structure would that be the time to require the Non-Conversion Agreement. Palm stated Mr. Benak had obtained a permit for the temporary power pole in the summer of 2019 and upon further inspection it was realized the pole had been tapped into and the building had been wired which lead to the decision to require a Non-Conversion Agreement to prevent this from happening again. Anderson stated the Non-Conversion Agreement is for a structure not a temporary power pole. He stated the Non-Conversion Agreement should not be required until such time when Benak applies for a permit to improve the structure. Anderson asked, if Mr. Benak is allowed to have a temporary power pole and he abandons the plumbing and electrical will there still be an issue. Christensen stated the Non-

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Conversion agreement is insurance that this issue will not take place again.

Discussion ensued regarding the difference between habitable living spaces and RV's.

Peterson stated when a permit is issued there are stipulations to that permit that must be met. He asked how signing the Non-Conversion agreement was any different. Anderson stated it allows the city to inspect the property anytime they feel the need to. Discussion ensued regarding who could inspect and when inspections could be made under the Non-Conversion Agreement.

Peterson asked if it was possible to get permanent power in the area. Christensen stated it was possible to get permanent power but not from a temporary power pole; that is meant to be used for an RV or similar type of vehicles.

Joe Benak stated he was the previous owner of the property. He stated he was the one who did the work to the garage without benefit of a permit.

Hawkins asked if the city was firm on the agreement in the packet. Palm stated the city attorney had reviewed the revised agreement from Ms. Robak and made some changes but the agreement in the packet is the final agreement. Palm stated the objective this evening is to make a decision as to what if anything Mr. Benak should have to sign in order to get an electrical permit. Discussion ensued regarding the Board's possible recommendations.

Hawkins stated it does not seem right for a neighbor a couple hundred yards away to have a temporary power pole because his residence has tires. Palm stated the flood plain regulations would allow Mr. Benak to have a camper.

Anderson asked if the Non-Conversion Agreement was part of the zoning regulations. Palm stated the agreement was not required by the zoning regulations. Anderson asked if there was a plan in process to make the Non-Conversion Agreement a part of the zoning regulations. Palm stated it could be included in the ordinance, but at this time the regulation comes from the DNR and FEMA and is to ensure the property owner remains compliant and the garage does not become a habitable structure.

Robak stated in her research she found the Non-Conversion Agreement is being used by other jurisdictions only for development permits. She said these are unrelated issues and if there was no structure on this property there would be no Non-Conversion Agreement. She stated the purpose of Mr. Benak's application for a temporary power pole was to bring his RV to that location. She said he cannot sign the agreement as it has been prepared by the city. She stated as soon as he signs the agreement his garage would be in violation. Robak stated the agreement is overreaching and would allow the city to knock on Mr. Benak's door at will to perform an inspection. She stated Mr. Benak has no other choice but to appeal this if the Board does not allow him a temporary power pole permit without signing the Non-Conversion Agreement.

Anderson asked if Mr. Benak signed the agreement and the garage did not meet code what would the city do. Palm stated the structure is legal non-conforming and the city only wants to ensure it does not become a habitable structure. Anderson asked if it would be required to be demolished. Palm stated it would not.

Cain stated Christensen said the concrete was relatively new and some wiring had been done. Christensen stated the garage has been renovated over the years. He said new foundation block and wiring were all done without benefit of a permit. Peterson asked if Christensen knew the approximate date when the work was done. Christensen speculated some of the work was done after the year 2000 and some had been done after the 2019 flood. Cain stated counsel said Mr. Benak was unable to utilize the property but based on the pictures provided in the packet it is obvious the property is being utilized.

Cain asked Palm how an audit by FEMA would affect the city. Palm stated FEMA audits the city on a regular basis to look at properties such as Mr. Benak's. Palm said if properties do not meet the regulations and corrections are not made, it would affect the entire flood program for the City of Bellevue.

Discussion ensued regarding possible amendments to the Non-Conversion Agreement. Robak stated she revised the agreement and the city attorney, Ms. Robbins, was unwilling to negotiate because she said the revisions did not comply with the rules and regulations. Robak said she asked Ms. Robbins to direct her to the rules and regulations she was referring to and received no response. She stated

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they believe the Board of Adjustment has the jurisdiction to decide this issue and Mr. Benak is requiring some resolution today.

Palm stated she would agree the applicant requested this hearing because the city's legal staff and the applicant's legal counsel could not come to an agreement. She said in order to move forward the Board would need to make a decision. Discussion was had regarding the Non-Conversion Agreement and a possible motion.

MOTION was made by Anderson, seconded by Hawkins to recommend APPROVAL of a request to not sign a non-conversion agreement in order to obtain an electrical permit for a temporary power pole, located in the floodway on Tax Lot 12, located in the Southwest ¼ of Section 8, T13E, 14N, of the 6th P.M., Sarpy County, Nebraska. Applicants: Jacob Benak. Location: 13701 Elbow Bend Road. Case #: BOA-2008-02. Upon roll call, all present voted yes. MOTION carried unanimously.

Meeting adjourned at 8:29 p.m.



Dianna Van Horn
Planning Secretary

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Bellevue Planning Commission Meeting, September 24, 2020 Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, September 24, 2020 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Perrin, Cain, Aerni, Ackley, Hankins, and Cutsforth. Absent were Ritz and Jacobson. 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.

Cutsforth 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 Hankins, to approve the minutes of the August 27, 2020 regular meeting as presented. Upon roll call, Casey, Perrin, Cain, Aerni, Ackley, and Hankins, voted yes. Cutsforth abstained. Motion carried.

Cutsforth asked if there were any updates or additions to staff reports. Palm advised there were updates: letters of opposition received on agenda items 3.d and 3.e. were forwarded to Commission members and will also be considered part of the public record for the hearing.

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

Cutsforth explained the public hearing procedures

PUBLIC HEARING was held on 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.

James Howe, 2204 Pratt Avenue, Bellevue, NE, and John Beckby, 21651 Chestnut Road, Council Bluffs, IA, were present to present their case. Howe stated he has a repair shop and on occasion customers will abandon their vehicle after repair or ask the repair shop to sell the vehicles. Howe stated they are asking for ten parking spots for these types of situations. Beckby stated he would be the sales manager and would handle all the paperwork for these vehicles. Howe stated the conditional use permit would allow Tuffy's to keep the parking lot clean and organized by allowing sales of vehicles that were left behind by customers who were unable to afford the cost of repairs. Howe said it would also allow for additional revenue to offset lease expenses.

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

Hankins asked staff if there will be any new entrances into the Pratt Avenue area. He said at present there are only two entrances to the development and the area around Menards becomes very congested. Palm noted, using the GIS map, Tax Lot 4F located south of Tuffy's is vacant ground but once this is developed there would be an opportunity for additional access on South 25th Street and South 23rd Street.

Aerni asked staff how many parking spaces are required for a mechanic shop. Palm stated the requirement is one parking space for every 400 Square feet of floor area. She stated calculations were done and the site plan shows satisfactory parking for the request.

Aerni asked the applicant if the aerial photo in the packet depicts a normal occurrence of vehicles parked on the grass because the lot was full. Howe stated having the ten designated parking spaces will help to organize the lot. Howe said he has explained to all of his employees parking on the grass is against Bellevue's Zoning Ordinance. Palm displayed a recent GIS map of the parking lot. Aerni stated if the most recent GIS map were a normal day, he would not have as many concerns. Howe stated vehicles are parked inside the shop when possible. He stated he has cleared additional spaces in the shop to alleviate some congestion.

MOTION was made by Ackley, seconded by Aerni to recommend APPROVAL of 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. APPROVAL based upon conformance with the requirements of the Zoning Ordinance and lack of

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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 20, 2020.

PUBLIC HEARING was held on a 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: Lookingglass Drive and South 45th Street. Case #'s: Z-2007-08 and S-2007-16.

Larry Jobeun, Fullenkamp, Jobeun, Johnson & Beller, LLP, 11440 W Center Road, Omaha, NE, was present to speak on behalf of the applicant. Jobeun stated when the Final Plat for Belle Lago South was approved by the City Council in 2018 the request was made to extend Lookingglass Drive to 45th Street to obtain three access points to 48th Street through Clearwater Falls. He stated in the Subdivision Agreement for Belle Lago South, the City Council permitted the power of eminent domain to acquire the Lookingglass right-of-way. Jobeun said in doing so surplus property was acquired which created three buildable lots. Jobeun stated the three buildable lots would be the exact same style and size as the lots in Belle Lago South. He said eventually Lookingglass Drive would be extended to 48th Street, which would be a direct access between 36th Street and 48th Street on Lookingglass Drive. He said this would prevent traffic from going through the Clearwater Falls neighborhood.

Jennifer Hobbs, 13401 S 45th Street, Bellevue, NE, stated there is a stop sign on Sheridan Dr., which no one stops at. She stated her concern was this will turn into a speedway straight to Lewis and Clark Middle School. Hobbs said vehicles traveling up Sheridan onto Lookingglass speed through the area and her concern was for her two young children and the other children who play on Sheridan Road and 45th Street. Hobbs stated please consider doing a traffic study in the morning and afternoon if you are going to extend Lookingglass Drive.

Treesje Wallin, 13403 S 45th Street, Bellevue, NE, stated she concurred with Hobbs' traffic concerns on the stop sign and opening another route to Lewis and Clark Middle School. Wallin stated she believes Lewis and Clark has the best traffic pattern of all the states and school districts she has lived in and that would be interrupted by opening up another route. She said if the long-term plan is to extend Lookingglass Drive to 48th Street she does not see the need to open up 45th Street just to build three more houses.

Jobeun stated the main purpose for opening 45th Street was to gain another access point to 48th Street through Clearwater Falls. He said the dedication of Lookingglass Drive created the surplus property. He stated the City Council requested another access point on 45th Street to extend Lookingglass Drive so this was included as part of the plan for the Belle Lago South Subdivision.

Treesje Wallin asked for clarification on the Bellevue jurisdiction line. Palm stated Clearwater Falls is currently not in the city limits, but it is within the city's zoning jurisdiction, which allows the city to approve or deny the platting, and any rezoning requests.

Ackley stated Wallin and Hobbs built homes on what is designed as a stub road meant to go into the next subdivision. He said when developments are designed, they are generally 40, 60, or 80 acre tracts. Ackley stated from a planning perspective subdivisions are intentionally designed with stub roads to connect to the next development, and when Belle Lago South was developed nothing lined up with connectivity except Lookingglass Drive. Ackley stated the Planning Commission required the developer to obtain the 45th Street and Lookingglass Drive connectivity. He said from a safety perspective the Commission needed to be sure the development had several access points for fire, police, ambulance and other rescue vehicles to enter.

Wallin stated that makes sense. She asked how soon the next tract of land would be developed and would the extension have to take place now. Ackley stated when Belle Lago South was approved the Commission required one more access and they were required to buy that small area with the three lots. Ackley said when the next development emerges that is when the houses and the rest of the roads would be built. Discussion ensued regarding the owner of the connecting property.

Ackley stated in terms of traffic and safety if there is a stop sign not being enforced it is possible traffic will stop and look before moving forward once 45th Street opens up.

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Wallin stated another concern is people parking on both sides of the road making it difficult to get a car through. She stated school buses take that route and it is not wide enough to be a thoroughfare. Palm stated if the SID were annexed by the city then parking would only be allowed on one side of the street. Palm said if you want to request parking on one side of the street you would have to go to your SID board for approval. The SID Board will get approval from the county and the signs could be installed.

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

Motion was made by Ackley, seconded by Cain, to recommend APPROVAL of a 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: Lookingglass Drive and South 45th Street. Case #'s: Z-2007-08 and S-2007-16. Approval based upon conformance with the Zoning Ordinance, Comprehensive Plan, 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 20, 2020.

PUBLIC HEARING was held on a 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.

Sue Cutsforth stated in the interest of full disclosure she has a friend whose property backs up to Lot 1 Southwoods. She said she is able to be fair and does not have a conflict with the development.

Larry Jobeun, Fullenkamp, Jobeun, Johnson & Beller, LLP, 11440 W Center Road, Omaha, NE, was present to speak on behalf of the applicant. Jobeun stated the existing properties are approximately four and one half acres of undeveloped land and has been subdivided and remained undeveloped for over fifty years. Jobeun stated lots 9, 10 and 11, Southwoods, and the next agenda item, will be a small subdivision request to combine those lots into one lot. He said the property was already blighted and substandard by the City of Bellevue in 2010, which lends itself for a redevelopment agreement. Jobeun stated the redevelopment plan is consistent with the Comprehensive Plan, which designates this property as multi-family residential, and the property is zoned RG-8 and RG-8-PS. Jobeun stated the expected valuation on full build out is approximately \$15.5 million dollars with Tax Increment Financing (TIF) expenses of approximately \$1.7 million dollars that would be used for acquisition cost, Public improvements and site preparation cost. He said it is a difficult site to develop with a large easement, and power lines, which makes part of the site unbuildable.

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

Ackley stated he reviewed the redevelopment plan, which looks consistent with Community Development Law and other TIF applications. He said he believes it is a good in-fill development that without the TIF would likely not occur.

Motion was made by Ackley, seconded by Aerni to recommend APPROVAL of a 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. APPROVAL based upon conformance with the Comprehensive Plan, the elimination of a blighted and substandard area, and conformance with the requirements of the State Statutes, and the opportunity for redevelopment along the Childs Road corridor. Upon roll call, all present voted yes. MOTION carried unanimously.

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

PUBLIC HEARING was held on a 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: Columbus Avenue and Nebraska Drive. Case #'s: Z-2008-11 and S-2008-19.

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Larry Jobeun, Fullenkamp, Jobeun, Johnson & Beller, LLP, 11440 W Center Road, Omaha, NE, was present to speak on behalf of the applicant. Jobeun said the site is four and one half acres and currently undeveloped and has been undeveloped for over fifty years. He said the site is currently three lots, which are being consolidated into Lot 1, South Woods, Replat 4, and zoning has been requested to go from RG-8 and RG-8-PS to RG-8-PS. Jobeun stated the site plan calls for one hundred and seven multi-family unit housing project with three buildings being three stories, forty-two feet in height. He said the setback on the west side will be thirty feet, and sixty feet in width to the north with a berm and landscaping to separate the units from the neighborhood to the west. He stated there is a power line easement of approximately seventy feet in width, which cannot be built under. Jobeun stated the project's access is on Nebraska Drive and Childs Road West with no access through the adjoining neighborhood to the west and north. Jobeun stated of the one hundred and seven units, sixty- four will be efficiency one-bedroom units, thirty-five two-bedroom units, and eight three-bedroom units with an average rental of \$1,100.00 per month which makes it a market rate project. He stated the amenities would include a fitness center, courtyard with grills and outdoor gathering spaces. Jobeun stated there would be a number of parking garages, two hundred and nine surface spaces and an additional twenty-two spaces along Nebraska Drive. He said the site could support a density of two hundred and fifteen units so with only one hundred and seven units the density is much less, than it could be. Jobeun stated the building materials will be a class A type project. Jobeun stated the construction is anticipated to begin April 2021 and should take approximately sixteen months to complete.

Jim Campbell, 2803 Columbus Avenue, Bellevue, NE, was present to speak in opposition to the project. Campbell stated his main concern was traffic. He said there will be a new school right across the street and it will generate additional traffic with school buses and parents dropping off children. Campbell stated the access driveway is on Childs Road at the crest of a hill which he feels will be a traffic hazard and the parking on Nebraska Drive would create problems due to the additional traffic. Campbell stated there are one hundred and seventeen homes in the Southwoods Addition to the west of the development and ninety-six apartments less than half of a block from the development. He said in addition, there are auto sales lots on Chandler Road West, which would generate approximately seventy-five cars a day. Campbell stated there is no light on Nebraska Drive and Chandler Road West so traffic would be backed up when trying to access Chandler Road West. Campbell stated most homes in the area have a minimum of two cars and some have more, so on a light day there would be approximately five hundred and sixty cars traveling in the area and on a bad day, there could be eight hundred cars at that intersection. Campbell said with no fence and nothing to block the view of the three story buildings it would be an invasion of privacy for the neighbors to the west.

Debra Duff, 1107 Denver St., Bellevue, NE, was present to speak in opposition to the project. Duff stated her concern is with no fence and only bushes between her property and the project there will be kids cutting across her property. She stated the traffic was also a concern because the buses from the new school will be entering on Nebraska Drive, and exiting on Chandler Road which would add to the existing traffic problem. Duff stated her concern for existing and future drainage, as it is there are drainage issues at the bottom of the hill. She asked if the sewer system has been updated to handle the additional drainage.

Amy Corriveau, 2711 Columbus Ave., Bellevue, NE, was present to speak in opposition to the project. Corriveau stated she sent a letter to the Commission and on page three is a picture of the view from her deck. She stated no matter what is done her view will always be a parking lot and cars parked along Nebraska Drive. Corriveau stated she will see parking lot lights shining into her backyard. She stated she also had concerns regarding traffic. Corriveau stated if cars are allowed to park on Nebraska Drive it would create a site problem for traffic turning right onto Nebraska Drive. She expressed concern of not enough parking for the site and feared some people would park in front of their homes on Columbus Drive. She stated Childs Road is already dangerous and the apartment entrance is in a blind spot on Childs Road. Corriveau stated the neighborhood would be responsible for expensive fencing and security systems to keep people from the complex walking into their backyards.

Rhonda Jaurez, 1007 Kauii Street, Bellevue, NE, was present to speak in opposition to the project. She stated her concern is rent prices and the possibility of another low-income housing complex in their neighborhood. She stated the area was too small to put three stories buildings. Jaurez stated many of the students who attend Bellevue West High School currently cut through the area would add to the traffic problem. She stated she does not want a three-story building peering down into her back yard. Jaurez said she would need additional security in her home.

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Jeremy Yost, 1106 Denver Street, Bellevue, NE, stated his concern was also the traffic and sewer system. He stated the park at Nebraska Drive and Columbus Avenue was removed and now there is three to six inches of rain sitting in that area. Yost stated because the sewer system has not been updated and with everything draining to that area, it would turn neighbor's back yards into septic tanks.

Scott Corriveau, 2711 Columbus Avenue, Bellevue, NE, stated his concern was whether property taxes and property values would increase or decrease. He stated he did not want a parking lot in his back yard.

Campbell stated the bottom area of Columbus Avenue and Nebraska Drive is like a toilet bowl. He stated when it rains hard the water can be up over the tires on your car. Campbell stated Columbus Avenue and Denver Street are washing out and being replaced a section at a time.

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

Jobeun addressed the public's concerns. He stated traffic studies show apartment complexes do not have the a.m., p.m. peak traffic. Jobeun stated Lamp Rynearson did a traffic study and it showed Nebraska Drive was sufficient for the number of units proposed. Jobeun stated the property is currently zoned RG-8 and RG-8-PS, so in that respect the decision to have apartments in this area was made some time ago and what is being propose is consistent with that decision. He stated the Planned Subdivision overlay adds site plan review to assure compliance. Jobeun stated the developer believes a berm and landscaping will be far more attractive than a fence along the western boundary. Jobeun stated the stormwater retention area complies with all the post construction stormwater management policies; you would not have an increase in the stormwater run-off. Jobeun stated the developer has significant investment in this project and every interest in maintaining the property. He stated to maintain property values of the surrounding neighborhood and to protect the developer's investments, all residents will be properly vetted. Jobeun stated the range of rent would be eight hundred and forty dollars for an efficiency apartment and up to one thousand four hundred and sixty five dollars for the three bedroom apartments. He stated this is not a low-income housing project and would be market rate rentals. Jobeun stated the trees planted would have a minimum two-inch caliper and range in height between twelve and fourteen feet when planted. He stated there have been studies, which show diversity of housing in neighborhoods increase the value of the adjacent single-family properties.

Ackley asked staff if there was discussion regarding stoplights, stops signs, or any traffic modulators now with the new school being built in the area. Palm stated nothing has been planned at this time but the city engineers are aware of the recent traffic study and will continue to monitor the conditions. Ackley asked if the parking on Nebraska Drive was required in order to have enough parking for the complex. Palm stated with the Planned Subdivision overlay it gives staff the discretion for minimum parking requirements. Palm said the city engineers were in favor of the additional parking along Nebraska Drive and it does help; however, the on-site parking was sufficient for the proposed mix of units.

Ackley asked if the lighting had been addressed. Palm said general language in the Zoning Ordinance states lighting must be downcast and there cannot be light spillage onto the adjacent neighborhoods. She stated the lighting is reviewed by the Planning Department and the Electrical Department when the development permit is submitted.

Cain asked Jobeun for the name of another apartment complex currently managed or developed by APOGEE Southwoods. Jobeun listed Latitude 41, located in Bellevue, Rovello, located on 192nd and Pacific Streets, Omaha, and Onyx located in Aksarben. Palm stated the Commissioners might recognize the Latitude 41 apartments as the Wolf Creek Apartments south of Walmart in Bellevue.

Casey asked if the topography of the property runs north to south. Jobeun stated there was about a 7% grade down to the clubhouse. He said the stormwater would be detained in the detention basin in the southwest corner. Casey stated he understood neighbors' concerns regarding a parking lot with forty parking spaces located behind their house. Jobeun stated the buffer in that area is sixty feet with landscaping and green space. Casey asked in the interest of being good neighbors if anything can be done to mitigate the noise from that parking lot. Jobeun stated there is no access on Columbus Avenue and there will be no traffic coming in from the north side of the project so he believes the sixty feet of landscaping and green space would mitigate the noise.

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Casey asked who made the decision about the parking on Nebraska Drive. Palm stated it was a decision made by the engineering staff in the Public Works Department after working with the developer's engineer.

Cutsforth asked what the height of the lights would be in the parking lot to the north. Jobeun stated the ordinance does not allow for any spillage or glare vertically or horizontally between properties. Regan Pence, Lamp Rynearson, 14710 W Dodge Road, Omaha, NE, stated the lighting would be twelve to fourteen feet in height with LED fixtures and would not be the high mast lights as seen on streets or freeways.

Cutsforth asked how far from Columbus Avenue is the first parking space on Nebraska Drive. Pence stated the first parking space would be approximately twenty to twenty five feet from the corner of Columbus Avenue. Pence said modifications were being made, such as bump outs to allow pedestrians to walk out and look for on-coming traffic.

Aerni asked if the sewer was adequate to handle the drainage in the area. Pence stated drainage studies were done and they worked with the engineering staff to confirm drainage is adequate. Aerni asked if the study was for both storm and sanitary. Pence stated that is correct.

Aerni stated there were conversations with Omaha Public Schools (OPS) regarding student traffic. He stated there was no sidewalk on Childs Road and no sidewalk connectivity to the school along Nebraska Drive so the goal was to direct the students to the north away from traffic. He said his concern with this development would be students would take the shortest path to reach their destination. Pence asked if Aerni's concern would be students crossing mid-block from the school to the multi-family development. Discussion ensued regarding student safety and crossings on Nebraska Drive.

Ackley asked if there was plan for a sidewalk on Childs Road. Palm stated sidewalks would be required along the south side of the development.

Cutsforth asked staff why the engineering department was in-favor of on street parking along Nebraska Avenue. Palm stated the right-of way is wide enough to allow for it and the parking was probably always planned for at the time of development.

Ackley asked if other apartments had fencing requirements. Palm stated there were no requirements for fencing, only landscaping. Palm said there is a berm requirement depending on the height of the building and width of the required buffer yard.

Cutsforth asked if anything was being done about the concerns of homeowners regarding the drainage issue. Palm stated she was unsure what if anything Public Works or engineering is working on. Palm said with this project they would have to capture that drainage. She stated the watershed partnership regulations would have to be met and the requirements are quite stringent.

Casey asked if it is standard procedure to have a manager living on premises. Jobeun stated it might be in the case of a larger development but it will not be the case in this development. He stated there would be a leasing office on site but employees would not live on the premises.

Motion was made by Aerni, seconded by Perrin to recommend APPROVAL of a 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: Columbus Avenue and Nebraska Drive. Case #'s: Z-2008-11 and S-2008-19. APPROVAL based upon compatibility with the surrounding neighborhood, lack of perceived negative impact, and conformance with the Zoning Ordinance and Comprehensive Plan. Upon roll call, all present voted yes. MOTION carried unanimously.

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

Ackley thanked the public for coming and encouraged them to attend the City Council public hearing if they had additional questions or concerns.

PUBLIC HEARING was heard on a request to rezone 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

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Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from RG-20-PS to BG-PCO and RG-20-PS for the purpose of commercial and multi-family residential development; and small subdivision plat Lots 2 and 2A, Kennedy Center Replat Seven. Applicant: Carlson Consulting Engineers, Inc. General location: 25th Street and W Chandler Road. Case #'s: Z-2008-10 and S-2008-18.

Mike Dedman, 7068 Ledgestone Commons, Bartlett, TN, was present on behalf of the applicant. Dedman stated Ryan Hamilton with R & D Group was also present to answer any questions regarding the application.

Cutsforth asked for an explanation of the request. Dedman stated presently Lot 2, Kennedy Town Center Replat Four is zoned RG-20-PS. He stated the request is for Lot 2A which is approximately 2.54 acres and will be zoned BG-PCO for future commercial development. He said the corridor between 25th Street and Highway 75 is trending commercial development along 25th street. He stated the BG-PCO zoning fits with the neighborhood. He stated the remaining parcel would maintain the current zoning RG-20-PS. Dedman stated the proposal for Lot 2 is a forty-eight unit apartment complex. Dedman stated it is possible to get twice as many units on the site but they wanted to leave space for a playground and BBQ area. He stated Bellevue's Future Land Use Map designates this area for multi-family development.

Larry Cascio, 8009 South 25th Street, Bellevue, NE, stated he was happy when they built the senior living center and now they want to put government-funded apartment buildings next to it. Cascio said he believed government-funded property built next to a senior living property is not a fit or a good mix. Cascio said think about whether you would want your senior family member living next to low-income housing. He stated both vehicle and foot traffic would cut through the senior living facility to access the Casey's gas station and vehicles would cut through the neighborhood to get to 25th Street and Cornhusker Street. Cascio stated the entrance to the site on Albert Street is unacceptable with substandard streets and parking, and residents will only be able to get one car through there. Cascio stated he does not feel this is a good mix and if he were still on the City Council, he would deny it.

Janice Stober, 7810 South 24th St., Bellevue, NE, was present to speak in opposition of the project. Stober stated she and her mother moved into the neighborhood for peace and quiet. She stated since the inclusion of Corwin Toyota, their neighborhood has become a speedway for test drivers and employees. She said Corwin customers and employees use Sautter Avenue and Albert Street instead of the entrances and exits that were designed for their use. Stober stated Casey's General Store did not maintain and mow their property causing Code Enforcement to cite them. She stated because of previous problems with new construction and current problems with existing businesses the neighborhood is apprehensive about new development. Stober stated they are looking for something that compliments the neighborhood.

Linda Vermooten, 7904 South 22nd Avenue, Bellevue, NE, stated the neighborhood was very quiet and there was no crime. She stated when Corwin Toyota was developed they were supposed to plant trees on the entire property line but the trees are sporadic and very small. Vermooten stated several people in the area are handicapped in some way and they have to cross Sautter Avenue to get to their mailboxes. She stated the traffic from both Corwin and Casey's exceeds twenty-five miles per hour on Sautter Avenue. Vermooten stated since the Casey's store was built there have been three break-ins of vehicles in the neighborhood, which did not occur before Casey's was constructed. She said in one case they also broke into the garage. Vermooten stated there has been a drastic increase in foot traffic in the neighborhood since the Casey's store was built. She stated the multi-family development is a concern because the streets are already congested. Vermooten stated snow removal is also a concern because snow is being pushed from the senior center into the neighborhood and now there will be additional snow from the apartment complex. She stated the site shows a retaining wall and she has some concern regarding drainage.

Daniel Dube, 7803 South 24th Street, Bellevue, NE, stated he wanted to call attention to the corner of Albert Street and 24th Street, which is where he lives. Dube stated he would like to see a solid fence on the outside of the curve on 24th and Albert. He stated, for reasons that others have already raised he wanted to go on record in opposition of the development.

Debbie Young, 7801 South 23rd Street, Bellevue, NE, stated the construction of Casey's was a total nightmare. She stated the construction equipment used Albert Street to access the job site and they experienced heavy construction traffic before 7 a.m. creating a rumbling from the heavy vehicles and loud engine noises. She stated the trucks would frequently engine brake when going

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down Albert St. and in some cases they were unable to make the curve causing them to drive on her property damaging sprinkler heads and the lawn. She stated complaints to Casey's and the trucking company fell on deaf ears. Young stated concrete trucks would wash their trucks in the street and side dump trucks tracked mud all along Albert Street leaving it a total mess. She stated Albert Street was not designed to sustain this type of traffic and would quickly deteriorate if it is used for this project. She asked what measures would be taken on this project to protect them from similar damage and dust created by the project. Young voiced her opposition of the entrance on Albert Street.

Kaye Kiepert Hensley, 7805 South 24th Street, Bellevue, NE, stated the corner on 24th Street and Albert Street is down to one lane in the winter because snow piled on that corner. Hensley asked who the Councilman is for the area. Ackley stated it is ward four, Kathy Welch. She stated when going to work in the morning she has to be very careful backing out of her driveway because of the fast moving traffic going through the neighborhood to the Corwin dealership. Hensley stated because of speeding traffic it is difficult to take a walk through the neighborhood or even get the mail. She stated she has concerns the property was not going to be well maintained.

Barb LeMoine, 7803 South 23rd Street, Bellevue, NE, stated she is president of the Homeowners Association (HOA). She stated she supports all of the residents' complaints. LeMoine stated safety is her primary concern for all of the residents. She asked if the retaining wall shown on the site plan along 25th Street was going around the entire site or would there be a fence. LeMoine stated she would like to see a fence rather than bushes or trees around the site. She said a fence would be a safer option.

Vermooten said we were promised many things when the neighborhood was annexed. She stated we have not seen anything apart from the grass on the lot that was neglected being mowed. Vermooten stated she attended the hearing for Corwin Toyota and there was never supposed to be an entrance on 22nd Street but there is.

Stober stated the developer has shared plans with the neighborhood and they appreciate their effort. She said her last concern is the dumpsters because no one wants them right by their house.

Dedman addressed neighbors' concerns. He stated the retaining wall will not be built on the site and that item will be removed from the plat. He stated drainage would go into an existing storm sewer on the north side of the complex and from there to an existing retention pond to the east of the complex. Dedman stated the Albert Street access had been dictated by the city and we are not allowed to have access to 25th Street. He stated there would be a right-in, right-out on Chandler Road. Dedman stated there was nothing they could do about the traffic other than install speed mounds in the neighborhood to slow traffic. He stated a privacy fence could be installed along the south property line from 25th Street to the entrance on Albert Street. Dedman stated the dumpsters would be moved to the west and away from houses. He stated dust would be limited during construction, which is regulated, by the state. Dedman said the trees were supposed to be a visual barrier between the complex and the housing subdivision to the south and is required by the city.

Ryan Durant, 1110 North Skyline Drive, Elkhorn, NE was present on behalf of the developer. Durant stated he would like to address concerns. He stated the development is about eight units an acre and the financing through Nebraska Investment Finance Authority (NIFA) checks tenant files as well as the project to be sure the property is being maintained. Durant stated there is also an investor who would check the property on an annual basis to be sure the property is being maintained. He stated there would be a property manager on site to address any maintenance issues. Durant stated landscaping is per city code. Durant stated he has reached out to Ms. LeMoine to let her know he would be present during the entire project and if needed, she could contact him at any time. He stated construction is not perfect but any issues that arise would be addressed. Durant stated they feel it is a good use of the land.

Perrin asked how long NIFA and the investor will monitor the property. Durant stated fifteen years and after the fifteen years, the investor is done but NIFA compliance continues.

Dedman stated the reason Casey's construction equipment went through the neighborhood is that the city would not allow the equipment to access Chandler Road. He stated he would prefer to have their construction equipment enter and exit on Chandler Road or 25th Street.

Cascio stated they have not addressed the senior citizen property concerns. He stated there is no fence or partition to keep children from using the property to get to the Casey's Store.

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

Aerni asked if there would be a connection between the senior housing development and the apartment development. Palm stated there would not be a connection, based on the commercial zoning to the north. She said originally when the area was planned for multi family residential, the access would have connected to the current property. Aerni asked if they had not requested the small subdivision plat would they be allowed to build the apartments without the Planning Commission approval. Palm stated the current site plan and zoning would support a density of two hundred units which was approved by City Council in 2006. Aerni stated he wanted the neighbors to understand the current zoning and site plan approval allow for over two hundred units without the Planning Commission's approval.

Palm stated access on 25th Street is not a possibility. She said the current plat restricts access to 25th Street and West Chandler Road. Palm stated city engineers considered the option of access to 25th Street, but felt access was not feasible with the school location and current conditions. She stated the applicant's engineer provided additional information to city engineers to support the right-in, right-out restricted access onto Chandler Road similar to Casey's access. Palm stated the BG-PCO zoning on the north lot would require the developer to go through this process for site plan approval. Discussion ensued regarding access to the proposed site.

Ackley asked if the fence the developer offered would be allowed and could it be made a requirement. Palm stated as part of the site plan approval Planning Commission would be able to make that recommendation.

Palm addressed neighbors' concerns. She said the development would be required to have trash enclosures that would be constructed of the same materials as the buildings. She stated the applicant is correct in that staff typically asks the applicant to do more landscaping because multi-family design standards have a very stringent minimum landscaping requirement. Palm said it serves two purposes: aesthetics and creates a buffer to lessen the impact to adjacent developments.

Ackley reviewed the planning and zoning history of the site and the surrounding area. He stated the Commission does not approve or deny zoning based on economic ability and where they live. Ackley stated multi-family is appropriate as a buffer between housing and commercial development. He said he appreciates it will be a change from the empty lot but this is a lower density project than what could be there. Ackley said the neighbors should take Mr. Durant up on his offer of contacting him if they have issues with the construction. He stated from a zoning prospective this project fits the area.

Motion was made by Ackley, seconded by Casey, to recommend APPROVAL of a request to rezone Lots 2 and 2A, Kennedy Center Replat Seven, being a replat of Lot 2, Kennedy Town Center Replat 4, 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 Center Replat Seven. Applicant: Carlson Consulting Engineers, Inc. General location: 25th Street and West Chandler Road. Case #'s: Z-2008-10, S-2008-18. APPROVAL based upon compatibility with the surrounding neighborhood, lack of perceived negative impact, and conformance with the Zoning Ordinance and Comprehensive Plan. APPROVAL based upon the Future Land Use Map of the Comprehensive Plan being amended to allow for the commercial use at the corner of 25th Street and West Chandler Road. APPROVAL also based upon the installation of a fence on the south side of the development along the north side of Albert Street. Upon roll call, all present voted yes. MOTION carried unanimously.

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

Meeting adjourned at 9:46 p.m.



Dianna Van Horn
Planning Secretary

Tree Board Minutes June 9, 2020

Attendance- Nancy Scott, Joanne Langabee, Scott Evans, Deborah Woracek, Don Preister, Holly Hofreiter. Excused- Jim Shada, Tom Mruz, Craig Kimball

Meeting was called to order by Joanne, standing in for Don who was unavailable til 10:30

Volunteer hours and mileage- Joanne needs to total hours and mileage in May and June from everyone. She has Nancy's and Don's.

Please email them to her if you haven't done so. jlangabee@hotmail.com

Approval of April Minutes- All present approved of the minutes and those absent emailed their approval.

Jim Shada- Parks report- Jim emailed the report.

As far as a Park report:

Daily mowing of city parks

Sprayed for bag worms last week

Contracted with Kimball Tree Service to cut down 3 dead trees on Daniels Trail

Feel free to contact me if you need anything.

Thanks,

Jim Shada

Jewel Park Tree Assessment- Scott, Dave, Nancy, Don, and Jim walked the trails and identified several high safety risk trees. There are trees that need to come down at the trail heads and where the trails split. Parks staff will take them down this fall if possible. They saw many wildflowers including Dutchman breeches, yellow violets and other violet sp., and woodland phlox. They did not notice dames rocket; only a small amount of garlic mustard.

Parks in general- nothing to report.

Tree Trimmers- Trimmers came in and were picked up by Joanne, Nancy and Dave. They were Felco saws and clippers with a holster.

Parks Advisory Board- Don met with them but hasn't gotten a copy of the minutes yet.

Walnut Twig Beetle- The black walnut, native to Nebraska is highly susceptible. Some trees in the same family are resistant to it. The beetle will not kill the tree but it carries a fungus, the 1000 Cankerous disease that does kill the trees. There is no treatment for the fungus as of yet. The Nebraska Forest Service website has more information. Walnut trees are valuable because of an economic importance, but not usually used in landscapes. It seems that the most susceptible trees are the ones outside their natural range. Perhaps our walnut trees will be more resistant because they are native to Nebraska.

The walnut trees are important economically, but are not often used in landscaping because they are considered messy and secrete juglone toxic.

We have 38 walnut trees on city property. There are 7 in the cemetery, 7 at Leawood Oaks Park, Swanson Park 6, and Willow Springs has 11. The other walnut trees are spread out through the city. We need to watch for walnut trees that are in poor condition as we do our tree inventories.

Scott says that many trees are dropping their leaves at this time because of the weather temperatures turned so warm so fast. So when we see a tree in poor condition we have to be aware of the environmental conditions that might be responsible as well as pests and disease. Julie Van Meter is the state entomologist and can be contacted if we find any evidence of the twig beetle.

Grants

Joanne will contact us when the planting will take place for the grant for the Depot. It is tentatively set for sometime in September. The site is prepared. They will plant mostly pollinator friendly shrubs. Usually they just plant perennials. The mock orange, red bud and seven sons trees planted earlier all look good. NSA will pick out the shrubs and let us know the date.

Don sent in the Bellevue 2020 Mini Grant application for ten free trees and has been awarded the grant.

Nancy has asked that the memorial money from her parents passing this year to go toward purchasing a tree to be planted in one of the Bellevue parks. It was felt that Nancy should choose the park to plant the tree. Nancy said she would like to plant it at Two Springs Park. Joanne said we did not have to plant it the same time we do the fall planting. It would not take much time to do it at a different date if needed.

Tree Inventory:

Joanne questioned whether we should inventory the trees on Danielle Trail. She thought that we should inventory the trees that the Tree Board planted but not those that came up naturally. Nancy suggested that we might note the trees that are of special interest such as the native hawthorn in the drainage ditch. Joanne said we should walk the trail with Nancy and note all the trees of special interest. Scott said that we could inventory the ones the board planted, but put a footnote in the inventory that they are not officially counted.

Joanne will do the small parks, but would like help with the large parks such as Aspen, Banner, Swanson, Leawood, Black Hawk, Two Springs. Joanne was thinking of mornings. Nancy and Deborah said that Tuesdays worked best for them. Joanne suggested 7am, if that was ok.

Bellevue 411

Scott emailed Jim to put the information on violets and dandelions on 411 last month, but was unsure if it was ever posted. Deborah and Joanne didn't see it on the 411 site. Phil Davidson is the person to send information to put on the site and may not have gotten it. It must have fallen through the cracks.

Scott said bagworms are beginning to hatch and that would be a good topic to put on the site. Scott said he would send it to Don and Don would get it to Phil. Liquid Dipel is the least toxic option for small bagworms. Scott said he would put together articles in the future for 411.

Future Topics- Watering lawns and trees and their long term care; Food safety; Tree Damage and hiring an arborist; Tool Kit on trimming trees after a storm

Scott will email the board members on what is being sent out. Nancy suggested we could send Scott some photos to add to the articles.

Tree Board Guidelines

The Tree board guidelines have been circulating for additions and corrections. Thank you for your suggestions and comments. Holly wondered if we wanted to set a term for the President, Secretary and Statistics Recorder. Holly will send out the revised draft for final changes. Please read over and let Holly know of any changes needed.

Arbor Day 2020

Don said both Lewis and Clark and St Bernadette were under demolition and construction. Everything is closed due to the virus. Schools won't have staff until August and still need to make plans for the reopening. Joanne mentioned that Lewis and Clark School has no trees.

Earth Day- Due to the virus, Earth Day was virtual this year.

Fall Tree Planting- The date will be September 30th for tree planting. We will have 15 or less trees to plant. We can do a better job of fencing and mulching if we have less trees. Joanne suggested that we pick one park or two parks close together so planting would be easier.

Ailanthus- Tom will have the chemical and materials needed for the kill. The date is set for Sept. 23rd. Tom and Scott will get back to Jewel Park and mark the trees with spray paint.

New Business-

Joanne was concerned about two trees on Lindy View Lane that were in poor shape. Don said to call code enforcement (Mark Elbert) with the addresses. It would be anonymous. 402-293-3025

The next meeting would be in July on the 14th. Scott will send us the zoom link. Meeting adjourned.

Respectfully submitted, Holly Hofreiter

Tree Board Meeting Minutes July 14, 2020

Attendance: Don Preister, Holly Hofreiter, Joanne Langabee, Scott Evans, Tom Mruz, Deborah Woracek, Scott Evans, Nancy Scott; Excused Craig Kimball, Jim Shada

Volunteer Hours: Joanne will mark down 2 hrs. for July meeting for everyone present. Any additional hours for July please email them to Joanne. jlangabee@hotmail.com

Minutes approved: Joanne made a motion to accept the June meeting minutes. Deborah seconded it. The vote was taken and they were unanimously approved.

Tree Code enforcement issues:

Don mentioned that there was a Locust tree by the Bellevue Vacuum on Franklin just south of Mission. The owner wanted the city to trim it. Don went and explained the city does not trim street trees. The owner is responsible for trimming them. The tree had a limb fall. Fortunately it fell into the owner's truck bed with no damage done.

On 39th and Gertrude- The tree was trimmed by the brother-in-law but the tree was too far gone. Money was an issue in the owners not wanting to cut it down. They finally agreed it needed to be cut down. They had it removed.

One half block from the previous tree there was a tree that had branches on the power lines. Cox and telephone service of customers was interrupted. OPPD came out and inspected it and took care of it.

The fourth issue was with two oak trees and it was taken care of.

Joanne called the city about the 3 trees in her neighborhood that were high risk.

Mark Eilbert, Code Enforcement Director, thanked us for keeping him in the loop on these issues; says hello; and thanks us for our work.

Parks Report- Jim Shada: He was unable to make the meeting but sent us a sheet on the trimming and spraying for bag worms that was done.

Questions for Jim:

Joanne would like to know if Jim could send her the hours spent on the work, and the approx.. cost of doing it for the Tree City Report in Dec.

Parks in General:

Jewel Park- Tom asked about the marking of trees at Jewel. Don said we were going to go and mark them for removal and trimming by the Park's Staff. Tom wanted to know if we were going to spray Jewel Park for Ailanthus this year. Don said yes we should. It is close to Fontennelle Forest and would be helpful. We could also mark Jewel Park trees for removal while we do Ailanthus spraying in Sept. Tom said he has a local source for the chemical but not the crop oil. Scott said he knows of commercial

suppliers in the area that Tom could check for the oil. SITE 1, Nebraska Turf Products, D and K Products are some of them. Scott would send out an email of the names of the suppliers/phone numbers to Board members.

Park Advisory Board:

Don reported that their first project was going to be lights for a tennis court. They found out it was going to cost less than \$40,000 instead of the \$200,000 that was listed in the plan. Don will try to get their minutes from their meeting but they will work somewhat independently of the Tree Board.

Grants

Joanne thought they were going to plant on Sept. 21st and 22nd or the 24th and 25th at the Sarpy County Museum.

We have the NE Arboretum grant for trees for fall tree planting, we just have to figure out which park(s)

Tree Inventory:

Don mentioned how interesting the tree inventory was with the numbers of the types of trees. Joanne noted that we have a diverse tree population in our parks. Fortunately, we don't have a heavy population of one type of tree. Joanne did the inventory different than in 2011. She has grouped the species of one genus in one group. For example all the maples are grouped together; all the oaks together, etc. It makes it easier to compare groups. Everything for this year has been inventoried except for doing the GPS of trees in Blackhawk. They were able to do trimming and tree care as they inventoried them.

Thank you to Joanne, Nancy, and Deb for all your work.

Joanne will give copies of the maps and recommendations for each Park to Jim Shada for fall/winter work.

Joanne mentioned some things that will need to be done soon- Sun Valley /Aspen Park- There is a safety issue with dead limbs. She didn't know if they wanted to hire an arborist for a day to trim the trees or do it themselves. They will need to be trimmed in the summer so they can tell which limbs are dead.

There are 129 ash trees left on city property. There have been about 30 ash trees removed since we started with the ash tree plan. In Two Springs there were quite a few ash trees that did not look good. They might as well be removed.

Don asked Joanne about the different kinds of fruit trees. She did not know her fruit trees so did not put down what kind. Many were Prunus species. Don wondered where the 30 plum trees were. Joanne thought possibly the fire station training facility. Joanne said she would check on the number because

some trees on maintenance properties may not be counted. Don felt we could plant some more edible fruit trees.

Don noticed there were 200 trees in the cemetery. Tree roots and other aspects of trees in a cemetery can be difficult so we will probably not replace any in the cemetery unless asked by citizen to plant one.

Thanks to Joanne for all her work in keeping the tree inventory records. Joanne said she would need to make copies of the maps so we always have an unmarked copy. Don said to check with Karen for copies. The staff should look at inventories to help them pick out parks to plant trees in fall. **Maybe Joanne could make recommendations to the staff.**

Bellevue 411:

Scott will write up short paragraphs on bagworms and Cicada Killers. It was suggested that pictures would make them more inviting to read. Scott said he could send a link with the paragraph to the extension office entomologist website.

Tree Board Guidelines:

It was decided to read through the guidelines as a group and make changes.

The following changes were made-

Mission Statement explanation- add "and our Tree Board work."

Membership- "At least one member needs to be a Certified Arborist thru Nebraska Arborist Association or thru ISA, International Society of Arborists." and "... to sit on the Tree Board and be liaison to the administration. The mayor may also appoint a City Council Member to be on the Tree Board and be a liaison to the City Council."

January- Replace sentence on Bellevue 411-" Tree Board members will submit and write topics for "Tips and Tricks from Bellevue Tree Board" to help educate the public."

March- "Review the Tree Ordinance and/or Tree plan..." Add "Present the Annual Tree Board Report to City Council"

June- "Confirm the dates and supplies..."

September- Add "Spray for Ailanthus if weather permitting"

October- Add " If rain date was needed for Ailanthus spray; spray Ailanthus"

The guidelines will be revised, approved by the tree board at the August meeting, and submitted to the City Council.

Arbor Day:

Don talked with school principals. Lewis and Clark Jr. High Principal will talk to the teachers and get back to us about doing it in the fall. St. Bernadette Principal and Father okayed it but want to discuss it and get back to us. We will try to finalize things by next meeting. Don asked us to think of other school possibilities for this year and next. Tom mentioned the school that is being built near him may be a possibility in the fall of 2021.

Fall Tree Planting:

The tree inventory will be looked at and the parks that will be picked for tree planting will be decided. Joanne mentioned that since the remodeling of the pools are finished, maybe Casio and Gilbert would be good parks to plant trees in. The evergreens were removed to remodel the pools. Scott asked if planting shrubs instead of trees would be appropriate in some areas. Several ash trees were removed from Willow Springs Park. There are no trees in that area now. That might be another good place to plant trees. Joanne asked if we were still going to plant two trees for every ash tree we remove? Don remarked that might be in conflict with planting less trees and doing more tree care.

We lost one of the trees recently planted in Stonecrop Park, and one in Leawood Oaks Park. Another tree in Leawood Oaks is dead on top but is spouting back on the bottom. Otherwise the young trees are doing well. Planting less trees and doing more after care is resulting in higher survival rate.

We will plan on planting Sept. 30th with Oct. 1st as an alternate date or additional date if needed. We will start at 9 am on both days.

Ailanthus Kill:

Sept. 23rd, at 9:00 am, at Jewel Park will be the tentative date for the Ailanthus spraying. Tom will gather the supplies. Volunteers are needed for both the kill and tree planting. Don will list it in an email to Green Bellevue. Social Media and the Farmers Market are also good places to advertise.

New Business:

Deborah thought we should have an annual calendar set up for tentative ideas for Bellevue 411. Scott said he could set up a google spreadsheet that is shared. Then when anyone had an idea they could add it to the spreadsheet.

Don felt that at the next meeting we should elect a President and Secretary of the Tree Board for a one year term. Deborah noted that a two year term would be better because of the learning curve. The term for the Record Keeper needs to be a longer term because of all there is to learn. Holly suggested that there be someone in training to learn how to do the tree inventory for a year or two and then take over. Don suggested a president elect or vice president for the president's position. He also suggested that the length of term for Record Keeper be open. **Think about officers for the August meeting.**

The Tree Ordinance will have 3 readings or hearings on City Council. Don felt that the ex officio Council Member on the Tree Board should have a vote. He felt ex officio should be deleted and he will make the recommendation at the first official hearing.

The next meeting was set for August 11 at 10:00am by Zoom. The agenda will be shortened, focusing on Tree Planting, Ailanthus Kill, Election of officers and Arbor Day.

Respectfully submitted, Holly Hofreiter

Agenda for August 11, 2020

Attendance:

Volunteer Hours and minutes

Approval of July minutes

Jim Shada- Parks report

Arbor Day 2020

Fall Tree Planting

Ailanthus Kill

Election of Officers / term length

Tree Board Guidelines

Next meeting date

Meeting adjourned

Tree Board Minutes August 11, 2020

Attendance: Don Preister, Joanne Langabee, Holly Hofreiter, Tom Mruz, Nancy Scott, Deborah Woracek, Scott Evans. Excused: Craig Kimball, Jim Shada

Volunteer Hours: Joanne sent us a spreadsheet to check our hours. Send any additions to her and she will make the corrections. **Joanne will change the name corrections that were brought up and add what has already been sent to her.**

Approval of July Minutes: One correction- the approval of the July minutes was for the month of June instead. Deborah moved that we approve the minutes as corrected and Don seconded it. It was unanimously approved. **Holly will send a corrected copy of the July minutes to everyone.**

Parks Report:

Jim Shada was unable to make the meeting at the last minute. Jim did send Joanne the amount of money that was spent and hours the staff worked on the spraying of bagworms in May. Don mentioned that the evergreens on 48th by Faulkland didn't look good. Joanne added that they didn't look good before. Don didn't realize they had sprayed but was glad they did.

Don will ask Jim to put some notes together earlier in case he is called away again at the last minute.

Arbor Day: Lewis and Clark School is still dealing with uncertainty and feel that it would be better to wait. St Burnadette administration felt the same way. The Tree City USA was not requiring that we do Arbor Day this year. Joanne suggested that we do something with the boy scouts or the volunteers planting the tree this fall. **Don thought it was a good suggestion and he will go ahead and have the mayor draw up the Arbor Day Proclamation for this year. We will figure out the details later.**

Fall Tree Planting: Nebraska Forest Service has granted us 12-15 free trees. They will be delivering them the last half of September. Don suggested that we plant the trees in Washington Park. The ash trees there do not look healthy. We have also lost 4-5 other trees in the park. Construction should be done by the time we plant. Joanne mentioned that the trees there are all old trees. Don asked for any other ideas. Joanne suggested Casio and Gilbert Parks because they removed all the evergreens around the pools when they remodeled them. Parks staff would not want trees by the pools because of leaves causing pool maintenance problems. Joanne mentioned that because Thompson Park is close to Washington maybe some could go there or Gemini Park by the playground. It was decided that they would plant the 12 trees at Washington and if needed Thompson would be a back up to put extra trees. **Don will recommend those Parks to the staff and let them know the planting will be done on Sept. 30th. October 1st will be the rain date. Don will work with Jim Shada on all the preparation by email.**

Ailanthus Spraying: **Tom will have the materials ready to go.** We will be spraying at Jewel Park, Reed Center and the cemetery. September 23rd is the date we will meet, weather permitting. Joanne wanted to know if she could have some of the chemical to spray her neighbor's young Ailanthus trees. She got permission from the neighbor. Don said it was a good idea. Deborah said there was a sow on her neighbor's property but couldn't convince him to cut it down even for free.

Grant for pollinator plants at depot: The cost to Green Bellevue will be no more than \$450.00. The planting will be Tuesday, Sept. 22, at 11:00 am. Plants will be there and ready to plant. State Arboretum staff will be there to demonstrate planting and then has to leave.

Election of Officers: Don contacted members for the officer positions. Joanne will be up for President; Holly for Vice President; and Deborah for Secretary. Deborah pointed out that one year term was too short to gain expertise and that the term should be 2 years. It was decided that term length would be 2 years for each position. Scott asked about when the officers should be elected. He felt that we should do it at meetings we traditionally always meet. For example we would choose the officers in Sept. and elect them in Oct. Nancy thought it should be in December. Joanne thought it should be after the new members are appointed in April. After some discussion it was decided that the officers would be elected in April after new board members were appointed. It was mentioned that we didn't need to wait til December because new board members should wait a year to be an officer until they have had experience on the board. Terms would start June 1st.

Joanne asked for someone to take over the recording of volunteer hours. Deborah said she would do it. Joanne would continue the recording of tree removal and planting in each Park and city property for one more cycle of three years. That way all the sections would be done one more time and mistakes could be found and corrected. Then it should be easy for someone else to take it over.

The Tree Board does not need a treasurer because the city keeps records of all the grants we are awarded.

Don called for a vote of officers for a term of two years, starting June 1st and ending two years later on May 31st. Joanne Langabee was nominated for President, Holly Hofreiter for vice President, and Deborah Woracek for Secretary. Everyone voted yes.

Don said the Tree Ordinance was amended and now states that a new tree would be planted for every one removed. **He would send the final copy of the Tree Ordinance to board members by email.**

City of Bellevue Tree Board Guidelines

The following corrections will be made and then sent for approval of City Council.

Change the date written to August 2020

Structure – change first statement-

Following the April appointment of new members there will be an election of the officers of President, vice-president and secretary. They will be elected for a two year term and start serving June 1st of that calendar year. The job descriptions will be developed and added as a separate section. The calendar will be changed accordingly.

Same paragraph- delete Record Keeper statement.

Don will write up draft of description of President and vice president duties. Holly will write up draft of description of secretary's duties.

Scott made a motion to approve the guidelines with the changes and Joanne seconded it. Vote was called and it passed unanimously.

New business: The Rain garden at Culvers and prairie planting at Everett need to be discussed. There needs to be a plan in place for maintenance for at least three years. Joanne said in the past there was approval by City Council and a contract signed for yearly commitment. Joanne will check on key for water at Everett. Date for planting will probably in Sept./ October.

Meeting was adjourned and the next meeting set for Sept. 8th.

Respectfully submitted, Holly Hofreiter

Agenda for September 8th Tree Board Meeting

Attendance

Report volunteer hours

Approve Minutes of August 11 Meeting

Parks report- Jim Shada

Parks in General

Fall Planting at the Depot

Fall Planting/Arbor Day Celebration

Ailanthus Spraying

Tree Ordinance

Tree Board Guidelines/ Description of Officers' Duties

Plantings at Culvers and Everett Park

New Business

Vote by roll call on Zoom

Meeting Date for next Meeting

Adjourn



**City of Bellevue, Nebraska
Tree Board September 8, 2020 Meeting Minutes**

Attendance: Joanne Langabee, Holly Hofreiter, Deborah Woracek, Don Preister, Tom Mruz, Nancy Scott, Scott Evans, and Jim Shada. Excused: Craig Kimball

Jo called the meeting to order.

Volunteer Hours: Joanne told all to give their August hours to Deborah. Deborah wrote down ones given to her in the meeting and will add those to the spreadsheet.

Approval of August 11 Minutes: Tom made a motion and Scott seconded to approve the minutes with the names of the new Officers listed in the paragraph about the election. **Holly** will insert them. All were in favor. Passed

Parks Report – Jim Shada: Due to the extreme weather this summer they have barely started with pruning, etc. At the end of September they will be removing stumps at Blackhawk, mow at Daniell Trail one more time. They successfully got the Inez Boyd Fountain and bubblers to work again at Heroe's Park. Jim expressed concerns about our up-coming plantings – will the drought conditions affect them as they need to receive water every 10-14 day until the ground freezes. The City does not have the manpower to do so. Don reassured Jim that the Tree Board would help with the watering, etc.

Fall planting at the Depot will be on Tues., Sept. 22, 2020 at 11 am. This is to fulfill the Greener Towns Plant grant from the Nebraska Statewide Arboretum. **Jo** will let us know of any changes in plans. This is to fulfill the State Arboretum grant for pollinator plants. She reminded us to wear masks, bring shovels, etc. We will plant a ½ truck load of trees, shrubs. and some ground cover. The plants will be placed beforehand. A staff person from the State Arboretum will instruct us and then leave (per Covid-19 restrictions). *We will also have help from Bellevue University Green Sustainability group and Green Bellevue. We received \$420 from Green Bellevue to help with this.*

Fall Planting/Arbor Day Celebration – Washington Park -Sept. 30 or Oct.1 at 9 am we will plant the new trees possibly in Washington Park (for traditional Arbor Day which was delayed due to Covid-19). **Don** will bring the official proclamation. **He** will check with the Parks Dept. to locate the needed fencing and stakes. We are to bring long hoses, shovels, etc. Mike Beccard, requested a Catalpa for him to plant at the Historical Church across the street. Parks staff will bring the trees and dig holes. **Jim will** check on the location of water for the park. We will plant 9 trees, as several trees have been removed or are listed for removal in Washington Park. These will be removed after the Farmer's market ends due to possible tractor track damage done in the process. **Don** would like all members possible to meet him at 7:30 on Sept. 12th to look at all the variables to decide where to plant the new trees. The ongoing construction should be completed before the 30th. Nancy Scott has a Memorial tree for her Parents to be planted in Two Springs Park and there are also 2 other memorials to be planted. Contact Don with any other questions about our Fall plantings for 2020.

Ailanthus Spraying- **Tom** needs to get more of the necessary herbicide. If Tom orders it online, he needs to supply a restricted chemical license number. Scott said it is not a restricted chemical, so the license is unnecessary. Jim said to check with Karen at Parks to get a PO for Tom to buy the chemical. **Don** will do. Tom was given other contacts to check out for supplies. Spraying will be on Sept. 23rd at 9 am in Jewell Park. Meet at the dog park in Jewell Park. **Tom** will have the sprayers and other supplies. **Don, Tom, and**

Scott agreed to do this project. Thanks to Tom we have new, better sprayers to use. **Don** will ask for City Parks staff to help them with this.

Tree Ordinance- Don reported it was approved by the City Council with the addition of 'for every tree removed one will be planted'. **Don** will send an updated copy with the addition to the Board after the meeting.

Tree Board Guidelines are to be sent to be approved by the City Council.

Description for Officer's Duties -after discussion it was agreed to table approval until the October meeting. Jo had questions for Don about duties. If you have any additions, please email them to Jo and Deborah. **Don** will format them all the same and send them out to the Board. It was suggested we prepare a folder of the Guidelines, job descriptions, City Ordinances, etc. to give to new Board members. Don thanked Holly for all her hard work to prepare the Guidelines and thanked everyone for their input.

Plantings at Culvers and Everett Park – Bellevue Native Plant Society has adopted both Everett and Culvers Parks. John Royster and members of Bellevue native Plants Society started the improvements in Culvers on August 29th. They have another workday planned. Jo and Bob Langabee removed the designated roses from Everett Park. Dr. Tyler Moore and the Green Sustainability Group from Bellevue University will help plant and care for these parks.

Tree City USA for 2019 award: Jo received this and the Growth award for 2019. The portal to the Tree City award is now open but **Jo** will work on this in November. **Deborah** will provide the total number of hours and miles to Jo for the application at that time.

GPS trees in Blackhawk Park – **Jo** will email Deborah and Nancy about starting this process. **Let Jo know if you would also like to help her with the tree inventories.**

New Business: The following topics for Bellevue 411 were suggested: Watering during a drought and Fall/Winter mulching. **Scott** will write the introductions and add the links to articles. **Don** will forward them to Bellevue 411 for posting.

Vote by roll call on Zoom – Holly wondered if we should vote in this manner. After discussion it was decided that voting this way would depend on the issue we are voting on. If it is an official vote we will vote by zoom roll call.

Meeting Date for next Meeting – Our next meeting will be on October 13th by Zoom. **Scott** will set up the meeting and send the Board the link to it before the meeting.

Nancy moved and Scott seconded that the meeting be adjourned. Approved

October Agenda (updated by Jo):

Attendance

Report Volunteer hours to Deb

Approve Minutes of Sept. meeting

Report from Jim on Parks

Report from Jo on Depot planting

Report on fall Tree Planting from Don

Report on ailanthus spraying from Tom

Ordinance approval

Guidelines and Duties

Bellevue 411

Tree City
BlackHawk GPS
Yearend report
Project for winter
New Business

Respectfully submitted,

Deborah Woracek

Secretary, Bellevue Tree Board

MINUTE RECORD

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10/20/2020

Bellevue City Council Meeting, October 6, 2020, Page 1

A regular meeting of the Mayor and Council of the City of Bellevue was called to order by Mayor Rusty Hike at the Bellevue City Hall on the 6th day of October, 2020, at 6:00 p.m. Present were Council Members Paul Cook, Pat Shannon, Don Preister, Thomas Burns, and Kathy Welch. Councilman Bob Stinson was absent.

Notice of this meeting was given in advance thereof by publication in the Gretna Guide, "Daily Record" and posting in two public places, the designated method for giving notice and was also given to the Mayor and all members of the City Council. A copy of the affidavit of publication, the certificate of posting, and the council's acknowledgment of receipt of notice are hereby attached to these minutes. All proceedings shown hereafter were taken while the convened meeting was open to the public.

PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Hike led the Pledge of Allegiance. Pastor Walter Hooker, Bellevue Christian Center, 1400 Harvell Drive, Bellevue, gave the invocation.

OPEN MEETINGS ACT

Mayor Hike announced a copy of the Open Meetings Act is posted by the entry in the City Council Chambers.

APPROVAL OF THE AGENDA

Motion was made by Shannon, seconded by Burn, to approve the agenda.

Motion was made by Shannon, seconded Cook, to amend the agenda with the following seven amendments: **Item 10a.**, after Corporation Name Change, insert "to Unami Food Cuisine LLC."; **Item 16a.**, after the period insert "in an amount not to exceed \$593,023"; **Item 16c.**, after the period insert "in an amount not to exceed \$39,780"; **Item 16d.**, after the period insert "in an amount not to exceed \$46,592"; **Item 16e.**, after the period insert "in an amount not to exceed \$121,150"; **Item 16f.**, after the period insert "in an amount not to exceed \$20,000"; and **Item 16i.**, after the period insert "in an amount not to exceed \$2354.28".

Councilman Preister requested clarification if the motion is to amend the agenda or take the aforementioned items off of the consent agenda. Councilman Shannon stated this is to amend the agenda to have the items read properly on the agenda. Discussion followed.

Councilman Preister initiated conversation on CDBG Items 16d., 16e., and 16f. He explained the CDBG items require CDBG funds and are exact in the amount. He doesn't feel those items should read "in an amount not to exceed". Councilman Shannon stated the CDBG Items could read "in the amount of". Councilman Preister agreed.

Shannon changed his motion to amend the agenda with the following seven amendments: **Item 10a.**, after Corporation Name Change, insert "to Unami Food Cuisine LLC."; **Item 16a.**, after the period insert "in an amount not to exceed \$593,023"; **Item 16c.**, after the period insert "in an amount not to exceed \$39,780"; **Item 16d.**, after the period insert "in the amount of \$46,592"; **Item 16e.**, after the period insert "in the amount of \$121,150"; **Item 16f.**, "in the amount of \$20,000". and **Item 16i.**, after the period insert "in an amount not to exceed \$2354.28", Cook stated he was fine with the change.

Roll call vote on amendment was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Roll call vote to approve the agenda as amended was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

APPROVAL OF THE CONSENT AGENDA:

Shannon asked to remove Items 16a, 16c, 16d, 16e, 16f, and 16i from the consent agenda.

Motion made by Preister, seconded by Shannon, to approve the consent agenda as amended. The following items were approved on the consent agenda: Approval of the September 15, 2020 City Council Minutes; Claims for September 30, 2020 Fiscal Year End & Claims for October 6, 2020; and Request approval of the applications for waiver of hunting applications.

Roll call vote to approve the consent agenda as amended was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

SPECIAL PRESENTATIONS: None

ORGANIZATIONAL MATTERS: None

APPROVED CITIZEN COMMUNICATION: None

MINUTE RECORD

Bellevue City Council Meeting, October 6, 2020, Page 2

LIQUOR LICENSES:

Recommend approval for replacing application of Class C Liquor License No. 123928 for a Corporation Name Change to Unami Food Cuisine LLC., 1504 Galvin Road S., Bellevue and for Feng Zheng as Manager. (City Clerk)

Applicant was present to answer any questions.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion made by Shannon, seconded by Cook, to recommend approval of replacing application of Class C Liquor License No. 123928 for a Corporation Name Change to Unami Food Cuisine LLC., 1504 Galvin Road S., Bellevue and for Feng Zheng as Manager.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Recommend approval of a Special Designated Liquor License for Paul R. Klabunde dba "Century Lounge" to sell beer, wine, and distilled spirits at a Halloween Party, to be held at Century Lounge, 2109 Franklin Street, Bellevue, on October 31, 2020 from 12:00 p.m. to 12:00 a.m. and November 1, 2020 from 12:01 a.m. to 2:00 a.m. (City Clerk)

Applicant was present to answer any questions.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion made by Burns, seconded by Cook, to recommend approval of a Special Designated Liquor License for Paul R. Klabunde dba "Century Lounge" to sell beer, wine, and distilled spirits at a Halloween Party, to be held at Century Lounge, 2109 Franklin Street, Bellevue, on October 31, 2020 from 12:00 p.m. to 12:00 a.m. and November 1, 2020 from 12:01 a.m. to 2:00 a.m.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

ORDINANCES FOR ADOPTION (Third Reading)

Ordinance No. 4006: To allow for statutory changes and revisions to be incorporated into several sections of the City Code which have been affected by or generated by legislative changes and to add or change legislative citations. (Legal)

Ordinance No. 4006: An ordinance to amend or revise certain ordinances as further detailed herein which have been affected by or generated by legislative changes and to add or change legislative citations, to repeal such sections as heretofore existing; and to provide for the effective date of this ordinance, was read by title only for the third and final time.

Motion made by Welch, seconded by Preister, to approve Ordinance No. 4006.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

ORDINANCES FOR PUBLIC HEARING: (Second Reading):

Ordinance No. 4007 - An ordinance to amend Section 6-117 of the Bellevue Municipal Code pertaining to the Regulation of Bees Violations- Revocations. (City Attorney)

Ordinance No. 4007: An ordinance to amend Section 6-117 of the Bellevue Municipal Code pertaining to same - Violations; Revocation, to repeal such section as heretofore existing; and to provide for the effective date of this ordinance was read by title only for the second reading and presented for public hearing.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on October 20th.

MINUTE RECORD

Bellevue City Council Meeting, October 6, 2020, Page 3

Ordinance No. 4008 - An ordinance to amend Sections 9-17 & 9-18 of the Bellevue Municipal Code pertaining to Elections. (City Attorney)

Ordinance No. 4008: An ordinance to amend Sections 9-17 to 9-18 of the Bellevue Municipal Code pertaining to proceedings for election and notice of election, repeal such section as heretofore existing; and to provide for an effective date of this ordinance was read by title only for the second reading and presented for public hearing.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on October 20th.

Ordinance No. 4009 - An ordinance to amend Sections 15-194 of the Bellevue Municipal Code pertaining to Unlawful Acts - Sale or Rental. (City Attorney)

Ordinance No. 4009: An ordinance to amend Section 15-194 of the Bellevue Municipal Code pertaining to unlawful acts - Sale or Rental, repeal such section as heretofore existing; and to provide for the effective date of this ordinance was by title only for the second reading and presented for public hearing.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on October 20th.

Ordinance No. 4010 - An ordinance to repeal Section 20-5 of the Bellevue Municipal Code Pertaining to Swearing, Cursing, Etc. (City Attorney)

Ordinance No. 4010: An ordinance to amend Section 20-5 of the Bellevue Municipal Code pertaining to swearing, cursing, etc., to repeal such section as heretofore existing; and to provide for the effective date of this ordinance was read by title only for the second reading and presented for public hearing.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on October 20th.

Ordinance No. 4011: 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. (Planning Manager)

Ordinance No. 4011: An ordinance to amend the Official Zoning Map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the Zone Classification of land located at or about 513 Ridge Road, more particularly described in Section 1 of the ordinance and to provide an effective date was read for the second time and a public hearing was held.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on October 20th.

Request to approve a small subdivision plat of Lot 1, Riverview Heights Replat IV.

Mayor Hike requested clarification on the Lot number. Ms. Bree Robbins, City Attorney, clarified it is Lot 1, Riverview Heights Replat IV.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

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Bellevue City Council Meeting, October 6, 2020, Page 4

Mayor Hike explained the Hansen's have had a few setbacks with the proposed project. He requested the Council to waive the third reading.

Motion made by Shannon, seconded by Cook, to waive the third reading of the ordinance and small subdivision plat and to vote tonight.

Councilman Cook spoke in support of the request.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Motion made by Shannon, seconded by Preister, to approve Ordinance No. 4011.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Motion made by Shannon, seconded by Preister, to approve a small subdivision plat of Lot 1, Riverview Heights Replat IV.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Ordinance No. 4012 - 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. (Planning Manager)

Ordinance No. 4012: An ordinance to amend the Official Zoning Map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the Zone Classification of land located at or about 1001 Fort Crook Road North, more particularly described in Section 1 of the ordinance to provide an effective date was read by title only for the second reading and presented for public hearing.

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on October 20th.

Councilman Shannon stated several letters of opposition were received. He would have liked to have seen the developer present for discussion. He requested staff to visit with the developer in regards to a noise buffer and to address concerns.

Mayor Hike commented he believes a Special Use Permit was also requested for this project.

Mrs. Tammi Palm, Planning Manager, advised the applicant has withdrawn the request for a Conditional Use Permit and only moving forward with the rezoning request. Councilman Shannon questioned what use the rezoning is for. Mrs. Palm stated it is unspecified at this time.

ORDINANCES FOR INTRODUCTION: (First Reading):

Ordinance No. 4013 - 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. Applicant: HC Belle Lago, LLC. General Location: Looking Glass Drive and South 45th Street. (Planning Manager)

Ordinance No. 4013: An Ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 45th Street and Lookingglass Drive, more particularly described in Section 1 of the ordinance and to provide an effective date was read by title only for the first reading. Second reading and public hearing will be held on October 20th.

Ordinance No. 4014 - 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. Applicant: Carlson Consulting Engineers, Inc. General Location: 25th Street and West Chandler Road. (Planning Manager)

Ordinance No. 4014: An Ordinance to amend the Official Zoning Map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 25th Street and W. Chandler Road, more particularly described in Section 1 of the ordinance and to provide an effective date was read by title only for the first reading. Second reading and public hearing will be held on October 20th.

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Bellevue City Council Meeting, October 6, 2020, Page 5

Ordinance No. 4015 - 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. Applicant: APOGEE Professional Services. General Location: Childs Road and Nebraska Drive. (Planning Manager)

Ordinance No. 4015: An Ordinance to amend the Official Zoning Map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about Childs Road and Nebraska Drive, more particularly described in Section 1 of the Ordinance and to provide an effective date was read by title only for the first reading. Second reading and public hearing will be held on October 20th.

Councilman Shannon commented it appears there will be 107 units in three apartment buildings. He will have numerous questions at the public hearing.

Ordinance No. 4016: An ordinance to amend Sections 18-106 to 18-112 of the Bellevue Municipal Code pertaining to reserved spaces for handicapped persons. (Legal)

Ordinance No. 4016: An Ordinance to amend or revise certain ordinances as further detailed herein which have been affected by or generated by legislative changes and to add or change legislative citations, to repeal such sections as heretofore existing; and to provide for the effective date of this ordinance was read by title only for the first reading. Second reading and public hearing will be held on October 20th.

Ordinance No. 4018: Authorizing and providing for issuance of General Obligation Refunding Bonds, Series 2020D, in an amount not to exceed \$2,250,000. (Finance Director) (Requesting to waive the rule requiring three readings, hold a public hearing, and vote after the public hearing at tonight's meeting)

Ordinance No. 4018: An Ordinance authorizing the issuance of General Obligation Refunding Bonds of the City of Bellevue, Nebraska, in one or more series, in the aggregate stated principal amount of not to exceed two million two hundred fifty thousand dollars (\$2,250,000 for the purpose of refunding all or a portion of \$2,750,000 outstanding principal amount of General Obligation Various Purpose Bonds, Series 2015, dated December 29, 2015; prescribing the form of such bonds to be issued and authorizing officers of the city to approve certain final terms of the bonds; providing for the levy and collection of taxes to pay the same, if necessary; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser; and providing for the disposition of bond proceeds; and ordering the ordinance published in pamphlet form.

Motion made by Preister, seconded by Welch, to suspend the rule for three readings of the ordinance, hold a public hearing tonight and vote after the public hearing.

Councilwoman Welch questioned if the reason for the request is due to a better bond rate. Mr. Rich Severson, Finance Director, replied that is correct. He explained the rate environment is presenting opportunities every time an existing bond is callable. There is significant savings and the opportunity to schedule the payments.

Councilman Shannon questioned if there are two bond issues or just one. Mr. Severson commented there are two, the other one is World Baseball Village bond. Discussion occurred on the mechanics of the bond.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Mayor Hike opened the meeting to a public hearing to give opportunity for individuals to speak in favor of or in opposition to the application.

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion was made Shannon, seconded by Welch, to approve Ordinance No. 4018.

Roll call vote on the motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Resolution No. 2020-41: Authorizing and providing for issuance of Taxable Redevelopment Refunding Bonds, Series 2020, in an amount not to exceed \$2,500,000. (Finance Director)

Motion was made Welch, seconded by Burns, to approve Resolution No. 2020-41.

Councilman Shannon questioned if this will clean up the real estate lien on the property. Mr. Severson explained this property is the City's property, therefore there is no lien against property. These are bonds from the public agency for financing of the property. Discussion followed.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

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Bellevue City Council Meeting, October 6, 2020, Page 6

PUBLIC HEARINGS ON MATTERS OTHER THAN ORDINANCES: None

RESOLUTIONS:

Resolution No. 2020-39: Approve and authorize the Mayor to sign the Resolution and the participating Construction Engineering Services Agreement with Alfred Benesch & Company for the 2020 Bellevue Major Street Resurfacing Project, Project No. MAPA-5081(1), Control No. 22775, in an amount not to exceed \$182,384.63. (Interim Public Works Director)

Motion was made Cook, seconded by Welch, to approve Resolution No. 2020-39: Approve and authorize the Mayor to sign the Resolution and the participating Construction Engineering Services Agreement with Alfred Benesch & Company for the 2020 Bellevue Major Street Resurfacing Project, Project No. MAPA-5081(1), Control No. 22775, in an amount not to exceed \$182,384.63.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Resolution No. 2020-40: Approve and authorize the Mayor to sign the Resolution and the Construction Engineering Services Agreement with Alfred Benesch & Company for the 2020 Bellevue Major Street Resurfacing Project, Project No. MAPA-5081(1), Control No. 22775, in an amount not to exceed \$4,721.43. (Interim Public Works Director)

Motion was made Cook, seconded by Welch, to approve Resolution No. 2020-40: Approve and authorize the Mayor to sign the Resolution and the Construction Engineering Services Agreement with Alfred Benesch & Company for the 2020 Bellevue Major Street Resurfacing Project, Project No. MAPA-5081(1), Control No. 22775, in an amount not to exceed \$4,721.43.

Councilman Shannon questioned if the Project No. and Control No.'s should be the same on both Resolutions. Mr. Dean Dunn, Interim Public Works Director, explained this is a housekeeping item. Both resolutions do have the same project number and control numbers

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

CURRENT BUSINESS:

Recommend approval of Traveler's renewal proposal for the City's FY 20-21 Property/Casualty Insurance, in an amount not to exceed \$593,023. (Finance/Risk Management)

Motion was made by Cook, seconded by Preister, to recommend approval of Traveler's renewal proposal for the City's FY 20-21 Property/Casualty Insurance, in an amount not to exceed \$593,023.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Recommend moving to the Zoll Cloud Based Billing Software, to begin the migration in October 2020 and authorize the Mayor to sign, in an amount not to exceed \$39,780. (Fire Department)

Motion was made by Preister, seconded by Burns, to recommend moving to the Zoll Cloud Based Billing Software, to begin the migration in October 2020 and authorize the Mayor to sign, in an amount not to exceed \$39,780.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Approve and authorize the Mayor to sign the CDBG-CV subrecipient agreement with Eastern Nebraska Community Action Partnership, in the amount of \$46,952. (CDBG Specialist)

Motion was made by Burns, seconded by Preister, to approve and authorize the Mayor to sign the CDBG-CV subrecipient agreement with Eastern Nebraska Community Action Partnership, in the amount of \$46,952.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Approve and authorize the Mayor to sign the CDBG-CV subrecipient agreement with the Housing Foundation for Sarpy County, in the amount of \$121,150. (CDBG Specialist)

Motion was made by Burns, seconded by Preister, to approve and authorize the Mayor to sign the CDBG-CV subrecipient agreement with the Housing Foundation for Sarpy County, in the amount of \$121,150.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

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Bellevue City Council Meeting, October 6, 2020, Page 7

Approve and authorize the Mayor to sign the CDBG-CV inter-departmental agreement with the City of Bellevue Human Services Department, in the amount of \$20,000. (CDBG Specialist)

Motion made Burns, seconded by Welch, to approve and authorize the Mayor to sign the CDBG-CV inter-departmental agreement with the City of Bellevue Human Services Department, in the amount of \$20,000.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Approve and authorize the Mayor to sign a four-year service agreement with Stryker for LUCAS devices, in an amount not to exceed \$26,254.80 or \$6563.70 annually. (Fire Chief)

Motion by Welch, seconded by Burns, to approve and authorize the Mayor to sign a four-year service agreement with Stryker for LUCAS devices, in an amount not to exceed \$26,254.80 or \$6563.70 annually.

Roll call vote on the motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Approve and accept low bid from Carroll Construction Supply's for the Wacker RD-12 roller, in an amount not to exceed \$14,597.20. (Street Superintendent)

Motion by Cook, seconded by Burns, to approve and accept low bid from Carroll Construction Supply's for the Wacker RD-12 roller, in an amount not to exceed \$14,597.20.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Approve and authorize the Mayor to sign the Yearly Maintenance Proposal with Vertiv Corporation for main UPS that protects and provides backup for computer equipment, in an amount not to exceed \$2,354.28. (Fire Chief)

Motion made by Preister, seconded by Welch, to approve and authorize the Mayor to sign the Yearly Maintenance Proposal with Vertiv Corporation for main UPS that protects and provides backup for computer equipment, in an amount not to exceed \$2,354.28.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

Approve and authorize Mayor to sign the proposal from Heimes Corp, for the Fort Crook Road emergency CMP culvert replacement, in the amount of \$55,957.00 plus a 10% contingency in the amount of \$5,595.70, for a total project cost in the amount of \$61,552.70. (Interim Public Works Director)

Motion by Welch, seconded by Preister, to approve and authorize Mayor to sign the proposal from Heimes Corp, for the Fort Crook Road emergency CMP culvert replacement, in the amount of \$55,957.00 plus a 10% contingency in the amount of \$5,595.70, for a total project cost, in the amount of \$61,552.70.

Roll call vote on motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Stinson. Motion carried.

ADMINISTRATION REPORTS: Comments must be limited to items on the current Reports (Monthly reports are given at the first Council Meeting of every month - September report attached)

CLOSED SESSION: None

ADJOURNMENT:

There being no further business to come before the Council at this time, on motion by Shannon, seconded by Preister, the meeting was adjourned at 6:56 p.m.

Roll call vote on the motion was as follows: Roll call vote on the motion was as follows: Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; Stinson: none. Motion carried.


Susan Kluthe, City Clerk

Rusty Hike, Mayor

I, the undersigned, City Clerk of the City of Bellevue, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on October 6, 2020; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such

MINUTE RECORD

Bellevue City Council Meeting, October 6, 2020, Page 8

subjects were contained in said agendas for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.




Susan Kluthe, City Clerk

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*6.
10/20/2020

CLAIMS FOR OCTOBER 20, 2020

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MAYOR

CENTURY LINK	MONTHLY SERVICE-2020-09-22	12.65
		<u>\$ 12.65</u>

CITY ADMINISTRATOR

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	86.60
CENTURY LINK	MONTHLY SERVICE-2020-09-22	24.47
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	4,641.90
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	98.07
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	42.86
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	73.23
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	113.93
		<u>\$ 5,081.06</u>

CITY COUNCIL

EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	814.39
		<u>\$ 814.39</u>

LEGAL

CENTURY LINK	MONTHLY SERVICE-2020-09-22	24.88
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	3,109.92
ERICKSON & SEDESTROM, PC	PROFESSIONAL SERVICES	1,607.00
ERICKSON & SEDESTROM, PC	ADV MAIN ST PROPERTIES LLC AND PATRICK SHANNON (US DISTRICT COURT CASE NO 8:20-CV278)	1,775.00
ERICKSON & SEDESTROM, PC	MAIN ST PROPERTIES LLC APPEAL OF BELLEVUE BOARD OF ADJUSTMENT DECISION	825.00
ERICKSON & SEDESTROM, PC	MAIN ST PROPERTIES LLC APPEAL OF BELLEVUE BOARD OF EQUALIZATION ASSESSMENT	1,275.00
HDR ENGINEERING, INC	PROFESSIONAL SERVICES-AUG-SEPT 2020	5,151.17
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	65.38
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	26.69
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	39.67
		<u>\$ 13,899.71</u>

CABLE ADVISORY

CENTURY LINK	MONTHLY SERVICE-2020-09-22	8.43
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	3,857.20
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	65.38
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	23.55
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	30.36
		<u>\$ 3,984.92</u>

CITY CLERK

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	59.00
CENTURY LINK	MONTHLY SERVICE-2020-09-22	12.65
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	2,362.64
GRETNA GUIDE & NEWS	LEGAL AD	233.87

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CITY CLERK (cont'd)

METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	65.38
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	22.29
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	28.53
NEBRASKA MUNICIPAL CLERKS ASSOCIATION	MEMBERSHIP DUES-CLERK, DEPUTY CLERK	90.00
OMAHA WORLD HERALD CO	LEGAL AD	800.21
PETTY CASH - FINANCE	CREDIT CLERK PETTY CASH	(15.00)
PETTY CASH - FINANCE	CREDIT FINANCE FOR LOST TITLE-TIRADO-182812	(14.00)
		\$ 3,645.57

FINANCE/RISK MANAGEMENT

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	68.46
CENTURY LINK	MONTHLY SERVICE-2020-09-22	61.28
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	5,219.88
HANEY SHOE STORE	SAFETY SHOES	131.99
INFOSAFE SHREDDING	DOCUMENT SHREDDING SERVICE-OCT 2020	30.00
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	40.49
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	68.22
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	105.89
PETTY CASH - FINANCE	TO REIMB FOR SURPLUS SALE LOST TITLE	14.00
QUADIENT FINANCE USA, INC	POSTAGE REFILL-CITY HALL	1,000.00
RED WING BUSINESS ADVANTAGE ACCOUNT	SAFETY BOOTS FOR 6 EMPLOYEES	1,090.95
THE CURE	FIRST AID SUPPLIES-FLEET	91.70
		\$ 7,922.86

LIBRARY

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	137.86
CENTURY LINK	MONTHLY SERVICE-2020-09-22	42.16
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	107.39
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	7,623.75
INGRAM LIBRARY SERVICES	BOOKS	3,196.07
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	12.06
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	261.52
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	75.74
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	92.40
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	2,011.10
QUADIENT FINANCE USA, INC	POSTAGE REFILL	600.00
RUFF WATERS	AQUARIUM MANAGEMENT-SEPT 2020	94.94
SCOTT WELCH	MONTHLY WEB HOSTING-SEPT 2020	125.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	181.59
		\$ 14,561.58

ADMINISTRATIVE SERVICES/PERSONNEL

ALEGENT HEALTH OHS/EAP	CONTRACT SERVICES	70.00
BIG INK	EMBROIDER UNIFORM PATCHES	22.00
CENTURY LINK	MONTHLY SERVICE-2020-09-22	58.92
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	12,151.40
GRETNA GUIDE & NEWS	LEGAL AD	30.26
IDEAL PURE WATER COMPANY	BOTTLED WATER	39.00

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CLAIMS FOR OCTOBER 20, 2020

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ADMINISTRATIVE SERVICES/PERSONNEL (cont'd)

INFOSAFE SHREDDING	DOCUMENT SHREDDING SERVICE-OCT 2020	30.00
INTEGRATED REHAB	PHYSICALS	860.00
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	144.20
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	294.21
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	81.95
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	101.00
ONE SOURCE	BACKGROUND CHECKS	22.00
SUBURBAN NEWS ADV	LEGAL ADS	808.94
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	1,667.39
		<hr/>
		\$ 16,381.27

CODE ENFORCEMENT

AaLL ABOUT TREES	REMOVE DEAD TREE	325.00
BEST CUT LAWN CARE	CODE MOWING	200.00
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	7,714.40
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	130.76
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	41.45
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	52.63
PAPILLION SANITATION	CODE DUMPSTER-30065774	321.71
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	342.43
		<hr/>
		\$ 9,128.38

PUBLIC WORKS

AVI SYSTEMS	MONITOR INSTALLATION	4,698.34
CENTURY LINK	MONTHLY SERVICE-2020-09-22	50.59
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	6,446.32
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	317.92
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	218.35
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	49.61
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	65.75
ONE CALL CONCEPTS	DIGGERS HOTLINE-MONTHLY LOCATES	671.67
SARPY CO REGISTER OF DEEDS	RECORDING FEES	28.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	31.30
		<hr/>
		\$ 12,577.85

PARKS

ALEXANDER LAWN & LANDSCAPE, INC	ROW MOWING-CYCLE 11	9,521.90
AMERICAN FENCE STORE	FENCING WIRE-SIGLER FIELD	215.00
A-RELIEF SERVICES	PORTABLE RESTROOMS	216.00
BEST CUT LAWN CARE	PARKS MOWING SERVICE	4,965.64
BIG INK	EMBROIDER UNIFORM PATCHES	126.50
CENTURY LINK	MONTHLY SERVICE-2020-09-22	37.94
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	140.47
CROUCH RECREATIONAL DESIGN	CANOPY, SUPPLIES	581.00
DON PREISTER	REIMB FOR MULCHING FORK	160.49
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	8,089.18
JEREMY WHITE	REIMB FOR CDL LEARNER'S PERMIT	14.50
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	115.68

MINUTE RECORD

CLAIMS FOR OCTOBER 20, 2020

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PARKS (cont'd)

METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	326.90
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	94.20
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	104.63
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	3,358.87
PRECISE MRM LLC	POOLED DATA PLAN	225.00
READY MIXED CONCRETE COMPANY	CONCRETE-ADA	812.59
SUPERIOR LIGHT AND SIGN MAINTENANCE	TENNIS COURT LIGHTS	35,718.54
TENNIS COURTS UNLIMITED	TENNIS COURT RESURFACING	9,250.00
THIELE GEOTECH	LOOKINGGLASS PARK IMPROVEMENT	1,313.00
TRISTAR RISK ENTERPRISE MANAGEMENT, INC	WORK COMP FUNDING-SEPT 2020	48.11
TY'S OUTDOOR POWER & SERVICE	RADIATOR SCREEN	112.94
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	2,251.33
WALKERS UNIFORM RENTAL	RENTAL UNIFORM SERVICE	13.42
		<hr/>
		\$ 77,813.83

RECREATION

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	25.36
CENTURY LINK	MONTHLY SERVICE-2020-09-22	53.26
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	88.39
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	2,109.96
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	65.38
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	25.12
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	32.61
TENNIS COURTS UNLIMITED	TENNIS NETS	800.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	220.48
		<hr/>
		\$ 3,420.56

BUILDING MAINTENANCE

AMERICAN UNDERGROUND SUPPLY, LLC	STOP VALVE BOX WRENCH	396.55
A & R ENTERPRISES	ADA REPAIR SIDEWALK-CHURCH	2,950.00
BIG INK	EMBROIDER UNIFORM PATCHES	66.00
CARPENTER PAPER CO	JANITORIAL SUPPLIES	124.08
CENTURY LINK	MONTHLY SERVICE-2020-09-22	4.22
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	6,901.83
FERGUSON ENTERPRISES INC #1657	PLUMBING SUPPLIES	240.00
FIRE PROTECTION SERVICES, LLC	FIRE EXTINGUISHER INSPECTIONS	786.50
HEARTLAND AWNING & DESIGN, INC	AWNING INSTALLATION-CITY HALL, SENIOR CENTER	9,030.00
IDEAL PURE WATER COMPANY	BOTTLED WATER	30.00
JACKSON SERVICES, INC	DOOR MAT SERVICE	169.01
KB BUILDING SERVICES	JANITORIAL SERVICES-OCT 2020	10,918.50
MENARDS	LIGHTS, LUMBER, LIMESTONE, PAINT, PRUNER, SUPPLIES	1,050.53
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	196.14
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	54.32
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	64.31
O'KEEFE ELEVATOR COMPANY	ELEVATORS MAINTENANCE	464.81
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	1,632.26
OVERHEAD DOOR COMPANY	ADJUSTED SPRING TENSION, REPLACE SPRINGS, LUBE	633.00
ROTO-ROOTER SERVICES CO	CLEAR DRAIN PIPE	308.68
THE HOME DEPOT PRO-SUPPLY WORKS	JANITORIAL SUPPLIES	1,385.68
TRICO MECHANICAL SERVICES	FREON, FILTERS	852.36
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	207.58
VOGEL WEST	PAINT	16.28
WESTLAKE ACE HARDWARE	POTTING SOIL, PLANTS, RAKE, THROWEL, BUNGEE CORDS	208.71
		<hr/>
		\$ 38,691.35

MINUTE RECORD

CLAIMS FOR OCTOBER 20, 2020

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CEMETERY

CENTURY LINK	MONTHLY SERVICE-2020-09-22	4.22
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	83.39
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	1,506.62
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	65.38
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	18.06
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	22.42
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	113.12
POWERPLAN	CEMETERY EQUIPMENT	7,200.00
TERRY HUGHES TREE SERVICE	TREE REMOVAL-LORD BLVD	2,585.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	93.68
WESTLAKE ACE HARDWARE	PLANTS, MULCH	34.29
		<hr/>
		\$ 11,726.18

STREETS

ALFRED BENESCH & COMPANY	CAPEHART RD IMPROVEMENT	20,589.00
BIG INK	EMBROIDER UNIFORM PATCHES	49.50
CENTURY LINK	MONTHLY SERVICE-2020-09-22	37.94
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	274.17
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	39,267.87
INDEPENDENT SALT CO	ICE CONTROL SALT	11,657.55
KEVIN POINTER	REIMB FOR CDL LICENSE	27.50
MARTIN PRODUCTS SALES, LLC	BULK OIL	310.80
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	980.70
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	271.92
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	318.43
METRO LEASING	8748, LEASE-6 INT'L TRUCKS	26,953.86
MID-AMERICAN SIGNAL	FOUNDATION ANCHORS	1,370.62
MIDWEST RIGHT OF WAY SERVICES, INC	ACQUISITION SERVICES #605	2,070.00
MIDWEST SALES & SERVICE CO	CUTTING EDGES, CONCRETE WEDGES, ADAPTERS	8,337.12
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	12,432.19
OMAHA PUBLIC POWER DISTRICT	STREET LIGHTING-2020-9-25	71,521.08
OMNI	ASPHALT	2,744.70
PRECISE MRM LLC	POOLED DATA PLAN	690.00
READY MIXED CONCRETE COMPANY	CONCRETE	22,177.11
TRISTAR RISK ENTERPRISE MANAGEMENT, INC	WORK COMP FUNDING-SEPT 2020	3,857.09
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	2,635.16
UTILITY EQUIPMENT COMPANY	PIPE	414.80
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
		<hr/>
		\$ 229,002.53

FLEET MAINTENANCE

911 CUSTOM, LLC	LIGHT BAR SIREN AND LIGHTS	2,184.02
AUTOMOTIVE WAREHOUSE DIST, INC	PARTS, EXHAUST PARTS, CLAMP	1,496.30
BAUER BUILT	TIRE REPAIR, TIRES	1,744.68
BAXTER CHRYSLER DODGE JEEP	LAMP, LUBRICANT	184.50
BAXTER FORD	STEP ASSEMBLIES, FAN, SEPARATOR	2,149.10
BELLEVUE TIRE & AUTO SERVICE	NEW TIRES	2,549.36
BIG INK	EMBROIDER UNIFORM PATCHES	22.00
BOBCAT OF OMAHA	PIVOT AND SCREWS	35.09
BUMPER & AUTO OF OMAHA	HEADLAMP	495.00
CAPE TRUCK ACCESSORIES	FLOOR MATS	386.00
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	39.62
CENTURY LINK	MONTHLY SERVICE-2020-09-22	29.51

MINUTE RECORD

CLAIMS FOR OCTOBER 20, 2020

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FLEET MAINTENANCE (cont'd)

CORNHUSKER INTERNATIONAL TRUCKS	OIL PAN, ADJUSTER	2,036.60
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	107.39
DANKO EMERGENCY EQUIPMENT	FOLDING LADDER, BACKUP LIGHTS	445.65
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	19,510.81
FACTORY MOTOR PARTS CO	FILTERS, V-BELTS. SENSORS. PARTS	234.77
FARM PLAN	SPARK PLUGS, FILTERS	36.74
FASTENAL COMPANY	RIVETS	28.21
GRAINGER	GLOVES	23.40
IDENTIFIX INC	IDENTIFIX SUBSCRIPTION	1,428.00
INDOFF	OFFICE CHAIR	449.95
INLAND TRUCK PARTS CO	QUICK RELEASE VALVE, VALVES	98.37
INTERSTATE BATTERIES	BATTERIES	1,782.91
J & J SMALL ENGINE SERVICE	THROTTLE LEVER, FEED HEAD, MOWER	507.58
JIM HAWK TRUCK TRAILERS	MALE CONNECTORS	6.14
JONES AUTOMOTIVE	DOME LIGHT, AUTO EJECT	637.42
KELLY SUPPLY COMPANY	LOCKING PLUG	147.82
KRIHA FLUID POWER CO	FITTINGS	661.92
LINE-X OF IRVINGTON	RETRACTABLE TRUNK COVER	1,825.00
LOGAN CONTRACTORS SUPPLY	RESTRICTION INDICATORS	810.75
MAC QUEEN EMERGENCY GROUP	STEP AIR VALVE	333.58
MATHESON TRI-GAS INC	WELDING SUPPLIES	71.19
MENARDS	CLAMP, SPRAY RUST, ABRASIVE BLASTING, BOLTS, BATTERIES	254.85
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	490.35
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	147.74
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	185.41
MID AMERICA CLEANING SYSTEMS, INC	WAND AND NOZZLES	58.05
MIDLANDS AUTO REPAIR	ALIGNMENT, REPLACE PARTS	341.18
NAPA AUTO PARTS	DRAIN PAN, FILTERS, BRAKE ROTORS, BRAKE SHOES, GROMMETS, COUPLERS, STROBES	2,085.18
NEBRASKA IOWA INDUSTRIAL FASTENERS	4 DRAWER RACK, SUPPLIES	226.09
NMC EXCHANGE LLC	BUCKET TEETH AND BOLTS	385.45
NUTS & BOLTS	PLOW BOLTS	177.68
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	1,309.30
O'REILLY AUTOMOTIVE PARTS	WHEEL NUTS	93.42
P&M HARDWARE	ELECTRIC CLUTCH, BELT, WHEELS, O-RINGS	2,385.73
PEERLESS ENERGY SYSTEMS, LLC	SIDCHARGE AIT TEMP SWITCH	192.96
POWERPLAN	TOOL FOR RETRACKING BUCKET PINS, BREATHER, GAS STRUTS	573.28
RIVER CITY RECYCLING	MIXED TIRES RECYCLING	374.42
STATE STEEL	SQUARE TUBING	204.32
SUPERIOR VAN & MOBILITY, LLC	CONTROL HAND PENDANT	263.32
TERMINAL SUPPLY CO	CONNECTORS	214.12
TRISTAR RISK ENTERPRISE MANAGEMENT, INC	WORK COMP FUNDING-SEPT 2020	3,135.03
TURFWERKS	COOLING FAN	279.03
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	363.08
WALKERS UNIFORM RENTAL	RENTAL UNIFORM SERVICE	82.40
WATEROUS COMPANY	PRIMER ASSEMBLY	1,646.52
		\$ 57,968.29

MINUTE RECORD

CLAIMS FOR OCTOBER 20, 2020

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SOLID WASTE

WASTE CONNECTIONS OF NEBRASKA	GLASS RECYCLING	962.47
WASTE CONNECTIONS OF NEBRASKA	TRASH HAULING FEES RECYCLING-SEP 2020	301,295.66
		\$ 302,258.13

PLANNING

CENTURY LINK	MONTHLY SERVICE-2020-09-22	12.65
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	4,286.59
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	230.18
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	98.07
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	32.19
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	40.68
SHI INTERNATIONAL CORP	ACROBAT SOFTWARE	350.14
		\$ 5,050.50

PERMITS & INSPECTIONS

BIG INK	EMBROIDER UNIFORM PATCHES	121.00
CENTURY LINK	MONTHLY SERVICE-2020-09-22	21.08
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	9,830.39
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	196.14
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	66.10
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	84.30
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	638.00
		\$ 10,957.01

POLICE

A-RELIEF SERVICES	PORTABLE RESTROOM-RANGE	126.00
BELLEVUE FORT CROOK, LLC	RENT FOR K9 BUILDING-NOV 2020	1,248.00
BENEFIT PLANS	POLICE PENSION PLAN-MD, JG, MG	8,817.56
BRIAN BENSHOOF	PROVIDE PER DIEM FOR TRAINING	38.25
CENTURY LINK	MONTHLY SERVICE-2020-09-22	385.97
CITY OF LAVISTA	FY21 SDLEA YEARLY FEE-2021	32,500.00
CITY OF OMAHA	OFF-SITE INCINERATION	952.68
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	184.99
CULLIGAN OF OMAHA	BOTTLED WATER	292.05
DATASOURCE MOBILITY, LLC	CRUISER MDC EQUIPMENT	4,341.03
DUSTIN S FRANKS	PROVIDE PER DIEM FOR TRAINING	178.50
EFFECTIVE COMMUNICATIONS INC	ONLINE SOCIAL MEDIA LIABILITY COURSE	79.00
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	126,011.74
FEDERAL EXPRESS CORPORATION	SHIPPING CHARGE	9.26
GREAT PLAINS UNIFORMS	EMBROIDERED SHOULDER PATCHES	875.00
INDOFF	OFFICE SUPPLIES	647.88
INFOSAFE SHREDDING	DOCUMENT SHREDDING SERVICE	90.00
JO DON'S	FUNDRAISER T-SHIRTS FOR K9	865.00
KELLY FAIMAN	POLICE DUTY HATS	270.00
LP POLICE	LOCATES	129.95
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE-AUG, SEP 2020	1,043.81
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	1,489.60
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	878.17
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	1,660.51
MICHAEL TREINEN	REIMB FOR TORN UNIFORM	86.66
MIDLANDS PRINTING	BUSINESS CARDS	102.00
OFFUTT COLLISION REPAIR	REPAIR CRUISER	614.60
PETTY CASH - FINANCE	PLATES FOR UNDERCOVER VEHICLES	19.80
PROGRESSIVE BUSINESS TECHNOLOGIES	PRINTER SUPPLIES	267.00

MINUTE RECORD

CLAIMS FOR OCTOBER 20, 2020

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POLICE (cont'd)

SCOTT MILLER	PROVIDE PER DIEM FOR TRAINING	229.50
SHELL SUPER STORE	CRUISER WASH	22.50
THE BANCORP BANK	SUBPEONA FEES	25.00
TIMOTHY J HRBEK	OCT 2020 ANNUAL SETTLEMENT THRU 2030	15,528.00
TIMOTHY MELVIN	PROVIDE PER DIEM FOR TRAINING	178.50
TRAVELERS	AUTO LIABILITY CLAIM FLY2605	3,617.08
TRISTAR RISK ENTERPRISE MANAGEMENT, INC	WORK COMP FUNDING-SEPT 2020	1,757.11
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	8,752.61
VERIZON WIRELESS	MONTHLY SERVICE	720.24
WESTLAKE ACE HARDWARE	KEYS	7.48
		<hr/>
		\$ 215,043.03

FIRE & RESCUE

BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	6,155.21
CENTURY LINK	MONTHLY SERVICE-2020-09-22	107.45
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	576.95
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	70,463.29
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	448.14
MENARDS	HOOK TIE DOWN	22.44
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	2,190.23
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	577.76
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	942.36
NATIONAL FIRE PROTECTION ASSOCIATION	MEMBERSHIP RENEWAL-GUIDO	175.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	7,422.82
PETTY CASH - FINANCE	PLATES FOR FIRE VEHICLE	26.00
ROGUE FITNESS	TROLLEY AND LANDMINE EQUIPMENT	7,840.09
TRISTAR RISK ENTERPRISE MANAGEMENT, INC	WORK COMP FUNDING-SEPT 2020	1,905.88
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	5,478.65
		<hr/>
		\$ 104,332.27

NON-DEPARTMENTAL/CONTRACTS

CENTURY LINK	MONTHLY SERVICE-2020-09-22	645.37
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	430.81
CROP RISK SERVICES-CH	HAIL-CROP INSURANCE	1,096.00
GREATER BELLEVUE AREA CHAMBER OF COMMERCE	ECONOMIC DEVELOPMENT CONTRACT	3,000.00
LOCKTON COMPANIES, LLC	PREMIUM INS-PROPERTY, CASUAL	304,627.14
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL-NOV 2020	13,452.93
		<hr/>
		\$ 323,252.25

INFORMATION TECHNOLOGY

ILAND INTERNET SOLUTIONS	SECURE CLOUD INTERNET FEE-SEP 2020	9,262.80
MOTOROLA SOLUTIONS, INC	ANTENNA, BATTERIES	1,595.32
TJ CABLE	LOCATES	100.00
		<hr/>
		\$ 10,958.12

MINUTE RECORD

CLAIMS FOR OCTOBER 20, 2020

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WASTEWATER

BIG INK	EMBROIDER UNIFORM PATCHES	49.50
CENTURY LINK	MONTHLY SERVICE-2020-09-22	112.91
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-09-24	83.39
ELLIOTT EQUIPMENT CO	SPOT LIGHT RECHARGEABLE, BLADES	381.98
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-OCT 2020	10,942.58
GRAINGER	MOTOR	337.64
METLIFE GROUP BENEFITS	DENTAL INSURANCE-OCT 2020	326.90
METLIFE GROUP BENEFITS	LIFE INSURANCE-OCT 2020	87.14
METLIFE GROUP BENEFITS	LTD INSURANCE-OCT 2020	107.11
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	2,913.35
READY MIXED CONCRETE COMPANY	CONCRETE	410.50
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	1,000.78
		<u>\$ 16,753.78</u>

COMMUNITY BETTERMENT

OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-9-25	100.35
		<u>\$ 100.35</u>

FEDERAL FORFEITURES

VERIZON WIRELESS	MONTHLY SERVICE	336.08
		<u>\$ 336.08</u>

G.O. BONDS

UMB BANK - TRUST OPERATIONS	BOK-SID 280 -2020-10-15-SERIES 2015	25,312.50
UMB BANK - TRUST OPERATIONS	UMB-SID 180 -2020-10-15	242,412.50
UMB BANK - TRUST OPERATIONS	BOK-SID 280 -2020-10-15-SERIES 2017	68.75
UMB BANK - TRUST OPERATIONS	UMB-SID 215-2020-10-15	161,800.00
UMB BANK - TRUST OPERATIONS	BOK-SID 289-2020-10-15-SERIES 2018	26,671.25
		<u>\$ 456,265.00</u>

TOTAL CLAIMS FOR OCT 20, 2020	<u><u>\$ 1,951,939.50</u></u>
TOTAL PAYROLL FOR OCT 2, 2020	<u><u>\$ 1,001,380.29</u></u>

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020		SUBMITTED BY: Councilwoman Kathy Welch	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input checked="" type="checkbox"/>	

SUBJECT:

City of Bellevue Sidewalk Construction & Maintenance Task Force.

SYNOPSIS/BACKGROUND:

The City of Bellevue is in need of a task force to make recommendations to the Mayor and City Council on alternatives to address ongoing sidewalk construction and maintenance issues. The committee will review and recommend courses of action for existing systems, plans, ordinances and policies to identify areas which may need adjustment in order to address current and future construction & maintenance of sidewalks.

FISCAL IMPACT: BUDGETED FUNDS?: GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: <input type="text" value="NO"/>	COUNTER-PARTY: <input type="text"/>	INTERLOCAL AGREEMENT: <input type="text" value="NO"/>
CONTRACT DESCRIPTION: <input type="text"/>		
CONTRACT EFFECTIVE DATE: <input type="text"/>	CONTRACT TERM: <input type="text"/>	CONTRACT END DATE: <input type="text"/>
PROJECT NAME: <input type="text"/>		
START DATE: <input type="text"/>	END DATE: <input type="text"/>	PAYMENT DATE: <input type="text"/>
		INSURANCE REQUIRED: <input type="text" value="NO"/>
CIP PROJECT NAME: <input type="text"/>	CIP PROJECT NAME: <input type="text"/>	
STREET DISTRICT NAME (S): <input type="text"/>	STREET DISTRICT NUMBER (S): <input type="text"/>	
ACCOUNTING DISTRIBUTION CODE: <input type="text"/>	ACCOUNT NUMBER: <input type="text"/>	

RECOMMENDATION:

Recommend approval for the creation of the City of Bellevue Sidewalk Construction & Maintenance Task Force.

ATTACHMENTS:

1. <input type="text"/>	2. <input type="text"/>	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Roblins
[Signature]
[Signature]

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

11a.
10/20/2020

COUNCIL MEETING DATE: 09/15/2020		SUBMITTED BY: Legal		
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>		
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>		
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>		

SUBJECT:

Ordinance No. 4007: An ordinance to amend Sections 6-117 of the Bellevue Municipal Code pertaining to the Regulation of Bees Violations - Revocations.

SYNOPSIS/BACKGROUND:

The City has been working with American Legal Publishing Corporation to codify the city's codes. During review, there were several sections that needed amended or repealed due to legislative and/or statutory changes more specifically Section 6-117 of the Bellevue Municipal Code pertaining to the Regulation of Bees Violations - Revocations.

FISCAL IMPACT: BUDGETED FUNDS?: GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: COUNTER-PARTY: INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED:

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve Ordinance No. 4007 to amend Section 6-117 of the Bellevue Municipal Code pertaining to the Regulation of Bees Violations - Revocations.

ATTACHMENTS:

1.
2.
3.
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Roblins

[Signature]

[Signature]

ORDINANCE NO. 4007

AN ORDINANCE TO AMEND SECTION 6-117 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO SAME – VIOLATIONS; REVOCATION, TO REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 6-117 of the Bellevue Municipal Code is hereby amended to read as follows:

Section 6-117 SAME – VIOLATIONS; REVOCATION

In addition to such other sanctions as may be imposed by law, violation of this section shall be cause for the revocation of any permit issued for beekeeping. Upon complaint of any owner or resident of any property abutting the parcel on which bees are kept, the Department of Permits and Inspections shall require an inspection of the parcel for which the application had been made. If the inspection discloses violation of any provisions hereof, the Department of Permits and Inspections shall cause a notice to be issued to correct the condition in the manner set out in this section. Such notice shall be in writing and shall set forth the violation, and that such violation shall be corrected within seven days, or the permit shall summarily be revoked. Service of such notice shall be by certified mail or personal delivery.

- (1) No hive shall be maintained on any parcel where any public outdoor recreational area or public park lies within 100 feet of the exterior boundaries of the parcel.
- (2) Bees shall be kept in such a manner so as not to create a nuisance or threat to health or otherwise interfere with the enjoyment of the property of adjacent owners or residents. The following conditions shall exist as a precondition to the issuance of any permit:
 - a. A source of fresh water shall be maintained for bees at all times near the hives and on the parcel on which bees are to be kept.
 - b. Including the applicant's own hives, no more than three hives or boxes containing three hives shall be kept on any lot zoned RS120, RS84, RS72, RD60, RG50, RG20, or RG8. In the event that the holder of the permit keeps bees on any parcel in excess of one acre in area, no more than four hives or boxes of four hives shall be maintained per one-quarter (1/4) acre.
 - c. No hive shall be maintained within 25 feet of any dwelling or building, except that of the applicant, or any street, road or public right-of-way.
 - d. No hive shall be maintained within 25 feet of the exterior boundary of any abutting property, unless there is present a barrier of sufficient height to deflect the flight of bees to a height of not less than six feet between the exterior boundaries of the parcel on which the bees are being maintained and the abutting property. This provision may be waived in writing by the resident of any abutting property.

- e. The applicant shall be registered with the State of Nebraska – Department of Agriculture pursuant to section ~~81-2,177.01~~ 81-2,173, R.R.S. Nebraska, 1943.
- f. The foregoing conditions shall be continuously maintained by the holder of any permit issued pursuant to this article.

Section 2. That Section 6-117 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2020.

ATTEST:

City Clerk

Mayor

First Reading 09/15/2020
Second Reading 10/06/2020
Third Reading 10/20/2020

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

11b.
10/20/2020

COUNCIL MEETING DATE: 09/15/2020		SUBMITTED BY: Legal	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Ordinance No. 4008: An ordinance to amend Sections 9-17 & 9-18 of the Bellevue Municipal Code pertaining to Elections.

SYNOPSIS/BACKGROUND:

The City has been working with American Legal Publishing Corporation to codify the city's codes. During review, there were several sections that needed amended or repealed due to legislative and/or statutory changes more specifically Sections 9-17 & 9-18 of the Bellevue Municipal Code pertaining to Proceedings for Elections & Notice of Election.

FISCAL IMPACT: 0.00 BUDGETED FUNDS: NO GRANT/MATCHING FUNDS: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve Ordinance No. 4008 to amend Sections 9-17 and 9-18 of the Bellevue Municipal Code pertaining to Proceedings for Election & Notice of Election.

ATTACHMENTS:

1. Ordinance - Redlined 2. 3. 4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

A. Bree Roblins

FINANCE APPROVAL AS TO FORM:

[Signature]

ADMINISTRATOR APPROVAL AS TO FORM:

[Signature]

ORDINANCE NO. 4008

AN ORDINANCE TO AMEND SECTIONS 9-17 to 9-18 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO PROCEEDINGS FOR ELECTION AND NOTICE OF ELECTION, REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 9-17 & Section 9-18 of the Bellevue Municipal Code is hereby amended to read as follows:

Section 9-17 PROCEEDINGS FOR ELECTION

The proceedings for the primary election shall be in the same form as ~~the proceedings for the general municipal election contained in sections 19-3001 to 19-3051, Reissue Revised Statutes of Nebraska, 1943~~ provided in Neb. Rev. Stat. §§ 32-401 to 32-402.

Section 9-18 NOTICE OF ELECTION

Notice of the primary elections shall be given in the manner and time provided in ~~Neb. RS § 19-3005 (1943)~~ Neb. Rev. Stat. § 32-802.

Section 2. That Section 9-17 & Section 9-18 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2020.

ATTEST:

Mayor

City Clerk

First Reading 09/15/2020
Second Reading 10/06/2020
Third Reading 10/20/2020

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

11c.
10/20/2020

COUNCIL MEETING DATE: 09/15/2020		SUBMITTED BY: Legal	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Ordinance No. 4009: An ordinance to amend Sections 15-194 of the Bellevue Municipal Code pertaining to Unlawful Acts - Sale or Rental.

SYNOPSIS/BACKGROUND:

The City has been working with American Legal Publishing Corporation to codify the city's codes. During review, there were several sections that needed amended or repealed due to legislative and/or statutory changes more specifically Section 15-194 of the Bellevue Municipal Code pertaining to Housing and the Unlawful Acts - Sales or Rentals.

FISCAL IMPACT: 0.00 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve Ordinance No. 4009 to amend Section 15-194 of the Bellevue Municipal Code pertaining to the Unlawful Acts - Sale or Rental.

ATTACHMENTS:

- Ordinance - Redlined
-
-
-
-
-

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Robins

[Signature]

ORDINANCE NO. 4009

AN ORDINANCE TO AMEND SECTION 15-194 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO UNLAWFUL ACTS – SALE OR RENTAL, REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 15-194 of the Bellevue Municipal Code is hereby amended to read as follows:

Section 15-194 UNLAWFUL ACTS—SALE OR RENTAL.

Except as exempted by the preceding section of this article, it shall be unlawful for any person to:

- (1) Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, or to refuse to show, or to refuse to receive and transmit an offer for a dwelling to any person because of race, color, religion, ~~or~~ national origin, **familial status, disability or sex;**
- (2) Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, ~~or~~ national origin, **familial status, disability or sex;**
- (3) Make, print or publish, or cause to be made, printed or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion, ~~or~~ national origin, **disability, familial status, or sex** or an intention to make any such preference, limitation or discrimination;
- (4) Represent to any person because of race, color, religion, ~~or~~ national origin, **familial status, disability or sex** that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available;
- (5) Cause to be made any written or oral inquiry or record concerning the race, color, religion or national origin of a person seeking to purchase, rent or lease any housing;
- (6) Include in any transfer, sale, rental or lease of housing any restrictive covenants, or to honor or exercise or attempt to honor or exercise any restrictive covenants pertaining to housing;
- (7) Discharge or demote **any an** employee or agent or discriminate in the compensation of such employee or agent because of such employee's or agent's **obedience to compliance with** the provisions of this article;
- (8) Induce or attempt to induce, for profit, any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person

or persons of a particular race, color, religion, ~~or~~ national origin, **familial status, disability or sex.**

State Law reference— Similar provisions, R.R.S. 1943, § ~~20-3168~~ **20-318**.

Section 2. That Section 15-194 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2020.

ATTEST:

City Clerk

Mayor

First Reading 09/15/2020
Second Reading 10/06/2020
Third Reading 10/20/2020

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

11d.
10/20/2020

COUNCIL MEETING DATE: 09/15/2020		SUBMITTED BY: Legal		
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>		
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>		
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>		

SUBJECT:

Ordinance No. 4010: An ordinance to repeal Section 20-5 of the Bellevue Municipal Code Pertaining to Swearing, Cursing, Ect.

SYNOPSIS/BACKGROUND:

The City has been working with American Legal Publishing Corporation to codify the city's codes. During review, there were several sections that needed amended or repealed due to legislative and/or statutory changes more specifically Section 20-5 of the Bellevue Municipal Code pertaining to Offenses - Swearing & Cursing.

FISCAL IMPACT: 0.00 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve Ordinance No. 4010 to repeal Section 20-5 of the Bellevue Municipal Code pertaining to Swearing, Cursing, Ect. in its entirety.

ATTACHMENTS:

1. Ordinance - Redlined 2. 3. 4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Robins
[Signature]

ORDINANCE NO. 4010

AN ORDINANCE TO AMEND SECTION 20-5 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO SWEARING, CURSING, ETC., TO REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 20-5 of the Bellevue Municipal Code is hereby repealed in its entirety:

~~Section 20-5—SWEARING, CURSING, ETC.~~

~~No person shall within the city publicly curse or swear, or upon any street or sidewalk use any profane, obscene, indecent, abusive or offensive language.~~

Section 2. That Section 20-5 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2020.

ATTEST:

Mayor

City Clerk

First Reading 09/15/2020
Second Reading 10/06/2020
Third Reading 10/20/2020

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

11e.
10/20/2020

COUNCIL MEETING DATE: 10/06/2020		SUBMITTED BY: Tammi Palm, Planning Manager	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

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. Location: 1001 Fort Crook Road North.

SYNOPSIS/BACKGROUND:

The applicants are requesting this change of zone to allow them to pursue a conditional use permit for the temporary staging of United Parcel Service (UPS) trucks and trailers. The presently developed property consist of commercial office space, Cornerstone Christian School and classroom space for Omaha Public Schools. The proposed zoning will not change the current development on the property and will allow the uses previously mentioned. A Conditional Use Permit will be on the agenda when this ordinance has third reading.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of this request.

ATTACHMENTS:

1. Planning Commission Recommendation Sheet
2. Staff Report
3. Rezoning Ordinance
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bagg Robinson

[Signature]

[Signature]

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Deep Well dba Southroads Technology Park

CASE #: Z-2007-09

CITY COUNCIL HEARING DATE: October 6, 2020

REQUEST: to rezone Lots 1 and 2, Southroads Technology Park, located in the Southwest ¼ of Section 14, T14N, R13E of the 6th P.M., Sarpy County, NE, from BG-PCO to BGH for the purpose of further commercial development

On August 27, 2020 the City of Bellevue Planning Commission voted six yes, one no, two absent and zero abstained:

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

VOTE:

Yes:	Six:	No:	One:	Abstain:	Zero:	Absent:	Two:
	Casey		Cain				Cutsforth
	Aerni						Perrin
	Ritz						
	Ackley						
	Hankins						
	Jacobson						

Planning Commission Hearing (s) was held on: August 27, 2020

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-2007-09

FOR HEARING OF:

REPORT #1: August 27, 2020

REPORT #2: October 6, 2020

I. GENERAL INFORMATION

A. APPLICANT:

Deep Well dba Southroads Technology Park
Tari Asche
1001 Fort Crook Road North
Bellevue, NE 68005

B. PROPERTY OWNER:

Deep Well dba Southroads Technology Park
Tari Asche
1001 Fort Crook Road North
Bellevue, NE 68005

C. GENERAL LOCATION:

1001 Fort Crook Road North

D. LEGAL DESCRIPTION:

Lots 1 and 2, Southroads Technology Park, all located in the Southwest ¼ of Section 14, T14N, R13E of the 6th P.M., Sarpy County, NE.

E. REQUESTED ACTIONS:

Rezone Lots 1 and 2, Southroads Technology Park, from BG-PCO to BGH.

F. EXISTING ZONING AND LAND USE:

BG-PCO, Commercial

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning which will allow the applicant to pursue a conditional use permit for the temporary staging of United Parcel Service (UPS) trucks and trailers.

H. SIZE OF SITE:

The site is approximately 2.83 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The property contains the former Southroads Mall building and also contains a parking lot currently used for overflow parking.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Industrial, Commercial, and Single Family Residential; ML, BGH, and RD-60
2. **East:** Single Family Residential, RS-84 and RS-72
3. **South:** Commercial, Industrial, and Multi Family Residential, BG-PCO, ML, and RG-20-PS
4. **West:** Fort Crook Road right-of-way

C. REVELANT CASE HISTORY:

1. On August 27, 2020, the Planning Commission recommended 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.

D. APPLICABLE REGULATION:

1. Section 5.24, Zoning Ordinance, regarding BGH uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use designation for this property is Flex Space.

B. OTHER PLANS:

The applicant desires to obtain a conditional use permit to allow for the temporary staging of United Parcel Service (UPS) trucks and trailers.

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. The property has access via public drives off Camp Brewster Road, Fort Crook Road, as well as Childs Road.

D. UTILITIES:

All utilities are available to this property.

E. ANALYSIS:

1. Tari Asche, on behalf of Deep Well dba Southroads Technology Park, has submitted a request to rezone Lots 1 and 2, Southroads Technology Park, for the purpose of pursuing a conditional use permit to allow for the parking of UPS trucks and trailers.
2. The property is presently developed with the former Southroads Mall building, which consists of commercial/office space, Cornerstone Christian School, and classroom space for Omaha Public Schools.

The proposed zoning will not change the current development on the property and will allow the uses previously mentioned.

3. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, 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.

Mike Christensen, Chief Building Official, made comment the adjacent building is currently occupied by two separate schools with Pre-K through 12 and Pre-K through 6, respectively and this type of rezoning would allow for storage and parking of large semi-tractor trailers. He stated both schools have playgrounds fenced in but located in the parking lot; one on the north end and the other on the east side.

No other comments were received in this case.

4. The Future Land Use Map of the Comprehensive Plan designates this area as flex space.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

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

V. PLANNING COMMISSION RECOMMENDATION

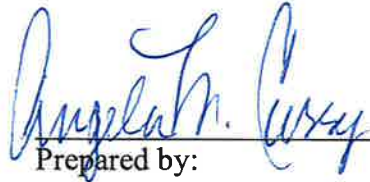
APPROVAL based upon lack of perceived negative impact upon the surrounding area and conformance with the Zoning Ordinance and Comprehensive Plan.

VI. ATTACHMENTS TO REPORT

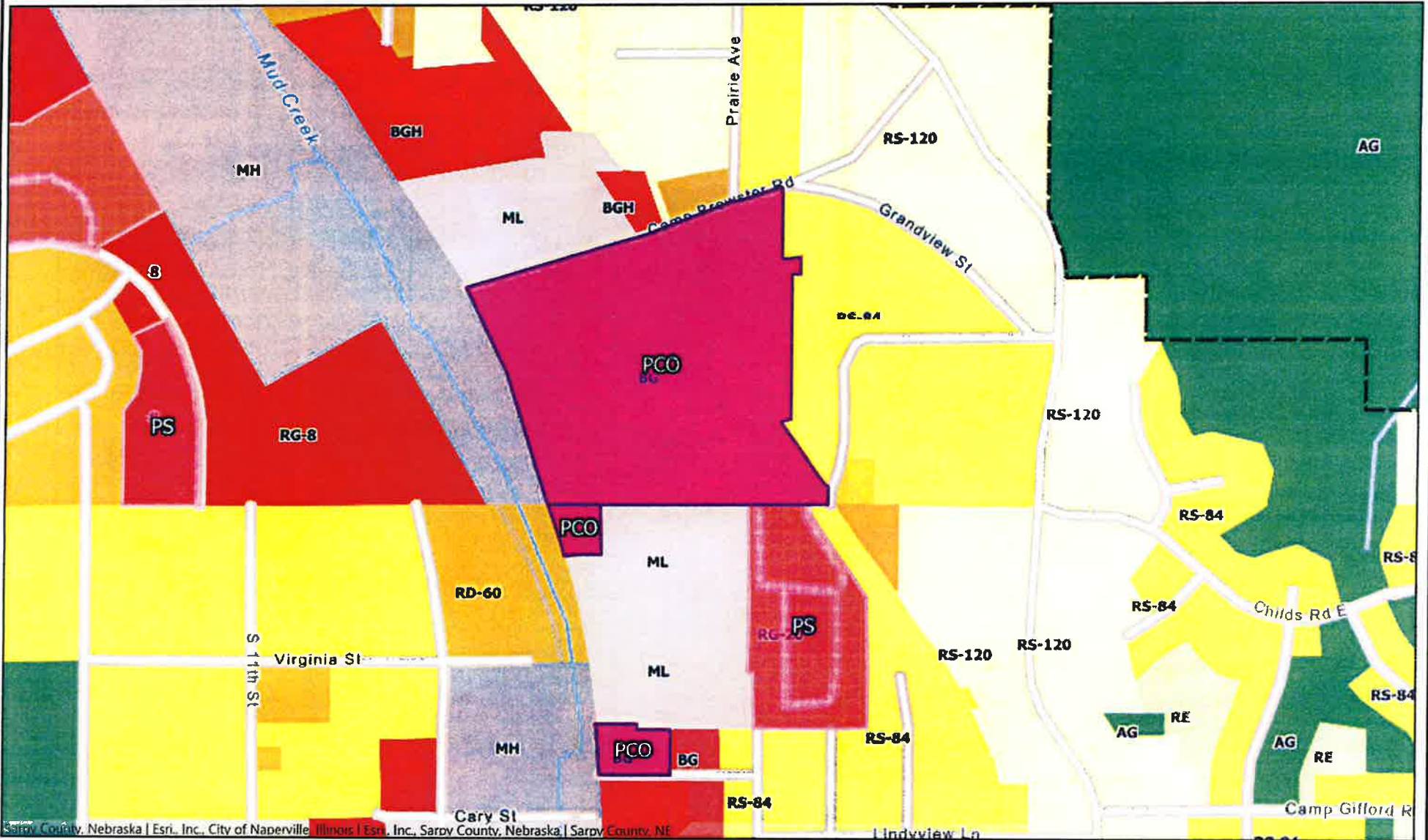
1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Justification letter from Tari Asche received August 18, 2020

VII. COPIES OF REPORT TO:

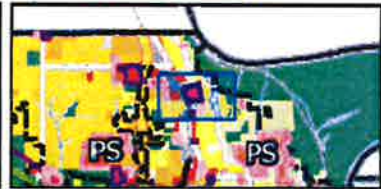
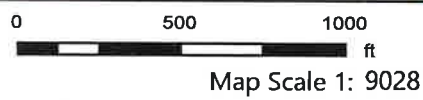
1. Deep Well dba Southroads Technology Park, Attn: Tari Asche
2. Public Upon Request

 9/8/20
Prepared by: Date

 09/08/20
Planning Manager: Date of Report

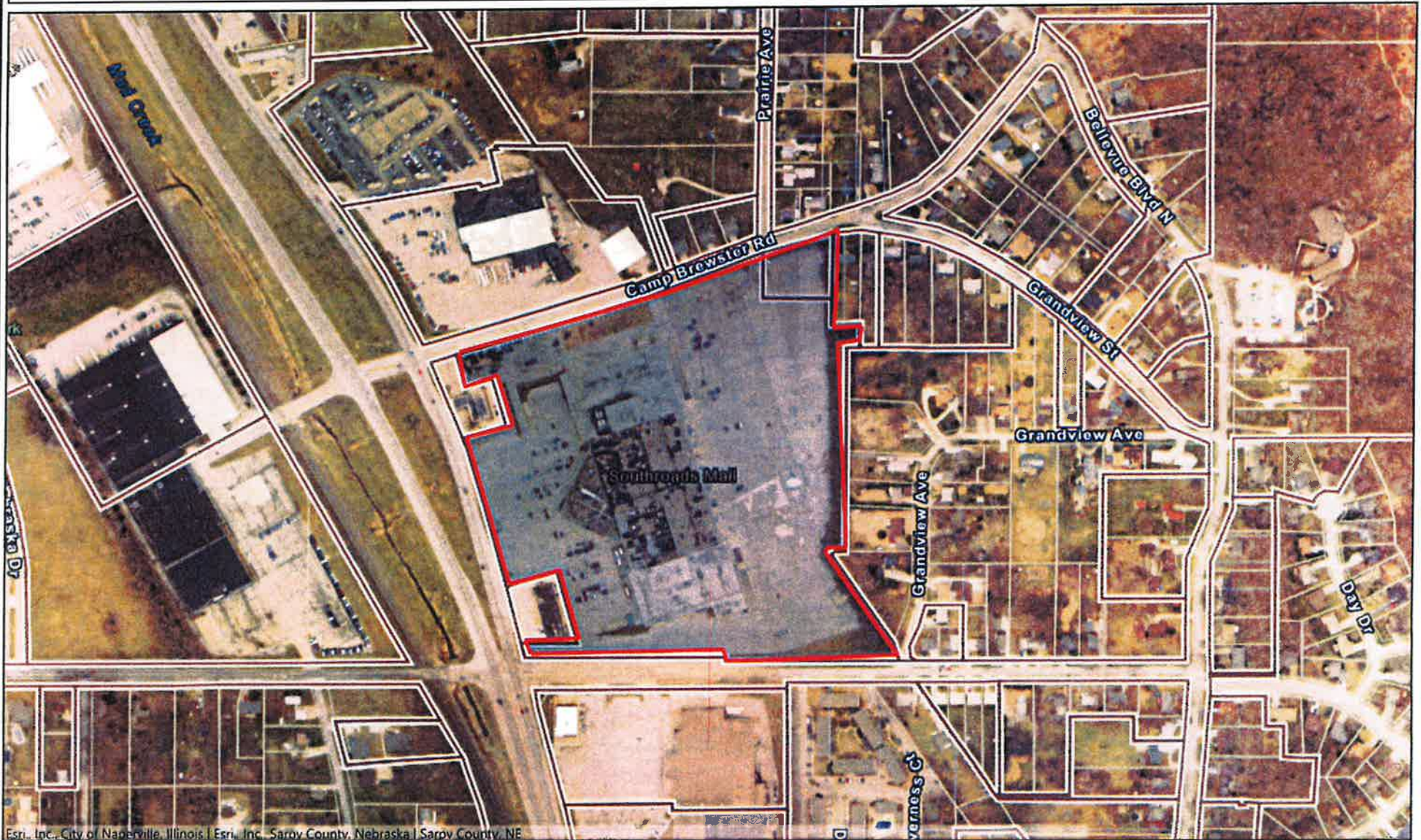


Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

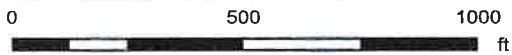


Notes

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



Map Scale 1: 6370

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



August 18, 2020

RECEIVED

AUG 18 2020

PLANNING DEPT.

City of Bellevue
Attn: Planning Commission
1510 Wall Street
Bellevue, NE 68005

RE: Lot 2 and NE corner of Lot 1, located at 1001 Fort Crook Rd. N, in The Southroads Technology Park
Proposed Area: Approximately 123,019 Square Feet
Current zoning: BG-PCO Requested Zoning: BGH

Lot 2 and Lot 1 are located at 1001 Fort Crook N within the Southroads Technology Park. The proposed area involves all of Lot 2 and the northeast corner of Lot 1 off of Camp Brewster Rd. Southroads Technology Park currently does not use this area of our parking lot. Our intent is to lease the proposed area to UPS for the purpose of temporary trailer staging during the year.

UPS Proposal

Our proposed agreement with UPS states that UPS would erect and maintain, prior to occupancy, a gated perimeter for the entire leased area. This said fence must be a minimum of 6 feet in height and include a locked gate.

- Trailer staging from November - January
- Maximum number of trailers: 125
- Peak Days—Saturday is peak day of activity with limited trips on Tuesdays and Wednesdays
- Peak Hours—2:00am-7:00am and 7:00pm-9:00pm
- Avg trips per day - 10
- Trailer movements are made by only one or two drivers

While we do have two schools located on our premises, both Cornerstone Christian School and the Omaha Public Schools have agreed to the UPS proposal for said purposes and are willing to work together to be good partners. Both schools cited that UPS has a good track record of job site safety.

The UPS Proposal provides income which will allow Deep Well to continue to update and renovate the Southroads Technology Park in order to bring the area back to a source of pride for our community

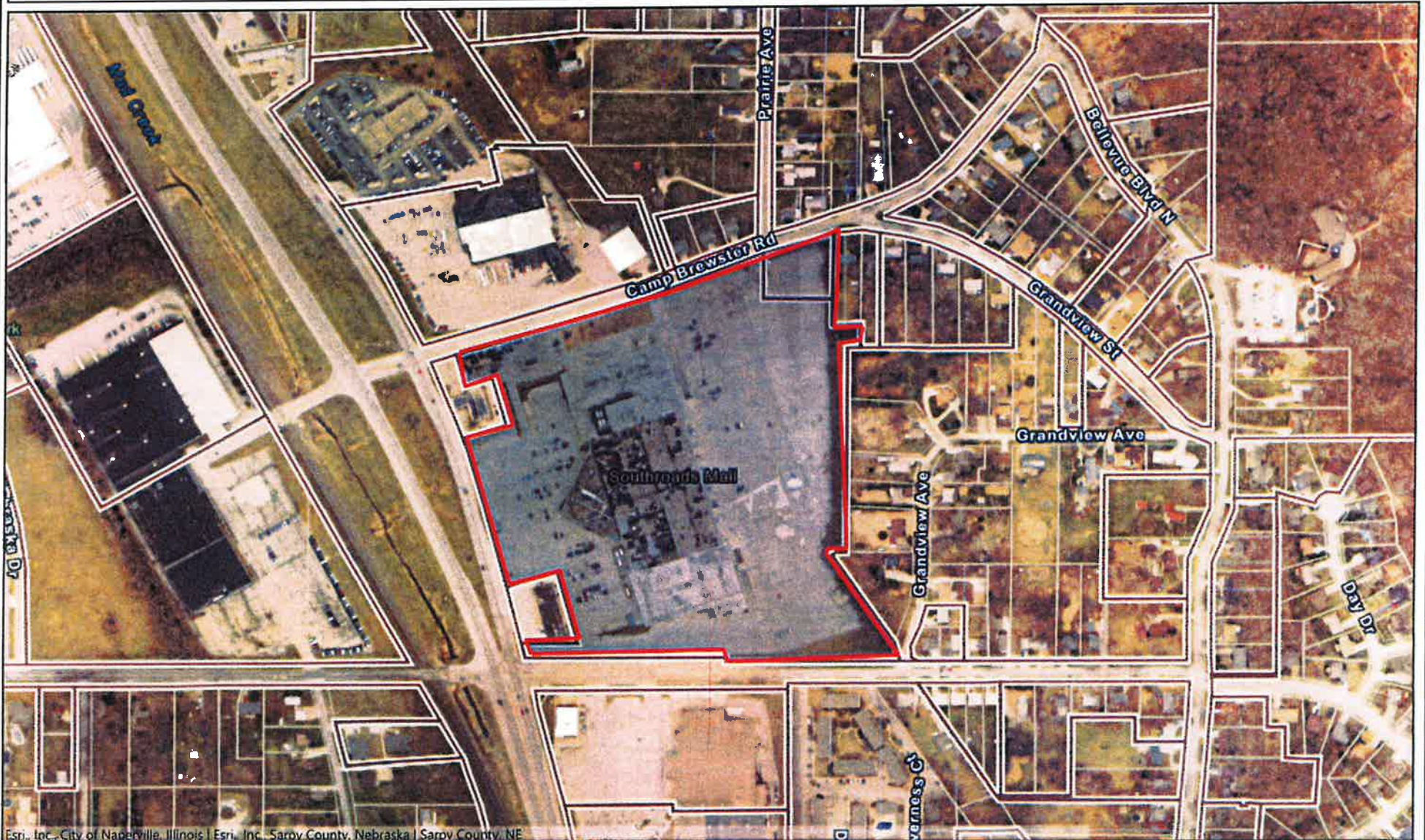
Thank you for your time and attention, please let me know if you have any questions or concerns.

Sincerely,

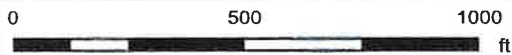


Tari Asche- Manager

Southroads Education and Technology Park
Deep Well Mgmt.
1001 Fort Crook Rd N Suite 140A
Bellevue, NE 68005
402-968-6376 Cell



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



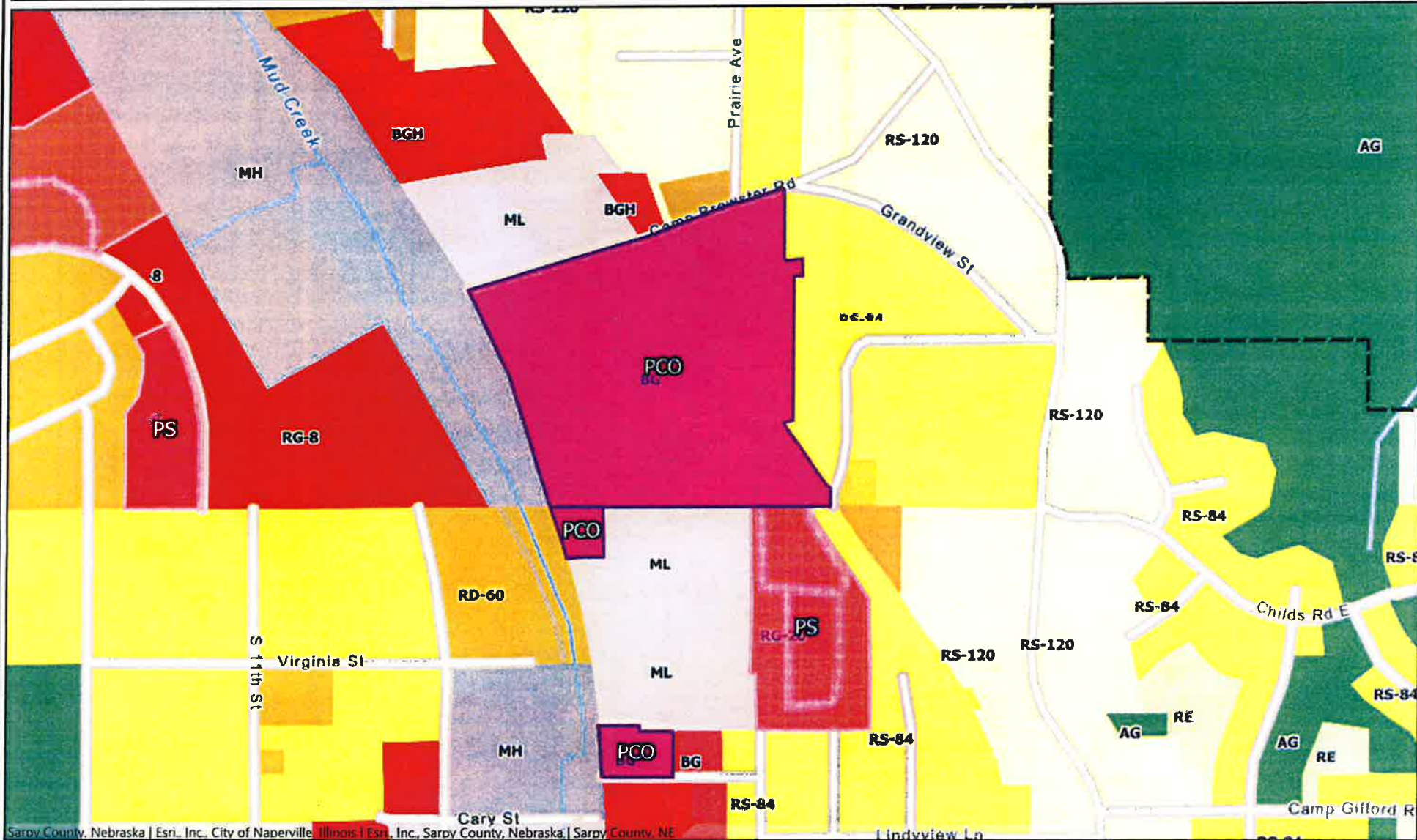
Map Scale 1: 6370

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



Notes

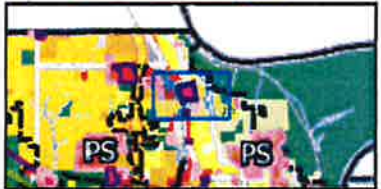




Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

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Notes

ORDINANCE NO. 4012

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 1001 FORT CROOK ROAD NORTH, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lots 1 and 2 Southroads Technology Park, located in the Southwest ¼ of Section 14, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

From BG-PCO (General Business District-Planned Center Overlay District) to BGH (Heavy General Business District).

(Deep Well dba Southroads Technology Park)

Section 2. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 3. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2020.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: 09/15/2020
Second Reading: 10/06/2020
Third Reading: 10/20/2020

29 Sept. 20

Case#: Z-2007-09 Deep Well dba Southroads Technology Park

City Clerk

1500 Wall St.

Bellevue, NE

I am enclosing a letter sent to the Planning dept. On 8/17/20 expressing my views on the changes being suggested for the Southroads Technology Park .

Yesterday, I saw students out in this area playing and exercising. This is no place for parking trucks and trailers and is a detriment to our neighborhood. I am definitely against this rezoning plan.

Agnes Stark

Agnes Stark
2012 Grandview Avenue
Bellevue, Ne 68005

RECEIVED
OCT 01 2020
CITY CLERK

8/17/20

City of Bellevue

Planning Department

Bellevue, NE 68005

To whom it may concern:

I am appalled to learn that the Southroads parking lot is being considered as a parking place for those huge UPS delivery trucks (or any other trucks). Last year there was continual activity there with dozens and dozens of trucks coming and going, drivers picking up or parking their vans. Driving through there was especially hazardous. Consider the fact that families are leaving and picking up their children for a school that serves grades one through twelve on the north side close to where these vans are coming and going. On the south side, another school system will be serving students including bussing and playground areas.

I live directly above the area where the parking is being planned and remember how difficult it was last year to even get to the mailbox and the other businesses in the Southroads. There have been many changes since we moved here in 1958 and witnessed the development of the Southroads. To see it be turned into a parking lot really diminishes the value of the area and downgrades it as a technology park and school area. Close by are many family homes whose property values will be lessened due to huge trucks coming and going all hours of the day.

Due to my infirmities, I cannot attend the public hearing, but trust that the Planning Department will seriously consider this matter and make a decision not to turn the Southroads into a parking lot. It would be a detriment to our neighborhood and our property values.

Agnes L. Stark

2012 Grandview Ave., Bellevue, NE 68005

RECEIVED

OCT 01 2020

CITY CLERK

Shirley Harbin

RECEIVED

OCT 01 2020

CITY CLERK

From: Tammi Palm
Sent: Thursday, October 1, 2020 11:39 AM
To: Susan Kluthe
Cc: Shirley Harbin
Subject: FW: 2nd notice, 2nd response to rezone Southroads Technology Park

FYI. Another letter of opposition to 12.f.

Thanks!

Best regards,

Tammi Palm

Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

From: Jo Rouse <jrouse@vnatoday.org>
Sent: Tuesday, September 29, 2020 11:37 AM
To: Tammi Palm <Tammi.Palm@bellevue.net>
Subject: 2nd notice, 2nd response to rezone Southroads Technology Park

City of Bellevue Planning Department

I cried again when I got a **second notice** involving a rezone so that trucks/semi-trailers can park in the back, Southroads parking lot. I have lived in this location all of my life, and to see what the neighborhood once was, to what it is, and now what you want it to become, breaks my heart. Nothing ever nice....nothing good....nothing peaceful and quiet! Last fall/winter when those trailers parked there, it was horrible. It was so loud...bad enough during the day, but at night and morning...sigh. Being woken with what sounded like gunshots as the trucks hooked up to the trailers, and the diesel engine sounds, a few truck horns, and those trucks/trailers driving over the beat up parking lot. There has been a lot to deal with living across from the Southroads, but nothing compares to the trucks/trailers down there. I was so happy when that last truck pulled out of there. And now, you're all wanting to bring that back. It's become a dump, and this certainly won't help things down there....or the neighborhood. Right now there are a few trucks/trailers down there, and that is bad enough. Not only the noise, but the sight. Other neighbors have already told me that it won't do a bit of good to voice my opinion, or theirs, because it's all about the dollar. And they are probably right! The city, it seems, rarely thinks about the people, in situations like this. Something already trashy, making it trashier, but making a buck off it...forget about the

people who have to live there! How many of you involved with this....especially those on the planning commission who makes these decisions, can honestly say they would like this in their neighborhood, right across the street from THEM? But that's the deal....it won't be in YOUR neighborhood! You won't have to look at it or listen to it as you try to enjoy the nice weather from your porch...or be sitting on your couch and look out to that, or trying to sleep at night. At least now I see children playing or people walking the lot for exercise! I am sure there are other viable places to do this, where families aren't surrounding the location. Even the south end would be better since there is a concrete wall and a large hill, with more space between the parking lot and homes/apartments, instead right next to homes!! Just the fact that this is being considered, shows you really haven't thought about the people in this neighborhood. The notice was just a formality....you all have probably already decided to just push it through. But again, none of you probably live in the area, and doesn't affect you, so why not?! Thanks for your time, even though my time was probably wasted on this. I apologize for the obvious anger I have toward this, but it is always something with Southroads...and rarely for the better or consideration of the people or the neighborhood.



Visiting Nurse
Association

Jo Rouse
Medical Supply Technician

Office: [402-342-5566](tel:402-342-5566) www.vnatoday.org
12565 West Center Road, Suite 100 Omaha, NE 68144

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CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12a. and 12a1.
10/20/2020

COUNCIL MEETING DATE: 10/20/2020	SUBMITTED BY: Tammi Palm		
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Approval of a request to rezone Lots 122 through 124, Belle Lago South, from AG to RG-50-PS; to preliminary plat Lots 122 through 124, Belle Lago South. Applicant: HRC Belle Lago, LLC. Location: South 45th Street and Lookingglass Drive.

SYNOPSIS/BACKGROUND:

Dave Vogtman, on behalf of HRC Belle Lago, LLC, is requesting approval of a change of zone and to preliminary plat Lots 122 through 124, Belle Lago South, for the purpose of single-family residential development. The proposed lots are an extension of the approved Belle Lago south subdivision and were required as a condition of the original plat approval to provide additional access by connecting Lookingglass Drive and South 45th Street.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: YES

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of this application.

ATTACHMENTS:

1. Planning Commission Recommendation Sheet
2. Staff Report
3. Rezoning Ordinance
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Robins
[Signature]

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: HRC Belle Lago, LLC
Case #'s: Z-2007-08 and S-2007-16
CITY COUNCIL HEARING DATE: October 20, 2020

REQUEST: to rezone Lots 122 through 124, Belle Lago South, 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, inclusive, Belle Lago South.

On September 24, 2020, the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

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

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey						Ritz
	Perrin						Jacobson
	Cain						
	Aerni						
	Ackley						
	Hankins						
	Cutsforth						

Planning Commission Hearing (s) was held on: September 24, 2020

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

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

FOR HEARING OF:
REPORT #1: September 24, 2020
REPORT #2: October 20, 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:

On September 24, 2020, the Planning Commission recommended approval of a request to rezone Lots 122 through 124, Belle Lago South, from AG to RG-50-PS, for the purpose of single-family residential development, and preliminary plat Lots 122 through 124, Belle Lago South.

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**

APPROVAL based upon conformance with the zoning ordinance, comprehensive plan, subdivision regulations, and lack of perceived negative impact to the surrounding area.

VI. **ATTACHMENTS TO REPORT**

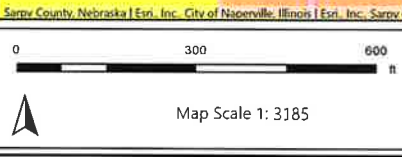
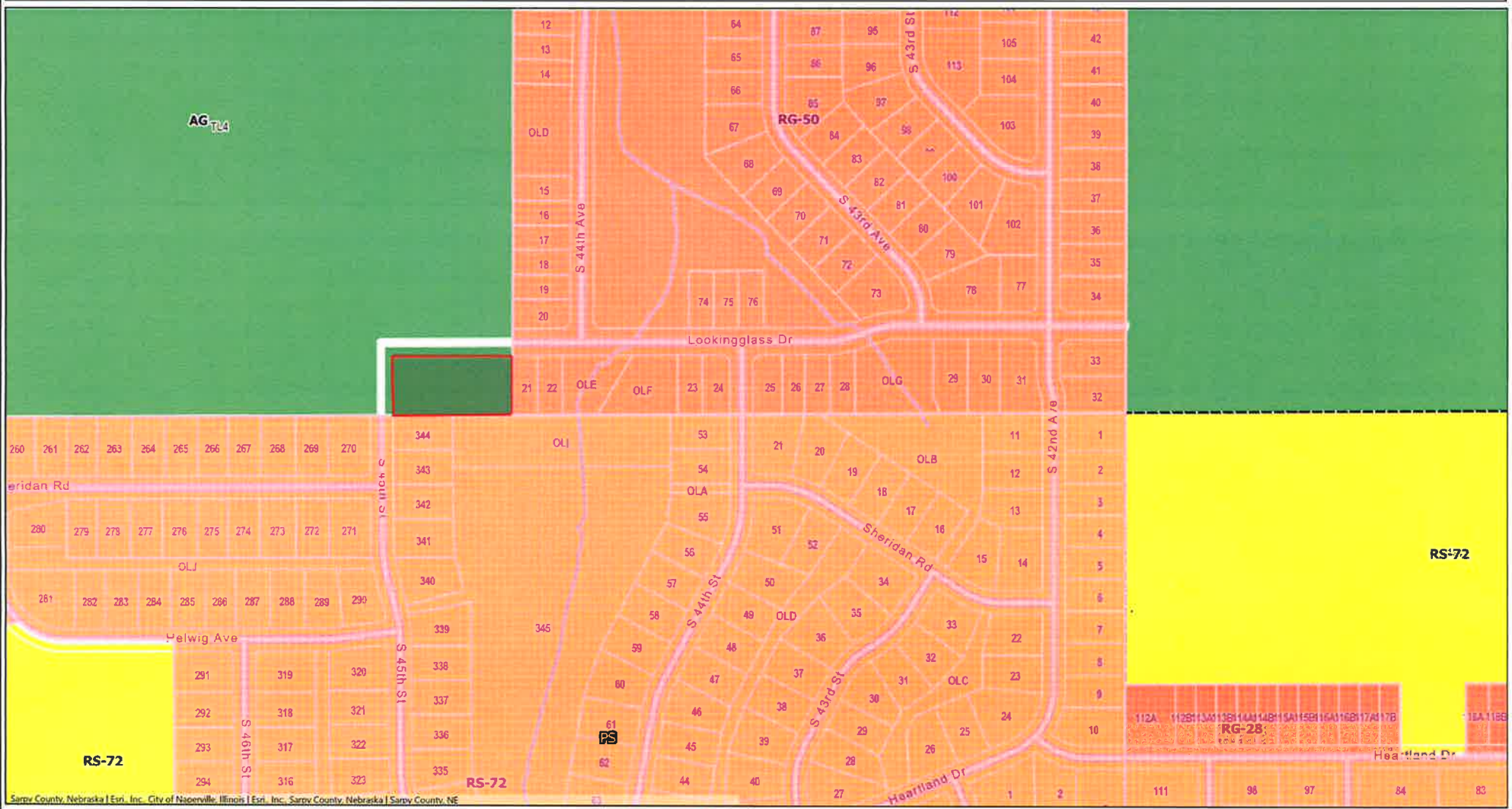
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Preliminary plat received August 21, 2020
4. Zoning justification letter received July 23, 2020

VII. **COPIES OF REPORT TO:**

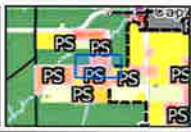
1. HRC Belle Lago, LLC (Dave Vogtman)
2. E & A Consulting Group, Inc. (Mark Westergard)
3. Fullenkamp, Doyle, and Jobeun (Larry Jobeun)
4. Public Upon Request


Prepared by: _____ 9/30/20

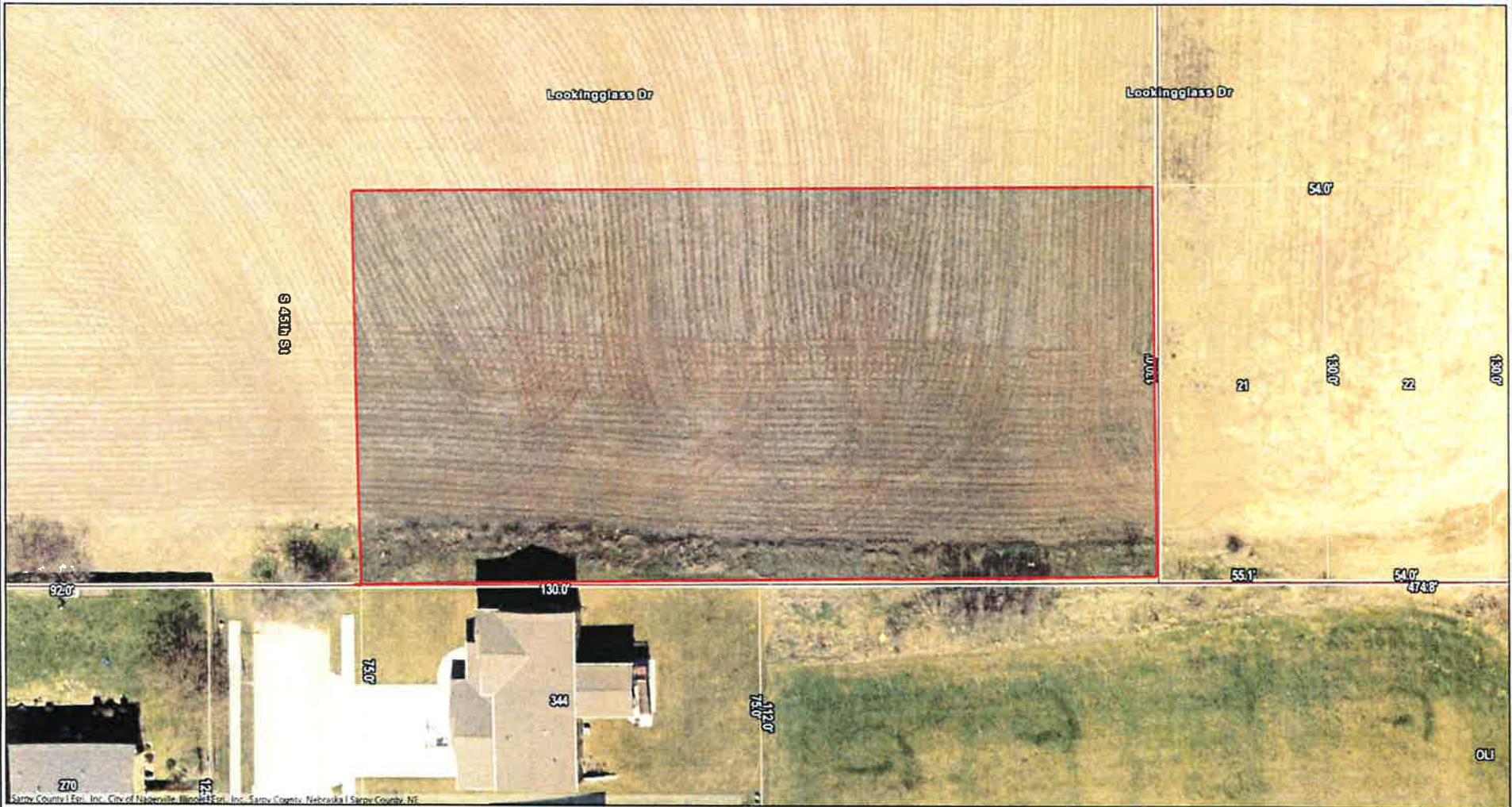

Planning Manager Date of Report



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Notes



Map Scale 1: 478



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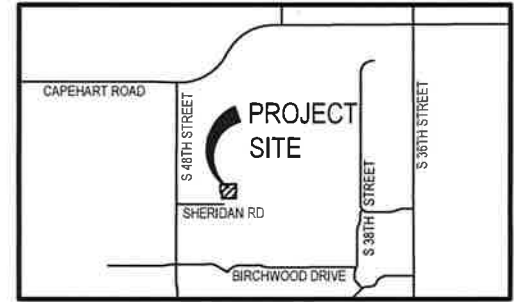


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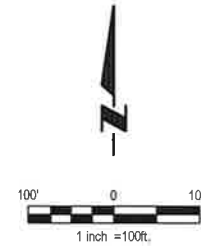
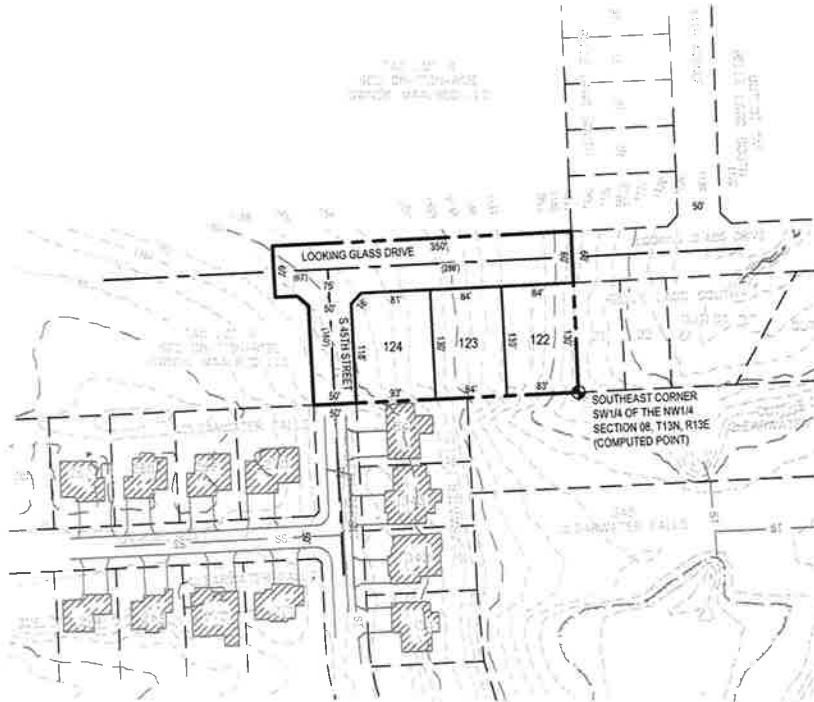
BELLE LAGO SOUTH

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
- SS-SS- SANITARY SEWER LINE
- ST-ST- 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 58,868 SQUARE FEET OR 1.374 ACRES, MORE OR LESS.

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

ZONING:

EXISTING	AG	
PROPOSED:	RG-50-PS, LOTS 122 THRU 124	0.775 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:	BHN
Scale:	1" = 100'
Sheet:	1 of 1

EXHIBIT "A"
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.eag.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.

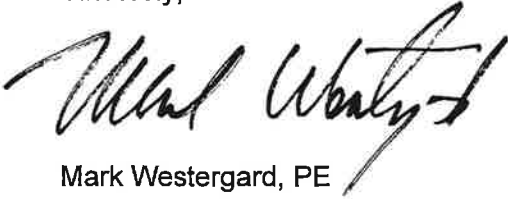
The density of the proposed single family lots is 2.2 lots per acre. This density is well within the range of medium density developments, again meeting the future land use plan for the City of Bellevue.

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.

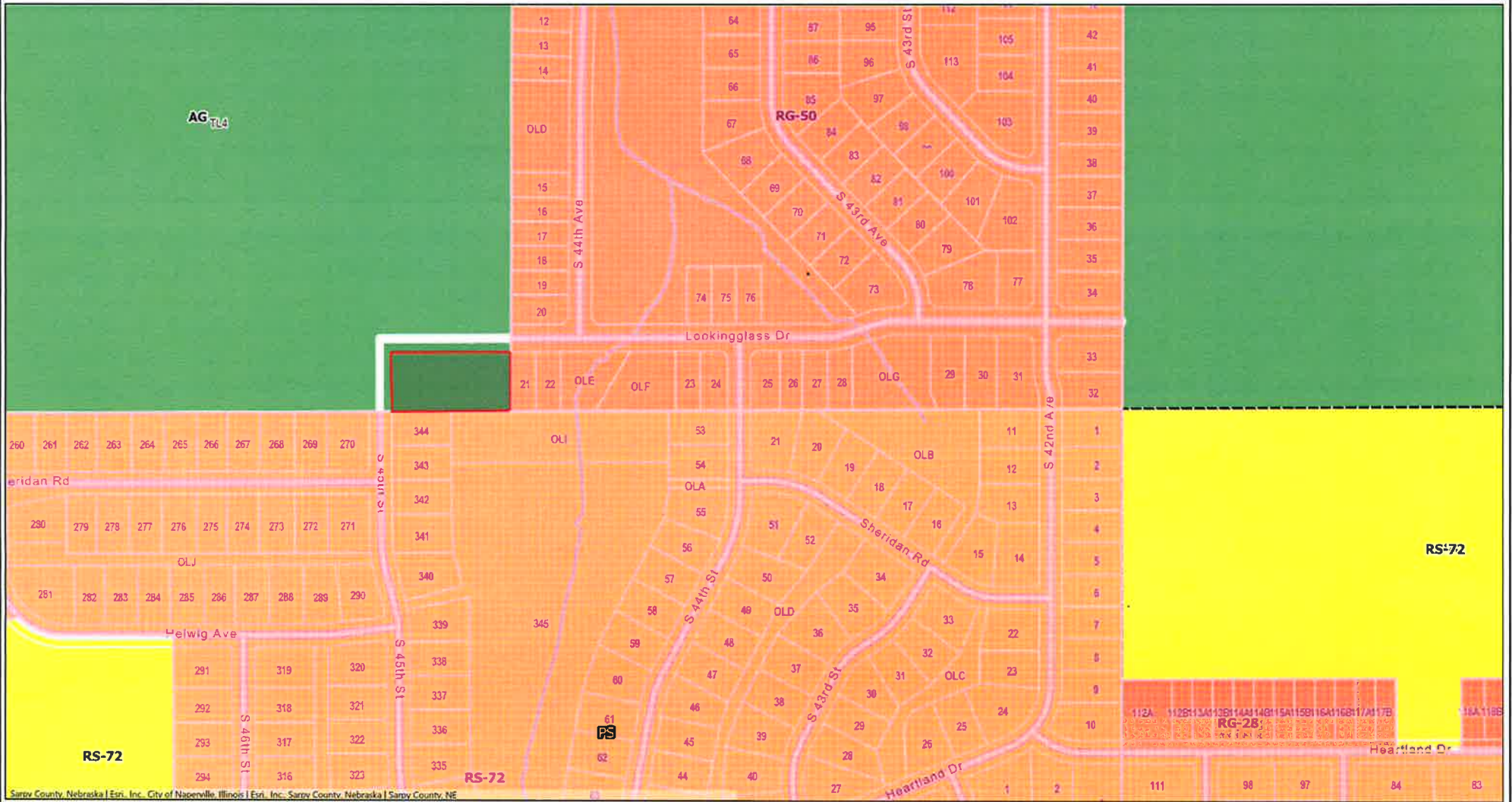
The current rate that the cost of construction is going up is outpacing any increase in the valuation of homes. Valuations needed to make these SIDs work struggle to increase fast enough to keep up with these increased cost. Because of this, finding ways to best utilize the land available on a given 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 large initial "M" and "W".

Mark Westergard, PE
E & A Consulting Group



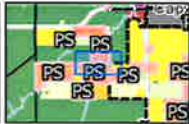
Sarpy County, Nebraska | Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska | Sarpy County, NE



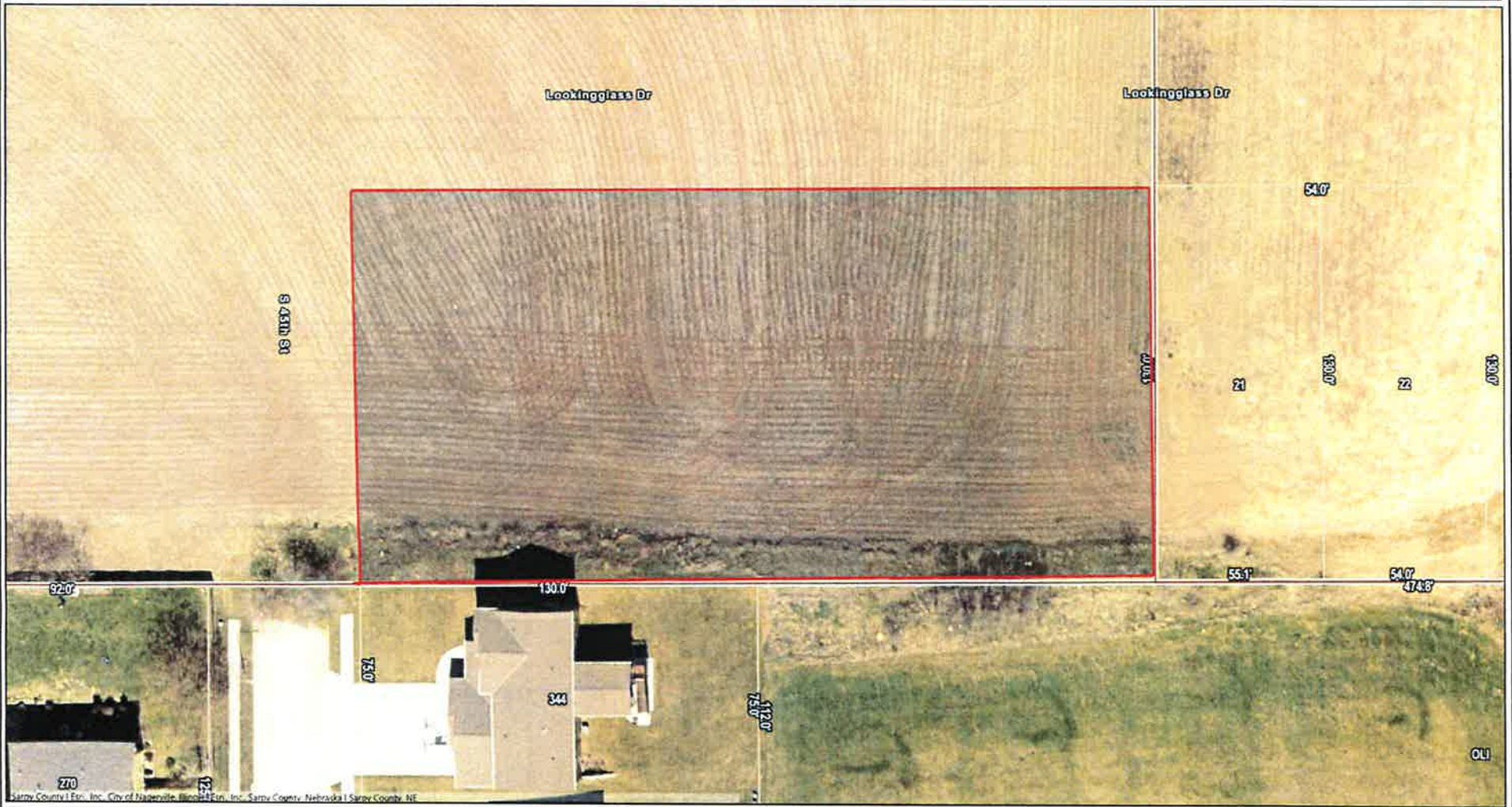
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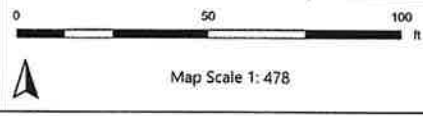
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Notes



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



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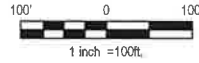


Notes

BELLE LAGO SOUTH

LOTS 122 THRU 124 INCLUSIVE

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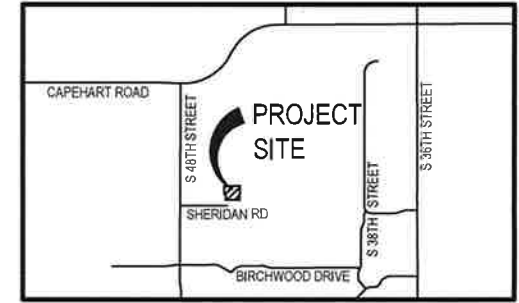


LEGEND

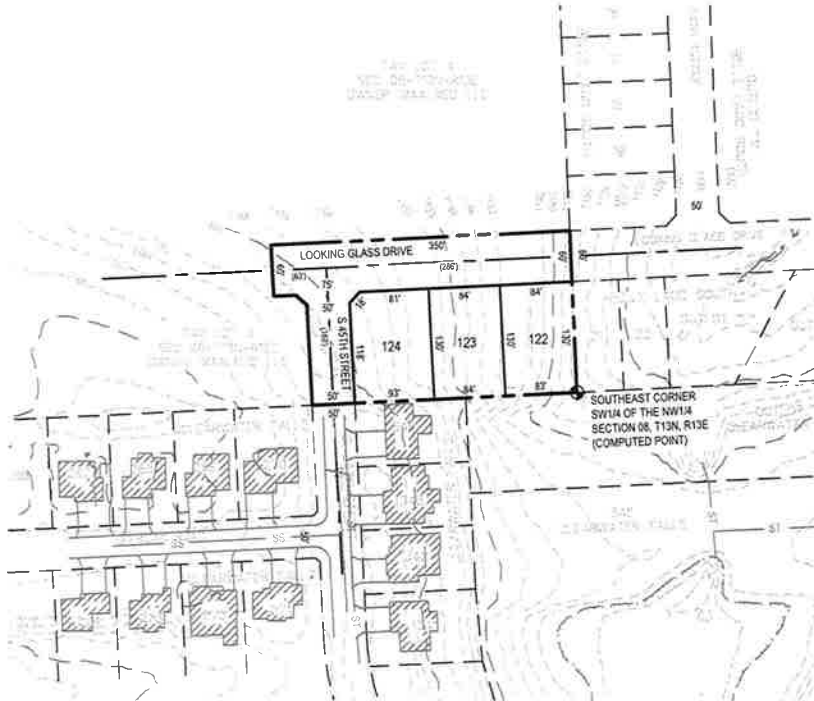
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- EXIST. MAJOR CONTOURS
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- STORM SEWER LINE
- BUILDING

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

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LOT NO.	SQ. FOOTAGE
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VICINITY MAP



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SAID TRACT OF LAND CONTAINS 59,868 SQUARE FEET OR 1,374 ACRES, MORE OR LESS.

DEVELOPER	OWNER
HRC BELLE LAGO, LLC	MAALREO LLC
8900 WESTOWN PARKWAY	PO BOX 461178
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	0.598 AC
	TOTAL	1.374 AC

NOTES:

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

EXHIBIT "A"
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: 402.695.4700 • Fax: 402.695.3599
www.eacg.com

ORDINANCE NO. 4013

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 45th STREET AND LOOKINGGLASS DRIVE, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

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 "I", 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.

From AG (Agricultural District) to RG-50-PS (General Residence, 5,000 Square Foot Zone-Planned Subdivision District).

(HRC Belle Lago)

Section 2. This ordinance shall not take effect until such time as the final plat of Lots 122 through 124, Belle Lago South, is filed with the Sarpy County Register of Deeds in accordance with Section 4-10 of the City of Bellevue Subdivision Regulations.

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2020.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

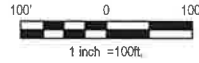
Mayor

First Reading: 10/06/2020
Second Reading: 10/20/2020
Third Reading: _____

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.

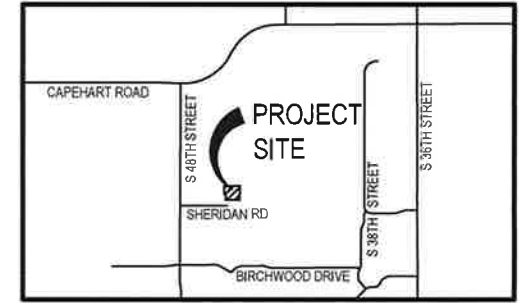


LEGEND

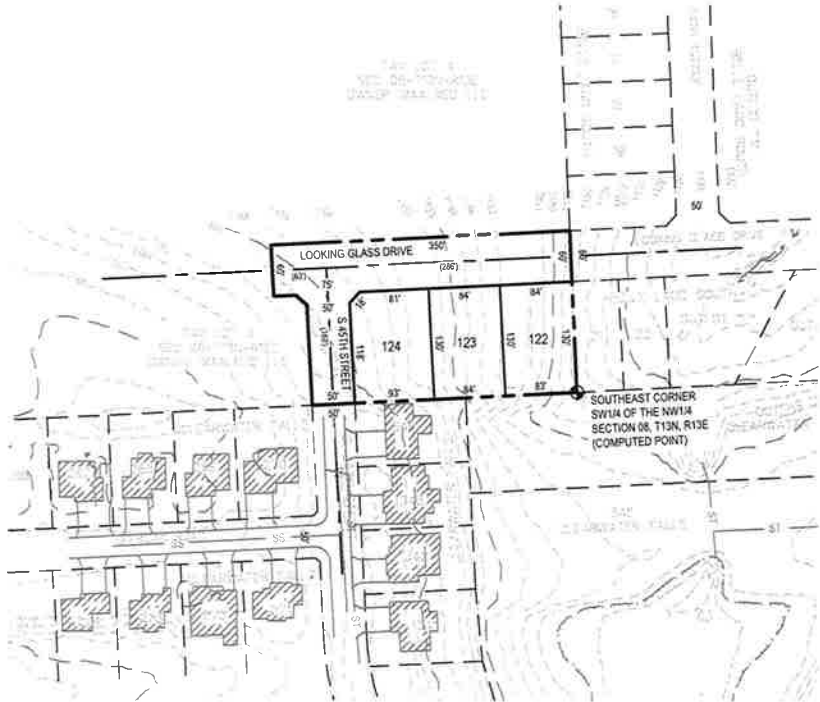
- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- EXIST. MAJOR CONTOURS
- EXIST. MINOR CONTOURS
- SANITARY SEWER LINE
- STORM SEWER LINE
- BUILDING

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



VICINITY MAP



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
HRC BELLE LAGO, LLC
6900 WESTOWN PARKWAY
WEST DES MONIES, IA 50266

OWNER
MAALREO LLC
PO BOX 461178
PAPILLION, NE 68046

ZONING:

EXISTING	AG	
PROPOSED:	RG-50-PS, LOTS 122 THRU 124	0.776 AC
	PROPOSED RIGHT-OF-WAY	0.598 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) RADI FROM THE INTERSECTION OF RIGHT-OF-WAY LINES.
- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAT.

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

EXHIBIT "A"
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: 402.695.4700 • Fax: 402.695.3599
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CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:		SUBMITTED BY: <u>Tammi Palm, Planning Manager</u>	
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Request to rezone Lot 1, South Woods Replat 4, 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.

SYNOPSIS/BACKGROUND:

Kassie Inness, on behalf of APOGEE Professional Services, has submitted a request to rezone and small subdivision plat Lot 1, South Woods Replat 4, from RG-8 and RG-8-PS to RG-8-PS for the purpose of multi family residential development. The proposed zoning requires site plan approval for the development. The multi family residential development contains 107 units in three buildings. The proposed use is consistent with the Comprehensive Plan.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of this request.

ATTACHMENTS:

-
-
-
-
-
-

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

A. Bree Robins

Tammi Palm

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: APOGEE Professional Services

CASE #'s: Z-2008-11 and S-2008-19

CITY COUNCIL HEARING DATE: October 20, 2020

REQUEST: to rezone Lot 1, South Woods Replat 4, located in the Southeast ¼ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, NE, from RG-8 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.

On September 24, 2020 the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

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

VOTE:

Yes:	Seven:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey						Ritz
	Perrin						Jacobson
	Cain						
	Aerni						
	Ackley						
	Hankins						
	Cutsforth						

Planning Commission Hearing (s) was held on: September 24, 2020

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

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

FOR HEARING OF:
REPORT #1: September 24, 2020
REPORT #2: October 20, 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. On September 24, 2020, the Planning Commission recommended approval of a request to rezone Lot 1, South Woods Replat 4, located in the Southeast ¼ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, NE, from RG-8 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.

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-PS, while the northernmost lot is zoned RG-8.

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

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


VI. ATTACHMENTS TO REPORT

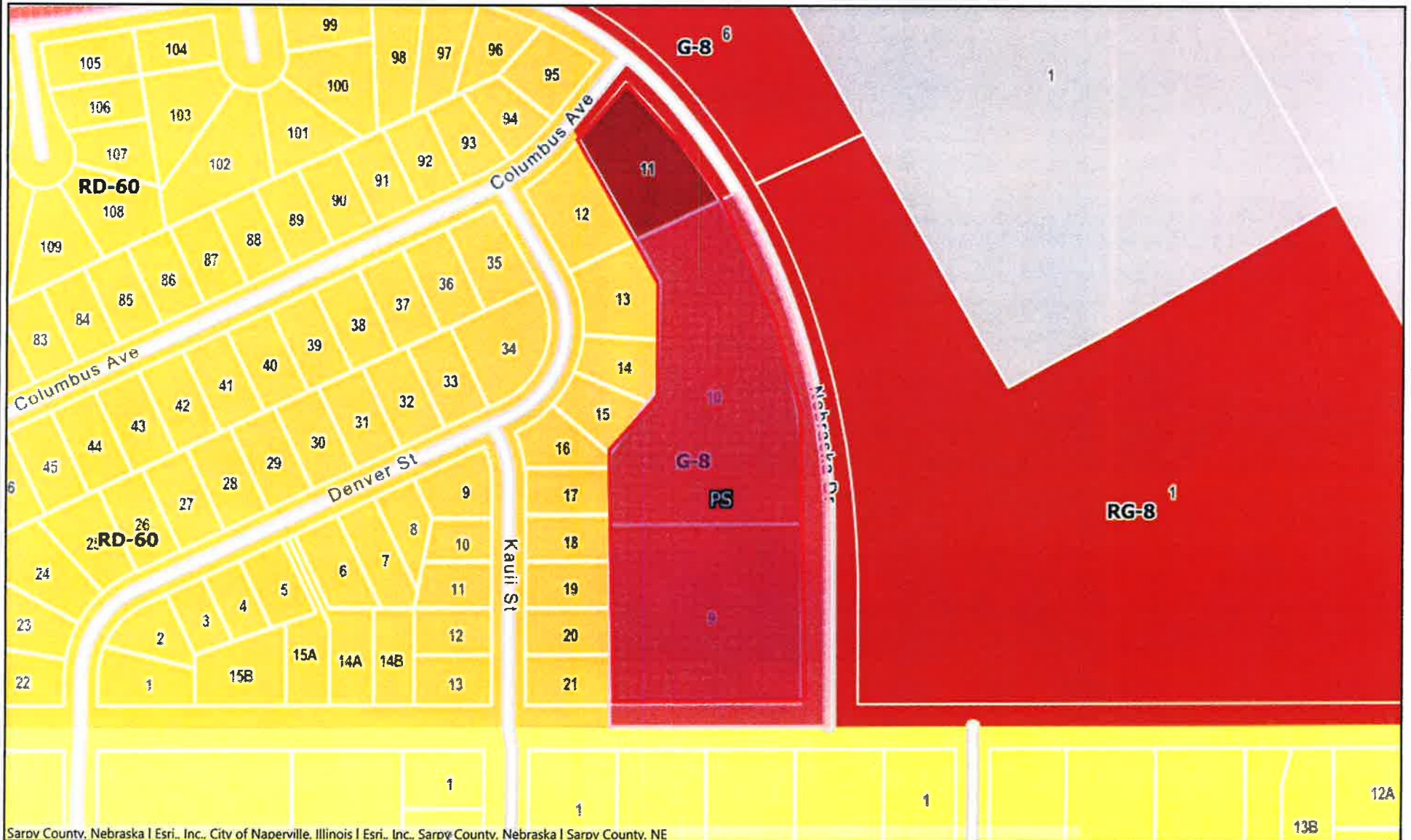
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Justification letter received August 27, 2020
4. Small subdivision plat received September 15, 2020
5. Site plan received September 15, 2020
6. Landscape plan received September 15, 2020
7. Letter from Amy Corriveau received September 20, 2020

VII. COPIES OF REPORT TO:

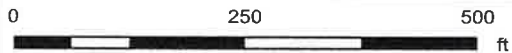
1. APOGEE Professional Services
2. Lamp Rynearson
3. Larry Jobeun, Fullenkamp, Jobeun, Johnson & Bellevue LLP
4. Public Upon Request

 9/30/20
Prepared by: _____ Date

 09/30/20
Planning Manager: _____ Date of Report



Sarpy County, Nebraska | 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.



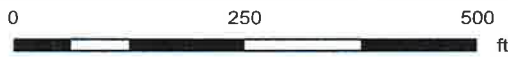
Notes



Columbus Avenue and Nebraska Drive



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



Map Scale 1: 3185

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Notes



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

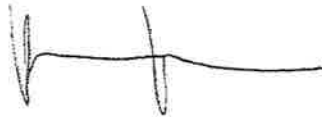
Re: Rezoning of Lots 9, 10 & 11, Southwoods

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.

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 20 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 than 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 back yard. 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.

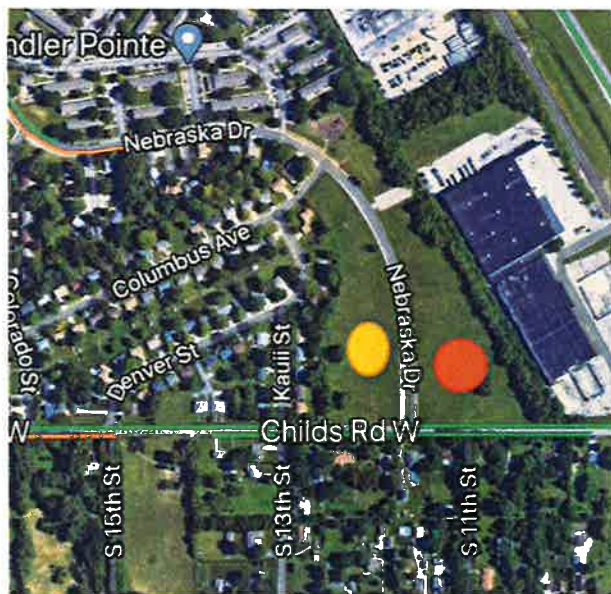
Thank you for taking the time to listen to my concerns on this issue.

Sincerely,

Amy Corriveau



Image #1: View from Lot 12 residence back deck. Proposed parking lot will be directly east 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, Kauai 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.

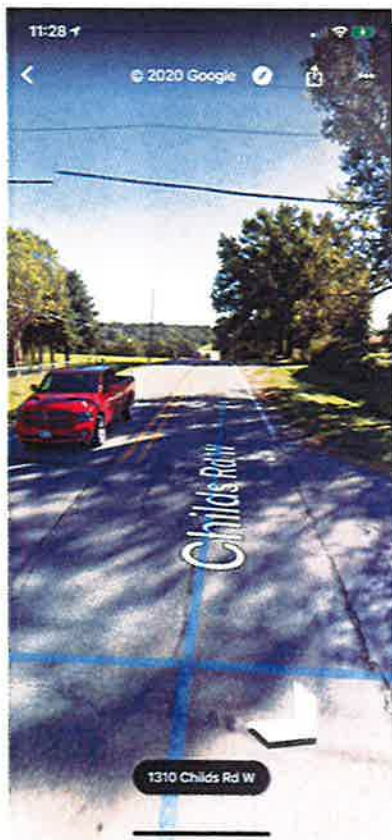


Image #3 showing blind spot due to hill at intersection of 13th Street and Childs Road looking east. Apartment entrance/exit would be just below top of hill at blind spot.



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



Image #5: View from intersection of Columbus Avenue and Nebraska Drive looking South, 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 North, as if driver turning left. This image somewhat shows how drivers turning have limited view of other drivers heading South on Nebraska Drive as cars come quickly around curve of Nebraska Drive.

KIDS CROSSING
AT CROSS WALK
AT BLIND
CORNERS

RECEIVED

SEP 23 2020

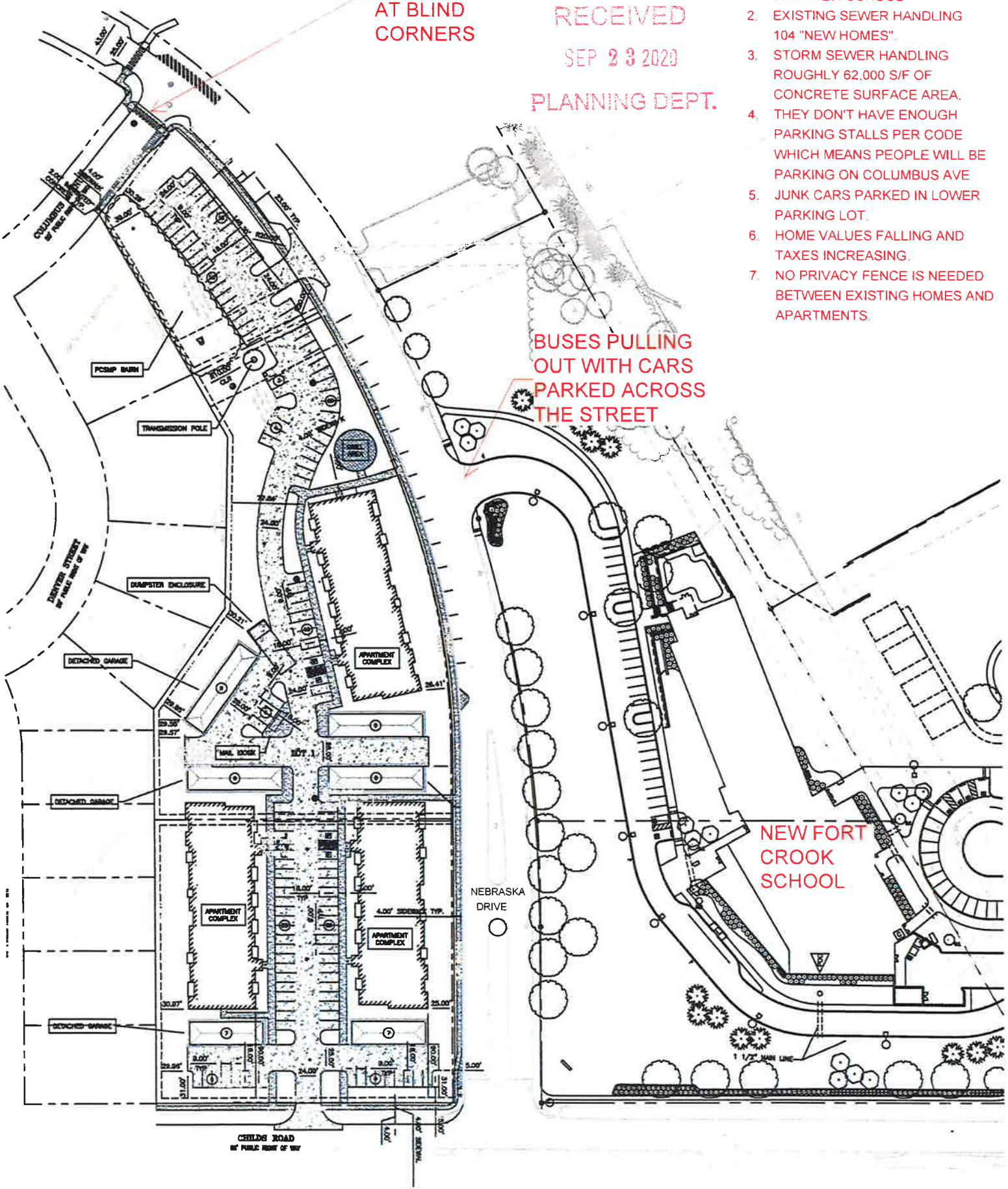
PLANNING DEPT.

CONCERNS

1. 200 MORE CARS IN AREA WITH NEW SCHOOL
2. EXISTING SEWER HANDLING 104 "NEW HOMES"
3. STORM SEWER HANDLING ROUGHLY 62,000 S/F OF CONCRETE SURFACE AREA.
4. THEY DON'T HAVE ENOUGH PARKING STALLS PER CODE WHICH MEANS PEOPLE WILL BE PARKING ON COLUMBUS AVE
5. JUNK CARS PARKED IN LOWER PARKING LOT.
6. HOME VALUES FALLING AND TAXES INCREASING
7. NO PRIVACY FENCE IS NEEDED BETWEEN EXISTING HOMES AND APARTMENTS.

BUSES PULLING
OUT WITH CARS
PARKED ACROSS
THE STREET

NEW FORT
CROOK
SCHOOL



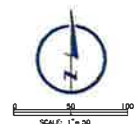
SOUTH WOODS REPLAT 4

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

LOCATED IN:
 16 1/4 1/4 SEC. 16, T.14N. R.16E.

LAMP RYMPERSON

14719 N. DODGE RD., STE. 110
 OMAHA, NE 68154
 402.491.4444
 Lamp@rymperson.com



- LEGEND**
- BOUNDARY LINE
 - LOT LINE
 - EXISTING LOT LINE
 - EASEMENT
 - PT 1/4" PINCH TOP PIPE
 - CSHMR FRNDR
 - CORNER SET (1/2" R/WB)
 - 1/4" YELLOW PLASTIC CAP STAKED 15'-00"
 - UNLESS NOTED OTHERWISE

NOTES

1. ALL DISTANCES ARE SHOWN IN DECIMAL FEET.
2. ALL DISTANCES SHOWN ALONG CURVED ARE ARC DISTANCES NOT CHORD DISTANCES.
3. ALL ANGLES ARE 90° UNLESS NOTED.
4. ALL LOT LINES ON CURVED STREETS ARE RADIAL UNLESS OTHERWISE NOTED WITH AN ANGLE ADJACENT TO THE CURVE, MEASURED TO THE CHORD AND SHOWN IN BRACKETS.
5. ALL EXISTING EASEMENTS ARE NOT BEING REDEVELOPED AND ARE SHOWN FOR REFERENCE ONLY.
6. EXISTING UTILITY EASEMENTS PER BK. 44, PG. 180 TO BE LOCATED VIA SURVAY RECORDED INSTRUMENT.

SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR NOR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE AND EMBOSSED IN THIS PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, THIS

DAY OF _____, 2020.
 SARPY COUNTY TREASURER

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF SOUTH WOODS REPLAT 4, LOT 1, WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE THIS

DAY OF _____, 2020.
 SARPY COUNTY SURVEYOR/ENGINEER

APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF SOUTH WOODS REPLAT 4, LOT 1 WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION

DAY OF _____, 2020.
 CHAIRMAN

APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF SOUTH WOODS REPLAT 4, LOT 1 WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF BELLEVUE, NEBRASKA, THIS

DAY OF _____, 2020.
 THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

MAYOR ATTEST:

CITY CLERK

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT ALL CORNERS, ANGLE POINTS AND ENDS OF CURVES ON THE BOUNDARY ON THE PLAT AND THAT PERMANENT MONUMENTS WILL BE PLACED AT ALL CORNERS, ANGLE POINTS AND ENDS OF CURVES ON ALL LOTS AND STREETS WITHIN THE SUBDIVISION TO BE KNOWN AS 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 DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 12, SOUTH WOODS;

THENCE NORTH 30°45'40" EAST (BEARING REFERENCED TO THE FINAL PLAT OF SOUTH WOODS FOR 109.05 FEET ON THE SOUTH RIGHT OF WAY LINE OF COLUMBIA AVENUE TO THE WEST RIGHT OF WAY LINE OF NEBRASKA DRIVE;

THENCE ON SAID WEST RIGHT OF WAY LINE THE FOLLOWING 4 COURSES:

1. THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 330.00 FEET AND A LONG CHORD BEARING SOUTH 47°17'52" EAST FOR 80.81 FEET) FOR AN ARC LENGTH OF 90.94 FEET;
2. THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 993.00 FEET AND A LONG CHORD BEARING SOUTH 27°30'28" EAST FOR 328.81 FEET) FOR AN ARC LENGTH OF 361.81 FEET;
3. THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 708.00 FEET AND A LONG CHORD BEARING SOUTH 08°43'38" EAST FOR 308.38 FEET) FOR AN ARC LENGTH OF 309.14 FEET;
4. THENCE SOUTH 00°08'52" EAST FOR 338.15 FEET TO THE NORTH RIGHT OF WAY LINE OF CHLDS ROAD;

THENCE SOUTH 88°43'19" WEST FOR 283.85 FEET ON SAID NORTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 21, SOUTH WOODS;

THENCE ON THE EAST LINES OF LOTS 12 THROUGH 21, INCLUSIVE, SOUTH WOODS THE FOLLOWING 4 COURSES:

1. THENCE NORTH 00°10'21" WEST FOR 375.19 FEET;
2. THENCE NORTH 33°22'14" EAST FOR 118.88 FEET;
3. THENCE NORTH 01°11'50" EAST FOR 183.70 FEET;
4. THENCE NORTH 29°45'00" WEST FOR 243.07 FEET TO THE POINT OF BEGINNING.

CORNER 197,438 SQUARE FEET OR 4.52 ACRES.

ATTEST: MATTHEW R. TINDHAM LS-683

DATE



DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS, THAT WE, SEM PARTNERS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, OWNERS OF THE LAND DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE AND EMBOSSED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN HEREON. SAID SUBDIVISION TO BE HEREAFTER KNOWN AS SOUTH WOODS REPLAT 4, LOT 1, DO HEREBY RAISE AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT, AND DO HEREBY GRANT THE EASEMENTS AS SHOWN HEREON. WE DO HEREBY GRANT TO THE GRANTEE, THEIR SUCCESSORS AND ASSIGNS AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, AND CONTRACTORS, THE PERMANENT RIGHT TO ENTER AND USE, FROM TIME TO TIME, THE EASEMENT AREAS SHOWN HEREON FOR THE STATED PURPOSES, FOR USE AND ENJOYMENT IN THE CONNECTION WITH THE INSPECTION, OPERATION, MAINTENANCE, REPLACEMENT AND REPAIR OF FACILITIES, PROVIDED, HOWEVER, THERE IS RESERVE TO THE GRANTEE, AND TO THE GRANTEE'S HEIRS, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE THE EASEMENT AREA. THIS GRANT OF ANY EASEMENT SHOWN HEREON SHALL NOT PASS, NOR BE CONSIDERED TO PASS TO THE GRANTEE IN FEE SIMPLE INTEREST OR TITLE OF THE EASEMENT AREA. ANY INTEREST OR RELEASE TO THE GRANTEE GRANTED HEREIN MUST BE APPROVED BY THE GRANTEE IN WRITTEN FORM.

GRANTS OF EASEMENTS

FOR POWER AND COMMUNICATIONS

PERPETUAL EASEMENTS SHALL BE GRANTED TO THE OMAHA PUBLIC POWER DISTRICT, COX COMMUNICATIONS AND CENTURIONS; AND TO ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE UNDER THE AUTHORITY OF THE CITY COUNCIL OF BELLEVUE, NEBRASKA TO PROVIDE A CABLE TELEVISION AND ELECTRONIC COMMUNICATION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS TO LAYOUT, OPERATE, MAINTAIN, REPAIR AND RENEW PIPES, WIRES, CABLES, CONDUITS, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE CONVEYANCE AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION OR CABLE THROUGH UNDER AND ACROSS A FIVE-FOOT-WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES, AND AN EIGHT-FOOT-WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS, AND A TEN-FOOT-WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTENSION LOTS. THE TEN-FOOT-WIDE STRIP HEREIN REFERRED AS THESE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION, SAID TEN-FOOT-WIDE EASEMENT SHALL BE SUBJECT TO AN EIGHT-FOOT-WIDE STRIP WHEN THE CALCULATED 2.5-FOOT-WIDE STRIP IS PLATTED AND RECORDED AS PERMANENT. PERMANENT MONUMENTS SHALL BE PLACED IN THE SAID EASEMENT AREAS; BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE ABOVE SAID USES OR RIGHTS HEREIN GRANTED.

FOR WATER AND GAS

PERPETUAL EASEMENTS SHALL BE GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA AND BLACK HILLS ENERGY AND THEIR SUCCESSORS AND ASSIGNS, TO LAYOUT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPES, WIRES, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER OR THROUGH UNDER AND ACROSS A FIVE-FOOT-WIDE STRIP OF LAND ABUTTING ALL STREET FRONTAGES OF ALL LOTS. NO PERMANENT BUILDINGS OR SETBACK WALLS SHALL BE PLACED IN THE SAID EASEMENT AREAS; BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE ABOVE SAID USES OR RIGHTS HEREIN GRANTED.

SEM PARTNERS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, OWNER

ADAM KRISHENBAUM
 AUTHORIZED REPRESENTATIVE FOR THE OWNER

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA } SS

COUNTY OF _____)
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 2020

BY ADAM KRISHENBAUM, AUTHORIZED REPRESENTATIVE FOR THE OWNER OF SEM PARTNERS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, ON BEHALF OF SAID COMPANY.

SIGNATURE OF NOTARY PUBLIC:

RECEIVED
 SEP 15 2020
 PLANNING DEPT.

MATTHEW R. TINDHAM

DATE

SMALL
 SUBDIVISION

SOUTH WOODS REPLAT 4 (LOT 1)
 BELLEVUE, SARPY COUNTY, NEBRASKA

REVISION

DATE

DRAWN BY / CHECKED BY
 DATE
 PROJECT NUMBER
 DIMENSIONS / AREA
 SCALE AND PAGE

SHEET

1 OF 1

CHLDS ROAD
 84' PUBLIC RIGHT OF WAY

NEBRASKA DRIVE
 160' PUBLIC RIGHT OF WAY

RAVINE STREET
 50' PUBLIC RIGHT OF WAY

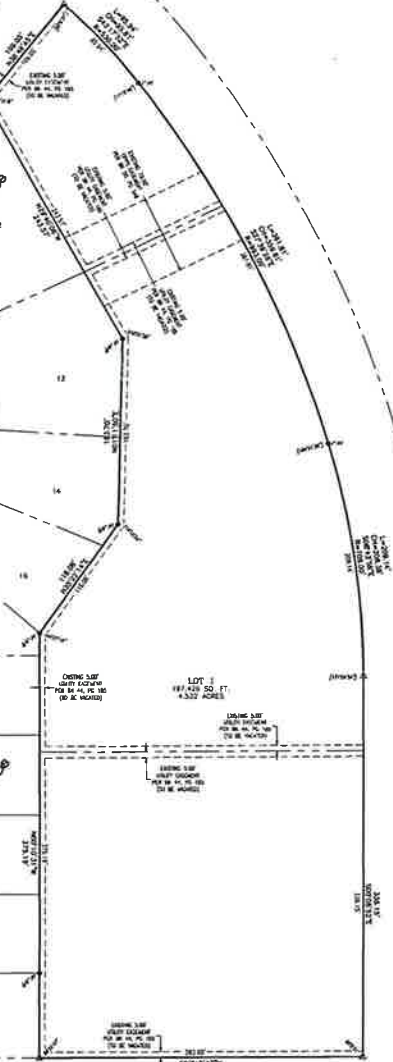
COLUMBIA AVENUE
 50' PUBLIC RIGHT OF WAY

SEMPER STREET
 50' PUBLIC RIGHT OF WAY

SOUTH WOODS

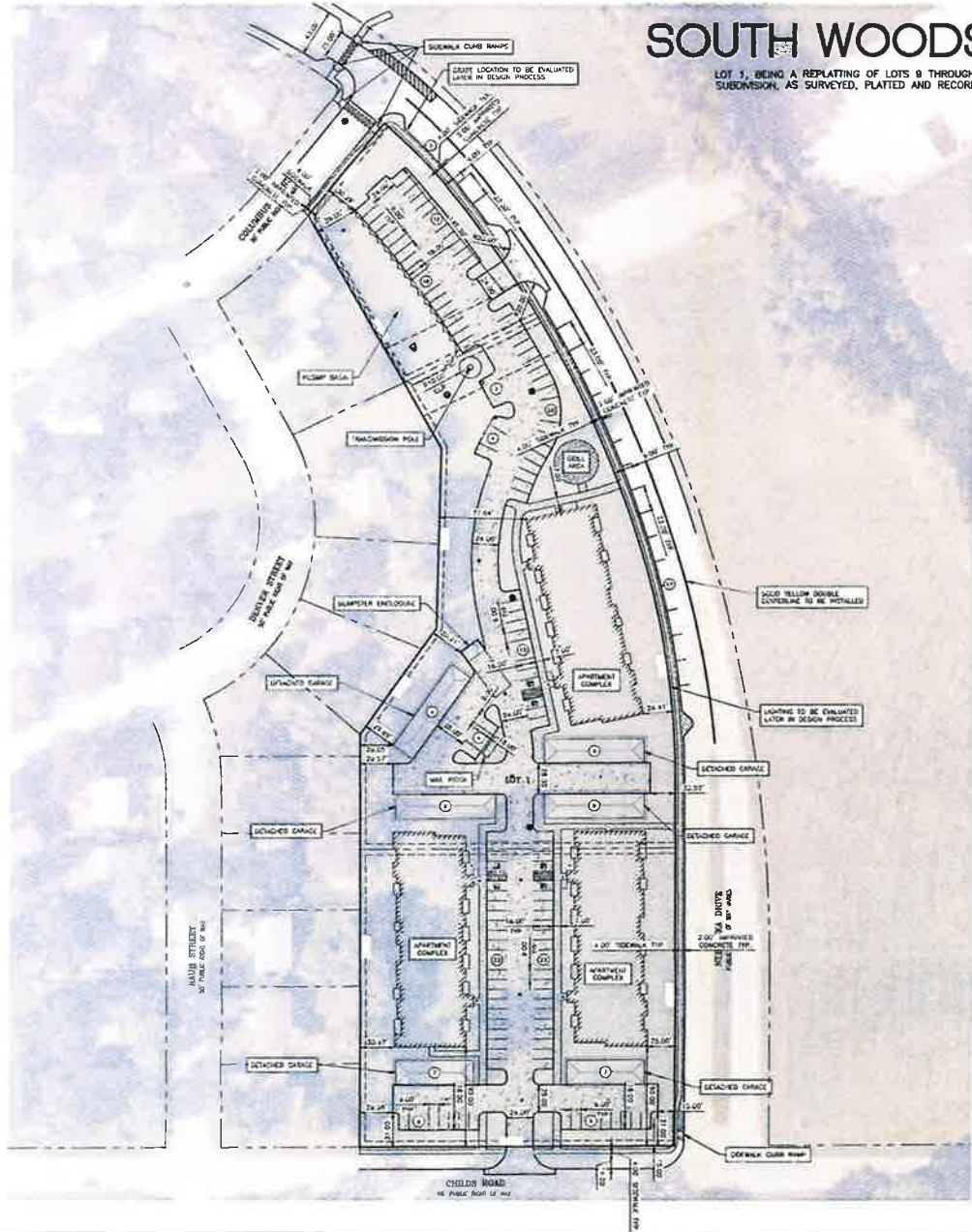
SOUTH WOODS

SOUTH WOODS



SOUTH WOODS REPLAT 4

LOT 3, BEING A REPLATTING OF LOTS 9 THROUGH 11, INCLUSIVE, SOUTH WOODS, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA.



LOCATION MAP

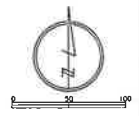
PROJECT SUMMARY	
UNITS	107
SURFACE STALLS	127
DETACHED GARAGE	56
TOTAL PARKING PROVIDED	183 (1.75 STALLS PER UNIT)
REQUIRED PARKING	214 (2 STALLS PER UNIT)
TOTAL ON-STREET PARKING	72
TOTAL PARKING PROVIDED INCLUDING ON-STREET PARKING	255 (1.85 STALLS PER UNIT)
TOTAL PARKING LOT AREA	80,304 SF
TOTAL PARKING LOT INV. LS	4769 SF (7.9%) (5% REQ.)
TOTAL LOT AREA	187,961 SF
IMPERVIOUS COVERAGE	117,309 SF (62.4%) (50% MAX)

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

RECEIVED
SEP 15 2020
PLANNING DEPT.

LAMP RYNEARSON

14716 W. DOODGE RD. STE. 108
OMAHA, NE 68154
402.484.2414
LAMP@RYNEARSON.COM



PRELIMINARY

NOT SUITABLE FOR CONSTRUCTION

SITE PLAN EXHIBIT

SOUTHWOOD SMALL SUBDIVISION PLAT
BELLEVUE, NEBRASKA



OWNER / OWNER	
DATE REVIEWED/REVISION	
DATE	
PROJECT NUMBER	
PROJECT NAME	
DATE AND TIME	

EXHIBIT A

SOUTH WOODS REPLAT 4

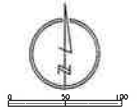
LOT 1, BEING A REPLATING OF LOTS 9 THROUGH 11, INCLUSIVE, SOUTH WOODS, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SAPPY COUNTY, NEBRASKA.



LOCATION MAP

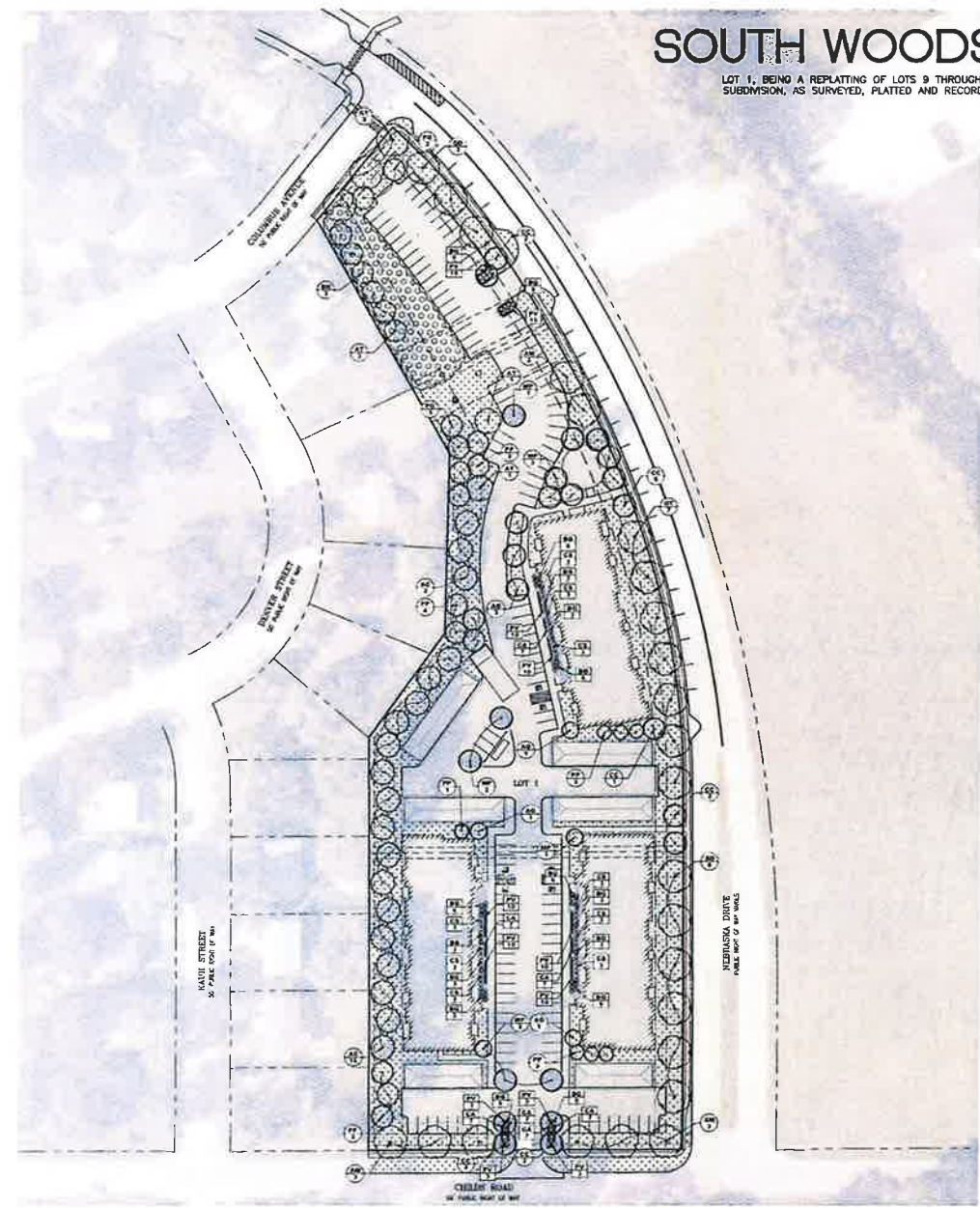
LAMP RYNERSON

1678 W DOUGLAS RD STE. 100
OMAHA, NE 68141
402.484.2448
Landscape Architecture



PRELIMINARY

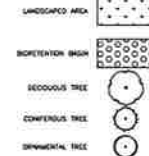
NOT BELIEVED FOR CONSTRUCTION



LEGEND



LANDSCAPE PLAN LEGEND



BELLEVUE LANDSCAPE CODE REVIEW - APPX. A.B.11.06

	REQUIRED	PROVIDED
A. PARKING LOT LANDSCAPE BUFFER PER APPX. A.B.11.06.8	15'	15' PROVIDED
B. PARKING LOT LANDSCAPE BUFFER REQUIRED TREES PER APPX. A.B.11.06.9 A	ONE DECIDUOUS SHADE OR ONE ORNAMENTAL TREE AND THREE SHRUBS FOR EVERY 10 LINEAR FEET OF STREET FRONTAGE 1,388 SF/40' = 35 TREES & 102 SHRUBS	28 SHADE TREES, 9 ORNAMENTAL TREES AND 106 SHRUBS PROVIDED
C. REQUIRED TREES ON SITE PER APPX. A.B.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.B.11.06.10 A	18 SF OF LANDSCAPED AREA PER PARKING STALL 187 STALLS X 18 SF = 3,366 SF	4,789 SF PROVIDED
E. PARKING LOT INTERIOR REQUIRED TREES PER APPX. A.B.11.06.10 B	ONE TREE SHALL BE PROVIDED FOR EVERY 300 SF OF REQUIRED LANDSCAPED AREA 3,366 SF/300 = 12 TREES	12 TREES PROVIDED

PLANT SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
DECIDUOUS TREES					
QT	QUERCUS IMBRICATA VAR. NIGRA "SHOENANSHEN"	SHADOWER HONEYLOCUST	2" CAL	30'-70'	25-40'
ES	ESPRESSO KENTUCKY COFFEE TREE	ESPRESSO KENTUCKY COFFEE TREE	2" CAL	30'	35'
AM	ACER NYRABEI "NORTON STATE STREET"	STATE STREET MAPLE	2" CAL	30-40'	50-60'
AT	ACER TRUNCATUM	SPARKLING MAPLE	2" CAL	25-25'	15-20'
BR	BETULA NIGRA	RIVER BIRCH	2" CAL	40-60'	30-50'
AL	ALNUS INCANA + GRACILOFLORA "AUTUMN BRILLIANCE"	AUTUMN BRILLIANCE SERVICEBERRY	2" CAL	15-25'	15-25'
CC	CORNUS CORONATA	SWEETGUM	2" CAL	20'-30'	30'-25'
WF	WILLOW "FRANKLIN"	PANHANDLE CHERRYBLOSSOM	2" CAL	15-25'	15-25'
CONIFEROUS TREES					
CODE	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
PC	PICEA GLAUCA VAR. SENSATA	BLACK HILLS SPURGE	8"-7" HT.	30-60'	15-20'
PP	PICEA PUNGENS	BLUE SPURGE	8"-7" HT.	30-60'	15-20'
AC	ABIES CONCOLOR	WHITE FIR	8"-7" HT.	40-70'	20-30'
SHRUBS AND PERENNIALS					
CODE	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
FN	FRAXINUS VIRGINICA "HEAVY METAL"	HEAVY METAL BIRCH-CORNERS	3" CAL	4'-3'	1'-2'
DA	DALMANOPSIS + ACUTIFLORA "KARL FOERSTER"	FEATHER REED GRASS	3" CAL	3'-2'	3'-2'
SC	SIBIRICA "GREEN HELMET"	GREEN VETCHER BIRCHWOOD	3" CAL	2'-4'	3'-4'
CS	CORNUS SPARGANGA "LADY" ARCTIC SUN	ARCTIC SUN SERVICEBERRY	3" CAL	3'-4'	3'-4'

RECEIVED
SEP 15 2020
PLANNING DEPT.

EXHIBIT D

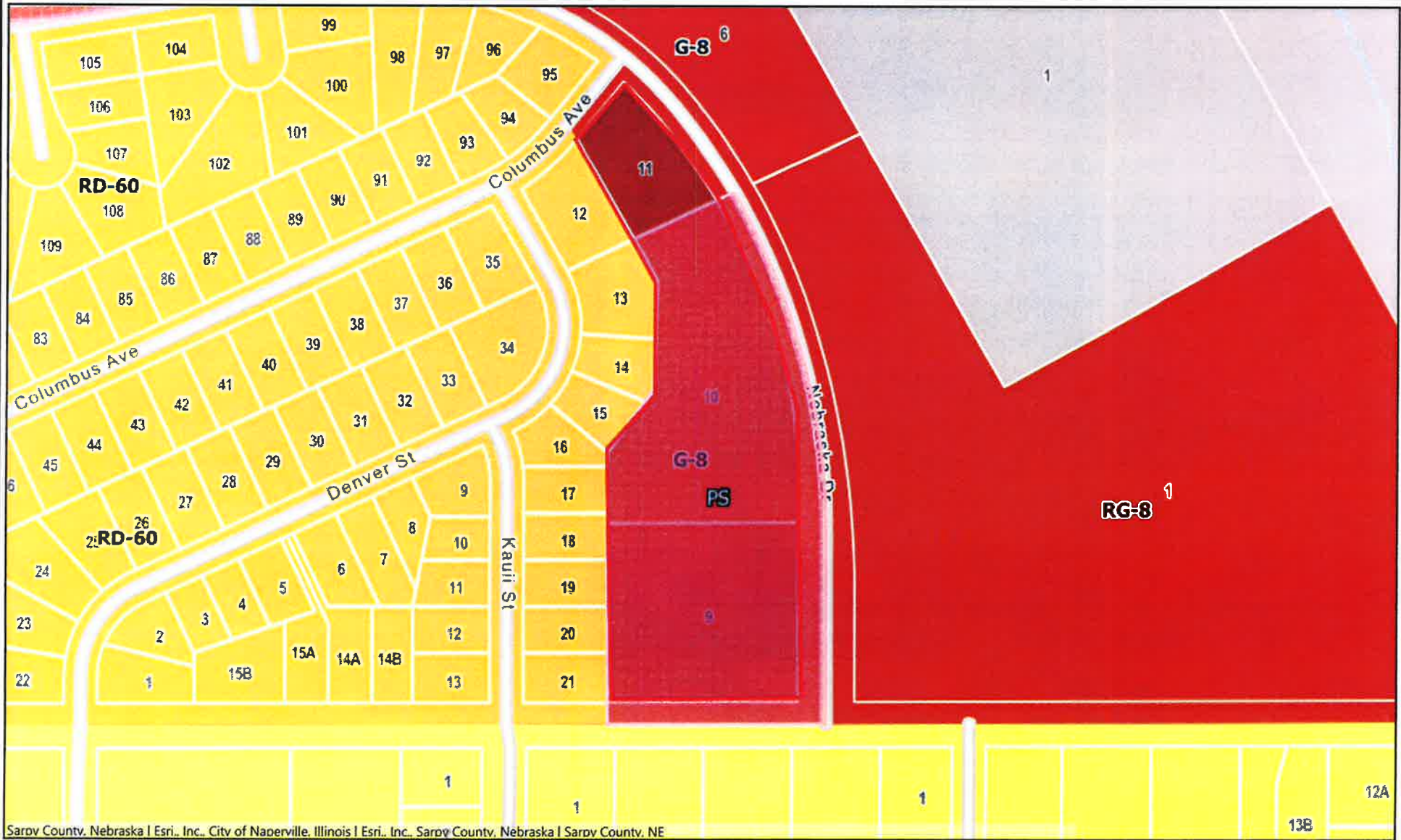
LANDSCAPE EXHIBIT

SOUTHWOOD SMALL SUBDIVISION PLAT
BELLEVUE, NEBRASKA

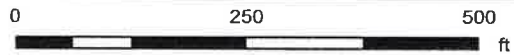


OWNER / DESIGNER
FOUR CORNERS
DATE
06/18/2020
PROJECT NUMBER
E2020-00000
BOOK AND PAGE

SHEET



Sarpy County, Nebraska | 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



Windsor Avenue and Nebraska Drive



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



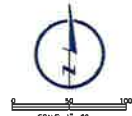
SOUTH WOODS REPLAT 4

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

LAMP RYNERSON

1475 W. DODDGE RD., STE. 100
OMAHA, NE 68124
402.438.2000
LampRyerson.com

LOCATED IN:
SE 1/4 SE, 1/4 SEC. 15, T44N, R10E



LEGEND	
	BOUNDARY LINE
	LOT LINE
	EASEMENT LET LINE
	EASEMENT
	PT
	FINISH TOP PIPE
	CORNER POINT
	CORNER SET (5/8" REBAR R/1 1/4" YELLOW PLASTIC CAP STAMPED LS-892, UNLESS NOTED OTHERWISE)

NOTES

1. ALL DISTANCES ARE SHOWN IN DECIMAL FEET.
2. ALL DISTANCES SHOWN ALONG CURVES ARE ARC DISTANCES NOT CHORD DISTANCES.
3. ALL ANGLES ARE NOT LIMITED NOTES.
4. ALL LOT LINES ON CURVED STRIPS ARE RADIAL UNLESS OTHERWISE NOTED WITH AN ANGLE ADJACENT TO THE CURVE, MEASURED TO THE CHORD AND SHOWN IN BRACKETS.
5. ALL EXISTING EASEMENTS ARE NOT BEING RECORDED AND ARE SHOWN FOR REFERENCE ONLY. NECESSARY AND ARE SHOWN FOR REFERENCE ONLY.
6. EXISTING UTILITY EASEMENTS FOR 36" OR 48" DIA. PDS TO BE INDICATED ON SEPARATE RECORDED INSTRUMENT.

SARY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO RECORD NOR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, THIS

DAY OF _____ 2020
SARY COUNTY TREASURER

REVIEW BY SARY COUNTY PUBLIC WORKS

THIS PLAT OF SOUTH WOODS REPLAT 4, LOT 1, WAS REVIEWED BY THE SARY COUNTY SURVEYOR'S OFFICE THIS

DAY OF _____ 2020
SARY COUNTY SURVEYOR/ENGINEER

APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF SOUTH WOODS REPLAT 4, LOT 1 WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION

DAY OF _____ 2020
CHAIRMAN

APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF SOUTH WOODS REPLAT 4, LOT 1 WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF BELLEVUE, NEBRASKA, THIS

DAY OF _____ 2020
THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

WATOR
ATTEND:
CITY CLERK

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT ALL CORNERS, ANGLE POINTS AND ENDS OF CURVES ON THE BOUNDARY ON THE PLAT AND THAT PERMANENT MONUMENTS WILL BE PLACED AT ALL CORNERS, ANGLE POINTS AND ENDS OF CURVES ON ALL LOTS AND STREETS WITHIN THE SUBDIVISION TO BE KNOWN AS 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 SARY COUNTY, NEBRASKA DESCRIBED AS FOLLOWS, BEGINNING AT THE NORTHEAST CORNER OF LOT 12, SOUTH WOODS:

1. THENCE NORTH 37°45' EAST (BEARING REFERENCED TO THE FINAL PLAT OF SOUTH WOODS) FOR 109.00 FEET ON THE SOUTH RIGHT OF WAY LINE OF COLUMBUS AVENUE TO THE WEST RIGHT OF WAY LINE OF NEBRASKA DRIVE.
2. THENCE ON SAID WEST RIGHT OF WAY LINE THE FOLLOWING 4 COURSES:
1. THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 536.00 FEET AND A LONG CHORD BEARING SOUTH 45°17'52" EAST FOR 98.91 FEET) FOR AN ARC LENGTH OF 99.84 FEET;
2. THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 993.00 FEET AND A LONG CHORD BEARING SOUTH 27°32'28" EAST FOR 358.81 FEET) FOR AN ARC LENGTH OF 361.81 FEET;
3. THENCE ON A CURVE TO THE RIGHT (HAVING A RADIUS OF 706.00 FEET AND A LONG CHORD BEARING SOUTH 06°43'56" EAST FOR 208.28 FEET) FOR AN ARC LENGTH OF 208.14 FEET;
4. THENCE SOUTH 09°00'52" EAST FOR 336.15 FEET TO THE NORTH RIGHT OF WAY LINE OF CHLOIS ROAD.
3. THENCE SOUTH 88°01'00" WEST FOR 383.85 FEET ON SAID NORTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 21, SOUTH WOODS:
4. THENCE ON THE EAST LINES OF LOTS 12 THROUGH 21, INCLUSIVE, SOUTH WOODS THE FOLLOWING 4 COURSES:
1. THENCE NORTH 07°10'31" WEST FOR 375.18 FEET;
2. THENCE NORTH 32°32'14" EAST FOR 118.58 FEET;
3. THENCE NORTH 01°12'50" EAST FOR 163.70 FEET;
4. THENCE NORTH 29°40'00" WEST FOR 243.67 FEET TO THE POINT OF BEGINNING.

BARTHER R. THOMAS, LS-892

DATE



DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT WE, SDM PARTNERS, L.L.C. A NEBRASKA LIMITED LIABILITY COMPANY, OWNERS OF THE LAND DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN HEREON, SAID SUBDIVISION TO BE KNOWN AS SOUTH WOODS REPLAT 4, LOT 1, DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT, AND DO HEREBY GRANT THE EASEMENTS AS SHOWN HEREON. WE DO HEREBY GRANT TO THE GRANTEE, THEIR SUCCESSORS AND ASSIGNS AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, AND CONTRACTORS, THE PERMANENT RIGHT TO ENTER AND USE, FROM TIME TO TIME, THE EASEMENT AREAS SHOWN HEREON FOR THE STATED PURPOSE, FOR IMPROVES AND EGRESS BY THE CONNECTION WITH THE INFLECTION, DISTENSION, MAINTENANCE, REPLACEMENT, AND REPAIR OF FACILITIES PROVIDED; HOWEVER, THERE IS RESERVED TO THE GRANTEE, AND TO THE GRANTEE'S HEIRS, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE THE EASEMENT AREA, THIS GRANT OF ANY EASEMENT SHOWN HEREON SHALL NOT PASS, NOR BE CONTINGENT TO PASS TO THE GRANTEE IN THE SAME INTEREST OR LINE OF THE EASEMENT AREA, ANY VARIANCE OR RELEASE TO THE RIGHTS GRANTED HEREON MUST BE APPROVED BY THE GRANTEE IN WRITTEN FORM.

GRANTS OF EASEMENTS

FOR POWER AND COMMUNICATIONS

PERPETUAL EASEMENTS SHALL BE GRANTED TO THE OMAHA PUBLIC POWER DISTRICT, COX COMMUNICATIONS AND CENTURYLINK AND TO ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE UNDER THE AUTHORITY OF THE CITY COUNCIL OF BELLEVUE, NEBRASKA TO PROVIDE A CABLE TELEVISION AND ELECTRONIC COMMUNICATION SYSTEM BY THE MICH TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS TO LAYOUT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CABLES, CONDUITS, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRIAGE AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS, AND THE RECEPTION OR CARRY THROUGH, SENDS AND ADMINISTRATION OF THE SAME, AND THE RIGHT TO USE THE EASEMENT AREA, THIS GRANT OF ANY EASEMENT SHOWN HEREON SHALL NOT PASS, NOR BE CONTINGENT TO PASS TO THE GRANTEE IN THE SAME INTEREST OR LINE OF THE EASEMENT AREA, ANY VARIANCE OR RELEASE TO THE RIGHTS GRANTED HEREON MUST BE APPROVED BY THE GRANTEE IN WRITTEN FORM.

FOR WATER AND GAS

PERPETUAL EASEMENTS SHALL BE GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA AND BLACK HILLS ENERGY AND THEIR SUCCESSORS AND ASSIGNS, TO ERRECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRAULS, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A ONE-FEET-WIDE STRIP OF LAND INCLUDING ALL STREET FRONTAGES OF ALL LOTS, NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT STRIPS BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT HINDER OR INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREBY GRANTED.

SDM PARTNERS, L.L.C. A NEBRASKA LIMITED LIABILITY COMPANY, OWNER

ADAM RICHENBACH
AUTHORIZED REPRESENTATIVE FOR THE OWNER

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF _____) SS
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
DAY OF _____ 2020

BY ADAM RICHENBACH, AUTHORIZED REPRESENTATIVE FOR THE OWNER OF SDM PARTNERS, L.L.C. A NEBRASKA LIMITED LIABILITY COMPANY, ON BEHALF OF SAID COMPANY.

SIGNATURE OF NOTARY PUBLIC

RECEIVED
SEP 15 2020
PLANNING DEPT.

SMALL
SUBDIVISION

SOUTH WOODS REPLAT 4 (LOT 1)
BELLEVUE, SARY COUNTY, NEBRASKA

REVISION

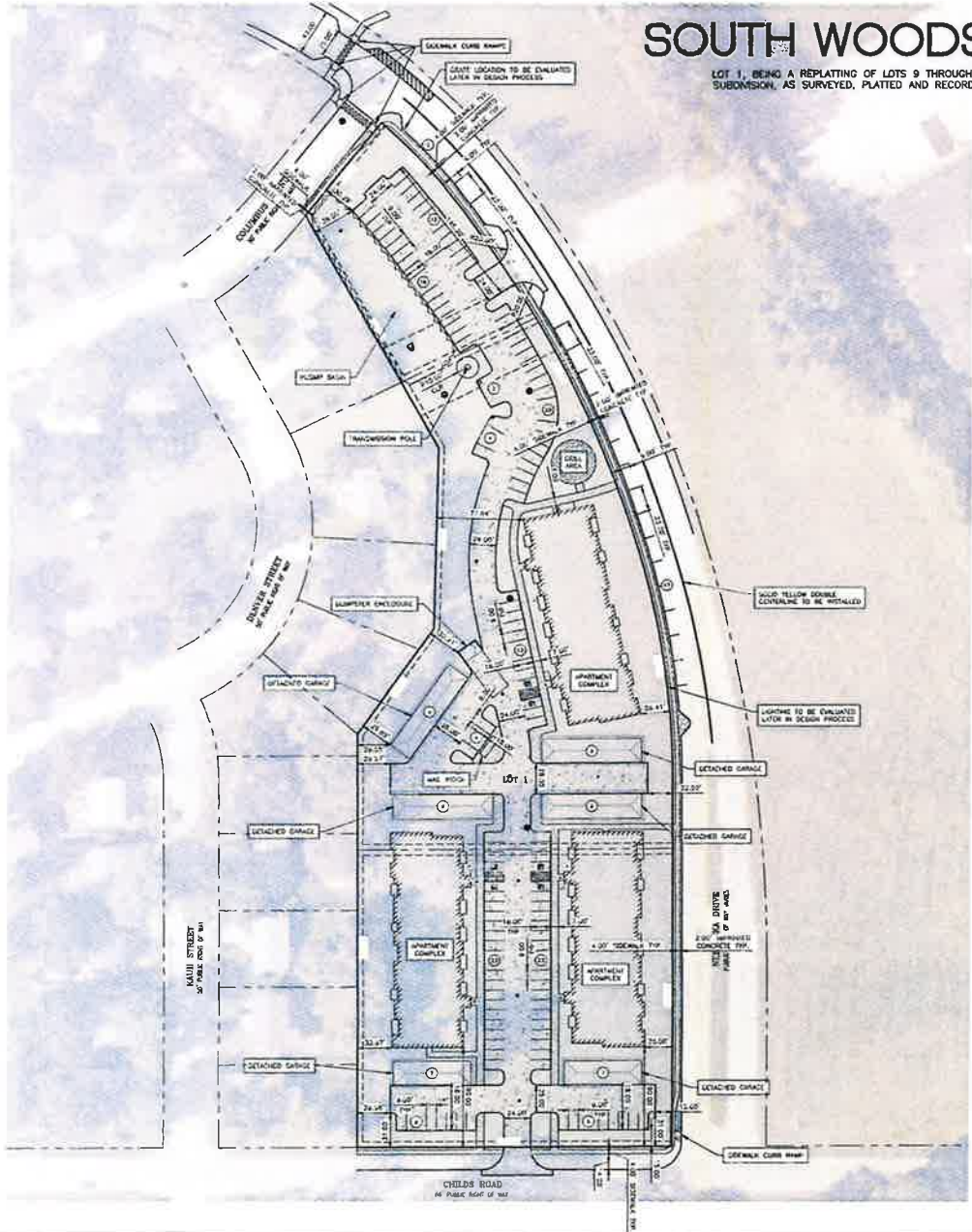
OWNER / DRAFTER
DATE
R-12-2020
PROJECT NUMBER
EFFECTIVE DATE
FOOTING AND PAGE

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

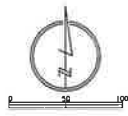
PROJECT SUMMARY	
UNITS	107
SURFACE STALLS	137
DETACHED GARAGE	30
TOTAL PARKING PROVIDED	167 (1.75 STALLS PER UNIT)
REQUIRED PARKING	214 (2 STALLS PER UNIT)
TOTAL ON-STREET PARKING	22
TOTAL PARKING PROVIDED	209 (1.93 STALLS PER UNIT INCLUDING ON-STREET PARKING)
TOTAL PARKING LOT AREA	60,304 SF
TOTAL PARKING LOT INT. LS	4789 SF (7.9%) (5% REQ)
TOTAL LOT AREA	187,681 SF
IMPERVIOUS COVERAGE	117,208 SF (62.5%) (50% MAX)

LEGEND	
CONTOUR	
EXISTING CONTOUR	
SIDEWALK	
PAVEMENT	
1" PE CONCRETE	
SIDEWALK PAVEMENT	
BUILDING	
PARKING STALL COUNT	
STORM SEWER	
SANITARY SEWER	
MANHOLE	
FLARED END SECTION	

RECEIVED
SEP 15 2020
PLANNING DEPT.

LAMP RYNEARSON

14710 W. DODGE RD. STE. 100
OMAHA, NE 68154
402.494.2444
LampRynea.com



PRELIMINARY

NOT SUITABLE FOR CONSTRUCTION

SITE PLAN EXHIBIT

SOUTHWOOD SMALL SUBDIVISION PLAT
BELLEVUE, NEBRASKA



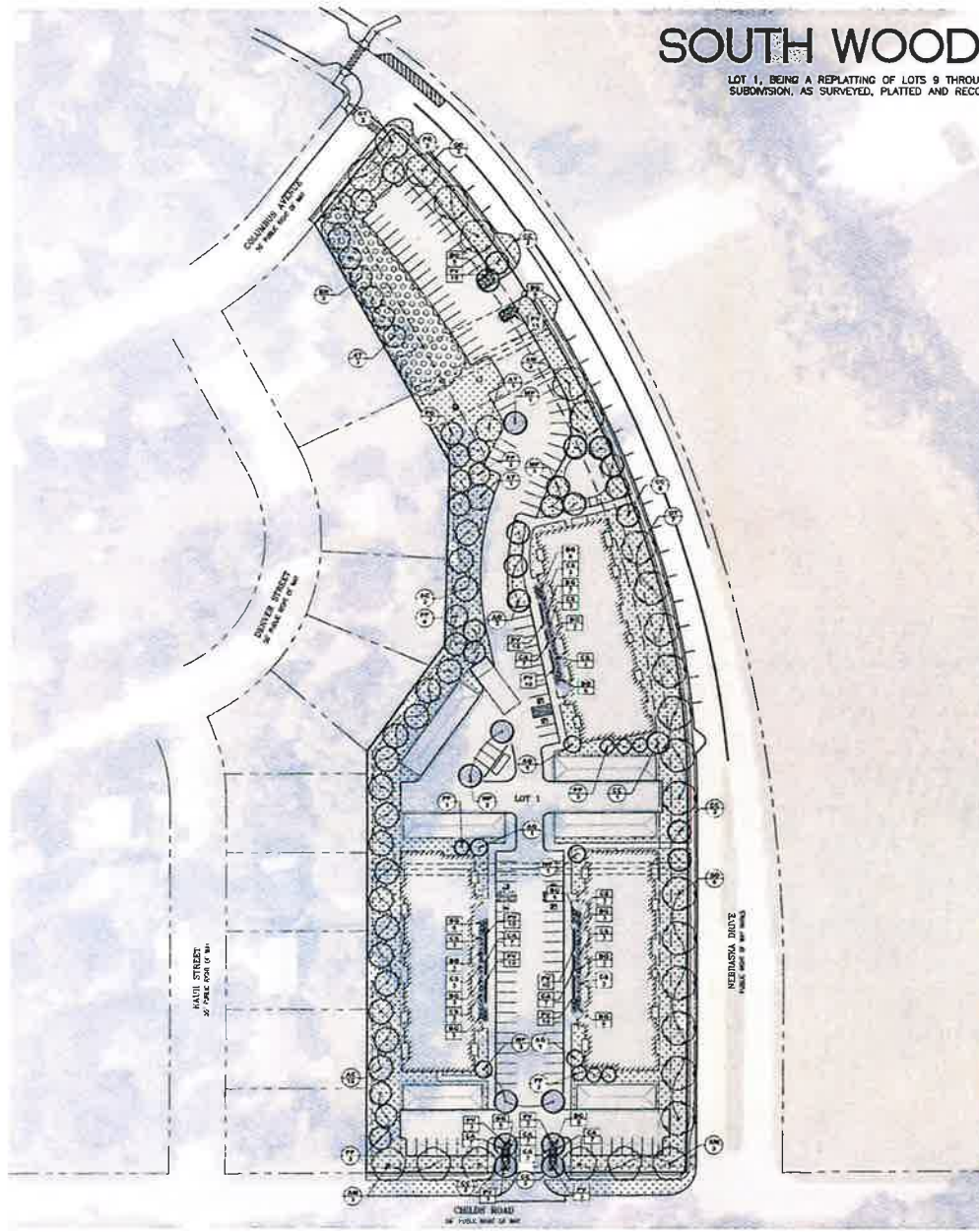
Know what's below.
Call before you dig.
Where:

OWNER / DESIGNER
JAN. REISCHL/CLERMONT
DATE
09/15/2020
PROJECT NUMBER
STANDARD - 008
SHEET AND PAGE

EXHIBIT A
1 OF 1

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

- LEGEND**
- SIDEWALK
 - PAVEMENT
 - WALKING
 - LANDSCAPE PLAN LEGEND**
 - LANDSCAPED AREA
 - RETENTION BASIN
 - DECIDUOUS TREE
 - CONIFEROUS TREE
 - ORNAMENTAL TREE

BELLEVUE LANDSCAPE CODE REVIEW - APPX. A.B.11.06

	REQUIRED	PROVIDED
A. PARKING LOT LANDSCAPE WATER P.L.N. APPX. A.B.11.06.A	15'	15' PROVIDED
B. PARKING LOT LANDSCAPE BUFFER REQUIRED TREES PER APPX. A.B.11.06.B.A	ONE DECIDUOUS SHADE OR ONE ORNAMENTAL TREE AND THREE SHRUBS FOR EVERY 40 LINEAR FEET OF STREET FRONTAGE 1,386 L ² /40 = 35 TREES & 100 SHRUBS	26 SHADE TREES, 9 ORNAMENTAL TREES AND 106 SHRUBS PROVIDED
C. REQUIRED TREES ON SITE PER APPX. A.B.11.06.B.B	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 W/INTEGRATED LANDSCAPE PER APPX. A.B.11.06.B.A	1/8 OF LANDSCAPED AREA PER PARKING STALL 187 STALLS X 1/8 SF = 3,503 SF	4,782 SF PROVIDED
E. PARKING LOT INTERIOR REQUIRED TREES PER APPX. A.B.11.06.B.B	ONE TREE SHALL BE PROVIDED FOR EVERY 300 SF OF REQUIRED LANDSCAPED AREA 3,503 SF/300 = 12 TREES	13 TREES PROVIDED

PLANT SCHEDULE

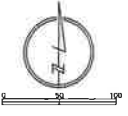
CODE	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
DECIDUOUS TREES					
DT	BELONGIA TRACHINOTIS VAR. BERMIS 'SHADOLMISTEN'	SHADOWER HONEYLOCUST	2" CAL.	30-75'	30-40'
ED	OSMOCLEAS DICKENS 'ESPRESSO-JS'	ESPRESSO KENTUCKY COFFEE TREE	2" CAL.	50'	35'
AM	ALER WYDOW 'WYDOW' STATE STREET	STATE STREET MAPLE	2" CAL.	30-40'	20-40'
AF	ACER BRACCATUM	SHAWING MAPLE	2" CAL.	30-35'	15-20'
BI	BETULA NIDA	RIVER BIRCH	2" CAL.	40-60'	30-35'
AC	AMELANCHIER + ORNITHOGALON 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	2" CAL.	15-25'	15-25'
CE	CELEXOR CHAMBERS	CELEXOR REDBUD	2" CAL.	20-30'	20-25'
WF	WALNUT 'FRANKLIN'	FRANKLIN CHAMPNILE	2" CAL.	15-20'	15-20'
CONIFEROUS TREES					
COOC	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
PE	PICEA GLAUCA VAR. BENSATA	BLACK HILLS SPRUCE	6-7" HT.	30-60'	15-20'
PP	PICEA PARVIFLORA	BLUE SPRUCE	6-7" HT.	30-60'	15-20'
AC	ABIES CONCOLOR	WHITE FIR	6-7" HT.	40-70'	20-30'
SHRUBS AND PERENNIALS					
COOC	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	HEIGHT	WIDTH
FR	FRAXINUS VIRGINIANA 'HEAVY METAL'	'HEAVY METAL' SWITCHGRASS	5 CAL.	4-5'	11-2'
DA	DIANTHUS 'MIDWINTER WAVE'	MIDWINTER WAVE	5 CAL.	3-5'	2-3'
BE	BELONIA 'GREEN BELLET'	GREEN BELLET BISHOPWOOD	5 CAL.	2-4'	3-4'
CS	CORNUS STOLONIFERA 'GATO' ARCTIC SUN	ARCTIC SUN BUSHWOOD	5 CAL.	2-4'	3-4'

RECEIVED
SEP 15 2020
PLANNING DEPT.

EXHIBIT D

LAMP RYNEARSON

1670 W. DOUGLAS RD. STE. 158
OMAHA, NE 68104
402.498.2488
LampRy@earthlink.net



PRELIMINARY

NOT RELEVANT FOR CONSTRUCTION

LANDSCAPE EXHIBIT

SOUTHWOOD SMALL SUBDIVISION PLAT
BELLEVUE, NEBRASKA



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

PROJECT / DRAWN BY
PROJECT / CHECKED BY
PROJECT / DATE
PROJECT / SCALE

SHEET

ORDINANCE NO. 4015

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT CHILDS ROAD AND NEBRASKA DRIVE, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lot 1, South Woods Replat 4, located in the Southeast ¼ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

From RG-8 (General Residential - 800 Square Foot Zone) and RG-8-PS (General Residential - 800 Square Foot Zone – Planned Subdivision District), to RG-8-PS (General Residential - 800 Square Foot Zone – Planned Subdivision District).

(APOGEE Professional Services)

Section 2. This ordinance shall not take effect until such time as the final plat of South Woods Replat 4 is filed with the Sarpy County Register of Deeds in accordance with Section 5-10 of the City of Bellevue Subdivision Regulations.

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2020.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: 10/06/2020
Second Reading: 10/20/2020
Third Reading: _____

Shirley Harbin

From: Susan Kluthe
Sent: Thursday, October 15, 2020 12:55 PM
To: Shirley Harbin
Subject: FW: Childs road & Nebraska drive

RECEIVED
OCT 15 2020
CITY CLERK

From: j_okelley12@yahoo.com <j_okelley12@yahoo.com>
Sent: Thursday, October 15, 2020 12:20 PM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Childs road & Nebraska drive

I was disappointed to hear that the city is trying to squeeze more apartments into such a small area. The apartments across from my home already bring in so much traffic and people wandering into our neighborhood. Just a few months ago issues someone was having in the apartments came right to my street and there was a shooting and murder. There are constantly cop lights at the apartments that are there now. Issues with the current apartments turn our quiet family neighborhood into constant noise. More apartments will bring even less security. The more run down the area gets my property value will go down. This would also bring more kids into the school boundaries which is already packed, making the teacher to student ratio even worse. More apartments near my family is the last thing the city should be doing right now. Thank you.
Jolynn O'Kelley
2712 columbus ave

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

October 16, 2020

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

RE: Case # Z-2008-11, S-2008-19
AOIGEE Professional Services

To Whom it May Concern:

Please see addendum for the hearing on September 24th for proposed apartment complex and rezoning of Lot 1, South Woods Replat 4. These are issues I would like to address further. I have also kept the original letter written September 17th addressed at the Planning Zone Committee hearing which follows the addendum #1.

My husband and I will be attending the hearing October 20th, however I felt the need to email this as well.

ADDENDUM #1

- During the zoning hearing with the Planning committee, Apogee lawyer stated that the parking lot starts 60 feet from our property line (lot 12). According to the plans, it is only 39 feet from our property line.
- Lot #21 has garage and parking lot 29 feet from property line. They will have headlights shine directly into their backyard as well.
- 107 apartments 209 stalls – not the required 2 per apartment. At the zoning hearing the attorney stated that there was enough parking that was required by the city. On the plans it states that two spots required for each apartment. There are 187 parking stalls and Nebraska Drive will provide 22. It states that the overlay gives staff the discretion for minimum parking requirements. There will be nowhere else for these tenants to park if the lot is full and the street is full, as it is not in a location where other street parking is close for a tenant.

- There may be times where people will also park along other side of Nebraska drive by school and Columbus drive in front of residential homes due to lack of apartment parking. Will the city place a “no parking on this side of the street during 7-4” along the side of Nebraska Drive that will be next to the school? I would ask the city to please provide a “No Parking Sign” between driveway of lot 12 Columbus Avenue and Nebraska Drive as to make sure the road stays big enough. A driver heading North or South on Nebraska Drive turning left on Columbus drive could most likely collide with another car or pedestrian due to the road being too small if cars are parked in this area as well.
- What happens if basin overflows and seeps into our backyard of Lot 12? Between our fence line and the parking lot there will be a basin to hold overflow of water. Who is responsible if this water seeps into our backyard and floods it? What happens if this causes our house to sink? We already had to raise part of our home in 2019 due to sinking.
- I would highly recommend 3 way stop sign or light be placed at Columbus Avenue and Nebraska Drive. This might help drivers and pedestrians that will no longer have good view of traffic. It will force everyone to slow down and stop and will give a chance for drivers to see each other. Pictures 5 & 6 show this area.
- For the tenants of the proposed Apartments, I highly recommend a turning lane for safety at the entrance on Childs Road. As I have stated before, the entrance will be right at the crest of a hill. Anyone pulling out from the apartment complex turning left onto Childs will risk getting hit, and anyone turning into the apartment complex from Childs will also risk being rear-ended. I think its important someone go out to this area and see how dangerous this will be. Turning left to Childs from Nebraska Drive is already dangerous as the crest of the hill blocks traffic coming from the East.
- Homeowners will be responsible for putting up fences, so tenants do not walk through yards. As it is not required for the builders to put up some sort of division besides landscaping, homeowners will be responsible for the bill of around \$8,000 and up to install a fence. Being in lot 12, we have already spent money purchasing fast growing trees and placed them on our side of the property, as this is a less expensive route. However down the road we will still need a fence for security and or noise reasons. Is it possible the complex place faster growing trees that are thicker and year-round trees as well? Also, it states the parking lot near our house will actually be raised an additional 4 feet or so, so the 6 foot fence we have now will offer no privacy nor will an 8 foot one until all the trees mature in the years to come.
- It is possible for the Apartment complex to place a garage on the other side of the fence line by lot 12? This would help us with noise reduction of cars, car doors, radios, car alarms and help with car lights shining right into our backyard due to entrance on Nebraska Drive. It may come in handy, as people I am sure are not going to enjoy having to park down in this lot as the walk is quite far to the apartment buildings, especially in the winter.

- How many crosswalks are in place for children? It is unknown exactly where the crosswalks will be for children except for the location of Nebraska Drive and Columbus.
- At the last hearing, Apogee Lawyer talked about a “recent” traffic study in our area. I would like to address if this study was done during “covid” while schools were out and people were working from home. Of course, school traffic and regular traffic has been drastically reduced since March.

Thank you for taking the time to look into our concerns as a resident of this area.

Sincerely,

Amy Corriveau

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

September 17, 2020

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

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

To Whom it May Concern:

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 five 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.

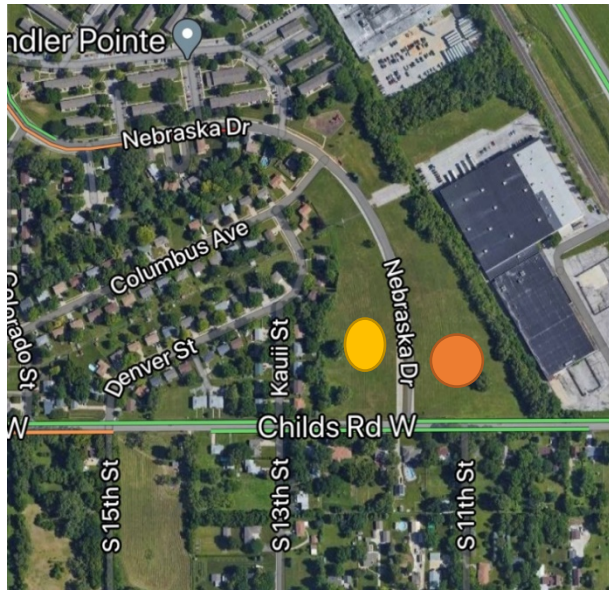
Thank you for taking the time to listen to my concerns on this issue.

Sincerely,

Amy Corriveau



Image #1: View from Lot 12 residence back deck. Proposed parking lot will be directly East 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, Kauui 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 Kauui Street and Nebraska Drive where entrance will be.



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

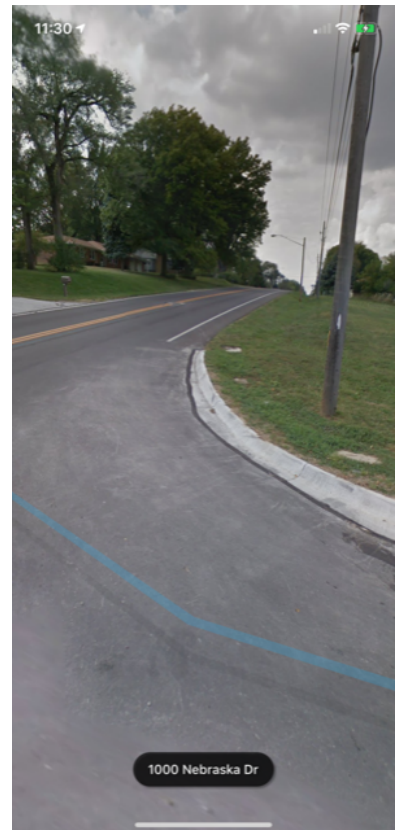


Image #4 showing blind spot due to hill at intersection of Nebraska Drive and Childs Road looking West. Proposed apartment entrance/exit would be located directly to the North West of this image.

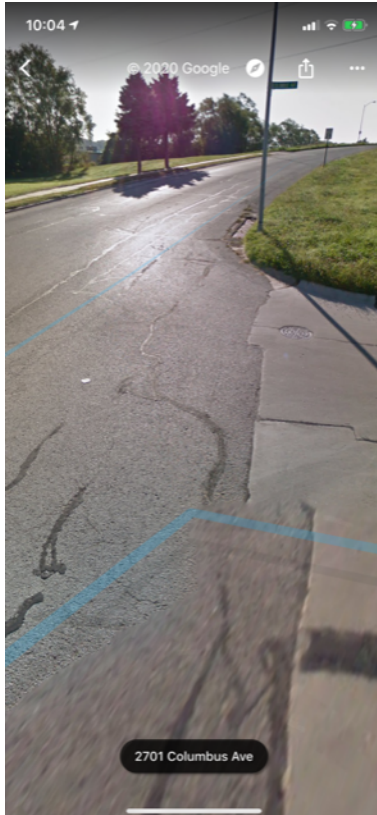


Image #5: View from intersection of Columbus Avenue and Nebraska Drive looking South, as if driver turning right. This image somewhat shows how cars parked along lower Nebraska Drive will make it extremely dangerous and impossible for drivers to see around and turn left.



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

Dear City Council Members,

I am writing to you today regarding the Multi-family Residential Development proposed by APOGEE Professional Services to be developed on Childs Road and Nebraska Drive.

In order to be informed with the correct and current information on this proposed development, I attended a Zoom meeting in September with the developers the day before the meeting with the Planning Commission, listened to their proposal, and answers to questions brought forward by neighbors. I attended the Planning Commission session where the developer outlined the plans for the ASCEND on 75 development. Several residents of the SouthWoods neighborhood were present and brought forward individual and neighborhood concerns.

I live at 1107 Denver Street and am the original owner of this property, Lot 13 Southwoods. I moved into my home on October 15, 1979. I have seen this neighborhood grow throughout these past 41 years (See image 1).

There were neighborhood concerns that were brought up through the multiple meetings I attended over this project. As well as conversations that have been had with residents from the neighborhood.

1. Potential Parking Issues:

- a. According to the South Woods Replat 4 diagram labeled Exhibit A received on September 15, 2020, by the Planning Department. It states that 214 parking spaces are required. Knowing there are apartments ranging from studio size to 3 bedrooms and knowing that families tend to have two or more cars the parking lot and side street stalls proposed will most likely not fit the demand. With that being said, the developers told the neighborhood that the occupants will most likely not be parking/driving within the neighborhood. Currently, the proposed plan has a total of 209 spaces available with spaces within the complex and on-street parking located on Nebraska Drive. Where will the additional parking spaces come from if the residents will not be parking in the neighborhood?
- b. Along with that, my side yard could be considered a field instead of a yard due to the transmission pole with the allotted right of way and no barrier between the apartment complex and my side yard. With the potential parking issue, I believe that some of the occupants will park in front of the yard on Denver Street and use it as a walkthrough to get to the apartment complex. (See Image 2)
- c. Originally we were told that parking was going to be at least 60 feet from the houses but there are instances where the parking lot is only 39 feet from some houses or 29 feet from others.

2. Columbus Avenue and Nebraska Drive Intersection Issue:
 - a. Currently, when we leave the neighborhood via Columbus Avenue and Nebraska Drive it is difficult to see oncoming traffic in both directions. Nebraska Drive is a curved road coming from Chandler Road which is to the north and continues to curve before, thru, and after the intersection. Not only is this road curved but after the intersection, the road goes up an incline toward the south end of Nebraska Drive which connects to Childs Road West.
 - b. With the proposed on-street parking and foliage planned for this intersection, it is going to make the intersection more difficult and a greater hazard. According to the information that Tammi from the planning office shared, this will also be the intersection that the students are supposed to be crossing Nebraska Drive. From south to north across Columbus Avenue and west to east across Nebraska Drive.
3. Future of Existing Trees
 - a. Towards the south end of the lot which is toward Child Roads West, there are trees that are fully grown having been there for many years. These trees provide a habitat for multiple creatures throughout the year. When they are developing the apartment complex will these trees be cut down and/or removed?
 - b. If these trees are cut down or removed the neighborhood will have an increase in pestilence activity. This happened when the trees were removed for the building of the school.
4. Drainage Issue
 - a. The proposed plan for drainage is to have a PCSMP basin. Will all water from rain/melting snow, flow to the basin or is there the possibility that some run-off will occur in the neighborhood backyards creating standing pools of water/flooding issues/possible sinking foundations?
 - b. When winter comes around what will happen to all the snow? What type of plan is in effect for snow removal? Is it going to be pushed into the basin or are they just going to push it into the drainage channel before the berm? If the snow is displaced into the drainage channel before the berm with melting and freezing, will the drainage flow into the backyards of the houses that share the property line between the apartment complex and the neighborhood?
 - c. There are parking stalls located directly in front of the drainage basin. Should any vehicles leak oil or possible grease, will this affect the drainage basin? Is there going to be something in the basin to help with any oil or grease residue from cars?

5. Road/Sidewalk issue

- a. Childs Road was originally a gravel road, and it is my understanding that when it was paved they just paved over the gravel. This does not hold up well under high volumes of traffic. With this proposed plan, it is adding a higher volume of traffic with the addition of school buses and apartment complex residents than what we currently have right now. Is there going to be construction on that road to fix it up and keep it from degrading any further?
- b. Currently, Childs road has no sidewalks. After this proposed apartment complex is finished there will be a sidewalk on newly zoned Lot 1 originally Lot 6 located on the south end of the proposed plan. However, when you reach the neighborhood the sidewalk disappears. This is a safety concern for any child that may be walking to the school from the neighborhood as well as the safety for anyone if they are walking on Childs Road.

6. Traffic Issue

- a. The developers of the project told the neighborhood/planning commission that the occupants will most likely not be parking/driving within the neighborhood. With the blind spot located at the south parking lot and the trouble of turning left out of both parking lots; the traffic through the neighborhood is going to increase. Residents who want to turn left onto Childs Road from the south exit are most likely going to be turning right onto Childs Road then right onto Kauii Street then right onto Denver Street then right onto Columbus Street then either left or right onto Nebraska Drive. This means they are driving around the block to leave the apartment complex due to it being easier and less hazardous.
- b. As for the North exit, there is going to be issues with the school's buses leaving the school exiting on Nebraska Drive to Chandler Road and then having the intersection being about 113 feet from the exit it is going to make that intersection a nightmare to navigate during early morning and late afternoon traffic.

7. Electric/Cable

- a. I called diggers hotline (811) to have the underground wiring located and marked on the back hill of my property. During the phase of construction dealing with fixing the gradient of the land; is the neighborhood going to be losing power/internet and cable services due to the high volume of underground wiring within the hill? (see image 3)
- b. Will there be new junction boxes to help with the higher demand for power/internet and cable services?

- c. What is going to happen to the current junction boxes that are going to be affected by the building of the berm? (see image 4 and 5)

With my side yard being as large as it is with no markers I do have a few personal concerns.

1. What will separate my yard from the development?
 - a. I believe we were told during the ZOOM meeting that there would be deciduous trees with a 2 1/2-inch trunk. How does that prevent or block any sound or light from the vehicles?
 - b. The back windows of my house line up with the top of the hill almost perfectly. (See Image 6 and 7)
2. Will my yard become a walk-through for the children walking to and from the new school that is being built across Nebraska Drive?
 - a. We know that children will take the shortest route and will not walk down from the school to the proposed crosswalk at Nebraska Drive and Columbus Avenue. Even with supervision children will walk across Nebraska Drive and through the Apartment complex.
3. As this complex will be pet-friendly will my yard become the dog walking facility?
 - a. Due to the transmission pole having the allotted right of way and the proposed plan of no trees or any foliage being placed there.
 - b. We were told during both the ZOOM meeting and the Planning Commission meeting that we could go look at Latitude 41 to see what the development will look like when completed. At Latitude 41 there is what appears to be a fenced-in section for pets and their owners. The proposed plan that was mailed out does not include a fenced area for pets.
4. We asked if building a fence on the shared property line with the neighborhood would even be possible to help with privacy and sound pollution. The developers said no because it was not aesthetically pleasing.
5. With the Intersection of Nebraska Drive and Columbus Avenue is there any way that we could either make it a 3-way stop or put in a traffic light to make sure everyone is safe between the drivers and the pedestrians?

Thank you for your time,

Debra Duff

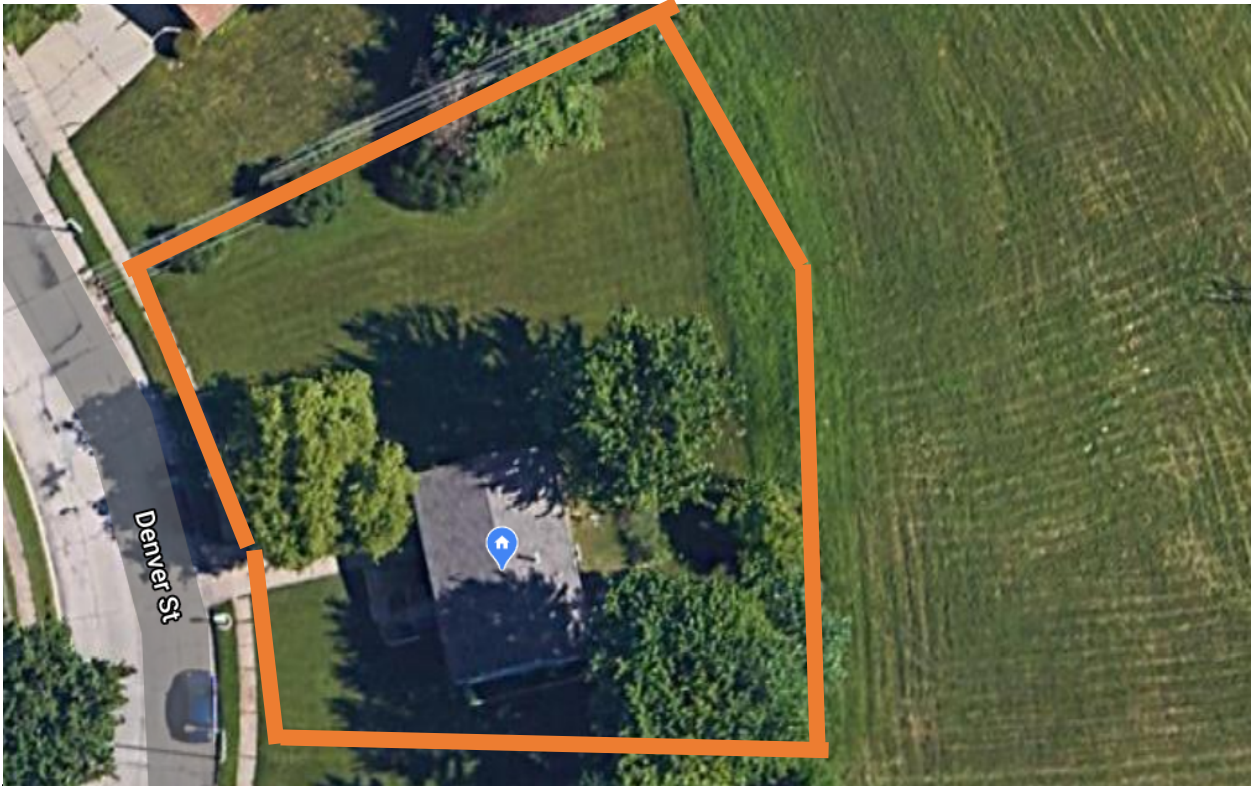


Image 1: This picture shows the current property of Lot 13 - Image capture 2020-Google Maps.



Image 2: This picture shows the side yard view from Denver St. Trees and shrubs are larger as image capture is Sept 2011 - Google Maps.



Image 3: This picture shows the underground wiring marked by diggers hotline (811) within the hill on the north side of property Lot 13. – taken 10/17/2020



Image 4: This picture shows the junction box on the north side of Lot 13 and south side of Lot 12



Image 5: This picture shows the junction box on the south side of Lot 13 and north side of Lot 14.

Image 6: This picture shows the view from the top of the hill where the proposed parking lots



Image 7: This picture shows the view from my back deck/kitchen towards the hill where the proposed parking lots will be.



CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020		SUBMITTED BY: Tammi Palm, Planning Manager	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Approval of a 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 commercial and multi-family residential development, with site plan approval for Lot 2. Applicant: Carlson Consulting Engineers, Inc (Attn: Mike Dedman). General Location: 25th Street and West Chandler Road.

SYNOPSIS/BACKGROUND:

Mike Dedman, on behalf of Carlson Consulting Engineers, Inc. submitted a request to rezone Lots 2 and 2A, Kennedy Town Center Replat 7, from RG-20-PS to BG-PCO and RG-20-PS for the purpose of commercial and multi-family residential development. Proposed Lot 2A would be zoned BG-PCO, while proposed Lot 2 would be zoned RG-20-PS. Both of the proposed zonings require site plan approval and the applicant is requesting site plan approval for the multi family residential development on Lot 2. The multi-family residential proposal consists of 48 units in five buildings. Future site plan approval will be required if commercial development occurs on proposed Lot 2A. A small subdivision plat will be on the agenda when this ordinance has second reading.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of this request.

ATTACHMENTS:

1. Planning Commission Recommendation Sheet
2. Staff Report
3. Rezoning Ordinance
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Roblins

[Signature]

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Carlson Consulting Engineers, Inc

Case #'s: Z-2008-10 and S-2008-18

CITY COUNCIL HEARING DATE: October 20, 2020

REQUEST: to rezone 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, NE, from RG-20-PS to BG-PCO and RG-20-PS for the purpose of commercial and multi-family residential development; and small subdivision plat Lots 2 and 2A, Kennedy Town Center.

On September 24, 2020, the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

APPROVAL of a request to rezone 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, from RG-20-PS to BG-PCO and RG-20-PS for the purpose of commercial and multi-family residential development; and small subdivision plat Lots 2 and 2A, Kennedy Town Center. **APPROVAL** based upon compatibility with the surrounding neighborhood, lack of perceived negative impact, and conformance with the Zoning Ordinance. **APPROVAL** based upon the Future Land Use Map of the Comprehensive Plan being amended to allow for the commercial use at the corner of 25th Street and West Chandler Road. **APPROVAL** also based on the installation of a fence on the south side of the development along the north side of Albert Street.

VOTE:

Yes:	Seven:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey						Ritz
	Perrin						Jacobson
	Cain						
	Aerni						
	Ackley						
	Hankins						
	Cutsforth						

Planning Commission Hearing (s) was held on: September 24, 2020

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

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

FOR HEARING OF:
REPORT #1: September 24, 2020
REPORT #2: October 20, 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 $\frac{1}{4}$ 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:

On September 24, 2020, the Planning Commission recommended APPROVAL of a request to rezone 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, from RG-20-PS to BG-PCO and RG-20-PS for the purpose of commercial and multi-family residential development; and small subdivision plat Lots 2 and 2A, Kennedy Town Center.

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

APPROVAL based upon compatibility with the surrounding neighborhood, lack of perceived negative impact, and conformance with the Zoning Ordinance. APPROVAL based upon the Future Land Use Map of the Comprehensive Plan being amended to allow for the commercial use at the corner of 25th Street and West Chandler Road. APPROVAL also based on the installation of a fence on the south side of the development along the north side of Albert Street.

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
6. Letter from Laura Wyman received September 22, 2020

VII. COPIES OF REPORT TO:

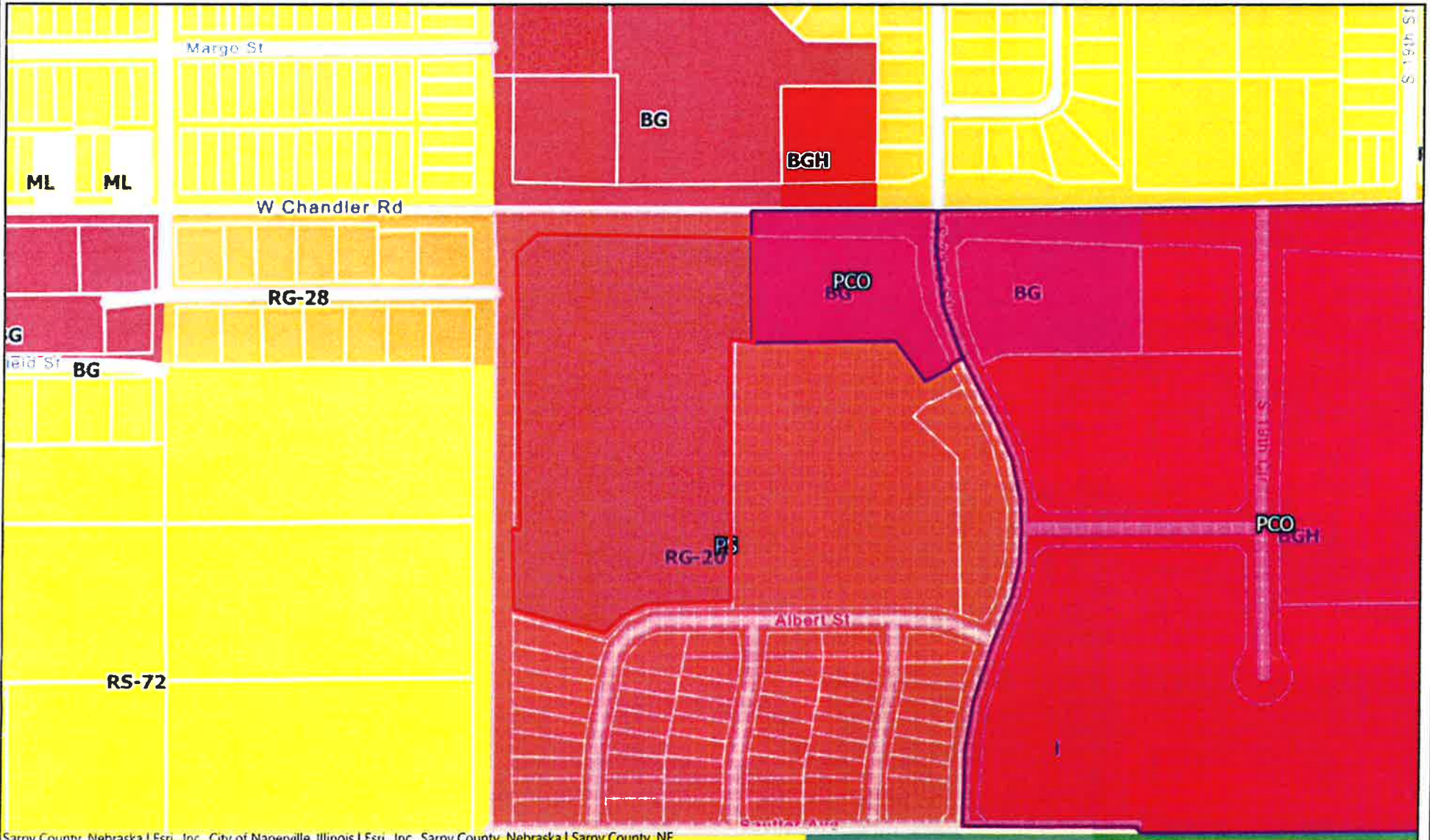
1. Carlson Consulting Engineers, Inc
2. Rural Housing Developers – Nebraska, LLC
3. Public Upon Request

Angela M. Curry 9/30/20
Prepared by:

Sammi L. Palmer 09/30/2020
Planning Manager Date of Report



SARPY COUNTY
NEBRASKA



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

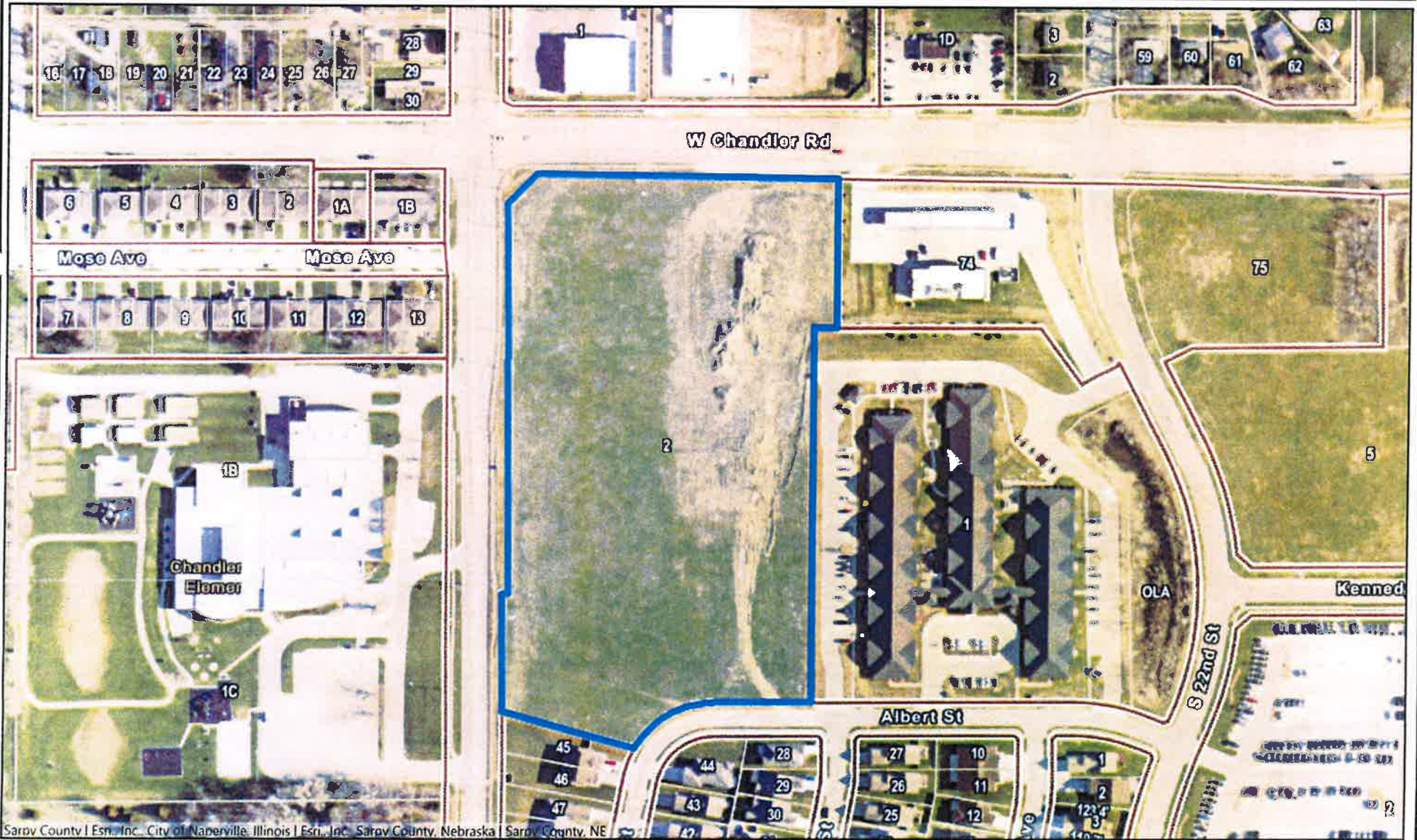
0 400 800 ft

Map Scale 1: 4514

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



Notes



Sarpy County, Inc. City of Naperville, Illinois | 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



**KENNEDY TOWN CENTER REPLAT SEVEN
LOT 2 & 2A INCLUSIVE**

BEING A REPLATING OF LOT 2, KENNEDY TOWN CENTER REPLAT FOUR, A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 5TH RANGE PLAT RECORDED IN INSTRUMENT 2011-21468 AT THE SHARPY COUNTY REGISTER OF DEEDS OFFICE.

**RECEIVED
SEP 15 2023
PLANNING DEPT**

Paul A. Schmitt
CHIEF T. RECORDS, P.A. #123
DATE: 9/15/2023
15723
SEAL OF RECORDS

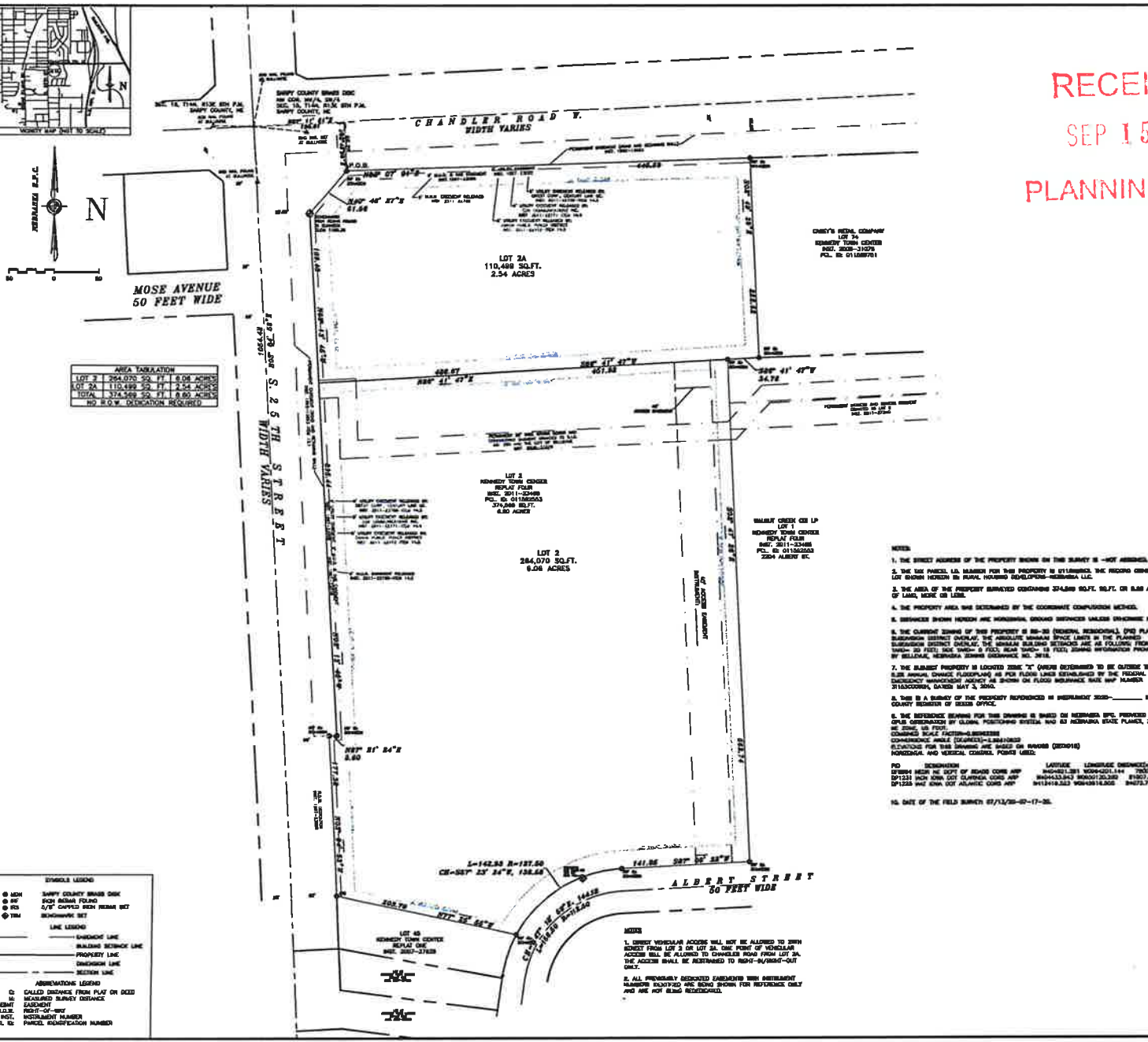
ACKNOWLEDGMENT OF DEED
I, the undersigned, being the grantor and the grantee herein, do hereby certify that I am a professional land surveyor, registered in compliance with the laws of the State of Nebraska, and I hereby certify that I have made a boundary survey on the ground of the subdivision shown herein and that permanent monuments have been found or will be set at all corners, angle points and ends of lines on the eastern boundary of the subdivision and my subdivision level was determined to be shown as follows: BEING THE CORNER POINT BEING A REPLATING OF LOT 2, KENNEDY TOWN CENTER, REPLAT FOUR, A SUBDIVISION LOCATED IN THE CITY OF BELLEVUE, IN THE SW 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 5TH RANGE PLAT RECORDED IN INSTRUMENT 2011-21468 AT THE SHARPY COUNTY REGISTER OF DEEDS OFFICE.

ACKNOWLEDGMENT OF DEED
I, HENRY GIBNEY, THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY ON THE GROUND OF THE SUBDIVISION SHOWN HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN FOUND OR WILL BE SET AT ALL CORNERS, ANGLE POINTS AND ENDS OF LINES ON THE EASTERN BOUNDARY OF THE SUBDIVISION AND MY SUBDIVISION LEVEL WAS DETERMINED TO BE SHOWN AS FOLLOWS: BEING THE CORNER POINT BEING A REPLATING OF LOT 2, KENNEDY TOWN CENTER, REPLAT FOUR, A SUBDIVISION LOCATED IN THE CITY OF BELLEVUE, IN THE SW 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 5TH RANGE PLAT RECORDED IN INSTRUMENT 2011-21468 AT THE SHARPY COUNTY REGISTER OF DEEDS OFFICE.

NOTICE
1. THE STREET ADDRESS OF THE PROPERTY SHOWN ON THIS SURVEY IS - NOT APPLICABLE.
2. THE TAX PARCEL I.D. NUMBER FOR THIS PROPERTY IS DETERMINED TO BE THE RECORD NUMBER OF LOT 2, KENNEDY TOWN CENTER REPLAT SEVEN, A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 5TH RANGE PLAT RECORDED IN INSTRUMENT 2011-21468 AT THE SHARPY COUNTY REGISTER OF DEEDS OFFICE.
3. THE AREA OF THE PROPERTY SHOWN HEREON IS 2.54 ACRES.
4. THE PROPERTY AREA WAS DETERMINED BY THE COORDINATE COMPARISON METHOD.
5. SERVICES WERE PROVIDED BY ME AND MY ASSISTANTS, INCLUDING MEASUREMENTS, CALCULATIONS, AND THE PREPARATION OF THIS SURVEY.
6. THE CURRENT ZONING OF THIS PROPERTY IS R-1.5 (RESIDENTIAL SINGLE-FAMILY PLANNED SUBDIVISION DISTRICT) OVERLAY, THE ABSOLUTE MAXIMUM SPACE LIMITS IN THE PLANNED SUBDIVISION DISTRICT OVERLAY, THE MINIMUM BUILDING SETBACKS ARE AS FOLLOWS: FRONT YARD (10 FEET), SIDE YARD (5 FEET), REAR YARD (10 FEET), SETBACKS SUPERSEDED BY BELLEVUE, NEBRASKA ZONING ORDINANCE NO. 2018.
7. THE SUBJECT PROPERTY IS LOCATED ZONE "T" (AS PER REFERENCED TO BE THE ZONING DISTRICT CHANGING FLOORPLAN) AS PER FLOOR LINES ESTABLISHED BY THE REGIONAL UTILITY DISTRICTS, AS SHOWN ON FLOOR PLANS, AS PER PLANS RECORDED IN INSTRUMENT 2011-21468 AT THE SHARPY COUNTY REGISTER OF DEEDS OFFICE.
8. THE REFERENCE BEARING FOR THIS SURVEY IS BASED ON NEBRASKA STATE PLANNED, 2018 AND IS TO BE USED FOR THE PURPOSES OF THIS SURVEY.
9. THIS IS A BOUNDARY SURVEY AND DOES NOT CONSTITUTE A TITLE SURVEY.
10. DATE OF THE FIELD SURVEY: 07/12/2023-07-17-23.

NOTICE
1. NO OTHER PERSONS SHALL BE ALLOWED TO OPEN ACCESS FROM LOT 2 OR LOT 2A, THE POINT OF BEGINNING ACCESS SHALL BE ALLOWED TO CHANDLER ROAD FROM LOT 2A, THE ACCESS SHALL BE RESTRICTED TO RIGHT-OF-WAY ONLY.
2. ALL PROPOSED RECORDED CHANGES NEW INSTRUMENTS SHOWN HEREON ARE SHOWN FOR REFERENCE ONLY AND ARE NOT TO BE RECORDED.

SMALL SUBDIVISION PLAT
PREPARED BY: CARLSON CONSULTING ENGINEERS, INC.
DATE: 8/15/2023
SCALE: 1" = 40'
DATE: 8/15/2023
DRAWN BY: EWB/ALZ
SHEET 1 OF 1



RECEIVED

SEP 15 2020

PLANNING DEPT

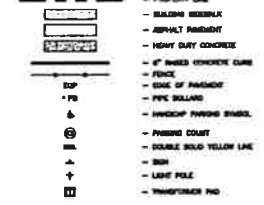
SITE DATA	
LOT NO.	101-2001
SECTION	101 OF 101

BUILDING DATA	
BLDG 1	2 UNITS
BLDG 2	8 UNITS
BLDG 3	8 UNITS
BLDG 4	8 UNITS
BLDG 5	12 UNITS

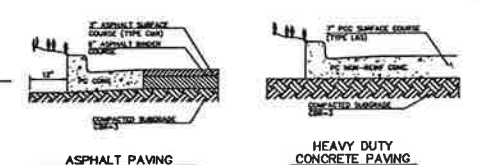
PARKING DATA	
TOTAL SPACES	54
STANDARD	30
COMPACT	24
ADA	2
BIKE	2
TRUCK	2

PURCHASE PARCEL L&L AC

LEGEND

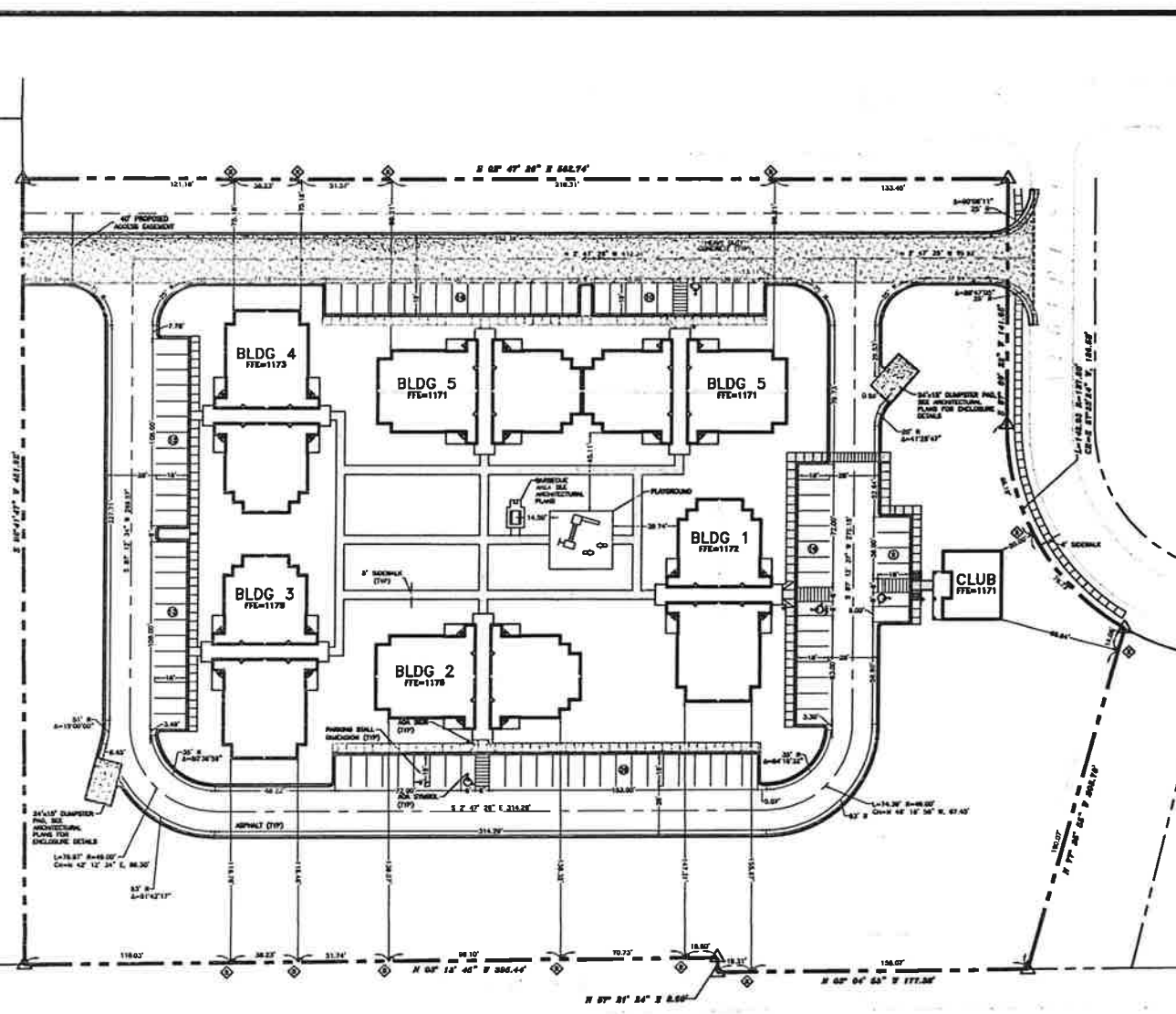


1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL ORDINANCES AND CODES, O.G.M.A. STANDARDS, AND PROJECT REQUIREMENTS AND EXISTING BUILDING UTILITY RECORDS SHALL BE MAINTAINED.
2. CONTRACTOR SHALL REFER TO THE BUILDING PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STOPS, PUBLIC BUILDING DIMENSIONS AND EXISTING BUILDING UTILITY RECORDS SHALL BE MAINTAINED.
3. ALL DISTURBED AREAS ARE TO BE RESTORED TO ORIGINAL CONDITION, INCLUDING SOIL, VEGETATION, AND WATER. A HEALTHY BOUNDARY OF GRASS IS REQUIRED TO BE MAINTAINED TO BE MAINTAINED FOR THE LIFE OF THE PROJECT.
4. ALL WORK ARE TO BE 3" AND ALL DRAIN ANGLES ARE TO BE 1:12.
5. ALL NECESSARY INSPECTIONS, APPROVALS, AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND THE FINAL COMPLETION OF WORK.
6. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
7. ACCESSIBLE PARKING SPACES SHALL BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
8. BUILDING AND FINISHES SHALL BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
9. LIGHTING SHALL BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
10. DIMENSIONS ARE SHOWN TO THE CENTER OF FINISHED GRADE.
11. ALL DIMENSIONS SHALL BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
12. SEE THE UTILITY PLAN FOR DIMENSIONS OF UTILITY.
13. TRAFFIC SIGN DIMENSIONS REFER TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
14. ALL DIMENSIONS ARE TO BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
15. ALL DIMENSIONS ARE TO BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
16. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
17. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
18. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
19. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
20. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND CERTIFICATIONS REQUIRED BY CODES AND/OR AGENCIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
21. REFER TO ACCESSIBLE SIGN PLAN FOR SIGNAGE REQUIREMENTS AT ACCESSIBLE SIGN.
22. REFER TO ALL AREA ADJACENT TO BUILDING SHALL NOT EXCEED 1:30 IN THE DIRECTION OF TRAVEL AND 1:50 GRASS SLOPE. THE SLOPE WITHIN ALL ADA PARKING SPACES AND ACCESSIBLE AREAS SHALL NOT EXCEED 1:50 IN ALL DIRECTIONS. SEE ADA PLAN FOR ACCESSIBLE INFORMATION.
23. SEE SIGN PLAN FOR SIGNAGE REQUIREMENTS AT ACCESSIBLE SIGN.



ASPHALT PAVING PG70-28 ASPHALT PAVING (NMAX=98)

1. FOR PREPARATION OF PAVEMENT SUBGRADE, FILL PLACED IN 8" MAXIMUM LIFTS TO FINISHED SUBGRADE ELEVATION SHALL BE COMPACTED TO AT LEAST 98% OF THE NATURAL STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D-1557). THE SOIL MOISTURE CONTENT SHALL BE AT +2% TO +3% OF THE SOIL'S LIQUID LIMIT VALUE AT THE TIME OF COMPACTING.
2. IMMEDIATELY BEFORE PAVING CONSTRUCTION TO PROTECT WITH A LIGHTED TAMPERABLE CLAMP BRICK AND REPAIRING DEEP DAMAGED SURFACES, THE ENTIRE SURFACE SHALL BE CHIPPED TO A DEPTH OF 9 INCHES AND IMPROPERLY COMPACTED TO AT LEAST 98% OF STANDARD PROCTOR.
3. ALL DIMENSIONS SHALL BE IDENTIFIED BY A SIGN AND SHALL BE IDENTIFIED BY A SIGN.
4. THE PORTLAND CEMENT CONCRETE FINISHING MATERIAL SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS IN SECTION 406 OF THE CITY OF OMAHA STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2018 EDITION.
5. THE PORTLAND CEMENT CONCRETE FINISHING MATERIAL SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS IN SECTION 406 OF THE CITY OF OMAHA STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2018 EDITION.
6. CONTRACTOR SHALL PROVIDE A PRIME COAT AND TACK COAT AS SPECIFIED IN PROJECT SPECIFICATIONS.



REVISIONS	
NO.	
1	
2	
3	

NOT FOR CONSTRUCTION

Trinity Housing
Development, LLC

NAME: S. G. S. DEVELOPMENT, LLC
PROJECT: DEER CREEK VILLAGE
PL (CITY) 102-1701

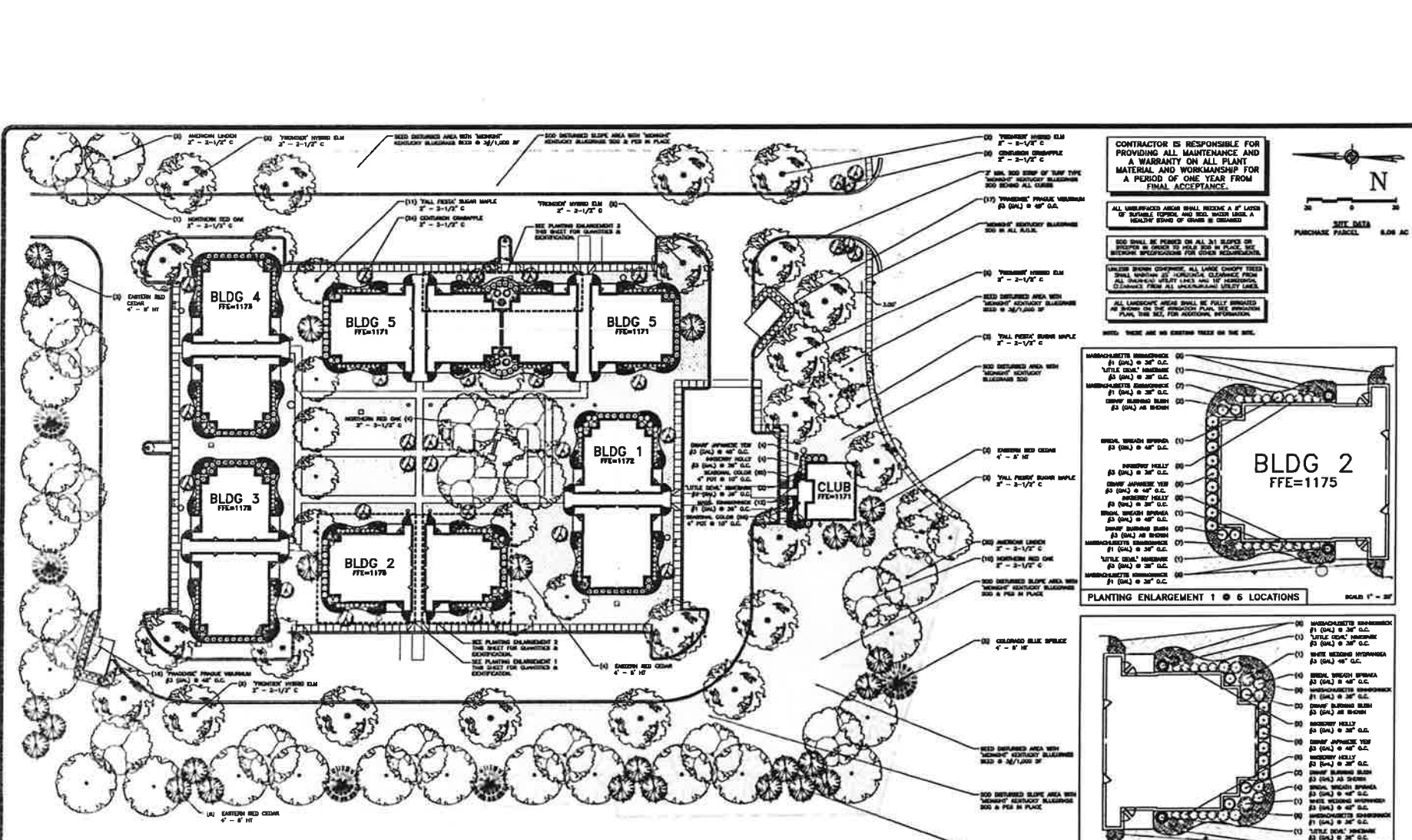
DEER CREEK VILLAGE
SITE PLAN
BELLEVUE, NEBRASKA

CARLSON CONSULTING ENGINEERS, INC.

1015 WEST 15TH AVENUE
SUITE 100
OMAHA, NE 68102
TEL: (402) 442-8800
FAX: (402) 442-8801



DRAWN	
DATE	8/21/20
SCALE	1"=30'
JOB NO.	N/A
SHEET	11 OF 24 SHEETS



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.

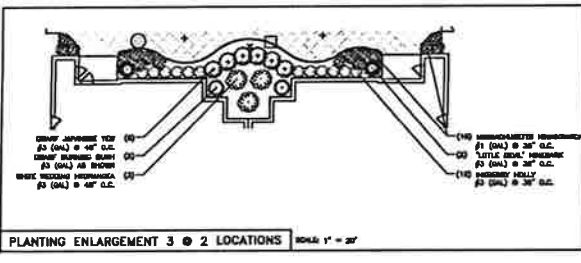
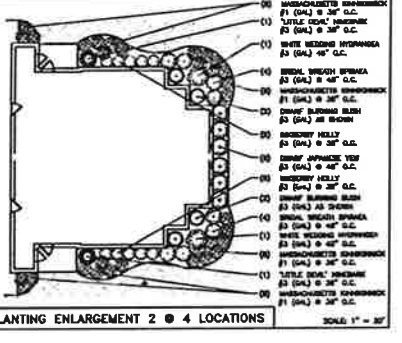
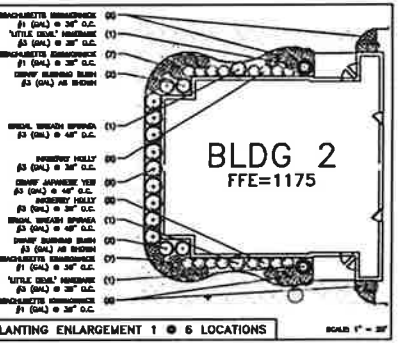
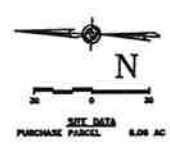
ALL UNGRADED AREAS SHALL BEING A 1" LAYER OF STABLE TOPSOIL AND SOIL UNDER LAYER A HEALTHY STAND OF GRASS IS CREATED.

SOIL SHALL BE PERMED ON ALL SLOPES OR SHALL BEING A 1" LAYER OF STABLE TOPSOIL AND SOIL UNDER LAYER A HEALTHY STAND OF GRASS IS CREATED.

UNLESS SHOWN OTHERWISE, ALL LARGE CHOPPY TREES SHALL BEING A 1" LAYER OF STABLE TOPSOIL AND SOIL UNDER LAYER A HEALTHY STAND OF GRASS IS CREATED.

ALL UNGRADED AREAS SHALL BE FULLY IRRIGATED AS SHOWN ON THE IRRIGATION PLAN. SEE IRRIGATION PLAN FOR SCHEDULE FOR ADDITIONAL INFORMATION.

NOTE: THERE ARE NO EXISTING TREES ON THE SITE.



PLANT SCHEDULE

QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE (GROW MATS TO BE MET)	SPACING	CONDITION	REMARKS
17	(1)	ACER FRAXINUM 'WHEATST'	TALL FRAXINUM BURN MAPLE	2" - 3-1/2" C / 10" - 12" H	AS SHOWN	BAR	FULL HEAD UNIFORM GROWTH
28	(2)	JUNIPERUS VERTICALIS	JUNIPERUS VERTICALIS	4" - 8" H	AS SHOWN	BAR/FOOT	FULL TO BRANCHING UNIFORM GROWTH
38	(3)	QUERCUS LAEVIS	QUERCUS LAEVIS	2" - 3-1/2" C / 8" - 10" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
8	(4)	PIEA PANDORA 'BLANCH'	COLONIAL BLUE SPRUCE	4" - 8" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
15	(5)	QUERCUS RUBRA	NORTHERN RED OAK	2" - 3-1/2" C / 10" - 12" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
21	(6)	TELA AMERICANA	AMERICAN LINDEN	2" - 3-1/2" C / 10" - 12" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
22	(7)	MAHOGANY (SWAMPY) X FRAXINUM 'TRINITY'	TRINITY HYBRID OLM	2" - 3-1/2" C / 10" - 12" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
44	(8)	SPARGANGLIA ALATA 'DORNICUS'	DWARF SPARGANGLIA	2" (24) / 10" - 30" H	AS SHOWN	CONT	ROUND, FULL HEAD
14	(9)	HYDRANGEA PANICULATA 'HYBRID LAMPY' PFP2873	WHITE WEDDING HYDRANGEA	2" (24) / 10" - 12" H	48" O.C.	CONT	ROUND, FULL HEAD
15	(10)	KECK COXICOLA	REVEREND HILLY	2" (24) / 10" - 12" H	36" O.C.	CONT	ROUND, FULL HEAD
38	(11)	PHYSCOPHUS OPPOSITIFOLIA 'TOWN WAY'	LITTLE OAK HYDRANGEA	2" (24) / 10" - 12" H	36" O.C.	BAR/FOOT	FULL HEAD UNIFORM GROWTH
14	(12)	SPARGANGLIA	SPARGANGLIA	2" (24) / 10" - 12" H	48" O.C.	CONT	ROUND, FULL HEAD
84	(13)	QUERCUS LAEVIS 'HANK'	DWARF JAPANESE YEW	2" (24) / 10" - 12" H	48" O.C.	CONT	ROUND, FULL HEAD, UNIFORM BRANCHING
33	(14)	MAHOGANY 'TRINITY'	TRINITY HYBRID OLM	2" (24) / 10" - 12" H	48" O.C.	CONT	ROUND, FULL HEAD, UNIFORM BRANCHING
284	(15)	ARCTOSTAPHYLOS UVA-URSI 'MORNINGSTAR'	MORNINGSTAR SPARGANGLIA	2" (24) / 8" - 12" H	36" O.C.	CONT	FULL HEAD UNIFORM GROWTH
110	(16)	ANNUAL BEDDING PLANTS	SEASONAL COLOR	10" O.C.	POI	SEED FREE & ACTIVELY GROWING	
144	(17)	POA PRINCEPS 'MORNING'	'MORNING' PERENNIAL BELLFLOWER	3 LB / 1000 SF	SOLD	SOLD	SEED FREE & ACTIVELY GROWING
144	(18)	POA PRINCEPS 'MORNING'	'MORNING' PERENNIAL BELLFLOWER	3 LB / 1000 SF	SOLD	SOLD	SEED FREE & ACTIVELY GROWING

NOTE: SYMBOLS SHOWN IN TABLE ABOVE ARE FOR SPECIES IDENTIFICATION ONLY. PLANT SIZE SHOWN IN THE TABLE IS NOT GUARANTEED TO BE REPRESENTATIVE OF THE PLANT AT OTHER INSTALLATION OR MATURE APPEARANCE OF THE LANDSCAPE ARCHITECT.

NO.	REVISIONS

NOT FOR CONSTRUCTION

Trinity Housing
J Development, LLC
3008 S. CALLEPER CIRCLE SUITE 4
BELLEVUE, NE 68102
PH: (402) 233-7070

DEER CREEK
VILLAGE
PLANTING PLAN
BELLEVUE, NEBRASKA

CARLSON
CONSULTING
ENGINEERS, INC.
1000 N. 10TH STREET
LINCOLN, NE 68502

RECEIVED
SEP 15 2020
PLANNING
811 EP
Know what's below,
Call before you dig.

DRAWN
AS CHECKED
DATE
8/21/20
SCALE
1"=30'
JOB NO.
N/A
SHEET
14 OF 24 SHEETS



September 18, 2020

Tammi Palm
City of Bellevue Planning Department
1510 Wall Street

RE: Rezoning
Southeast Corner of 25th and Chandler

Ms. Palm,

Carlson Consulting Engineers has filed a rezoning application to rezone a portion of Lot 2 of Kennedy Town Center Replat Four to BG-PCO for future commercial use; said portion of Lot 2 being 2.54 acres and bounded by 25th Street on the west, a new convenience store on the east, Chandler Road to the north and the remaining portion of Lot 2 on the south. Said portion is reflected in the small subdivision plat submitted in conjunction with the rezoning application. The remaining portion of Lot 2 to the south is to be developed with an apartment complex. Plans for this apartment complex have been submitted with the small subdivision and rezoning applications. We feel that a commercial rezoning of this property conforms with the surrounding area in that across Chandler is a Family Dollar, a new commercial development under construction and a Terramota Car dealership. Immediately east is a new convenience and further east down Chandler is Chrysler/Dodge/Jeep dealership. The short Chandler corridor between 25th Street and I-75 is trending commercial development.

Sincerely,

Mike Dedman
Carlson Consulting Engineers, Inc.

RECEIVED
SEP 18 2020
PLANNING DEPT.

Planning Department
City of Bellevue
1510 Wall St

Laura Wyman
7804 S 24th St
September 22, 2020

Ref: Planning application Z-2008-10, S-2008-18

To whom it may concern,

I am writing in opposition to the proposed Deer Creek development at the corner of Chandler St and 25th St. I am a homeowner on the northwest corner of the Kennedy Ridge subdivision, putting this proposed project in my immediate vicinity.

I lived in apartments for years, including right here in Bellevue. I left apartment-living and purchased a house to get away from the noise and constant commotion of apartments. I am sure many others made the same decision. It is very disappointing to think I could find myself in the same circumstance.

This neighborhood is a quiet district with an older demographic. The area as a whole is not a rental/temporary community, but is much stable and permanent. There is even a senior living community adjacent to the lot in question. Multi-family residences are non congruent for this area.

The increase in traffic that this project would bring is very concerning. There is already a high rate of speeding on side streets by drivers avoiding the light at 25th and Chandler. With Walnut Creek senior living center and Chandler View Elementary near the proposed site, the increase in traffic will not only be a nuisance for residents, but also a major safety hazard. In these very uncertain times, I am also concerned about a potentially unfinished, vacated eye sore should finances fail.

When buying my home, Bellevue was first on my list. That was because I knew I would be able to successfully find a quiet, residential neighborhood with the benefits of Sarpy County. I understand the need for growth, but I do ask of you to consider your current residents.

Thank you.

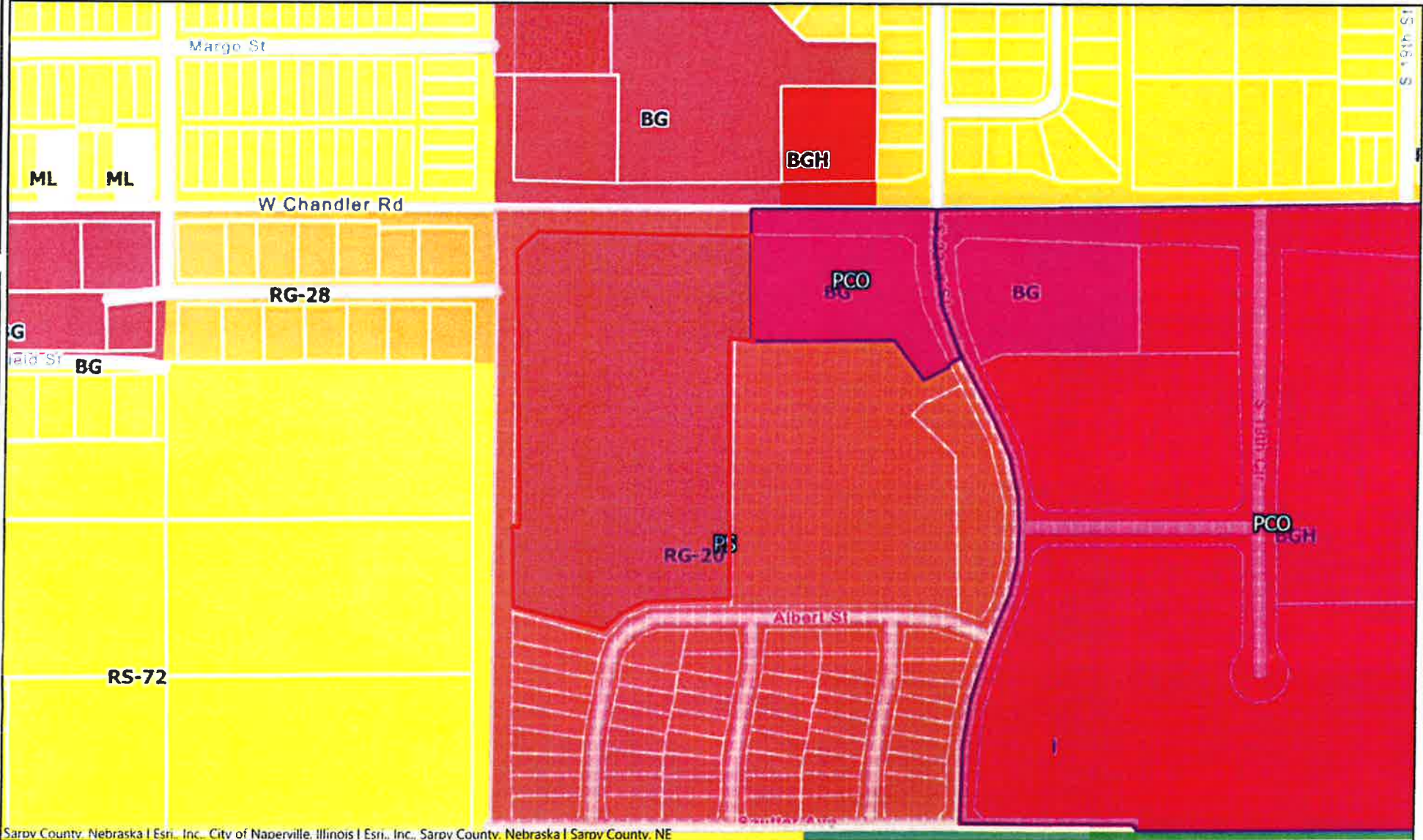
Sincerely,

Laura Wyman

RECEIVED
SEP 22 2020
PLANNING DEPT.



SARPY COUNTY
NEBRASKA



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



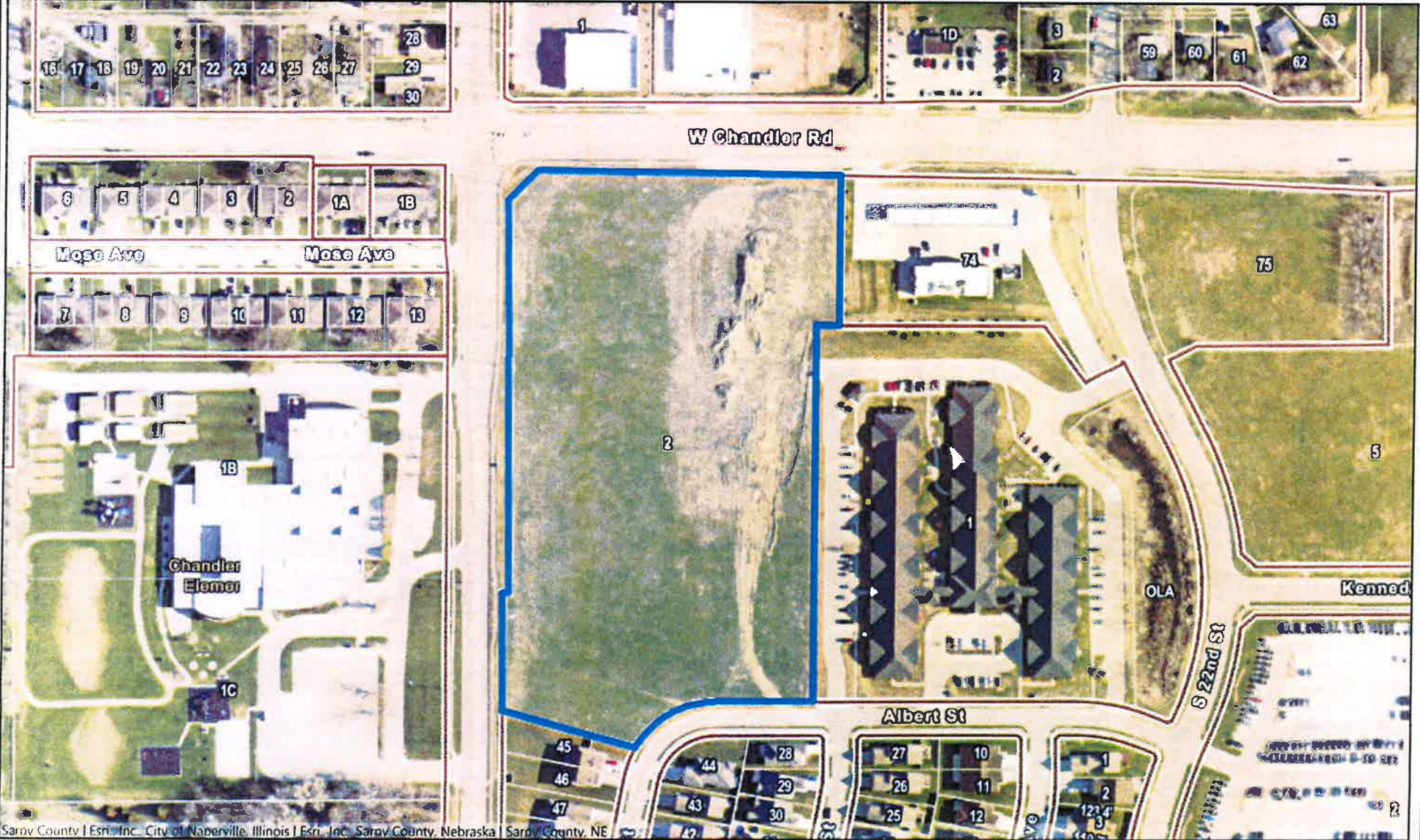
Map Scale 1: 4514

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



Notes





Sarpy County, Inc. City of Naperville, Illinois, 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



ORDINANCE NO. 4014

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 25th STREET AND W CHANDLER ROAD, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lot 2, Kennedy Town Center Replat Seven, being a replat of Lot 2 Kennedy Town Center Replat Four, located in the Southwest $\frac{1}{4}$ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

From RG-20-PS (General Residential – 2,000 Square Foot Zone – Planned Subdivision) to RG-20-PS (General Residential – 2,000 Square Foot Zone – Planned Subdivision).

AND

Lot 2A, Kennedy Town Center Replat Seven, being a replat of Lot 2 Kennedy Town Center Replat Four, located in the Southwest $\frac{1}{4}$ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

From RG-20-PS (General Residential – 2,000 Square Foot Zone – Planned Subdivision) to BG-PCO (General Business – Planned Center Overlay).

(Carlson Consulting Engineers, Inc)

Section 2. This ordinance shall not take effect until such time as the final plat of Kennedy Town Center Replat Seven is filed with the Sarpy County Register of Deeds in accordance with Section 5-10 of the City of Bellevue Subdivision Regulations.

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTEED by the Mayor and City Council this _____ day of _____, 2020.

APPROVED AS TO FORM:

City Attorney

ATTEST

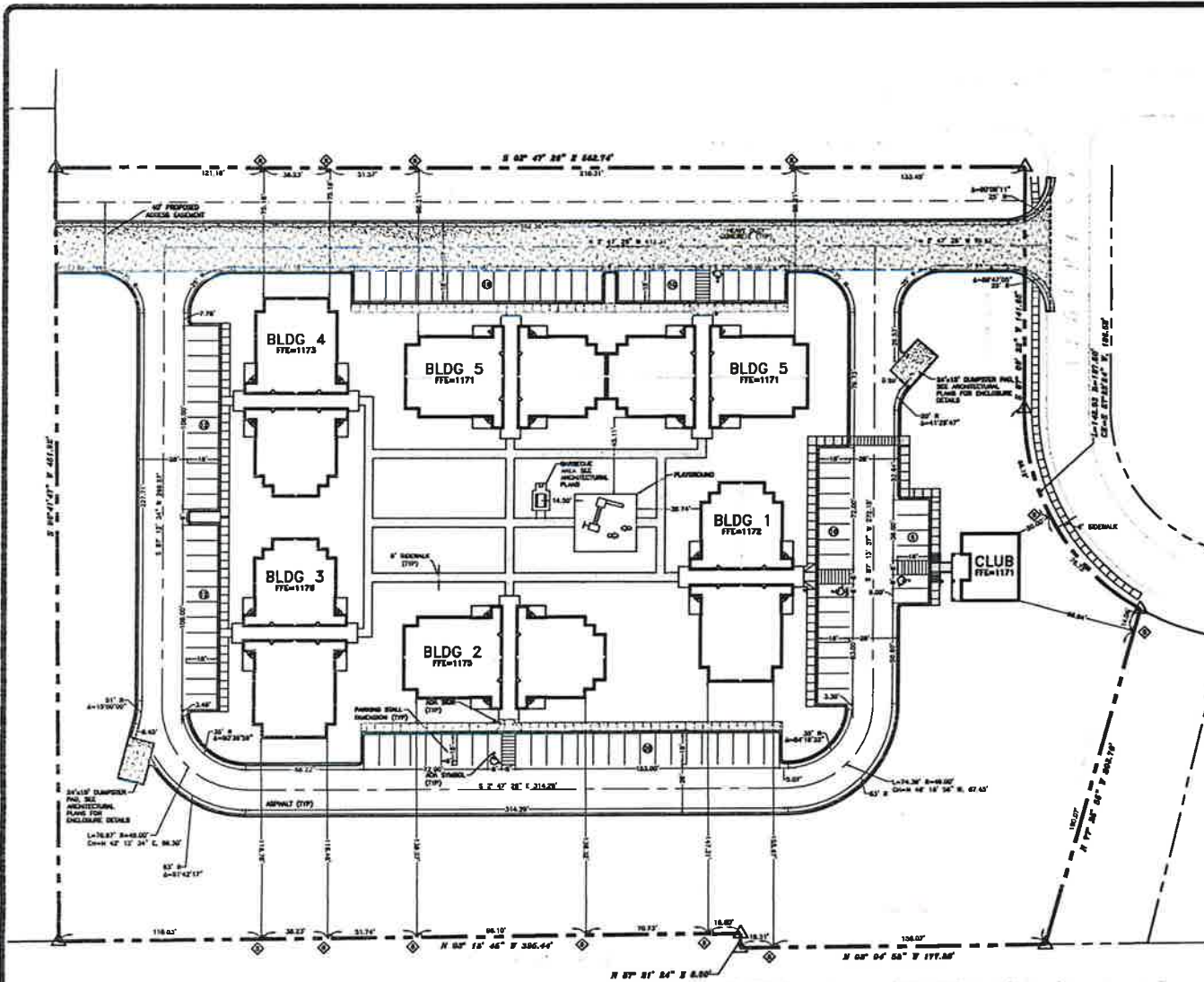
City Clerk

Mayor

First Reading: 10/06/2020
Second Reading: 10/20/2020
Third Reading: _____

RECEIVED
SEP 15 2020

PLANNING DEPT



SITE DATA

LOT AREA	6.08 AC
PERMITS	200
CONTRACTOR	TRINITY HOUSING

BUILDING DATA

BLDG 1	2 UNITS
BLDG 2	8 UNITS
BLDG 3	8 UNITS
BLDG 4	12 UNITS
BLDG 5	12 UNITS
NUMBER OF FLOORS	2
BLDG 1	1,124 SF
BLDG 2	1,124 SF
BLDG 3	1,124 SF
BLDG 4	1,124 SF
BLDG 5	1,124 SF

PARKING DATA

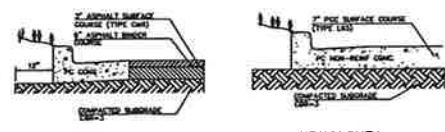
MINIMUM REQUIRED	N/A
STANDARD VEHICLES	100
ADA	5
TOTAL REQUIRED	105
PROVIDED SPACES	105
ADA	5
TOTAL PROVIDED	110



LEGEND

- PROPERTY LINE
- BUILDING FOOTPRINT
- ASPHALT PAVEMENT
- HEAVY DUTY CONCRETE
- 4" BASED CONCRETE CURB
- SIDE OF PAVEMENT
- PIPE BOLLARD
- HATCHTOP PARKING MARK
- PARKING CURB
- DOUBLE SOLID YELLOW LINE
- SIGN
- LIGHT POLE
- TRANSFORMER PAD

- NOTES**
- ALL NEW AND EXISTING SHALL COMPLY WITH ALL APPLICABLE AND CODES, ORDINANCES, SPECIFICATIONS, AND PROJECT REQUIREMENTS. MOST RECENT REQUIREMENTS SHALL APPLY.
 - CONTRACTOR SHALL REFER TO THE BUILDING PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF STUDY, FINISH BUILDING DIMENSIONS AND EXISTING BUILDING QUALITY EXISTING LOCATIONS.
 - ALL EXISTING AREAS ARE TO BE KEPT FOUR INCHES OF TOPSOIL, SOIL AND/OR LANDSCAPING UNDER A HEALTHY SOIL OF CLASS B UNLESS NOTED TO BE PLANNED PLANT, SEE SET FOR ADDITIONAL INFORMATION.
 - ALL SIGN ARE 2' AND ALL SIGN ANGLES ARE 90 DEGREE.
 - ALL NECESSARY INSPECTIONS, APPROVALS AND/OR CONDITIONS REQUIRED BY CODES AND/OR AGENCIES SHALL BE COMPLETED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND THE FINAL SUBMITTAL OF PERMITS.
 - CONTRACTOR SHALL ENSURE EXISTING UTILITIES ARE PROTECTED AND NOT DAMAGED. ANY UTILITIES TO BE REMOVED OR RELOCATED SHALL BE MARKED BY THE CONTRACTOR TO MEET THE REQUIREMENTS AND APPROVALS OBTAINED BY LOCAL GOVT. CONTRACTOR SHALL PROVIDE WRITTEN NOTICE TO THE CONTRACTOR OWNER'S REPRESENTATIVE 72 HOURS PRIOR TO ANY PLANNED REMOVAL TO UTILITY AGENCIES. TEMPORARY UTILITY MARKERS SHALL BE USED AS NECESSARY. ANY COORDINATED WITH THE OWNER SHALL BE IN THE CONTRACTOR'S LUMP SUM PRICE FOR THE ORIGINAL PROJECT.
 - ACCESSIBLE PARKING SPACE TYPICAL, SEE DETAIL. MUST FOR ACCESSIBLE PARKING SPACE, SIGN, AND SYMBOL. (SEE) MARKERS WITH ACCESSIBLE SYMBOL.
 - PAVING THE DRIVE FROM THE CORNER OF BUILDING TO A POINT PERPENDICULAR TO THE PROPERTY LINE.
 - LANDING BUILDING SIGN, POLE, FIXTURE, AND CONDUIT TO BE LOCATED BY ARCHITECT. REFER TO ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.
 - LANDSCAPING ARE SHOWN TO THE EDGE OF PAVEMENT (SMA).
 - ALL CURBS SHALL BE CONCRETE CURB A DUTY MARK. SEE DETAIL SHEET FOR ADDITIONAL INFORMATION.
 - SEE THE UTILITY PLAN FOR PARKING LOT LIGHTING.
 - TRAFFIC SIGN MARKERS REFER TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
 - ALL DRIVE AREAS ARE TO BE PAVED.
 - ALL PAVED DRIVEWAYS SUCH AS ACCESSIBLE DRIVEWAYS AND DRIVEWAYS SHALL BE PAVED USING TEMPLATES.
 - CONNECT TO EXISTING CURB AND/OR SIDEWALK MATCH EXISTING IN GRADE, TYPE AND ALIGNMENT.
 - CONNECT TO EXISTING SIDE OF PAVEMENT WHICH EXISTING IN GRADE AND ALIGNMENT.
 - AS SHOWN PROPERTY LIES IN ZONE R, AND IS DETERMINED TO BE CLASS A FLOOD HAZARD AREA. INFORMATION PROVIDED BY FEMA'S FLOOD INSURANCE RATE MAP NUMBER 48113001AK, WITH AN EFFECTIVE DATE OF JULY 7, 2014.
 - CONTRACTOR AND SUBMITTER MUST VERIFY EXISTING HIGH WATER MARKS FOR ADDITIONAL INFORMATION.
 - CONTRACTOR SHALL VERIFY EXISTING PAVEMENT AS SHOWN TO ALLOW FOR A CLEAN, SEAMLESS JOINT BETWEEN OLD AND NEW SURFACES. CONTRACTOR SHALL REMOVE ALL PAVEMENT, SIGN, SIDEWALK, CURB, ETC. WITHIN SHOWN LIMITS OF CONSTRUCTION.
 - REFER TO ACCESSIBLE SIGN DETAIL FOR MARKING REQUIREMENTS AT ACCESSIBLE DRIVE.
 - BLDG 1 AND BLDG 2 SHALL BE CONCRETE CURB. SEE DETAIL SHEET FOR THE CORNER OF DRIVE AND 1:80 CURB. BLDG 3, 4 AND 5 SHALL BE ASPHALT CURB. SEE DETAIL SHEET FOR THE CORNER OF DRIVE AND 1:80 CURB. BLDG 1 AND 2 SHALL BE CONCRETE CURB. SEE DETAIL SHEET FOR THE CORNER OF DRIVE AND 1:80 CURB. BLDG 3, 4 AND 5 SHALL BE ASPHALT CURB. SEE DETAIL SHEET FOR THE CORNER OF DRIVE AND 1:80 CURB.
 - TYPE B CURB A DUTY.



PG70-28 ASPHALT PAVING (MAX=98)

- FOR PREPARATION OF PAVEMENT SURFACE, ALL PLACED IN 8 INCH MAXIMUM LIFTS TO FINISHED SURFACE ELEVATION SHALL BE COMPACTED TO AT LEAST 98% OF THE MAXIMUM STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D-1557). THE SOIL'S MOISTURE CONTENT SHALL BE AT -2% TO +2% OF THE SOIL'S OPTIMUM MOISTURE WALK AT THE OF COMPACTION.
- IMMEDIATELY BEFORE PAVING, CONTRACTOR TO PROTECT WITH A LIGHTED TAMING AXLE CLAMP TRUCK AND REPAIRING DEEP SURFACE DEFECTS. THE DRIVE SURFACE SHALL BE COMPACTED TO A DEPTH OF 9 INCHES AND UNIFORMLY COMPACTED TO AT LEAST 98% OF STANDARD PROCTOR.
- CONCRETE CURB AND SIDEWALK SHALL BE IN ACCORDANCE WITH TYPE REFINISHED IN SECTION AND OF THE CITY OF OMAHA STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2003 EDITION.
- THE PORTLAND CEMENT CONCRETE PAVEMENT SHALL BE IN ACCORDANCE WITH APPLICABLE CONCRETE FOR PAVEMENT AS PER ASTM C-111 AND SECTION 300 OF THE CITY OF OMAHA STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2003 EDITION. THE MIXTURE SHALL BE DESIGNED TO DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS WITH A 4 INCH MAXIMUM SLAB AND 3/8 TO 3/4 INCH ENHANCED AIR.
- CONTRACTOR SHALL PROVIDE A FINE COAT AND TIE COAT AS SPECIFIED IN PROJECT SPECIFICATIONS.

REVISIONS

NO.	DESCRIPTION

NOT FOR CONSTRUCTION

Trinity Housing
LLC Development, LLC
3000 S. CLEARVIEW DRIVE, SUITE 4
BELLEVUE, NEBRASKA
PH: (417) 862-1700

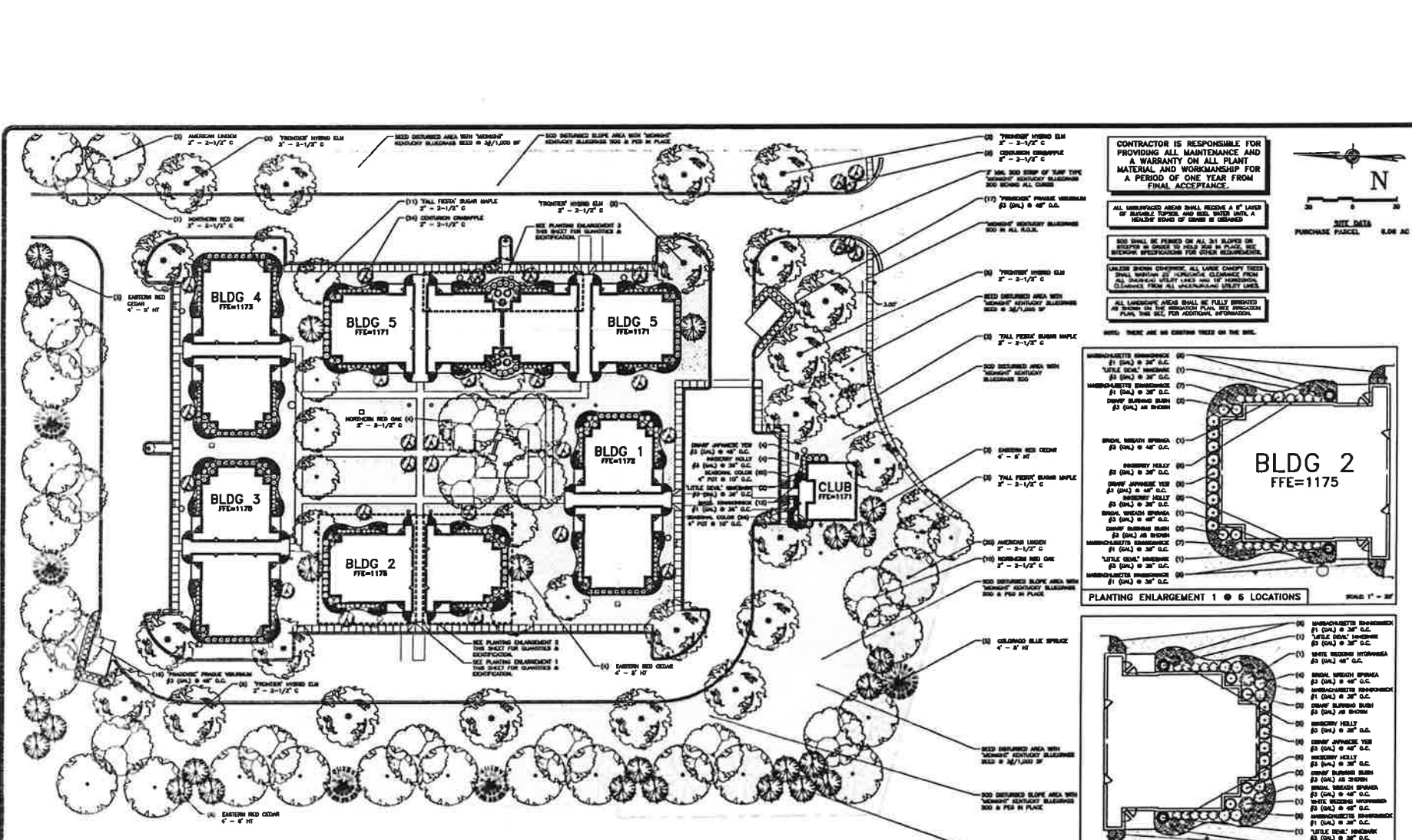
DEER CREEK
VILLAGE
SITE PLAN
BELLEVUE, NEBRASKA

CARLSON CONSULTING ENGINEERS, INC.
1000 S. 10TH STREET, SUITE 100
LINCOLN, NEBRASKA 68502
TEL: (402) 441-1100
FAX: (402) 441-1101



DRAWN

DATE	8/20/20
SCALE	1"=30'
SHEET NO.	N/A
SHEET	11 OF 24 SHEETS



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

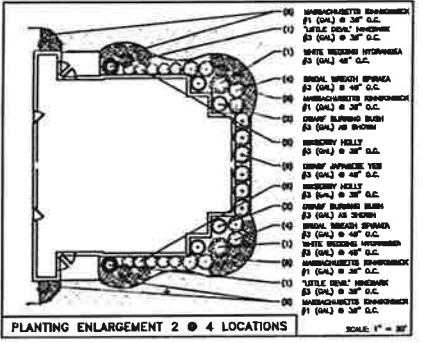
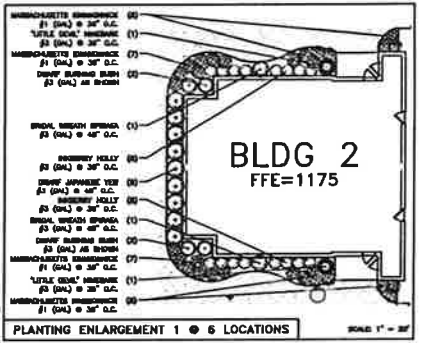
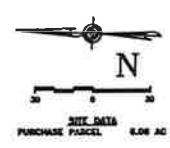
ALL UNBUDGED AREAS SHALL RECEIVE A 1" LAYER OF STABLE TOPSOIL AND BEED WATER WITH A HEALTHY SOIL OF COME IN GRADES.

SOIL SHALL BE FINISHED ON ALL 31' SLOPES OR STEEPER TO BE FULLY IN PLACE. SEE SECTION SPECIFICATIONS FOR OTHER REQUIREMENTS.

UNLESS SHOWN OTHERWISE, ALL LARGER CHOPPY TREES SHALL MAINTAIN 25' HORIZONTAL CLEARANCE FROM ALL EXISTING UTILITY LINES AND 10' HORIZONTAL CLEARANCE FROM ALL UNDERGROUND UTILITY LINES.

ALL LANDSCAPE AREAS SHALL BE FULLY BUDGED AND SHOWN ON THE SUBMITTED PLAN. SEE PROVISION PLAN, THIS SET, FOR ADDITIONAL INFORMATION.

NOTE: THERE ARE NO EXISTING TREES ON THE SITE.



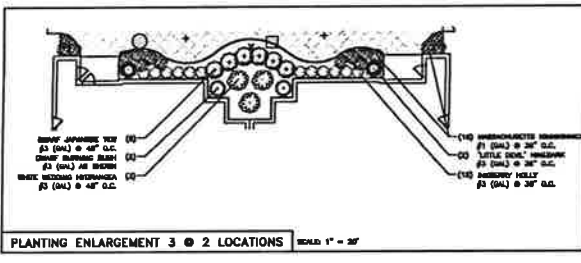
PLANT SCHEDULE

NOTE: ALL SIZES AND CONDITIONS OF NURSERY STOCK SHALL MEET THE STANDARDS ESTABLISHED IN THE LATEST EDITION OF "NURSERY STOCK" FOR MARKET STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF HORTICULTURISTS.

QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE (BOTH MEAS TO BE MET)	SPACING	CONDITION	REMARKS
17	(1)	ACER FRAXINUS 'SILVER MAPLE'	TALL FRAXINUS SILVER MAPLE	2" - 3-1/2" C / 12" - 12" H	AS SHOWN	BAR	FULL HEAD W/UNIFORM GROWTH
26	(2)	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	4" - 8" H	AS SHOWN	BAR/FOOT	FALL TO GROUND W/UNIFORM GROWTH
30	(3)	MALUS X 'TENTHRA'	CONTINENTAL CRANAPPLE	2" - 3-1/2" C / 8" - 10" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
8	(4)	PRUNUS PANDORA 'SILVERACE'	COLORADO BLUE SPRUCE	4" - 8" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
13	(5)	QUERCUS RUBRA	NORTHERN RED OAK	2" - 3-1/2" C / 12" - 12" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
22	(6)	TILIA AMERICANA	AMERICAN LINDEN	2" - 3-1/2" C / 12" - 12" H	AS SHOWN	BAR/FOOT	STRONG CENTRAL LEADER, FULL HEAD
23	(7)	ULMUS (CAMPANULATA X PARVIFLORA) 'THORNHOLT'	TRICOLOR HYBRID ELM	2" - 3-1/2" C / 12" - 12" H	AS SHOWN	BAR	STRONG CENTRAL LEADER, FULL HEAD
44	(8)	ERIGONIA ALATA 'CONCORDIA'	UNWEED BURNING BUSH	33 (OAL) / 12" - 24" H	AS SHOWN	CONT	ROUND, FULL HEAD
124	(9)	STENOCHORDIA FASCICULARIS 'HYBRID LAMPY' PPM873	WHITE WEDDING HYDRANGEA	33 (OAL) / 12" - 18" SPD	48" O.C.	CONT	ROUND, FULL HEAD
134	(10)	KECK COFFEREA	ROSEMOY HOLLY	33 (OAL) / 12" - 18" SPD	36" O.C.	CONT	ROUND, FULL HEAD
28	(11)	PHYTOCAMPUS ORNATIFOLIUS 'TOWER SHIP'	'LITTLE OAK' HORNBEAM	33 (OAL) / 12" - 18" H	36" O.C.	BAR/FOOT	FULL HEAD W/UNIFORM GROWTH
41	(12)	SPARGANGLIA FRUTICOSA	SMOKE TREE	33 (OAL) / 12" - 18" SPD	36" O.C.	CONT	ROUND, FULL HEAD
34	(13)	STAGS CLIPPERIA 'TINK'	SHAW JAPANESE YEW	33 (OAL) / 12" - 18" SPD	48" O.C.	CONT	ROUND, FULL HEAD, UNIFORM BRANCHING
33	(14)	WILLIAMIA 'FRONDSIDE'	FRONTSIDE YEW	33 (OAL) / 12" - 18" SPD	48" O.C.	CONT	ROUND, FULL HEAD, UNIFORM BRANCHING
362	(15)	ARCTOSTAPHYLOS UVA-URSI 'MORNINGSTAR'	MORNINGSTAR BURNING BUSH	31 (OAL) / 8" - 12" SPD	36" O.C.	CONT	FULL HEAD UNIFORM GROWTH
114	(16)	ANEMONE NIDIFORMIS PLANTS	BEACHFLOR	4" POT, 2" - 4" H	10" O.C.	POT	WEEK FREE & ACTIVELY GROWING
734	(17)	POA PRINCEPS 'WINDMILL'	'WINDMILL' BENTGRASS	3/8" SOLID 300	30" O.C.	SOLID	WEEK FREE & ACTIVELY GROWING
734	(18)	POA PRINCEPS 'WINDMILL'	'WINDMILL' BENTGRASS	3/8" SOLID 1000 SF	30" O.C.	SOLID	WEEK FREE - SEE GRS DATE

NOTE: NUMBERS SHOWN IN TABLE ABOVE ARE FOR SPECIFIED IDENTIFICATION ONLY. PLANT SIZE SHOWN IN THE TABLE IS NOT INTENDING TO BE REPRESENTATIVE OF THE PLANT AT OTHER INSTANTIONS OR MATURITY.

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



REVISIONS

NO	DESCRIPTION

NOT FOR CONSTRUCTION

Trinity Housing
L J Development, LLC
3008 S. CALDWELL CIRCLE, SUITE 4
BEAVER CREEK, MO 64008
PH: (417) 468-7474

DEER CREEK VILLAGE
PLANTING PLAN
BELLEVUE, NEBRASKA

CARLSON CONSULTING ENGINEERS, INC.
1000 W. 12TH STREET
LINCOLN, NE 68502
PH: (402) 421-1177

RECEIVED
SEP 15 2020
PLANNING DEPT
811 EP

Know what's below.
Call before you dig.

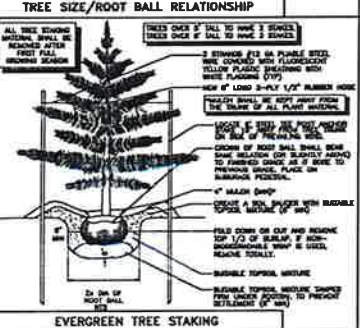
DRAWN AND CHECKED
DATE 8/21/20
SCALE 1"=30'
JOB NO. 2018-114
SHEET 14 OF 24 SHEETS

PLANTING NOTES

- 1. PRIOR TO CONSTRUCTION... 2. LOCATIONS OF EXISTING BLINDED UTILITY LINES... 3. CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXISTING SITE CONDITIONS... 4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXISTING SITE CONDITIONS... 5. STANDARD SET FORTH IN "NATIONAL STANDARD FOR ALMOST ROOT" REQUIREMENT... 6. ALL PLANTS MUST BE HEALTHY, MODERATE MATERIAL, FREE OF PESTS AND DISEASE... 7. ALL PLANTS MUST BE CONTAINER GROWN OR BUILT AND SUPPLIED AS INDICATED IN THE PLANT LIST... 8. ALL TREES MUST BE SWARMY TRIMMED AND FULL HEADED AND MEET ALL REQUIREMENTS... 9. AFTER SIGN OFF OF THE LANDSCAPE ARCHITECT, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A WEST DIRECTION PRIOR TO INSTALLATION... 10. ALL LANDSCAPED AREAS SHALL BE SPRINKLED WITH HYDROGEL 4 WEEKS PRIOR TO INSTALLATION... 11. THE LANDSCAPE ARCHITECT SHALL APPROVE THE EXISTING LOCATION OF ALL PLANT MATERIAL... 12. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT... 13. ALL PLANTS SHALL HAVE "TWOX TREE SAWYER" OR EQUAL... 14. ALL TREES MUST BE QUARANTINED AS SHOWN IN THE SPECIFICATIONS... 15. ALL SHRUB BED AREAS SHALL BE SLOPED A MIN OF 1" OF PLANTING BED MIX AS DETERMINED BY PLANTING BED PREP DETAIL... 16. ALL BED AREAS SHALL BE SLOPED A MINIMUM OF 1" TO PROMOTE GOOD DRAINAGE... 17. ALL CONSTRUCTION AREAS TO RECEIVE TURFGRASS SHALL RECEIVE A 4" MIN DEPTH OF SUBGRADE... 18. PRIOR TO PLANTING OR SOODING, MULTIPLE REPRESENTATIVE SAMPLES OF THE TOPSOIL SHALL BE TAKEN AND SENT TO THE STATE EXTENSION AGENCY... 19. PLANTING OPERATIONS SHOULD ONLY TAKE PLACE DURING REASONABLE WEATHER CONDITIONS... 20. THERE IS NO SEPARATE PAY ITEM FOR DRAINING CUT SHAIR BEDS ON TREE BALCONY WITH EXISTING UNDERDRAIN... 21. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS... 22. ALL DISTURBED AREAS ARE TO RECEIVE A 4" LAYER OF BLENDABLE TOPSOIL... 23. ALL PLANT MATERIALS SHALL BE SUPPLIED FOR 12 MONTHS BEGINNING ON THE DATE OF SIGN OFF... 24. CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL WASTE AT THE END OF THE 1 YEAR WARRANTY PERIOD... 25. REFER TO PROJECT SPECIFICATIONS FOR ALL INFORMATION NEEDED FOR IMPLEMENTATION OF PLANTING PLAN.

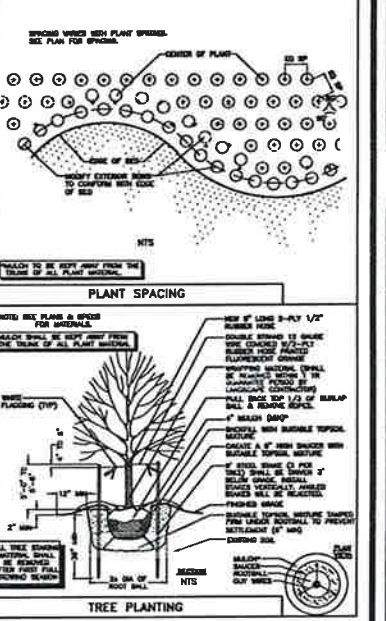
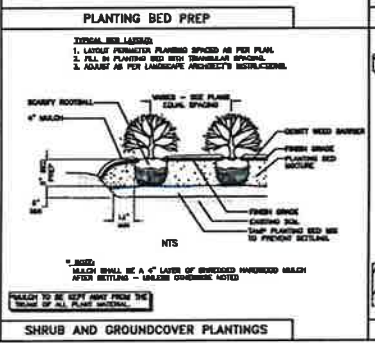
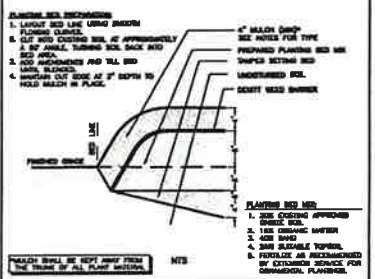
Table: SHADE AND FLOWERING TREES. Columns: CALIPER, HEIGHT, HEIGHT TYPE, MINIMUM DIAMETER BALL, BALL DEPTH, INCHES.

Table: TREE SIZE/ROOT BALL RELATIONSHIP. Columns: TYPE 1 (LARGE SHRUB TREES), TYPE 2 (MEDIUM/LARGE SHRUB TREES), TYPE 3 (SMALL UPRIGHT TREES), TYPE 4 (SMALL SPREADING TREES).



SOOD: - ALL SOODING AREAS SHALL BE SLOPED TO DRAINAGE. - BLENDED TOPSOIL SHALL BE SLOPED TO HOLD SOOD IN PLACE. - ALL AREAS TO BE SOODING SHALL RECEIVE A MINIMUM 4" LAYER OF BLENDABLE TOPSOIL... PERMANENT SOODING SHALL BE APPLIED BASED ON THE TIME OF YEAR AND TEMPERATURE OF SOIL. SOODING SHALL BE SOOD ONLY DURING SOODING AND EARLY ESTABLISHMENT... PERMANENT SOODING SHALL BE APPLIED BASED ON THE TIME OF YEAR AND TEMPERATURE OF SOIL.

SEEDING & SOODING NOTES



PLANTING NOTES... 1. PRIOR TO CONSTRUCTION... 2. LOCATIONS OF EXISTING BLINDED UTILITY LINES... 3. CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXISTING SITE CONDITIONS... 4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXISTING SITE CONDITIONS... 5. STANDARD SET FORTH IN "NATIONAL STANDARD FOR ALMOST ROOT" REQUIREMENT... 6. ALL PLANTS MUST BE HEALTHY, MODERATE MATERIAL, FREE OF PESTS AND DISEASE... 7. ALL PLANTS MUST BE CONTAINER GROWN OR BUILT AND SUPPLIED AS INDICATED IN THE PLANT LIST... 8. ALL TREES MUST BE SWARMY TRIMMED AND FULL HEADED AND MEET ALL REQUIREMENTS... 9. AFTER SIGN OFF OF THE LANDSCAPE ARCHITECT, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A WEST DIRECTION PRIOR TO INSTALLATION... 10. ALL LANDSCAPED AREAS SHALL BE SPRINKLED WITH HYDROGEL 4 WEEKS PRIOR TO INSTALLATION... 11. THE LANDSCAPE ARCHITECT SHALL APPROVE THE EXISTING LOCATION OF ALL PLANT MATERIAL... 12. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT... 13. ALL PLANTS SHALL HAVE "TWOX TREE SAWYER" OR EQUAL... 14. ALL TREES MUST BE QUARANTINED AS SHOWN IN THE SPECIFICATIONS... 15. ALL SHRUB BED AREAS SHALL BE SLOPED A MIN OF 1" OF PLANTING BED MIX AS DETERMINED BY PLANTING BED PREP DETAIL... 16. ALL BED AREAS SHALL BE SLOPED A MINIMUM OF 1" TO PROMOTE GOOD DRAINAGE... 17. ALL CONSTRUCTION AREAS TO RECEIVE TURFGRASS SHALL RECEIVE A 4" MIN DEPTH OF SUBGRADE... 18. PRIOR TO PLANTING OR SOODING, MULTIPLE REPRESENTATIVE SAMPLES OF THE TOPSOIL SHALL BE TAKEN AND SENT TO THE STATE EXTENSION AGENCY... 19. PLANTING OPERATIONS SHOULD ONLY TAKE PLACE DURING REASONABLE WEATHER CONDITIONS... 20. THERE IS NO SEPARATE PAY ITEM FOR DRAINING CUT SHAIR BEDS ON TREE BALCONY WITH EXISTING UNDERDRAIN... 21. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS... 22. ALL DISTURBED AREAS ARE TO RECEIVE A 4" LAYER OF BLENDABLE TOPSOIL... 23. ALL PLANT MATERIALS SHALL BE SUPPLIED FOR 12 MONTHS BEGINNING ON THE DATE OF SIGN OFF... 24. CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL WASTE AT THE END OF THE 1 YEAR WARRANTY PERIOD... 25. REFER TO PROJECT SPECIFICATIONS FOR ALL INFORMATION NEEDED FOR IMPLEMENTATION OF PLANTING PLAN.

RECEIVED SEP 15 2020 PLANNING DEPT.

Table: REVISIONS. Columns: NO, DESCRIPTION.

NOT FOR CONSTRUCTION

Trinity Housing, LLC Development, LLC 2300 S. CALIFORNIA DRIVE, SUITE 4 BELLEVUE, NEBRASKA

DEER CREEK VILLAGE PLANTING DETAILS BELLEVUE, NEBRASKA

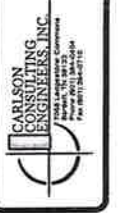


Table: DWMR, DSC, DATE, SCALE, SHEET, 15 OF 24 SHEETS.

Bellevue City Council

1500 Wall St

October 14, 2020

Laura Wyman

7804 S 24th St

Bellevue 68147

Ref: Planning application Z-2008-10, S-2008-18

To whom it may concern,

I am writing in opposition to the proposed Deer Creek development at the corner of Chandler Road and 25th St. I am a homeowner on the northwest corner of the Kennedy Ridge subdivision, putting this proposed project in my immediate vicinity.

I lived in apartments for years, including right here in Bellevue. I left apartment-living and purchased a house to get away from the noise and constant commotion of apartments. I am sure many others made the same decision. It is very disappointing to think I could find myself in the same circumstance.

This neighborhood is a quiet district with an older demographic. The area as a whole is not a rental/temporary community, but is much stable and permanent. There is even a senior living community adjacent to the lot in question. Multi-family residences are non congruent for this area.

The increase in traffic that this project would bring is very concerning. There is already a high rate of speeding on side streets by drivers avoiding the light at 25th and Chandler. With Walnut Creek senior living center and Chandler View Elementary near the proposed site, the increase in traffic will not only be a nuisance for residents, but also a major safety hazard. In these very uncertain times, I am also concerned about a potentially unfinished, vacated eye sore should finances fail.

When buying my home, Bellevue was first on my list. That was because I knew I would be able to successfully find a quiet, residential neighborhood with the benefits of Sarpy County. I understand the need for growth, but I do ask of you to consider your current residents.

Thank you.

Sincerely,

Laura Wyman

RECEIVED
OCT 15 2020
CITY CLERK

12d.
10/20/2020

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/06/2020	SUBMITTED BY: Legal	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

An ordinance to amend Sections 18-106 to 18-112 of the Bellevue Municipal Code pertaining to Reserved Spaces for Handicapped Persons.

SYNOPSIS/BACKGROUND:

The City has been working with American Legal Publishing Corporation to codify the city's codes. During review, there were several sections that needed amended or repealed due to legislative and/or statutory changes more specifically Sections 18-106 to 18-112 of the Bellevue Municipal Code pertaining to Reserved Spaces for Handicapped Persons.

FISCAL IMPACT: Positive BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve Ordinance to amend Sections 18-106 to 18-112 of the Bellevue Municipal Code pertaining to Reserved Spaces for Handicapped Persons.

ATTACHMENTS:

1. Red-Lined 2. 3. 4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Roblins
[Signature]

ORDINANCE NO. 4016

AN ORDINANCE TO AMEND OR REVISE CERTAIN ORDINANCES AS FURTHER DETAILED HEREIN WHICH HAVE BEEN AFFECTED BY OR GENERATED BY LEGISLATIVE CHANGES AND TO ADD OR CHANGE LEGISLATIVE CITATIONS, TO REPEAL SUCH SECTIONS AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That the following sections of the Bellevue Municipal Code are hereby amended due to legislative changes to read as follows:

Sec. 18-106. - Definitions.

For the purposes of this Division, the following words and phrases shall have the meanings respectively ascribed to them:

Access aisle: A space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the federal Americans with Disabilities Act of 1990, being 42 U.S.C. 12101 et seq., and the federal rules and regulations adopted and promulgated in response to the act, as the act and the rules and regulations existed on ~~May 31, 2001~~ January 1, 2020.

Handicapped or disabled person: Any individual with a severe visual or physical impairment which limits personal mobility and results in an inability to travel unassisted more than 200 feet without the use of a wheelchair, crutch, walker, or prosthetic, orthotic, or other assistant device; any individual whose personal mobility is limited as a result of respiratory problems; any individual who has a cardiac condition to the extent that his or her functional limitations are classified in severity as being Class III or Class IV, according to standards set by the American Heart Association; and any individual who has permanently lost all or substantially all the use of one or more limbs.

Paraplegic license plate: A license plate as designated by, and issued under, the provisions of section ~~60-311.14~~ 60-3,113, Revised Statutes of Nebraska 1943, as amended.

Person: As used by itself and not as a part of the defined terms "handicapped or disabled person" and/or "temporarily handicapped or disabled person," the term "person" shall mean any person, persons, firm, or corporation, or agents, servants or employees of any person, persons, firm or corporation.

Temporarily handicapped or disabled person: Any handicapped or disabled person whose personal mobility is expected to be limited in such manner for no longer than one year.

Sec. 18-107. - Handicapped parking infraction; citation issuance; enforcement; penalties.

(a) It shall be unlawful for any person to park a vehicle in any on-street parking space or access aisle which has been exclusively designated pursuant to section 18-109 for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, or in any so exclusively designated parking space or access aisle in any off-street parking facility, without proper identification of such vehicle in accordance with section 18-111 or when the handicapped or disabled person to whom or for whom, as the case may be, the license plate or permit is issued will not enter or exit the vehicle while it is parked in the designated space or access aisle.

(b) Any person who violates the provisions of this section shall be in violation of section 18-86 and shall be guilty of a handicapped parking infraction as defined in ~~section 18-1741.01 Neb. R.S. 18-1741.02. Reissue Revised Statutes of Nebraska 1943, as amended.~~

(c) The chief of police is hereby authorized to assign persons to exercise the authority to issue a citation for any handicapped parking infraction set forth in this section, in the manner prescribed by sections ~~18-1736 to 18-1741 and~~ 18-1741.01 to 18-1741.07, Reissue Revised Statutes of Nebraska 1943, as amended. When a person has committed a handicapped parking infraction, any law enforcement officer and/or any person properly assigned by the chief of police to exercise citation authority pursuant to this section, may issue a handicapped parking citation, which complies with the requirements set forth in sections 18-1741.03 to 18-1741.04, Reissue Revised Statutes of Nebraska 1943, as amended.

(d) Any person found guilty of a handicapped parking infraction shall upon a first conviction be subject to a fine of ~~\$100.00~~ \$150.00 plus court costs; upon a second conviction for the same infraction within a ~~two-one~~ year period after the first conviction be subject to a fine not less than \$100.00 and not more than \$300.00 plus court costs; and upon a third or subsequent conviction for the same infraction within a ~~two-one~~-year period after the first conviction be subject to a fine not less than \$200.00 and not more than \$500.00 plus court costs.

Sec. 18-108. - Off-street or privately-owned parking facility; citation; removal; tow-away authority.

When any law enforcement officer or person authorized by the chief of police to issue a handicapped parking citation observes or is advised by the owner or person in lawful control of an off-street or privately owned parking facility that a motor vehicle may be parked thereon in violation of this article, he or she shall make a determination as to whether a violation has, in fact, occurred, and if so shall personally serve or attach to such motor vehicle a citation pursuant to the provisions of section 29-424, Reissue Revised Statutes of Nebraska 1943, as amended, directed to the owner or operator of such vehicle, which shall set forth the nature of the violation. If the identity of the operator of a motor vehicle in violation of this section cannot reasonably be determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation. Any person who refuses to sign the citation or otherwise comply with the command

of the citation shall be punished as provided in section 29-426, Reissue Revised Statutes of Nebraska 1943, as amended. In no event shall any law enforcement officer or person authorized by the chief of police to issue a handicapped parking citation be expected to remove any such unauthorized vehicles as described herein. Responsibility for removal of such unauthorized vehicles shall be with the owner of the off-street or privately-owned parking facility, or the person in lawful control thereof pursuant to section 60-2401.01, Reissue Revised Statutes of Nebraska 1943, as amended.

Sec. 18-109. - Designation of handicapped parking spaces.

(a) The police department, based upon a study of the need for reserved handicapped parking spaces, is hereby authorized to designate parking spaces, including access aisles, for the exclusive use of handicapped and disabled persons or temporarily handicapped or disabled persons in accordance with sections 18-1736 and 18-1737, Reissue Revised Statutes of Nebraska 1943, as amended.

(b) If the police department so designates a parking space or access aisle, the city shall post aboveground and immediately adjacent to and visible from each space or access aisle a sign as described in section 18-1737, Reissue Revised Statutes of Nebraska 1943, as amended.

(c) No fee shall be charged for such reserved parking spaces for handicapped or disabled or temporarily handicapped or disabled persons.

Sec. 18-110. - Construction of handicapped parking privileges; rebuttable presumption against able-bodied drivers.

Nothing contained in the provisions of this article shall be construed to mean the granting of parking privileges or conveniences for the sole benefit of able-bodied drivers of motor vehicles bearing either paraplegic license plates as provided for in section ~~60-311.14~~ 60-3,113.06, Reissue Revised Statutes of Nebraska 1943, as amended, ~~or a handicap permit as provided for in section 18-1739, Reissue Revised Statutes of Nebraska 1943, as amended.~~ A rebuttable presumption shall exist that an able-bodied driver of a motor vehicle bearing either paraplegic license plates, or a handicap permit, as defined herein, is in violation of this section when parking in a space reserved for handicapped or disabled persons or parking in a publicly owned parking space reserved for handicapped or disabled persons, and said driver is not in the process of transporting to or from such parking space a handicapped or disabled person as defined herein.

Sec. 18-111. - Identification of vehicles.

Any vehicle parked in a parking space reserved under section 18-109 shall be identified as specified in section ~~60-311.14~~ 60-3,113.06 ~~or section 18-1739~~, Reissue Revised Statutes of Nebraska 1943, as amended.

Sec. 18-112. - Permits; issuance; procedure; renewal; place of application; period valid.

(a) Pursuant to section ~~18-1738~~ 60-3,113.02, Reissue Revised Statutes of Nebraska 1943, as amended, any handicapped or disabled person or temporarily handicapped or disabled person or such person's parent, legal guardian, or foster parent may apply to the city clerk for a motor vehicle permit that will entitle the holder thereof or a person driving a motor vehicle for the purpose of transporting such holder to park in those spaces or access aisles reserved pursuant to section 18-109 as well as other spaces and access aisles reserved pursuant to sections 18-1736 to ~~18-1741~~ 18-1737, Reissue Revised Statutes of Nebraska 1943, as amended, when the holder of the permit will enter or exit the motor vehicle while it is parked in such spaces or access aisles. For purposes of this subsection (a), the handicapped or disabled person or temporarily handicapped or disabled person shall be considered the holder of the permit. A person desiring to make application for a permit or for the renewal of a permit under this subsection (a) shall follow the application, issuance and renewal procedures set forth under sections ~~18-1738 to 18-1741~~ 60-3,113.02, Reissue Revised Statutes of Nebraska 1943, as amended, which procedures require the applicant to complete an application, provide proof of identity and submit a completed medical form on forms provided by the department of motor vehicles to the city clerk.

(b) Pursuant to section ~~18-1738.01~~ 60-3,113.03, Reissue Revised Statutes of Nebraska 1943, as amended, any person may apply to the city clerk for a motor vehicle permit that will entitle the holder thereof or a person driving the motor vehicle for the purpose of transporting handicapped or disabled persons or temporarily handicapped or disabled persons to park in those spaces or access aisles reserved pursuant to section 18-109 as well as other spaces and access aisles reserved pursuant to sections 18-1736 to ~~18-1741~~ 18-1737, Reissue Revised Statutes of Nebraska 1943, as amended, if the motor vehicle is used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons and at least one such persons will enter or exit the motor vehicle while such motor vehicle is parked in such designated spaces or access aisles. A person desiring to make application for a permit or for the renewal of a permit under this subsection (b) shall follow the application, issuance and renewal procedures set forth under sections ~~18-1738 to 18-1741~~ 60-3,113.03, Reissue Revised Statutes of Nebraska 1943, as amended, which procedures require the applicant to complete application forms on forms provided by the department of motor vehicles to the city clerk and to demonstrate to the city clerk that the vehicle will be used primarily for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons.

(c) The city clerk shall only accept applications for a permit or for the renewal of a permit made under this section that are in compliance with the provisions of section ~~18-1738.02~~ 60-3,113.02 Reissue Revised Statutes of Nebraska 1943, as amended.

(d) In accordance with section ~~18-1740~~ 60-3,113.05, Reissue Revised Statutes of Nebraska 1943, as amended, all permanently issued permits for handicapped or disabled parking authorized pursuant to this section shall be issued for a period ending on ~~September 30 of the third year after the date of issuance and shall expire on that date.~~ the last day of the month of the applicant's birthday in the sixth year after issuance and shall expire on that day.

(e) In accordance with section ~~18-1740~~ 60-3,113.05, Reissue Revised Statutes of Nebraska 1943, as amended, all permits authorized pursuant to this section for temporarily handicapped or disabled parking shall be issued by the department of motor vehicles for a period ending not more than six months after the date of issuance but may be renewed one time for a period not to exceed six months.

Sec. 18-113. - Same—Contents.

A permit issued pursuant to subsection (a) or subsection (b) of section 18-112 shall comply with the content requirements set forth in section ~~18-1739~~ 60-1,113.04, Reissue Revised Statutes of Nebraska 1943, as amended.

Section 2. That the above sections of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety and amended as outlined above.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Mayor and City Council this ____ day of _____ 2020.

ATTEST:

City Clerk

Mayor

First Reading _____
Second Reading _____
Third Reading _____

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12e.
10/20/2020

COUNCIL MEETING DATE: 08/18/2020		SUBMITTED BY: Tammi Palm, Planning Manager		
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LICOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>		PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>		OTHER <input type="checkbox"/>	

SUBJECT:

Approval of a request to rezone the Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW 1/4, located in the NW 1/4 of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of tax Lot 12, Except right-of-way in the SW 1/4, located in the SW 1/4 of Section 14, T13N, R13E of the 6th P.M., Sarpy County, NE from AG to ML to facilitate light manufacturing development. Applicant: Frank Krejci. General Location: Fort Crook Road South and Fairview Road. Case #: Z-2006-05.

SYNOPSIS/BACKGROUND:

The applicant is requesting approval of a change of zone to allow for light manufacturing development. The intent of the ML district is to provide for a wide range of commercial and industrial uses. The site is approximately 55 acres and presently being used agriculturally. The Future Land Use Map of the Comprehensive Plan designates this area as light industrial.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Commission and Planning Department are both recommending approval of this request.

ATTACHMENTS:

1. PC Recommendation
2. Staff Report
3. Rezoning Ordinance
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. B. Robbins
[Signature]

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Frank R. Krejci

CASE #: Z-2006-05

CITY COUNCIL HEARING DATE: August 18, 2020

REQUEST: to rezone the Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW ¼, located in the NW ¼ of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of Tax Lot 12, Except right-of-way in the SW ¼, located in the SW ¼ of Section 14, T13N, R13E of the 6th P.M., Sarpy County, NE, from AG to ML for the purpose of light industrial development.

On July 23, 2020 the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

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

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey					Ackley	
	Perrin						
	Cain						
	Aerni						
	Ritz						
	Hankins						
	Cutsforth						
	Jacobson						

Planning Commission Hearing (s) was held on: July 23, 2019

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBER: Z-2006-05

FOR HEARING OF:

REPORT 1#: July 23, 2020

REPORT #2: August 18, 2020

I. GENERAL INFORMATION

A. APPLICANT:

Frank Krejci
1505 N. 203rd Street
Omaha, NE 68022

B. PROPERTY OWNER:

Frank Krejci Trustee Revocable Trust
1505 N. 203rd Street
Omaha, NE 68022

C. GENERAL LOCATION:

Fort Crook Road South and Fairview Road

D. LEGAL DESCRIPTION:

The Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW ¼, located in the NW ¼ of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of Tax Lot 12, Except right-of-way in the SW ¼, located in the SW ¼ of Section 14, T13N, R13E of the 6th P.M., Sarpy County, NE

E. REQUESTED ACTION:

1. Rezone the Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW ¼, located in the NW ¼ of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of Tax Lot 12, Except right-of-way in the SW ¼, located in the SW ¼ of Section 14, T13N, R13E of the 6th P.M., Sarpy County, NE from AG to ML.

F. EXISTING ZONING AND LAND USE:

AG, Vacant/Agricultural

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning to enable light manufacturing development.

H. SIZE OF SITE:

The site is approximately 55 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The property is presently vacant and being used agriculturally.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Vacant/Agricultural (across Fairview Road), BNH
- 2. **East:** Vacant/Agricultural, AG
- 3. **South:** Vacant/Agricultural, AG
- 4. **West:** Nebraska Department of Roads right-of-way

C. REVELANT CASE HISTORY:

- 1. On September 26, 2013, the Planning Commission recommended approval for a request to rezone Lots 1 through 6, Kennedy Business Park, being a platting of part of Tax Lots 11 and 12, located in Section 14, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to ML for the purpose of light industrial uses; and preliminary plat Lots 1 through 6, Kennedy Business Park. The City Council approved the aforementioned request on November 12, 2013.

- 2. On July 23, 2020, the Planning Commission recommended approval for a request to rezone the Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW ¼, located in the NW ¼ of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of Tax Lot 12, Except right-of-way in the SW ¼, located in the SW ¼ of Section 14, T13N, R13E of the 6th P.M., Sarpy County, NE from AG to ML for the purpose of light industrial development.

D. APPLICABLE REGULATIONS:

- 1. Section 5.27, Zoning Ordinance, regarding ML uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data available for this location.
2. This property has access from Fairview Road. In addition, the property also has access from Fort Crook Road South.

D. UTILITIES:

All utilities are available to this location.

E. ANALYSIS:

1. Frank Krejci has submitted a request to rezone a tract of land described as the Irregular Westerly 724.67' of Tax Lot 11, Except right-of-way in the NW $\frac{1}{4}$, located in the NW $\frac{1}{4}$ of Section 14, T13N, R13E; and the Irregular Tract in the NW corner of Tax Lot 12, Except right-of-way in the SW $\frac{1}{4}$, located in the SW $\frac{1}{4}$ of Section 14, T13N, R13E of the 6th P.M., Sarpy County, NE from AG to ML.
2. This property is presently zoned AG. The applicant is requesting a zoning change to ML in order to facilitate light industrial development. No platting is being requested at this time.
3. This property abuts the intersection of Fort Crook Road South and Fairview Road. This portion of Fort Crook Road South is state right-of-way. Future access points along Fort Crook Road South will need to be coordinated with the Nebraska Department of Transportation.
4. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Dean Dunn, Interim Public Works Director, commented future access to Fort Crook Road South will need to be coordinated with the Nebraska Department of Transportation. The applicant's engineer is aware of this.

Krista Hoffart, Offutt AFB Community Planner, stated the site is not located within Offutt's Accident Potential Zones or noise contours. She did request any future industrial development not create and expel smoke that could impair pilot vision or encourage the congregation of birds due to the proximity of location to the Offutt runway and flight tracks.

No other comments were received on this case.

5. The intent of the ML district is to provide for a wide range of commercial and industrial uses, all of which shall be able to meet comparatively rigid specifications as to nuisance free performance.

6. The Future Land Use Map of the Comprehensive Plan designates this area as light industrial.

7. In 2013, a preliminary plat and ML rezoning was approved for this property for the purpose of a light industrial park. Mr. Krejci was the applicant at that time as well. A final plat was never submitted; therefore, a plat was not filed and the approved ML zoning never went into effect.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

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

V. PLANNING COMMISSION RECOMMENDATION

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

VI. ATTACHMENTS TO REPORT

1. Vicinity map/Zoning Map
2. GIS aerial photo of the property
3. Letter from Doug Kellner received June 26, 2020.
4. Email received from Patti Smith July 21, 2020.

VII. COPIES OF REPORT TO:

1. Frank Krejci
2. Doug Kellner, Thompson, Dreesen & Dorner, Inc.
3. Public Upon Request

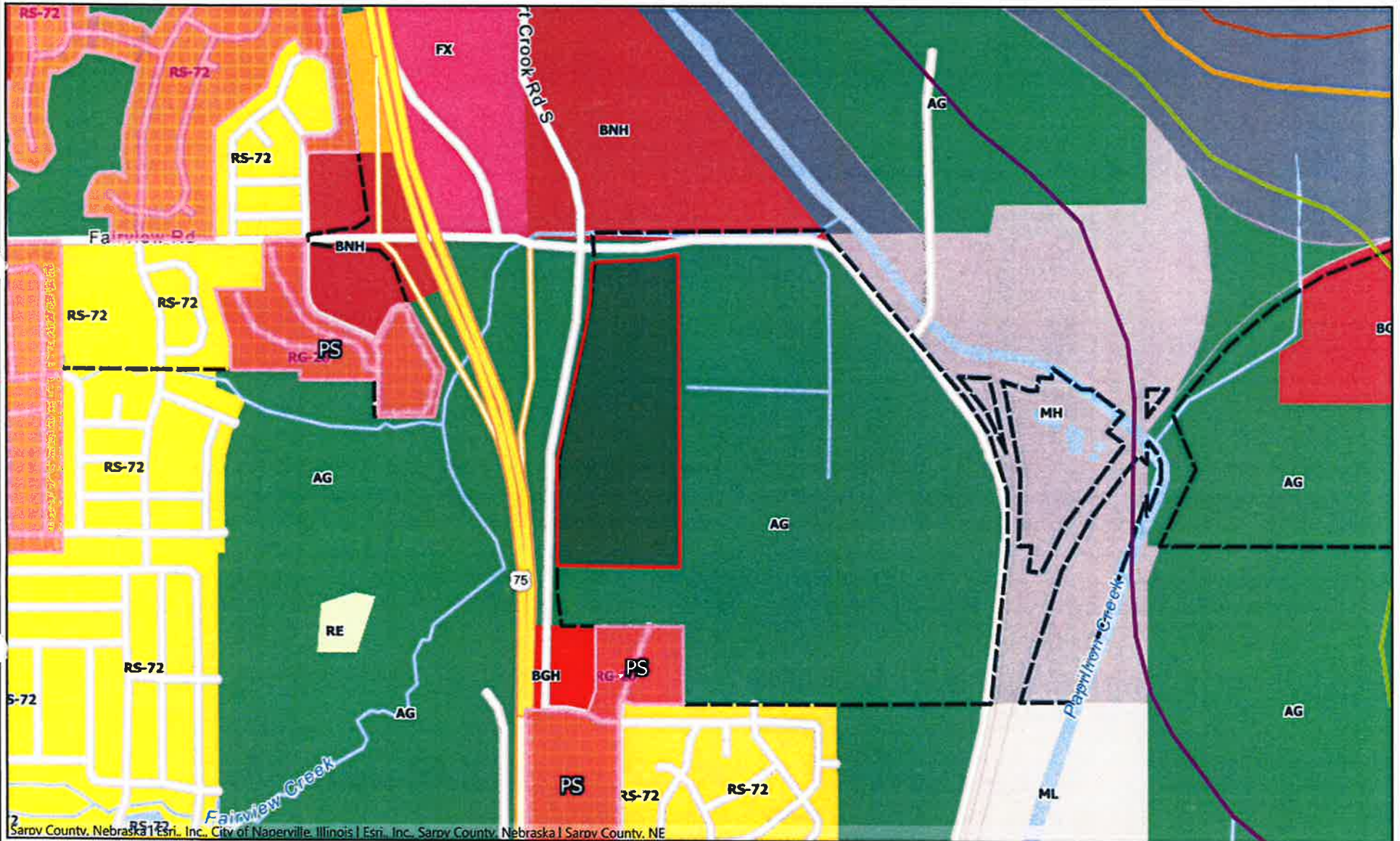
Sammi R Palm

Prepared by:

Sammi R Palm 07/28/20

Planning Manager

Date of Report



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



Map Scale 1: 18056

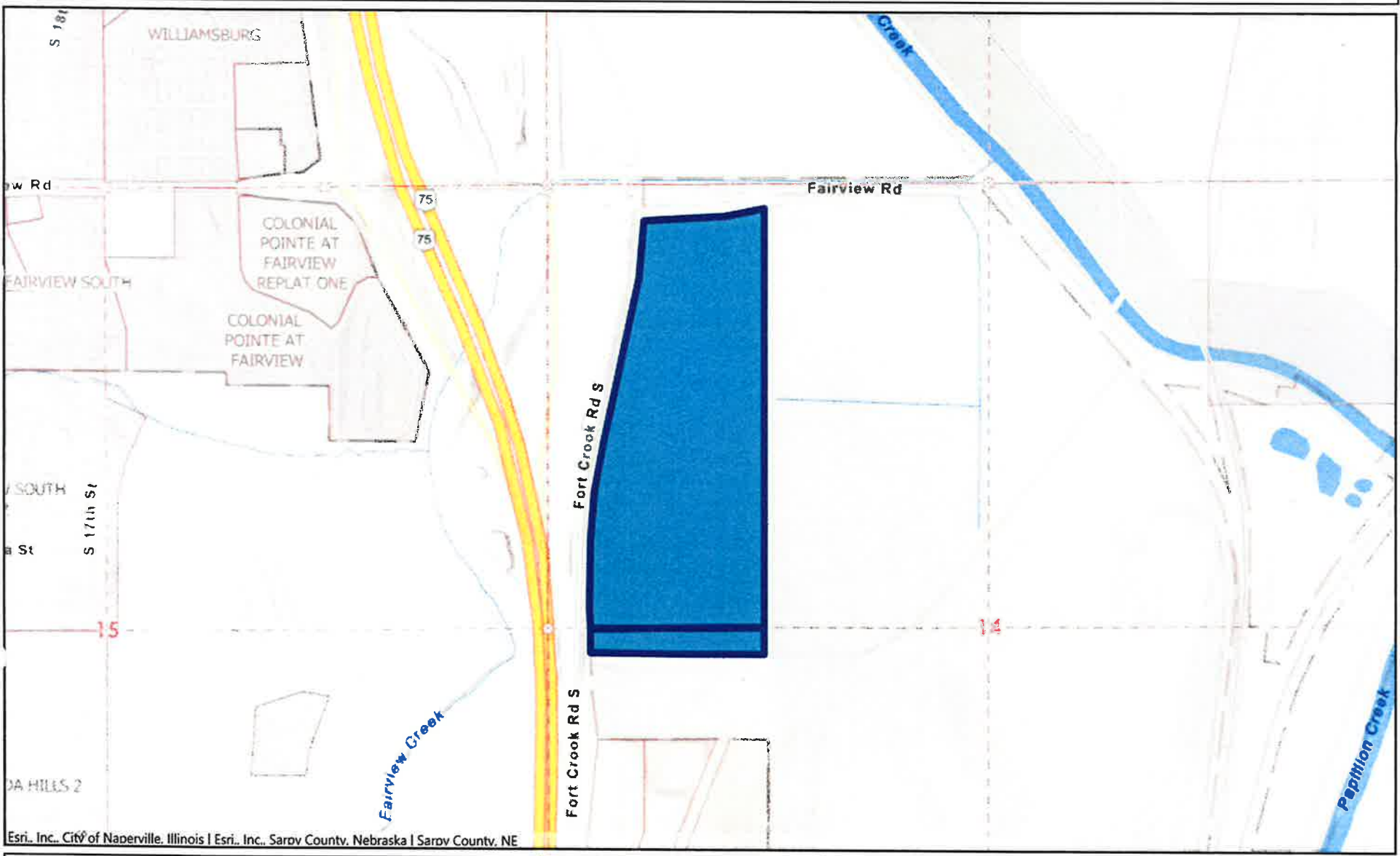
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



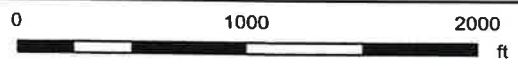
Notes



Fort Crook Road and Fairview Road



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



Map Scale 1: 12739

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Notes



June 26, 2020

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

RE: Rezoning Parcels #011592518 & 011592
TD2 File No. 2178-152

Ms. Palm:

On behalf of our client Frank Krejci, we are requesting the zoning change to ML (Light Manufacturing) for the referenced parcels. The purpose for the request is to make the site available for a warehousing and distribution site. The ML zoning is consistent with the existing comprehensive use plan. Please contact the undersigned if you have additional questions.

Respectfully submitted,

THOMPSON, DREESSEN & DORNER, INC.



Douglas E. Kellner, P.E.

DEK/tjp

RECEIVED

JUN 26 2020

PLANNING DEPT.

Dianna VanHorn

From: Tammi Palm
Sent: Tuesday, July 21, 2020 2:14 PM
To: Dianna VanHorn
Cc: Angela Curry
Subject: FW: Replat near Normandy Hills
Attachments: NH Fire1 7 4 20.jpg; NHFire 2 7 4 20.jpg

Best regards,

Tammi Palm

Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

From: Patti <huskerpatti@yahoo.com>
Sent: Tuesday, July 21, 2020 1:52 PM
To: Tammi Palm <Tammi.Palm@bellevue.net>
Subject: Replat near Normandy Hills

Hi Tammi,

Could you please share our email with the Planning Board? It concerns the the replat from AG to Light Industrial by Frank Krejci. There are references about access to Fort Crook Road South.

Fort Crook Road is the only entrance/exit into Normandy Hills and we believe if light industry is allowed access on Fort Crook Road South, this will compound the problem of having only one access to Normandy Hills. The latest example of the seriousness of our situation was a fire on July 4, 2020 where Fort Crook Road South was closed for an extended period of time and residents were unable to leave or return to their homes. Here is the information I am referring to:

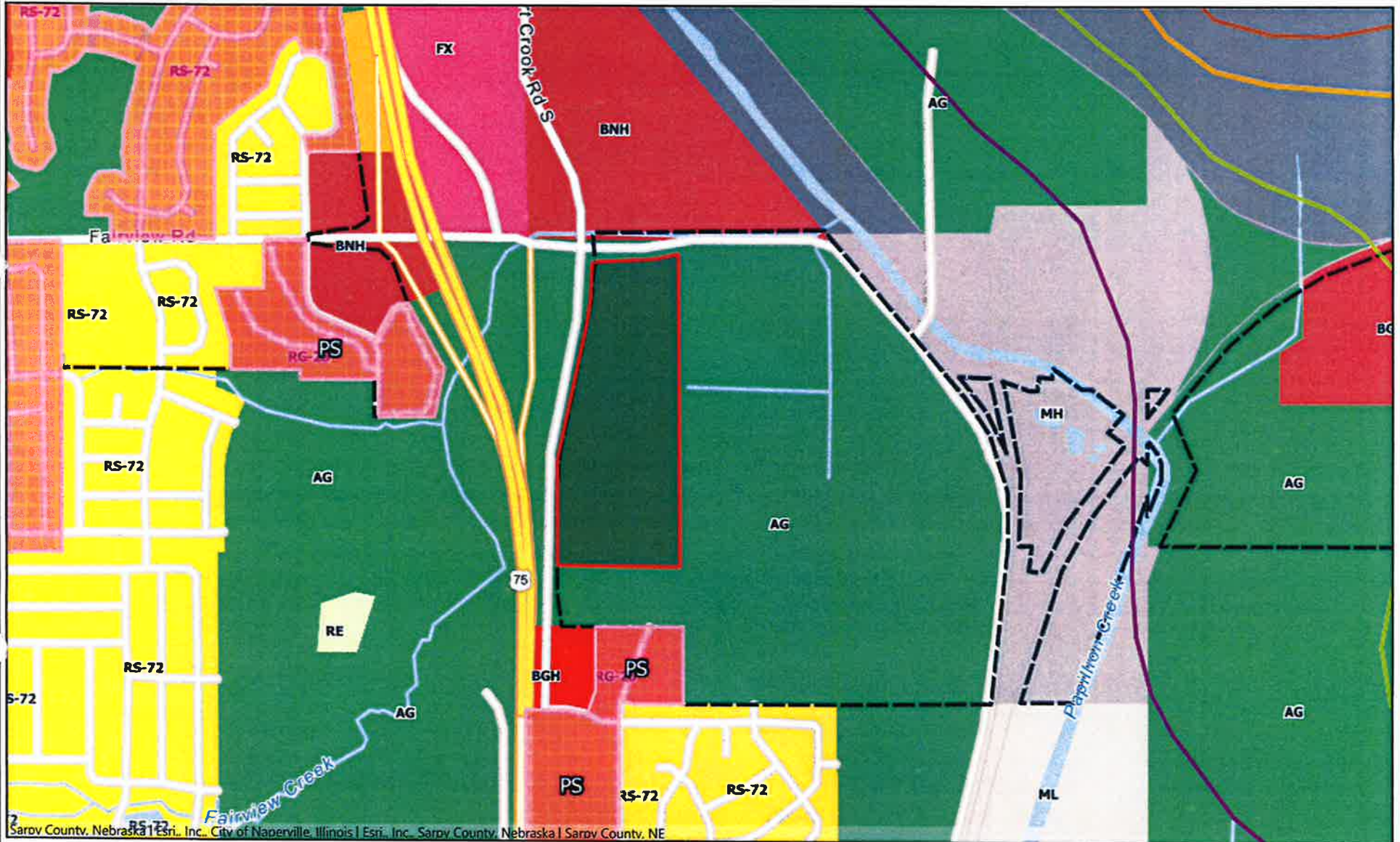
1. Page 3, C., #2 which states: This property has access from Fairview Road. In addition, the property also has access from Fort Crook Road South.
2. Page 3, E, #3 which states: This property abuts the the intersection of Fort Crook Rad South and Fairview Road. This portion of Fort Crook Road South is state right-of-way. Future access points along Fort Crook Road South will need to be coordinated with the Nebraska Department of Transportation.

I have also included photos from the fire in Normandy Hills on July 4, 2020. Thank you for sharing and please let me know if you have any questions.

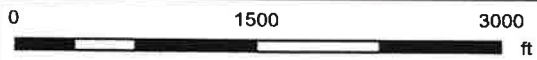
Sincerely,
Patti Smith
Normandy Hills Association
402.598.2259 (cell)







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



Map Scale 1: 18056

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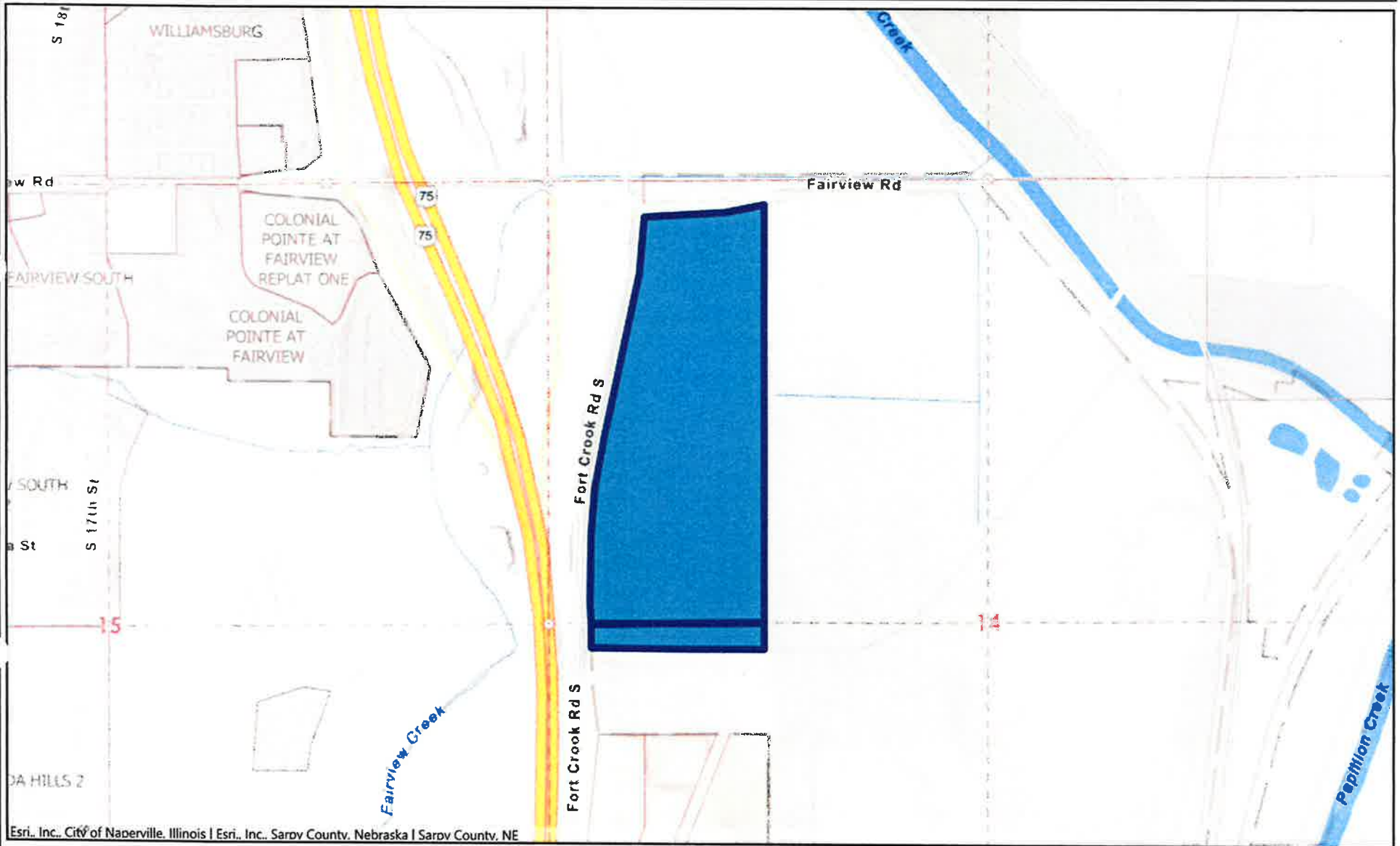


Notes

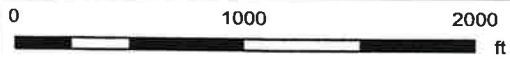




Fort Crook Road and Fairview Road



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



Map Scale 1: 12739

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Notes



ORDINANCE NO. 4003

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT FORT CROOK ROAD SOUTH AND FAIRVIEW ROAD, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Irregular Westerly 724.67 of Tax Lot 11, located in the NW ¼ of Section 14, T13N, R13E, and Irregular Tract of Tax Lot 12, located in the SW ¼ of Section 14, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

From AG (Agricultural District) to ML (Light Manufacturing District).

(Frank R. Krejci)

Section 2. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 3. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2020.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: 08/04/2020
Second Reading: 08/18/2020
Third Reading: _____

From: Doug Kellner <DKellner@TD2CO.COM>
Sent: Monday, August 10, 2020 3:24 PM
To: Dianna VanHorn <diane.vanhorn@bellevue.net>
Subject: Case Number Z-2006-05 Rezoning Request

Ms. Palm,

On behalf of our Client, Frank Krejci, we are requesting that the rezoning request be laid over at the City Council meeting until the September 15th meeting, due to some scheduling issues. Please contact the undersigned if you have additional questions.

Douglas Kellner, P.E

Thompson, Dreessen & Dornier, Inc.

10836 Old Mill Rd. | Omaha, NE 68154

P: 402.330.8860 | C: 402.218.8780 | F: 402.330.5866

things 2 come >>> | td2co.com

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020		SUBMITTED BY: Legal		
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>		
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>		

SUBJECT:

An ordinance to amend Section 6-22 of the Bellevue Municipal Code pertaining to Restraint - Dogs.

SYNOPSIS/BACKGROUND:

The City has been continually reviewing city code for areas that may amended and/or repealed. During review, section 6-22 pertaining to Restraints - Dogs was identified as a section that required amendments.

FISCAL IMPACT?: BUDGETED FUNDS?: GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: <input type="text" value="NO"/>	COUNTER-PARTY: <input type="text"/>	INTERLOCAL AGREEMENT: <input type="text" value="NO"/>
CONTRACT DESCRIPTION: <input type="text"/>		
CONTRACT EFFECTIVE DATE: <input type="text"/>	CONTRACT TERM: <input type="text"/>	CONTRACT END DATE: <input type="text"/>
PROJECT NAME: <input type="text"/>		
START DATE: <input type="text"/>	END DATE: <input type="text"/>	PAYMENT DATE: <input type="text"/>
		INSURANCE REQUIRED: <input type="text" value="NO"/>
CIP PROJECT NAME: <input type="text"/>	CIP PROJECT NAME: <input type="text"/>	
STREET DISTRICT NAME (S): <input type="text"/>	STREET DISTRICT NUMBER (S): <input type="text"/>	
ACCOUNTING DISTRIBUTION CODE: <input type="text"/>	ACCOUNT NUMBER: <input type="text"/>	

RECOMMENDATION:

Approve Ordinance to amend Section 6-22 pertaining to Restraint - Dogs.

ATTACHMENTS:

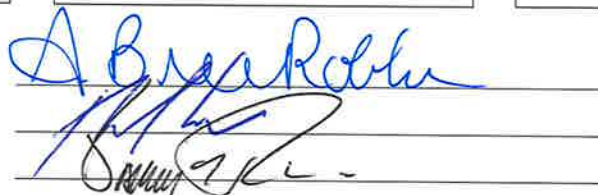
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4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



ORDINANCE NO. 4019

AN ORDINANCE TO AMEND SECTION 6-22 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO RESTRAINT - DOGS, TO REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 6-22 of the Bellevue Municipal Code is of the Bellevue Municipal Code is hereby amended to read as follows:

SEC. 6-22. - RESTRAINT—DOGS.

- (a) It shall be unlawful for the owner of any dog within the city to fail to keep his dog securely restrained or otherwise confined in or upon his premises in an enclosure sufficient to contain the dog.
- (b) Each animal shall be separately tethered. No animal shall be tethered outdoors in excess of 15 minutes at any one time unless an owner, custodian or person responsible for the animal, 19 years of age or older, is present in the same yard in which the animal is tethered. The tether shall be at least five times the length of the animal's body as measured from the tip of the nose to the base of the tail, terminates at each end with a swivel, weighs no more than one-eighth of the animal's weight, is free of tangles, prevents strangulation or injury and prevents the animal from being within 15 feet from the edge of any public street or sidewalk. Provided, that if the tethering method is a trolley system, at least 15 feet in length and less than seven feet above ground, and meets the foregoing tether requirements, the animal may be tethered outdoors for up to one hour with an owner, custodian or person responsible for the animal, 19 years of age or older, in the same yard in which the animal is tethered.
- (c) In addition to the sanctions which may be imposed by law, any person who fails to keep his dog securely restrained or otherwise confined as required by this section shall pay the following penalties:
 - (1) For the first violation, a penalty in the sum of \$100.00.
 - (2) For the second violation within 24 months of the first violation, a penalty in the sum of \$250.00.
 - (3) For the third violation within 24 months of the first violation, and each subsequent violation thereafter, a penalty in the sum of \$500.00.

~~(d) Such penalties shall be paid to the animal control authority and shall be used solely for enforcement activities.~~

Section 2. That Section 6-22 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2020.

ATTEST:

City Clerk

Mayor

First Reading _____
Second Reading _____
Third Reading _____

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020	SUBMITTED BY: Tammi Palm	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

Request for a Conditional Use Permit to allow for automobile sales. Applicants: James Howe and John Beckby for Tuffy Tire and Auto Service. Location: 2204 Pratt Avenue.

SYNOPSIS/BACKGROUND:

James Howe, owner of Tuffy Tire and Auto Service, and John Beckby is requesting approval of a Conditional Use Permit (CUP) to allow automobile sales at 2204 Pratt Avenue. Mr. Beckby will be the Sales Manager for the business. The vehicles to be sold are those left by customers who are unable to pay for service or repairs. Per the CUP Agreement, no more than ten automobiles for sale will be parked on the property at any one time. There is ample parking on the site to accommodate vehicles for sale as well as for customer parking.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: YES

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of this application.

ATTACHMENTS:

1. Planning Commission Recommendation Sheet
2. Staff Report
3. Conditional Use Permit
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

A. Bruce Robin

[Signature]

[Signature]

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANTS: James Howe and John Beckby

CASE #: CUP-2006-01

CITY COUNCIL HEARING DATE: October 20, 2020

REQUEST: for a conditional use permit for Lot 2, One Cornhusker Place, located in the Northwest ¼ of Section 27, T14N, R13E of the 6th P.M., Sarpy County, Nebraska for the purpose of auto sales.

On September 24, 2020 the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

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

VOTE:

Yes:	Seven:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey					Ritz	
	Perrin					Jacobson	
	Cain						
	Aerni						
	Ackley						
	Hankins						
	Cutsforth						

Planning Commission Hearing (s) was held on: September 24, 2020

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT #2

CASE NUMBERS: CUP-2006-01

FOR HEARING OF:

REPORT #1: September 24, 2020

REPORT #2: October 20, 2020

I. GENERAL INFORMATION

A. APPLICANTS:

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 $\frac{1}{4}$ 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:

1. On September 24, 2020 the Planning Commission recommended approval of a request for a conditional use permit for Lot 2, One Cornhusker Place, for the purpose of automobile sales.

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 proposed parking stalls to be utilized for auto sales do not occupy parking required for the existing business.

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

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

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


Prepared by: _____ Date: _____


Planning Manager _____ Date of Report: _____



Map Scale 1: 2257

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



Notes





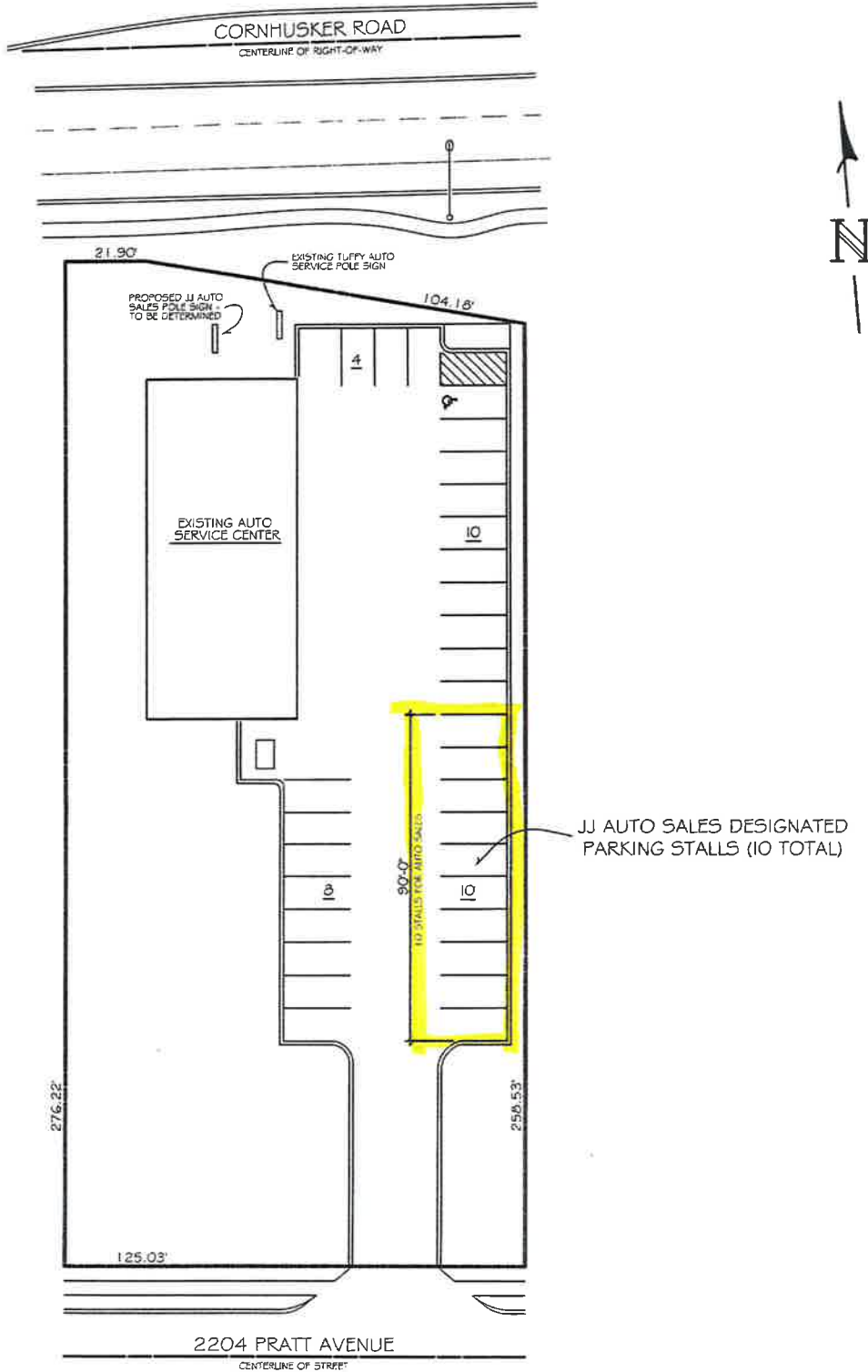
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Notes

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



SITE PLAN

1" = 30' 0"

LOT # 2

ONE CORNHUSKER PLACE
SARPY COUNTY, NE

JJ Auto Sales

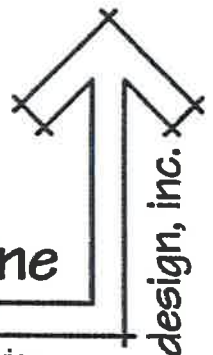
JOB: # 2758

straightline

June 3rd, 2020

Design and Drafting Service

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





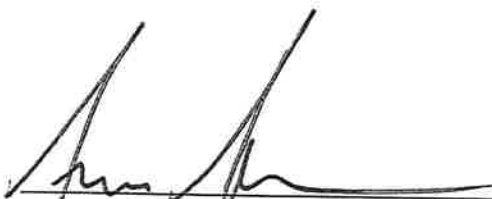
Tuffy Tire and Auto of Bellevue
2204 Pratt Avenue, Bellevue NE 68131
402-291-3229 Phone #
Fed Tax ID # 47-3478782

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



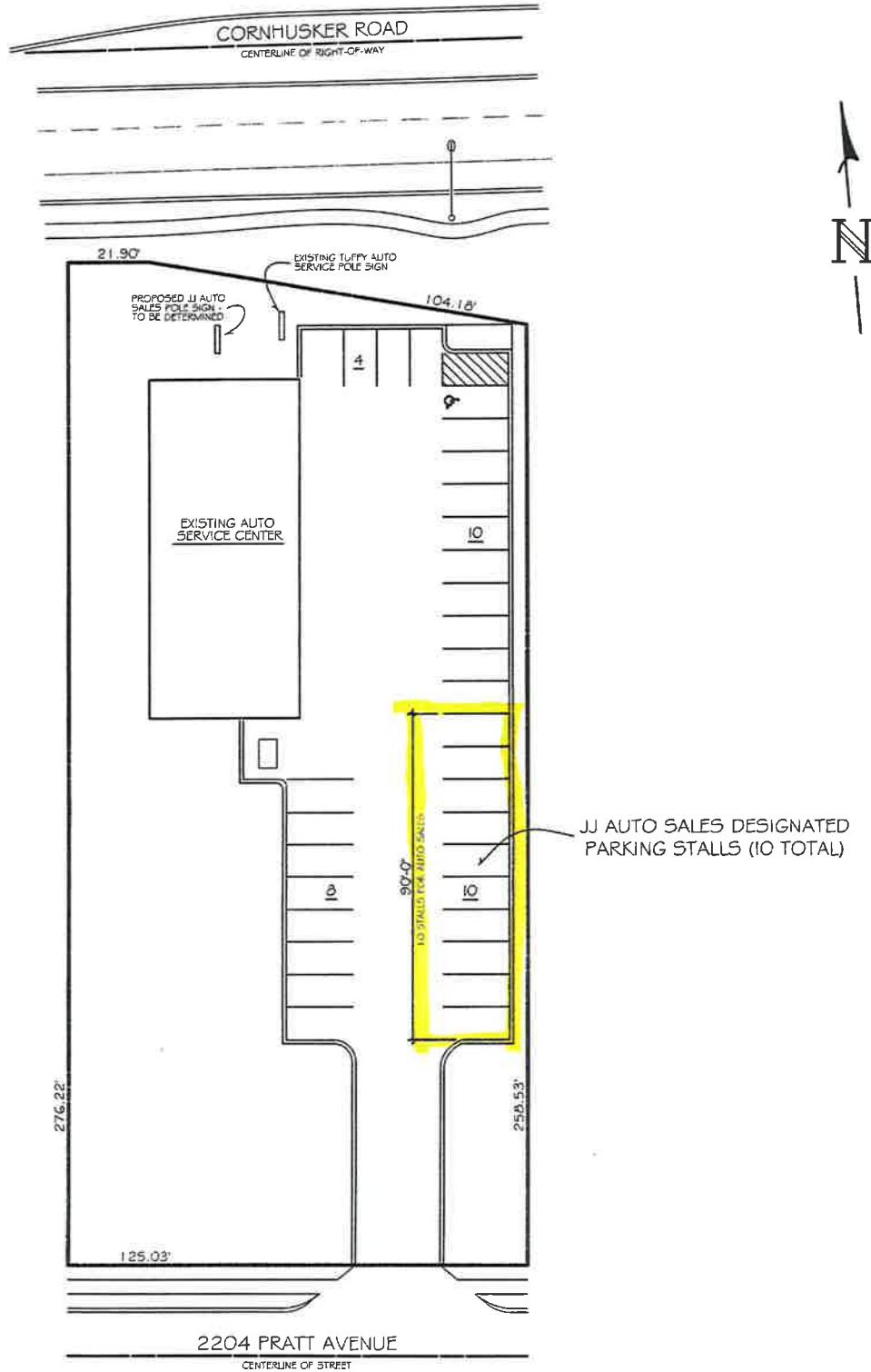
Map Scale 1: 2257

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ONE CORNHUSKER PLACE
SARPY COUNTY, NE

JJ Auto Sales

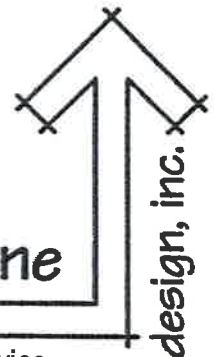
JOB: # 2758

straightline

June 3rd, 2020

Design and Drafting Service

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



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

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020	SUBMITTED BY: Tammi Palm	Planning Manager
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>
RESOLUTION <input checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

Request for approval of the Southwoods Manager, LLC Redevelopment Plan for Lots 9 through 11, South Woods. Applicant: Southwoods Manager, LLC. General Location: Nebraska Drive and Childs Road West.

SYNOPSIS/BACKGROUND:

Southwoods Manger, LLC is requesting approval of the South Woods Redevelopment Plan for the vacant property of Lots 9 through 11, South Woods. The plan proposes to construct a 107 unit multi family residential apartment complex. As part of the redevelopment plan, the applicant is requesting approval of \$1,853,782 in Tax Increment Financing.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of the redevelopment plan.

ATTACHMENTS:

1. Planning Department Staff Memo
2. Resolution 2020-42
3. Redevelopment Plan (Exhibit A)
4. PC REcommendation (Exhibit B)
5. Letter of Opposition from Don Kelly
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

A. Bruce Roblin
[Signature]
[Signature]



MEMORANDUM

TO: City Council Members
Mayor Rusty Hike
City Administrator Jim Ristow
FROM: Tammi Palm, Planning Manager
DATE: October 8, 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 \$1,853,782 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.

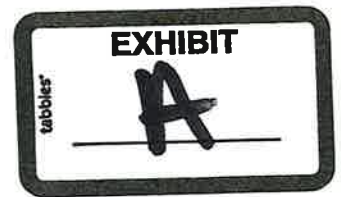
The Redevelopment Plan meets the requirements of Section 18-2111 of Nebraska State Statutes with respect to required plan contents. As required by Nebraska State Statutes, the Planning Department advertised the public hearing on this application twice in local publications, and sent notification to the 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.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended 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
OCT 02 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 \$1,853,782.00. 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 \$1,853,782.00, with interest accruing at the rate of 3.75% 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 in the surrounding area.
- 4) The development of this site will provide additional rental housing in the 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 \$1,853,782.00.

Respectfully Submitted,

Kassie Inness

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.

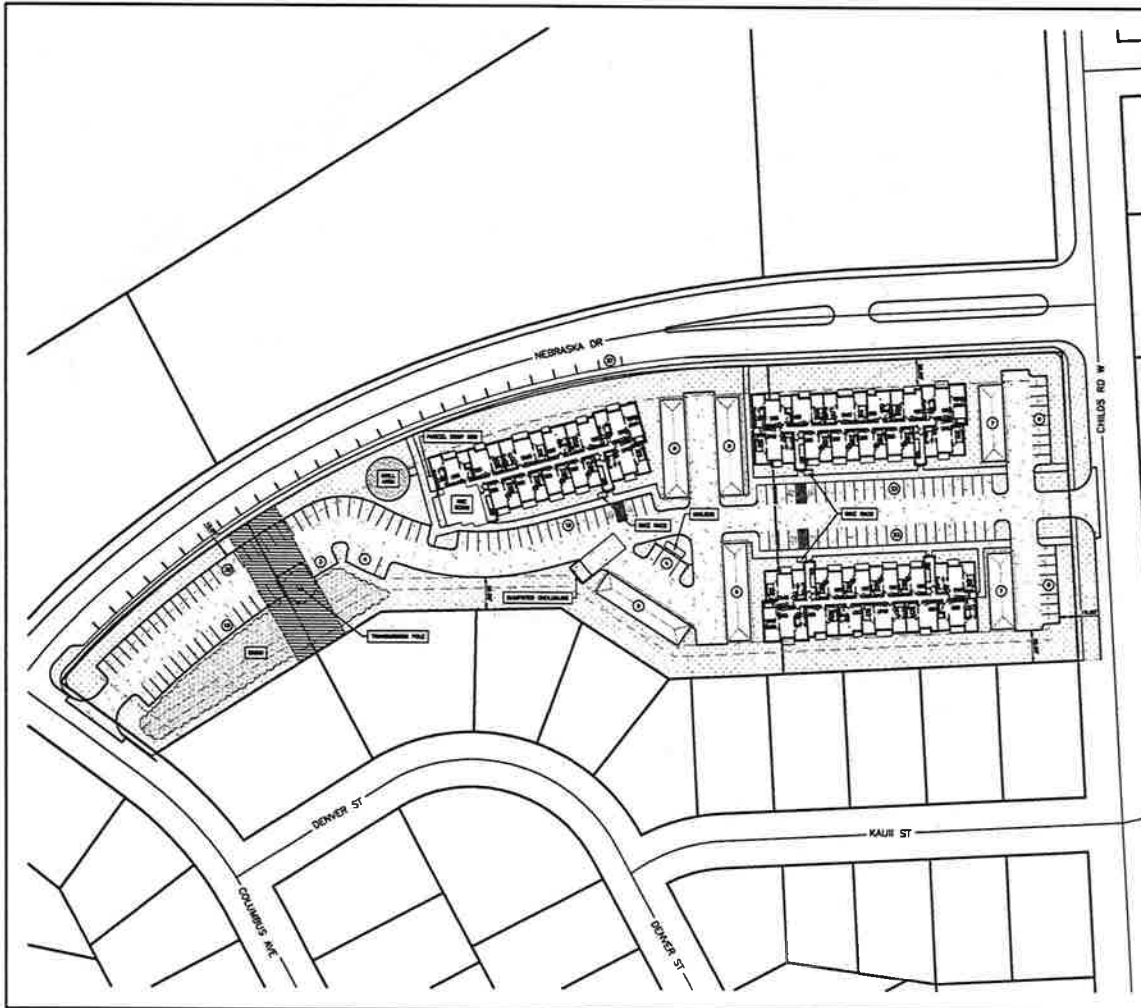
107 UNITS

Description	Labor	Materials	Subcontracts	Equipment	Other	Line Totals	Cost per Unit
Div 2 - Sitework						\$ 36,250.00	
Site Grading	\$ 7,500.00	\$ -	\$ 12,000.00			\$ 19,500.00	\$ 182.24
Backfill at Elevator Pit			\$ -			\$ -	\$ -
Termite Control			\$ 1,750.00			\$ 1,750.00	\$ 16.36
Footing & Utility Spoils Removal			\$ 15,000.00			\$ 15,000.00	\$ 140.19
Infrastructure & Misc						\$ 1,111,326.00	
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			\$ 20,000.00			\$ 20,000.00	\$ 186.92
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
Parking Lot Pole Lights			\$ 15,000.00			\$ 15,000.00	\$ 140.19
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
2,000 SF of stamped concrete along Nebraska Dr			\$ 11,495.00			\$ 11,495.00	\$ 107.43
Landscaping, irrigation, sod			\$ 100,000.00			\$ 100,000.00	\$ 934.58
Outdoor Amenity			\$ 20,000.00			\$ 20,000.00	\$ 186.92
Site Improvements			\$ 15,000.00			\$ 15,000.00	\$ 140.19
City requested crosswalk			\$ 40,131.00			\$ 40,131.00	\$ 375.06
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						\$ 1,853,782.00	

Exhibit C

SITE PLAN

(Attached Hereto)



SUMMARY

APPLICANT	LLP
PROJECT NAME	120 SOUTHWOOD APTS
PROJECT ADDRESS	120 SOUTHWOOD APTS
PROJECT CITY	120 SOUTHWOOD APTS
PROJECT STATE	120 SOUTHWOOD APTS
PROJECT ZIP	120 SOUTHWOOD APTS
PROJECT PHONE	120 SOUTHWOOD APTS
PROJECT FAX	120 SOUTHWOOD APTS
PROJECT E-MAIL	120 SOUTHWOOD APTS
PROJECT WEBSITE	120 SOUTHWOOD APTS
PROJECT CONTACT	120 SOUTHWOOD APTS
PROJECT DATE	120 SOUTHWOOD APTS
PROJECT STATUS	120 SOUTHWOOD APTS

1/2" SCALE CONCEPT VERTICAL PARKING
 1/2" SCALE CONCEPT PERIMETER FENCE
 LANDSCAPE AREA
 IMPROVEMENT AREA

LAMP BYEARSON

120 SOUTHWOOD APTS
 120 SOUTHWOOD APTS
 120 SOUTHWOOD APTS

PRELIMINARY STATE

SOUTHWOOD APARTMENTS CONCEPTUAL PLAN

SOUTHWOOD APARTMENTS
 120 SOUTHWOOD APTS
 120 SOUTHWOOD APTS

811

Have your Dig Safe
 Call before you dig

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT NO: _____
 SHEET NO: _____

1

Exhibit D

PRO-FORMA

(Attached Hereto)

Development Underwriting Summary with TIF | Ascend on 75



RETURN SUMMARY:

Net IRR	9.9%
Equity Multiple	4.1x
Average Unleveraged Cash Yield	5.5%
Average Leveraged Cash Yield	9.3%

REFI SUMMARY:

Refi Value	\$13,718,282
Refi Loan Amount	\$10,288,712
Refi LTV	75.0%
Refi Value Cap Rate	6.50%
Net Refi Proceeds	-\$2,778,384

SOURCES & USES:

Total Sources	\$ Total	\$ per Unit	%	Total Uses	\$ Total	\$ per Unit	%
Construction Loan (1)	\$13,051,944	\$121,981	75.0%	Total Hard Costs (2)	\$15,004,906	\$140,233	86.2%
Other Funding Sources	\$1,853,782	\$17,325	10.7%	Total Soft Costs (3)	\$666,750	\$6,231	3.8%
Contributed Equity	\$2,496,866	\$23,335	14.3%	Total Contingency	\$491,384	\$4,592	2.8%
				Developer Fee	\$982,718	\$9,184	5.6%
				Metonic Fees	\$0	\$0	0.0%
				Total Reserves (4)	\$256,834	\$2,400	1.5%
Total	\$17,402,592	\$162,641	100%	Total	\$17,402,592	\$162,641	100%

Development Underwriting Summary without TIF | Ascend on 75



RETURN SUMMARY:

Net IRR	-2.4%
Equity Multiple	0.8x
Average Unleveraged Cash Yield	5.1%
Average Leveraged Cash Yield	1.5%

REFI SUMMARY:

Refi Value	\$14,085,220
Refi Loan Amount	\$10,563,915
Refi LTV	75.0%
Refi Value Cap Rate	6.50%
Net Refi Proceeds	-\$1,431,528

SOURCES & USES:

Construction Cap Rate: 5.27%

Total Sources	\$ Total	\$ per Unit	%	Total Uses	\$ Total	\$ per Unit	%
Construction Loan (1)	\$13,034,528	\$121,818	75.0%	Total Hard Costs (2)	\$15,004,906	\$140,233	86.3%
Other Funding Sources	\$0	\$0	0.0%	Total Soft Costs (3)	\$868,750	\$8,231	3.8%
Contributed Equity	\$4,344,843	\$40,806	25.0%	Total Contingency	\$491,351	\$4,592	2.8%
				Developer Fee	\$981,406	\$9,172	5.6%
				Metonic Fees	\$0	\$0	0.0%
				Total Reserves (4)	\$234,958	\$2,196	1.4%
Total	\$17,379,371	\$162,424	100%	Total	\$17,379,371	\$162,424	100%

Ascend on 75

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	\$801	\$1.40	A
1		18	17%	755	13,590	\$974	\$1.29	B
1		27	25%	670	18,090	\$913	\$1.36	B2
1		9	8%	670	6,030	\$913	\$1.36	B2B
2		9	8%	1,080	9,720	\$1,265	\$1.17	D
2		17	16%	1,110	18,870	\$1,290	\$1.16	D3
2		3	3%	1,009	3,027	\$1,209	\$1.20	E
2		6	6%	1,009	6,054	\$1,209	\$1.20	E2
3		9	8%	1,253	11,277	\$1,571	\$1.25	F
Total / Average		107	100%	858	91,788	\$1,084	\$1.26	

Other Income

# Garages		51
Garage Rent (Monthly)		\$85
Pet Rent Per Unit (Monthly)	50%	\$35
Other Income Per Unit (Monthly)		\$0
Utility Income Per Unit (Monthly)	\$480 Annually	\$40
Cable TV NET Income/(Expense) (Annual)		\$360

Growth and Occupancy

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

Expenses

	Per Unit
Payroll	\$1,100
Administrative	\$600
Repair and Maintenance	\$700
Insurance	\$350
Real Estate Taxes	\$1,800
Utilities	\$600
Management Fees	\$411
Total	\$5,561

Property Taxes (See RE Tax Tab)

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

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	\$350
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%

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	\$13,002	\$1,201,280	\$1,284,165	\$1,418,183	\$1,446,809	\$1,476,011	\$1,506,532	\$1,535,642	\$1,566,355	\$1,597,682	\$1,629,826	\$1,662,229	\$1,695,473	\$1,729,383	\$1,763,970	\$1,799,250
Parking Income	\$486	\$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	\$83,460	\$112,558	\$114,278	\$116,332	\$118,433	\$120,802	\$123,218	\$125,683	\$128,196	\$130,760	\$133,375	\$136,043	\$138,764	\$141,539	\$144,370
Vacancy	-\$872	-\$1,439,127	-\$297,271	-\$92,762	-\$84,607	-\$96,490	-\$100,958	-\$102,977	-\$105,036	-\$107,137	-\$109,280	-\$111,465	-\$113,695	-\$115,969	-\$118,288	-\$120,654
Application/Admin/Pet Fees	\$19	\$10,725	\$27,058	\$12,223	\$5,057	\$2,058	\$2,100	\$2,142	\$2,184	\$2,228	\$2,273	\$2,318	\$2,365	\$2,412	\$2,460	\$2,509
Concessions	\$0	-\$25,757	-\$72,680	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Revenue	\$13,686	\$62,881	\$1,214,800	\$1,504,949	\$1,827,688	\$1,886,203	\$1,983,769	\$1,816,444	\$1,847,763	\$1,880,708	\$1,714,322	\$1,748,608	\$1,783,481	\$1,818,282	\$1,856,637	\$1,892,760
Operating Expenses																
Payroll	-\$1,100	-\$49,042	-\$118,007	-\$120,584	-\$123,603	-\$126,728	-\$129,897	-\$133,144	-\$136,473	-\$139,884	-\$143,382	-\$146,966	-\$150,640	-\$154,400	-\$158,266	-\$162,223
Administrative	-\$600	-\$6,600	-\$62,018	-\$69,457	-\$68,920	-\$69,725	-\$71,468	-\$73,254	-\$75,086	-\$76,963	-\$78,887	-\$80,859	-\$82,881	-\$84,953	-\$87,076	-\$89,253
Repair and Maintenance	-\$700	-\$3,850	-\$62,671	-\$76,716	-\$78,656	-\$80,645	-\$82,661	-\$84,728	-\$86,846	-\$89,017	-\$91,243	-\$93,524	-\$95,862	-\$98,259	-\$100,715	-\$103,233
Management Fees	-\$411	-\$5,018	-\$36,444	-\$45,148	-\$45,831	-\$46,658	-\$47,513	-\$48,483	-\$49,433	-\$50,421	-\$51,430	-\$52,458	-\$53,507	-\$54,578	-\$55,669	-\$56,783
Insurance	-\$350	-\$9,263	-\$37,548	-\$38,358	-\$39,328	-\$40,323	-\$41,331	-\$42,364	-\$43,423	-\$44,509	-\$45,621	-\$46,762	-\$47,931	-\$49,129	-\$50,367	-\$51,616
Real Estate Taxes	-\$1,800	-\$11,341	-\$87,369	-\$197,270	-\$202,259	-\$207,374	-\$212,558	-\$217,872	-\$223,319	-\$228,902	-\$234,624	-\$240,490	-\$246,502	-\$252,665	-\$258,981	-\$265,456
Utilities	-\$600	-\$16,050	-\$84,368	-\$65,757	-\$67,429	-\$69,125	-\$70,853	-\$72,624	-\$74,440	-\$76,301	-\$78,208	-\$80,163	-\$82,167	-\$84,222	-\$86,327	-\$88,485
Total Operating Expenses	-\$5,581	-\$101,281	-\$468,424	-\$413,281	-\$428,018	-\$440,675	-\$454,280	-\$467,450	-\$480,019	-\$492,897	-\$505,368	-\$517,423	-\$529,431	-\$541,211	-\$552,839	-\$564,018
Net Operating Income	\$8,125	-\$38,680	\$746,984	\$891,688	\$901,672	\$914,628	\$927,489	\$942,994	\$958,734	\$974,711	\$990,927	\$1,007,388	\$1,024,080	\$1,041,041	\$1,058,244	\$1,075,701
Key Metrics																
Apartment Rent Per Square Foot	\$1.26	\$1.26	\$1.27	\$1.29	\$1.31	\$1.34	\$1.37	\$1.39	\$1.42	\$1.45	\$1.48	\$1.51	\$1.54	\$1.57	\$1.60	\$1.63
Rent Per Unit	\$1,084	\$1,084	\$1,088	\$1,105	\$1,127	\$1,150	\$1,173	\$1,196	\$1,220	\$1,244	\$1,269	\$1,295	\$1,320	\$1,347	\$1,374	\$1,401
Vacancy %	6.00%	94.25%	19.08%	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%	2.57%	5.28%	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	40.63%	161.81%	38.56%	40.75%	40.98%	41.19%	41.44%	41.62%	41.82%	42.01%	42.20%	42.39%	42.58%	42.78%	42.97%	43.17%
Apartment NOI Margin	58.37%	-41.81%	61.44%	59.25%	59.02%	58.81%	58.56%	58.37%	58.18%	57.99%	57.80%	57.61%	57.42%	57.22%	57.03%	56.83%
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				30.92%	2.08%	2.32%	2.48%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.46%	2.47%
NOI Growth Rate				19.47%	1.12%	1.44%	1.41%	1.67%	1.67%	1.67%	1.66%	1.66%	1.66%	1.66%	1.65%	1.65%

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	1,853,782
Current TAV (Current)	276,378		Interest Rate	3.75%
As-Complete TAV	8,309,739		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	\$88,126
Discount/Interest Rate	3.75%		Payments/Yr	\$176,252
Net Present Value	1,853,782			

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	1,853,782	0	0	0	1,853,782	0.00x
1.0	3/31/2022	0	0	0	2.32%	0	0	0	1,853,782	0	34,758	34,758	1,853,782	0.00x
2.0	7/31/2022	0	0	0	2.32%	0	0	0	1,853,782	0	34,758	34,758	1,853,782	0.00x
2.0	3/31/2023	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,853,782	53,368	34,758	88,126	1,800,415	1.05x
3.0	7/31/2023	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,800,415	54,368	33,758	88,126	1,746,046	1.05x
3.0	3/31/2024	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,746,046	55,388	32,738	88,126	1,690,658	1.05x
4.0	7/31/2024	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,690,658	56,426	31,700	88,126	1,634,232	1.05x
4.0	3/31/2025	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,634,232	57,484	30,642	88,126	1,576,747	1.05x
5.0	7/31/2025	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,576,747	58,562	29,564	88,126	1,518,185	1.05x
5.0	3/31/2026	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,518,185	59,660	28,466	88,126	1,458,525	1.05x
6.0	7/31/2026	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,458,525	60,779	27,347	88,126	1,397,746	1.05x
6.0	3/31/2027	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,397,746	61,918	26,208	88,126	1,335,828	1.05x
7.0	7/31/2027	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,335,828	63,079	25,047	88,126	1,272,748	1.05x
7.0	3/31/2028	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,272,748	64,262	23,864	88,126	1,208,486	1.05x
8.0	7/31/2028	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,208,486	65,467	22,659	88,126	1,143,019	1.05x
8.0	3/31/2029	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,143,019	66,695	21,432	88,126	1,076,324	1.05x
9.0	7/31/2029	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,076,324	67,945	20,181	88,126	1,008,379	1.05x
9.0	3/31/2030	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	1,008,379	69,219	18,907	88,126	939,160	1.05x
10.0	7/31/2030	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	939,160	70,517	17,609	88,126	868,643	1.05x
10.0	3/31/2031	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	868,643	71,839	16,287	88,126	796,804	1.05x
11.0	7/31/2031	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	796,804	73,186	14,940	88,126	723,618	1.05x
11.0	3/31/2032	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	723,618	74,558	13,568	88,126	649,059	1.05x
12.0	7/31/2032	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	649,059	75,956	12,170	88,126	573,103	1.05x
12.0	3/31/2033	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	573,103	77,381	10,746	88,126	495,722	1.05x
13.0	7/31/2033	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	495,722	78,831	9,295	88,126	416,891	1.05x
13.0	3/31/2034	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	416,891	80,310	7,817	88,126	336,581	1.05x
14.0	7/31/2034	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	336,581	81,815	6,311	88,126	254,766	1.05x
14.0	3/31/2035	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	254,766	83,349	4,777	88,126	171,416	1.05x
15.0	7/31/2035	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	171,416	84,912	3,214	88,126	86,504	1.05x
15.0	3/31/2036	8,309,739	276,378	8,033,361	2.32%	93,177	(932)	92,245	86,504	86,504	1,622	88,126	0	1.05x



City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Southwoods Manager, LLC

CASE #: ECD-47

CITY COUNCIL HEARING DATE: October 20, 2020

REQUEST: to approve the Southwoods Redevelopment Plan

On September 24, 2020 the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

APPROVAL based upon conformance with the Comprehensive Plan, elimination of blighted and substandard area, conformance with the requirements of the State Statutes, and the opportunity for development along the Childs Road corridor.

VOTE:

Yes:	Seven:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey						Ritz
	Perrin						Jacobson
	Cain						
	Aerni						
	Ackley						
	Hankins						
	Cutsforth						

Planning Commission Hearing (s) was held on: September 24, 2020

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE #1250
 PAPPILLION, NE 68046-2895
 (402) 593-4155
www.sarpy.com

ADMINISTRATOR Dan Hoins
 DEPUTY ADMINISTRATOR Scott Bovick
 CHIEF FINANCIAL OFFICER Bill Conley



COMMISSIONERS
 Don Kelly District 1
 David Klug District 2
 Angi Burmeister District 3
 Gary Mixan District 4
 Jim Warren District 5

September 29, 2020

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

RECEIVED
 SEP 30 2020
 PLANNING DEPT.

Re: Letter of Opposition- Redevelopment Plan for Lots 9, 10 and 11, Southwoods

Dear Ms. Palm:

Please consider this correspondence as formal opposition to the proposed Tax Increment Financing on the above referenced project.

We recognize that current taxes will still “flow to the various taxing entities,” however, what is conspicuously absent in your report is the \$1,732,956 which will not be realized by the various taxing entities. Instead, it will flow directly into the pocket of a private developer.

Moreover, the type and density of development you are proposing creates a high demand for government services. Approval of TIF on this development will take away from multiple taxing entities and place it in the pocket of the private developer in the following amounts:

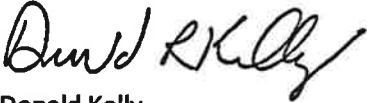
Fiscal Impact of TIF for Lots 9, 10 & 11 of Southwoods, II

Prepared 9/29/2020 - Sarpy County Fiscal & Budget Office

	<u>Tax Levy</u>	<u>% of Total</u>	<u>Allocation</u>
Sarpy County	\$ 0.296900	12.8%	\$ 221,798
Omaha School District	\$ 1.057549	45.6%	\$ 790,037
Omaha School District Bond	\$ 0.172093	7.4%	\$ 128,561
Omaha Special Building	\$ 0.017012	0.7%	\$ 12,709
Learning Community Elem Learning	\$ 0.016052	0.7%	\$ 11,992
City of Bellevue	\$ 0.444000	19.1%	\$ 331,688
City of Bellevue - Bond	\$ 0.166000	7.2%	\$ 124,009
Papio NRD	\$ 0.031015	1.3%	\$ 23,170
Papio NRD - Bond	\$ 0.006369	0.3%	\$ 4,758
Metro Community College	\$ 0.095000	4.1%	\$ 70,969
Agricultural Society	\$ 0.002758	0.1%	\$ 2,060
ESU 19	\$ 0.015000	0.6%	\$ 11,206
TOTAL BASE VALUE TAX RATE	\$ 2.319748	100.0%	\$ 1,732,956
Proposed TIF:	\$ 1,732,956		

We respectfully request you read this letter into the record and place it into the hearing file at both the Bellevue Planning Commission and the Bellevue City Council meetings.

Sincerely,

A handwritten signature in black ink that reads "Donald Kelly". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Donald Kelly
Chairman
Sarpy Board of Commissioners

Cc: Mayor Rusty Hike
Jim Ristow
Deb Houghtaling

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020	SUBMITTED BY: Tammi Palm	Planning Manager
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>
RESOLUTION <input checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

Request for approval of the Southwoods Manager, LLC Redevelopment Plan for Lots 9 through 11, South Woods. Applicant: Southwoods Manager, LLC. General Location: Nebraska Drive and Childs Road West.

SYNOPSIS/BACKGROUND:

Southwoods Manger, LLC is requesting approval of the South Woods Redevelopment Plan for the vacant property of Lots 9 through 11, South Woods. The plan proposes to construct a 107 unit multi family residential apartment complex. As part of the redevelopment plan, the applicant is requesting approval of \$1,853,782 in Tax Increment Financing.

FISCAL IMPACT: BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of the redevelopment plan.

ATTACHMENTS:

- | | | |
|-----------------------------------|--|-----------------------------------|
| 1. Planning Department Staff Memo | 2. Resolution 2020-42 | 3. Redevelopment Plan (Exhibit A) |
| 4. PC REcommendation (Exhibit B) | 5. Letter of Opposition from Don Kelly | 6. <input type="text"/> |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bruce Roblin
[Signature]
[Signature]

RESOLUTION 2020-42

WHEREAS, Southwoods Manager, LLC, is the developer of certain real property currently situated within the corporate limits of the City of Bellevue ("City"), legally described as Lots 9, 10, and 11, South Woods, Sarpy County, Nebraska ("Redevelopment Project Area"); and

WHEREAS, the Redevelopment Project Area is situated within an area previously designated by the Bellevue City Council as blighted and substandard and in need of redevelopment as such terms are defined and contemplated by the Nebraska Community Development Law (Sections 18-2103(3) and 18-2103(31) et seq., R.R.S. Neb.) (the "Act"); and

WHEREAS, Southwoods Manager, LLC has submitted the Redevelopment Project Plan for the Redevelopment Project Area ("Redevelopment Plan") to the Council for its approval as the authority and the governing body of the City (as such terms are contemplated by the Act) for the redevelopment of the Redevelopment Project Area; and

WHEREAS, the Redevelopment Plan is attached to this Resolution as Exhibit "A"; and

WHEREAS, the Redevelopment Plan anticipates the redevelopment of land with three new buildings to be used for multi-family residential use, and other property improvements as shown in Exhibit "A" (the "Redevelopment Project"); and

WHEREAS, the Redevelopment Plan contemplates that the Redevelopment Project shall be the sole responsibility of, and shall be undertaken and completed at the sole cost and expense of Southwoods Manager, LLC; and

WHEREAS, it is further anticipated that, when completed, the Redevelopment Project will result in an approximately \$15,500,000 increase in the current assessed valuation of the Redevelopment Project Area, and will also enhance the potential for increases in commercial and other desired development within the surrounding vicinity of the Redevelopment Project Area; and

WHEREAS, the Redevelopment Plan contemplates that pursuant to the covenants, terms and conditions of a redevelopment agreement among the City, Southwoods Manager, LLC and such other parties as shall be appropriate, the City will issue such appropriate tax increment financing instruments as City shall deem to be appropriate, at the cost of Southwoods Manager, LLC, in an amount not to exceed the principal sum of \$1,853,782 which, if fully paid, will reimburse Southwoods Manager, LLC for costs incurred in furtherance of those eligible Project improvements that are identified in the Plan and the Redevelopment Agreement from the increase in ad valorem real estate taxes levied upon the Redevelopment Project Area over a period of not more than fifteen (15) years from the effective date of the Redevelopment Plan as contemplated by the Act; and

WHEREAS, the Redevelopment Plan contemplates that the tax increment financing instruments to be issued in furtherance of the Redevelopment Project will be fully retired within fifteen (15) years from the effective date of the Redevelopment Plan as a result of the anticipated increase in the assessed value of the Redevelopment Project Area alone (by the payment of the corresponding increase in ad valorem real estate taxes to be levied upon Redevelopment Project Area); and

WHEREAS, following a public hearing convened by the Bellevue Planning Commission pursuant to and in accordance with Section 18-2115 of the Act, the Bellevue Planning Commission concluded that the Redevelopment Plan was in conformity with the general plan for the development of the City and otherwise in conformity with the Act and recommended that this Council approve the Redevelopment Plan, such recommendation being attached to this Resolution in the form of Exhibit "B"; and

WHEREAS, following a public hearing convened in accordance with the requirements of Section 18-2115 of the Act, and in consideration of all information therein presented together with such other information as this Council has determined to be appropriate, this Council finds:

- (a) The Redevelopment Plan is in conformity with the general plan for the development of the City and otherwise in conformity with the legislative declarations and determinations of the Act;
- (b) The Redevelopment Project would not be economically feasible without the use of tax-increment financing;
- (c) The Redevelopment Project would not occur in the Redevelopment Project Area without the use of tax-increment financing;
- (d) The costs and benefits of the Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the City, and the demand for public and private services are in the long-term interest of the City, its residents and taxpayers and the Redevelopment Project Area; and
- (e) The cost-benefit analysis for the Redevelopment Project, including that analysis identified and discussed in the Redevelopment Plan, i.e.
 - (i) Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147 of the Act;
 - (ii) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the Redevelopment Project;
 - (iii) Impacts on employers and employees of firms locating or expanding within the boundaries of the Redevelopment Project Area;
 - (iv) Impacts on other employers and employees within the City and the immediate areas that are located outside the Redevelopment Project Area; and
 - (v) Such other impacts determined by this Council, as the Redevelopment Authority and governing body of the City to be relevant to the consideration of costs and benefits arising from the Redevelopment Project,

sufficiently demonstrates to this Council that approval of the Redevelopment Project as outlined in the Redevelopment Plan is in the best interest of the City, its residents and taxpayers, subject to the execution and delivery of a Redevelopment Agreement (and other related agreements) among the Southwoods Manager, LLC and such other appropriate parties, containing covenants, terms and conditions as shall be necessary or appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Bellevue as follows:

1. That the Redevelopment Plan should be and hereby is approved subject to the due execution and delivery of a Redevelopment Agreement and other appropriate agreements by and among the City, Southwoods Manager, LLC and such other parties as shall be appropriate, to be first approved by this City Council, which agreement(s) shall implement the Redevelopment Plan and set forth the covenants, terms, conditions and other appropriate provisions by which any tax increment financing instruments shall be issued and by which the Redevelopment Project shall be effected.
2. That, subject to the due execution and delivery of a Redevelopment Agreement and other appropriate agreements by and among the City, Southwoods Manager, LLC and such other parties

as shall be appropriate, to be first approved by this City Council, the appropriate City officers, employees and agents shall undertake all such acts as shall be necessary or appropriate to implement the Redevelopment Plan or to otherwise allow for the Redevelopment Project.

PASSED AND ADOPTED THIS 20TH DAY OF OCTOBER, 2020.

Rusty Hike, Mayor

ATTEST:

Susan Kluthe, City Clerk

**CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET**

***16a.
10/20/2020**

COUNCIL MEETING DATE: 10/20/2020		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input checked="" type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Approval of Waiver of Hunting Regulations - Lt. Kurt Stroehrer of Sgt. Don Pleiss reviewed information, either approving or denying the application and then it is submitted to Council for approval.

SYNOPSIS/BACKGROUND:

Hunters wishing to bow hunt within the City of Bellevue during archery season of 9/1/2020 through 12/31/2020 must fill out an application and provide documentation they have permission from the property owner, provide a sketch of how they will set up their hunting site, and provide a copy of their current hunting permit.

FISCAL IMPACT: \$0.00 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?:	NO	COUNTER-PARTY:	N/A	INTERLOCAL AGREEMENT:	NO
CONTRACT DESCRIPTION:	N/A				
CONTRACT EFFECTIVE DATE:		CONTRACT TERM:		CONTRACT END DATE:	
PROJECT NAME:	N/A				
START DATE:		END DATE:		PAYMENT DATE:	
				INSURANCE REQUIRED:	NO
CIP PROJECT NAME:	N/A	CIP PROJECT NUMBER:	N/A		
STREET DISTRICT NAME (S):	N/A	STREET DISTRICT NUMBER (S):	N/A		
ACCOUNTING DISTRIBUTION CODE:	N/A	ACCOUNT NUMBER:	N/A		

RECOMMENDATION:

Request approval of the applications for waiver of hunting applications. Police Lt. Kurt Stroehrer or Sgt. Don Pleiss has already given approval for the hunters and their specified sites.

ATTACHMENTS:

1. Listing for approval	2.	3.
4.	5.	6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:





CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

16b.
10/20/2020

COUNCIL MEETING DATE: 10/20/2020	SUBMITTED BY: Mike Christensen	Permits & Inspections
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

Building Software upgrade

SYNOPSIS/BACKGROUND:

Staff has researched permit tracking systems to streamline the City's Building Permitting, Inspections, Min Housing Enforcement, Contractor licensing process and Financial Connectors. This software will bring the City of Bellevue Permits Dept. in-line with other local municipalities Building Department services. The initial investment of \$68,042.90 shall be paid utilizing CARES funding which will include the implementation and annual fees for FY 20-21. Starting in FY 21-22, an annual fee of approximately \$37,162.00 will be paid out of the City's building fund.

FISCAL IMPACT: \$68,042.90 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: YES

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: YES COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: Building Software services

CONTRACT EFFECTIVE DATE: 11/01/2020 CONTRACT TERM: ANNUAL CONTRACT END DATE: OPEN ENDED

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approval of the contract between the City of Bellevue and Dude Solutions, Inc. in the amount of \$68,042.90 for the implementation of the SmartGov software application of the following development services processes: Building Permitting, Inspections, Min Housing Enforcement, Contractor Licensing, and Financial Connectors

ATTACHMENTS:

1. Proposal	2.	3.
4.	5.	6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bree Roblins

[Signature]

[Signature]



Software for Smarter Operations

PREPARED FOR

City Of Bellevue

Mike Christensen
Chief Building Inspector
204 West Mission Ave
Bellevue, NE 68005-5268

PREPARED BY

Dude Solutions, Inc.

PUBLISHED ON

September 16, 2020





Software for Smarter Operations

Q-200159

This SOW has been defined to leverage DSI's experience, while optimizing the use of resources, thereby maximizing cost efficiencies on behalf of Client.

Based on our current understanding of the complexity and scope of this effort and the expected involvement of the DSI team resources, the current estimated Fixed Price for this engagement is shown in the Investment table. This estimated cost breakdown is as follows:

Pricing is based on unlimited users. Subscription include the public portal, parcel connector, map connector, merchant connector and Bluebeam connector.

Subscription	
SmartGov - Enterprise	\$26,544.00
SmartGov Permitting	\$0.00
SmartGov Code Enforcement	\$0.00
SmartGov Business License	\$0.00
SmartGov Connector Merchant	\$663.60
SmartGov Connector BlueBeam	\$663.60
Subscription Term: 11 months 2 months included at no additional cost	Subtotal: \$27,871.20
Implementation & Services	
Portal Configuration	\$950.00
Parcel Connector Configuration	\$2,375.00
Map Connector Configuration	\$950.00
Data Migration	\$10,174.50
Fees Configuration (Pages)	\$1,615.00
Department Types / General Configuration	\$12,112.50
Project Management	\$6,317.50
	Subtotal: \$40,171.70





Software for Smarter Operations

Web-Based Training	\$3,397.20
Merchant Connector Configuration	\$1,140.00
Digital Mark-up Tool Connector Configuration	\$1,140.00
	Subtotal: \$40,171.70
Total Initial Investment	\$68,042.90

Term to begin November 1, 2020.

Sourcewell/NJPA purchasing contract

- <https://www.sourcewell-mn.gov/cooperative-purchasing/110515-sdi> (<https://www.sourcewell-mn.gov/cooperative-purchasing/110515-sdi>)
- Contract #110515-SDI
- Maturity Date: 12/15/2020
- Sourcewell discount of 21% applied to subscription cost and 5% applied to implementation cost.

The above level of effort and associated pricing is based on the SMARTGOV package selected by City Of Bellevue and is subject to change based on defined client requirements that may be discovered during project delivery. Any identified project scope or requirements changes will be addressed via DSI Change Control Authorization ("CCA") process.

Pricing for the First Renewal Term is \$37,162.00.





Software for Smarter Operations





Introduction

Dude Solutions, Inc. ("DSI") is pleased to submit this Statement of Work ("SOW") to City Of Bellevue for SmartGov Professional Services. SmartGov streamlines permitting, planning/zoning, Inspections, code enforcement, and business licensing, providing efficiency for your jurisdiction and enhanced customer service for your citizens. The package City Of Bellevue has chosen for implementation of SmartGov will be implemented using proven processes and methodologies managed by an experienced project manager dedicated to delivering a successful project.

DSI looks forward to the opportunity to deliver these services and the ever-lasting development of a strong business partnership.

Definitions

In addition to the terms defined elsewhere in this SOW, the following terms have the following meanings:

"Change Control Authorization" or "CCA" means any request by the client to modify the scope of work, schedule, or costs will require preparation of a Change Control Authorization ("CCA" or "change order") form detailing the work to be performed, as well as the associated costs and schedule impact. Additional work will be performed only after both parties have duly executed the CCA. Scope of work changes will impact the project schedule which will be updated to reflect such changes upon CCA approval.

"Closing Phase" means the phase that represents the completion of a project where all metrics are finalized, all deliverables are complete and accepted by client, and all remaining billing/invoicing takes place prior to project closure and acceptance.

"Deliverable Acceptance Form" means the form that is a standard PMO form used for client to agree to accept a deliverable as complete and final.

"Escort" means the client provided resource/person to take Dude Solutions, Inc. ("DSI") resources around client facilities and provide access to restricted areas agreeable between client and DSI as needed.

"Executing Phase" means the phase of the project where deliverables are developed and completed.

"Fixed Price/Fixed Fee/Fixed Price Project" means the project pricing includes all services, tasks, and expenses associated with the client project.

"Monitoring and Controlling Phase" means the phase for measuring project progression and performance and ensuring that everything happening aligns with the project management plan.

"Onsite Services Completion" means onsite services have been completed and when necessary, the Deliverable Acceptance form will be used to document the completion of deliverables provided during the onsite services visit.

"Orientation Call" or "Project Kick-Off Call" means the call/meeting which begins the project and proper expectations are set between DSI and the client.

"Output Documents" standard or custom documents generated from SmartGov "e.g. permits, Certificates of Occupancy, violation letters, business licenses, receipts"





"Orientation Call Completion" means the Orientation Call or Project Kick-Off Call has been completed and the project has begun and proper expectations have been set between DSI and the client.

"Professional Services or Services" means professional, technical, consulting and/or other services.

"Project Completion" means the project completion occurs when all deliverables of the project have been completed and accepted by the client via the Project Completion Acceptance Form.

"Project Completion Acceptance Form" means the form that is a standard PMO form used for client to agree to accept a project as complete and final.

"Project Management Methodology" means the manner and process used to deliver services projects.

"Project Management Office" or "PMO" means the office that provides the oversight and standardized processes to consistently deliver projects in a concise, consistent, and standardized manner. The PMO manages and maintains the processes and standard templates utilized to manage DSI projects.

"SmartGov Modules" means the Permitting Module (permits for all departments), the code Enforcement Module, the Business Licensing Module, and the Recurring Inspection module.

"Software Component Configuration" means the components within the software have been configured per client specifications.

"Statement of Work Acceptance" means the signing and accepting of the terms of the Statement of Work document by client.

"Support Engagement" means the point in the project where implementation services end and product support begins.

"System Configuration Completion" means the configuration items within the software have been configured per client specifications.

"System Level Configuration Items" standard configurable items that are applied across departments and case templates.

"Training Completion" means the onsite or virtual training has been completed and when necessary, the Deliverable Acceptance form will be used to document the completion of deliverables provided for completion of the onsite or virtual training services.

"User Acceptance Testing - UAT" means that after the system is configured the client will have an opportunity to perform user level testing based on client developed test scripts. DSI will correct issues as documented and presented during this process.





Project Scope and Approach

Implementation Process Overview

In order to successfully implement the SmartGov application, DSI will work with City Of Bellevue to understand requirements necessary to configure and set up the SmartGov application to streamline processes related to permitting, planning/zoning, inspections, code enforcement and business licensing for your jurisdiction and citizens. Once the City Of Bellevue has reviewed, and approved these requirements and processes, DSI will configure and setup the application to support the City Of Bellevue's unique business rules.

Following the configuration and modeling work, DSI will train the City Of Bellevue's team using its jurisdiction-specific configuration. After training, DSI will work with City Of Bellevue to test the work performed and provide the necessary updates to successfully implement the solution. The system will then be ready to go live in production. If the City Of Bellevue purchases "Go-Live Support" packages, DSI will provide support for the period of time defined in the statement of work.

Customer Implementation Engagement Sessions ("CIES")

Client project team representatives and DSI project team representatives will dedicate time to meet in person or via teleconference to maintain communication and conduct coordination of project activities and tasks.

Deliverables

Dude Solutions will provide the following task deliverables:

- Project Management Meeting Schedule
- Data Migration and Technical Design Meeting Schedule
- Configuration Meeting Schedule
- Meeting notes or recordings for all scheduled meetings

The client will provide the following resources or task deliverables:

- A complete project team roster, including email addresses, phone numbers, and roles / titles
- Necessary communication / information to allow all project schedules to be finalized
- Timely response to task-related emails or phone calls to enable on-time completion of all assignments
- A minimum of 24-hour notice if all minimum required members for any scheduled meeting cannot attend the meeting. This will allow the meeting coordinator sufficient time to cancel or re-schedule the meeting as necessary

Assumptions and Constraints

- Initial proposed meeting plans from DSI will reflect the minimum recommended frequency, duration, participants (by job title or role), topics, and action items to address the full SOW
- Final meeting plan will be approved by the client key sponsor(s)
- Coordination and integration of the PM meeting, data migration, technical design meeting, and configuration meeting will align with the scope of the project, client organizational structure, and assigned resources
- The Client will provide dedicated knowledgeable technical resource available for questions
- The Client will provide a dedicated knowledgeable resource for mapping analysis





- The Client will provide read only access and screen shots for various permits/case types to provide context to DSI data migration specialists
- The Client will provide resources for validation throughout the process
- Client will provide side-by-side data entry for 2 weeks prior to go-live
- Response time for questions is one business day
- DSI may require up to 3 backups of data for each database throughout the process

Planning, Initial Set Up & System Level Configuration

Configuration begins with planning and analysis necessary to establish the overall configuration approach. After planning, and once the approach is documented and agreed to, DSI will set up the SmartGov environments to support implementation. DSI Consultants begin configuration with system level items or items that apply generally across all departments and types of configuration items.

Setup of environments to support SmartGov implementation and configuration of core items in each SmartGov module that are specific to City Of Bellevue 's requirements. These core items are defined/configured at the client level [i.e. these are configurable items that will be standard or shared across all departments and configuration types].

Deliverables

Dude Solutions will provide the following task deliverables:

- A Configuration Plan document that includes:
 - Identified current and future state business processes to be supported by the final product via the configuration work effort
 - Recommended approach to configuration that supports the identified business processes and activities
 - Configuration details for all permit, inspection, license, and code enforcement types to be configured in SmartGov. All templates required for creating the configuration types will be created in SmartGov based on requirements gathered in meetings with the client
- SmartGov Environments to support the implementation process including:
 - Configuration (Dude Solution access only for configuration)
 - Validation (client has access for testing, can be refreshed with configuration copy upon request)
 - Training
- Weekly configuration status reports (in PDF format) generated from the client specific configuration instance of SmartGov. These reports serve as the primary source to demonstrate core configuration elements, status, and needs
- Jurisdiction configuration, per Configuration Plan, to include as needed:
 - Parcel and/or address information management
 - Contact information management
 - Contractor license information management
 - Receipt/transaction information management
 - Inspection scheduling information management
 - Configurable screen display settings
- User configuration per Configuration Plan, to include as needed:





- Individual User Rights
- Available Departments
- Available Distribution Groups
- Available Inspection Qualifications
- Available Security Groups
- Job configuration per Configuration Plan, to include as needed:
 - Default list of available queued jobs
 - Queued job parameters
- Administrative & shared configuration rules per Configuration Plan, to include as needed:
 - Administrative processing rules where available in the configurable Jurisdiction Values list
 - Standard status options for cases, submittal items, workflow steps, step actions, inspection types, inspection actions, accounts, and intervals
 - Standard expiration rules
 - Standard online processing rules [for the portal]
 - Standard reports available across all case types

Assumptions and Constraints

- The Configuration Plan will be based on information delivered to, or collected by, the DSI Consultant within a specified time frame established at the project kick-off
 - During the development of the Configuration Plan, the client provides representatives for all work units with work activity to be supported by the final delivered product
- Client will provide access to the appropriate leaders and/or subject matter experts to ensure meaningful engagement at all required meetings and to ensure on-time completion of assigned action items
- Client will provide access/links to any public, or private, web sites or operating systems, if needed, to gather complete business requirements
- The Configuration Plan can meet client requirements and can be fully executed within existing product design in all modules
- The Configuration instance will be solely owned by the DSI Implementation team and serves as the primary source for the final delivered product design
- The Validation instance will be sole source used by the client to complete all assigned configuration UAT tasks
- The Training instance will be used solely by members of the client project team to assist in understanding SmartGov functionality. It will contain default data sets and serves as a temporary "sand box" for assigned users.
- The client will designate one person on their project team to serve as the final decision-maker for all system level configuration elements. These are configured settings that are shared across SmartGov modules, and/or are settings common to all departments / divisions / users
- When configuration tasks, or related work effort, requires information to be submitted to the DSI Implementation team in a specific file format or within specified parameters, the client is able to comply with these stated requirements





- Note: If the client cannot provide information in the DSI standard format, the assigned Project Manager will determine if a formal Change Request or additional contracted SOW is needed to provide assistance in developing or converting the information into the desired format

Module Case / Department Types

SmartGov implementation activities include the set up of case templates in one or more of these modules: Permitting, Licensing, Code Enforcement and Recurring Inspections. These case templates must be used to create records in SmartGov in each module. Your DSI Consultant will provide specific information about the minimum required elements to be configured for the case templates in each module; these required case template elements do vary by module.

Deliverables

Dude Solutions will provide the following task deliverables:

- Case template baseline elements, per the Configuration Plan, to include as needed:
 - Case record reference information
 - Template specific expiration, renewal or interval rules
 - Template specific default submittal list
 - Template specific details (custom attributes) that are required for any of the following: application intake, workflow step completion, inspection completion, fee calculation, or mandatory regulatory reporting
 - Template specific default workflow steps for Admin, Review, and Final work lists
 - Template specific default inspection list
 - Template specific list screens such as Bonds, Fixtures, Valuations, Violations, Citations, Lien, or Items
- Once baseline case template configuration is completed, any expanded configuration beyond baseline must be discussed during Configuration Meetings with the Consultant and approved by the assigned PM. Expanded configuration elements, if approved, may include
 - Non-essential custom attributes
 - Work step dependencies and due dates
 - Step actions and Inspection actions
 - Default Parent-Child case linkages
 - Workflow cycling feature
 - Template specific tab appearance
 - Standard note types and note codes
 - Standard condition types and conditions
 - Standard code references
 - Template specific report links

The client will provide the following resources or task deliverables:

- Specific lists of all types of applications, forms, or other documents that describe all services to be supported by SmartGov at the time of project "Go Live"
 - This list should be inclusive of all in-scope departments
 - This list should conform to requested formatting and scope instructions, as communicated by DSI





- A PDF or Word version of all customer-facing documents (forms, letters, cards, etc.) expected to be generated by SmartGov
- A publicly accessible URL, or electronic copies of reference information, that provide all pertinent state, county or local regulatory information that are known to impact business operations to be supported by SmartGov
- A fully approved version of the template validation workbook
- Approval via email or other written correspondence of any other identified forms, as requested by the Consultant

Assumptions and Constraints

- The scoped number of department templates for this SOW are 30 types. If the number of department types identified during the configuration work effort exceed the number of types scoped for this SOW, the additional types may be introduced into the scope of the project via the DSI CCA process once signed and approved by the DSI Project Manager and the client Project Manager.
- Case template configuration will be completed within existing product design in each module.
- DSI will configure each application or request type in the SmartGov module that best supports the associated workflow. The primary goal of configuration of case templates is to optimize SmartGov capability
 - Note: This assumption means that recommended case template configuration may or may not align with current internal customer naming convention or legacy system design
- The total number of case templates to be configured across all modules will be stated in the Configuration Plan. This total may vary from the initial sales order, where applicable, if approved by the DSI Project Manager
- A complete list of case templates to be configured across all modules will be approved by the client key sponsor, or their delegate, no later than the third Configuration Meeting
- Baseline configuration for case templates identified in the Configuration Plan will be completed before any expanded template configuration work will be done
- Baseline configuration for case templates listed in the Configuration Plan will support the end-to-end work steps that correspond to each default SmartGov Process State in the applicable module.
- If case templates or department types are identified during the configuration work effort, that are not documented in the original Configuration Plan or exceed the number of types scoped for this SOW, the additional templates or types may be introduced into the scope of the project via the DSI CCA process once signed and approved by the DSI Project Manager and the client Project Manager.
- Super Admin training will include how to maintain or update case templates

Financial Setup and Fees Pages

Configuration of GL Accounts and Fee Codes as needed to support financial transactions for any business activity to be supported by SmartGov.

Deliverables

Dude Solutions will provide the following task deliverables:

- A weekly Fee List Report that reflects all configured active fees and their associated GL Accounts
- Configuration of permitting module fee codes necessary to support all configured case templates
- Configuration of Licensing module fee codes necessary to support all configured case templates





- Configuration of Code Enforcement module fee codes necessary to support all configured case templates
- Configuration of Recurring Inspection module fee codes necessary to support all configured case templates
- Configuration of other fee codes required to support routine transaction activity including NSF ("Non-Sufficient Funds") fees, administrative fees, fines, regulated surcharges, convenience fees, and the like
- Configuration of fast track fees, deferred fees, and tax exempt fees within current product design.
- Configuration of the timing during the workflow process that each fee will be assessed and may have payment applied against the fee within current product design
- Configuration elements as needed to support online [SmartGov portal] payments
- Setup and definition of Fees Pages

The client will provide the following resources or task deliverables:

- A copy of all current fee schedules for all in-scope departments and business functions
- A current list of GL Accounts
- The last two monthly or quarterly relative financial reports
- A copy of any other operating document that contains pertinent information regarding any assessed charges, surcharges, potential fines, etc
- Contact information for one or more subject matter experts in the appropriate finance departments. This is to facilitate efficient information gathering from both operating and finance departments / divisions

Assumptions and Constraints

- All fee codes will be configured within existing product design
- A GL Account list approved / authorized by the client's finance department is provided to the DSI Consultant. This GL Account list will be limited to accounts associated to fee codes to be configured in SmartGov
- GL Accounts and Fee Codes will be configured with product design parameters
- All configured fee codes will be derived from documented fee schedules or comparable client documentation provided to the DSI Consultant. Updated fee schedules or related documents that are provided after the initial versions may be incorporated into the final configuration if there is no adverse impact on the project schedule
- Fee codes will be configured to optimize SmartGov capability, and therefore may not be identical to legacy system fees
- Determination of the specific fee codes to be defaulted within each module case template will be determined by the designated client project team member
- Validation of case templates will include validation of fee code functionality
- User security rights will address fee code management within current product capability
- Super Admin training will include instructions for maintenance of GL Accounts and configured fee codes

Portal Configuration Setup

Configuration of required elements to enable in-scope functionality associated with the SmartGov online portal, as stated in the Configuration Plan.

Deliverables



Dude Solutions will provide the following task deliverables:

- A Portal Validation site to demonstrate and test Portal configuration
- Information regarding Portal set up options
- A Portal set up workbook template

The client will provide the following resources or task deliverables:

- A fully completed and approved Portal Set up workbook
- Any written content to be visible in portal that is not configurable
- Resources to test Portal configuration

Assumptions and Constraints

- The client will be responsible for taking steps to integrate the SmartGov portal into existing online sites
- Online payments will not be enabled without also purchasing the Merchant Services connector
- The client will be able to determine the level of online integration with their business processes, within existing product design
- Portal configuration will occur along with configuration of module case templates.
- Validation tasks will include distinct tasks to approve Portal set up
- Portal user security will be defined using existing product functionality
- Super Admin training will include information about options for the client to maintain / update portal configuration

Parcel Connector Setup

The parcel connector is an optional feature that is used to keep the parcel repository in SmartGov up to date. Parcel data that is typically maintained in a county assessor's system is used as the primary reference for modules in the SmartGov application. Parcel profile information, such as Parcel Number, Site Addresses, Current Owner, Legal Description, Section, Township, Range, Quarter, Subdivision, Block, Lot, and Neighborhood, is accommodated in standard data fields. Additional attribute data may also be stored in our custom detail area. Additionally, if the associated latitude and longitude data is available, those coordinates can be added to the parcel record to allow users to geographically locate information on the map.

Deliverables

Dude Solutions will provide the following task deliverables:

- A tested, working parcel connector along with a list of unresolvable errors to be addressed

Assumptions and Constraints

- Parcel Connector required fields supplied

Map (GIS) Connector Setup

The Map (GIS) connector allows for the display and viewing of a geographical map based on parcel data provided in SmartGov. The Map (GIS) connector will display layers on the SmartGov map based on the clients current Geo-database.

Deliverables

- Map layers configured and available for display on the SmartGov map



- Parcel layer registered in SmartGov for use with SmartGov popup
- Ability to turn layers on and off
- Training to configure layers going forward

Assumptions and Constraints

- Client will provide URL to ArcGIS REST Service with layers for SmartGov to consume and display on the map
- Layers are required to be hosted on an ESRI server
- Layers must be available via HTTPS
- Server must have valid security certificate issued by a digital certificate authority (not self-signed)
- Layer formats supported:
 - Map Services
 - Feature Services
 - Tiled Services
 - Web Map Service (WMS)

Merchant Service Connector Setup

SmartGov's public portal can be configured to interface with 3rd party payment gateways to accept credit card transactions. SmartGov does not store any credit card information or other sensitive information relating to credit card transactions processed via the portal. Most payment gateway providers will transition the user from the SmartGov site to their own secure site in order to complete the transaction before redirecting the user back to SmartGov. This allows the payment gateway provider to maintain the secure information and pass only necessary information, such as a confirmation or transaction reports, to SmartGov.

The first step to implement the connector is for DSI to build the interface between SmartGov and the selected payment provider. If the provider is new, DSI will first need to build the technical backend process to enable electronic transactions to/from SmartGov. Once the initial backend setup is complete, SmartGov can be configured to process payments.

Each payment gateway provider has different sets of specifications that they require to be sent to their system to authenticate payment information. When DSI builds a connector to a payment gateway provider, a new option will become available in the Payment Vendor drop down menu on the Administration Portal Payment Configuration page. If a payment gateway provider does not have a connector to SmartGov, no option will be available in the drop down menu. The payment gateway provider should provide the necessary information to the Jurisdiction in order to complete the setup process. Administrators may be asked to provide additional URLs to SmartGov pages for navigation purposes.

Deliverables

- Configure the Merchant Service connector to process payments for client services and transactions processed in SmartGov
- Configure the 3rd party payment gateway to accept credit card transactions

Assumptions and Constraints

- SmartGov does not store any credit card information or other sensitive information relating to credit card transactions processed via the portal





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- Merchant Services Gateway Payment Provider Partners include:
 - ACI Universal (Official Payments) – Integrated Level 1 Payment Process - Postback v2.4
 - Authorize.NET Service Integration method (SIM)
 - BridgePay
 - ETS Corporation – Hosted E-Com Payment Page Service v1.50<
 - First Data Global Gateway Connect v1.3
 - First Data Global Gateway E4
 - FISGlobal – PayDirect Web
 - GovPay
 - PACE Technology Engine
 - PayPal – Pay Flow Pro
 - Point & Pay – Parameter Passing v3.0
 - PayGov
 - Paymentus
 - Reliant Pay
 - TransFirst
 - US Bank – E-Payment Service v12.1 (Elavon)
 - Wells Fargo
 - XpressBillPay

Digital Markup Tool Setup

Configuration to support electronic plan review utilizing Bluebeam Prime Studio.

Deliverables

- Enable the Bluebeam connector
- Configure selected permit types to allow electronic plan review
- Configure specified submittal requirements for the electronic plan review process
- Instruction on the configuration and use of the Bluebeam integration

Assumptions and Constraints

- Electronic plan review is only available in the Permitting module
- Only .PDF files are eligible for electronic plan review
- Training in the use of Bluebeam software will not be included
- Client is responsible for purchasing the necessary Bluebeam components as outlined below:
 1. A subscription to BlueBeam Studio Prime and;
 2. BlueBeam ReVu client software for each user. The following editions of the most current Bluebeam version are supported:
 - Standard
 - eXtreme
 - CAD





Data Migration

Data Migration can be a complex process and demands that solid requirements are well defined in order to prepare for the data migration process. Many clients start out with "we want everything" migrated to SmartGov. However, experience has shown that once the requirements of data to be utilized in SmartGov have been reviewed, this often reduces the need for all information in legacy systems. Dude Solutions will help the client determine the real needs for data to be migrated from the legacy system to SmartGov. Decisions will be made jointly via a thorough analysis of the legacy system data and how or if the legacy data should be targeted to be migrated to SmartGov.

The consulting team will ask a series of questions, such as:

- What is the reason you want to migrate your data?
- What are your public data request requirements?
- What is the required retention period?
- What elements are required to meet the need? Once determined, this can expand or lessen the scope to include or eliminate other data points that need to be tracked moving forward
- Are legacy systems still available to extract data from?
- Do you need to report on this data?
- Do you need to be able to search for this data? What is the Search criteria? These questions will help us determine where to store data within SmartGov

The data migration process will include the following steps:

1. Define requirements
2. Map data elements
3. Extract data
4. Transform data
5. Load data
6. Perform data validation with client
7. Resolve data issues
8. Validate resolution
9. Obtain fresh copy of data
10. Add migrated data to configuration
11. Validate data and system configuration
12. Perform end to end testing





13. Perform final data migration
14. Move to Production/Training environments
15. Migration sign-off

Deliverables

- Dataset assessment and set priorities with client
- Evaluate data quality
- Work with client to cleanse data prior to extract
- Map data elements
- Determine migration pre-requisites and sequencing
- Define migration approach based on requirements definition
- Create and execute validation checklists

Assumptions and Constraints

- Client will provide information related to:
 - Data Source
 - Database/Source Type (SQL Server, Access, Oracle, etc...)
 - Type of Data (tabular, documents, permits, financial, etc...)
 - Active data usage
 - Point of Contact who know the data structure and content usage
 - Provide data validation and testing resources
- Included in the scope of work:
 - **Permitting** - Basic Permit Info (Permit Number, type, status, dates, applicant, owner, inspections, parcels and valuations)
 - **Licensing** - Contractor Registrations including basic license info (license number, status, type, licensee, business, notes)
 - Fees for both will be migrated as **notes** to show information available for each permit

Standard Reports (70 Reports Included)

DSI will provide the client reports (reports and output documents) that includes 70 standard reports. Normal modifications to these reports to entail updating client specific information and logos not related to data output.

- Custom Reports: SmartGov comes with 70 standard reports and output documents. Using tools in SmartGov, client staff can add the client's logo and modify header and footer information.





Deliverables

- 70 standard reports
- Edits will be made to add client specific logo and information i.e. company name, address, phone

Assumption and Constraints

- Modification to standard reports will be related to Client branding and logos

Post Go-Live Support

DSI will provide the client with "Post Go-Live Support" which includes additional training, configuration support, reporting assistance, transaction based support, and work with the client on basic production related issues or questions for utilizing the system.

Deliverables

Provide production related post go-live support for 30 days after go-live date.

Assumptions and Constraints

- System configuration and all implementation tasks have been completed and client is using the SmartGov system in production

User Acceptance Testing "UAT"

DSI will work with the client to conduct User Acceptance Testing ("UAT") upon the completion of configuration and development tasks to confirm SmartGov functionality using the client's UAT Test scripts, developed by the client. The client will execute their test scripts and communicate the results of the test scenario as either pass or fail. DSI will review the UAT test log for issues and will assign these issues to the appropriate resource for resolution. DSI will have up to ten (10) days to correct any functional item that fails a test, or provide a mutually acceptable written explanation of when the failed item will be corrected. In the event a bug is identified, the bug issue will be assigned to the DSI Engineering Team for assessment. DSI Engineering will then provide an estimated time frame for resolution. The client has the right to conduct additional UAT Testing for items within project scope.

Deliverables

DSI will provide the following task deliverables

- SmartGov Validation environment ready for system User Acceptance Testing
- Review any discrepancies found by the client during UAT Testing
- Correct any functional item that fails a test within 10 days, or provide a mutually acceptable written explanation of when DSI will correct the failed item
- Identified software bugs will be addressed by DSI Engineering for assessment. DSI Engineering will then provide an estimated time frame for resolution
- Provide tools for documenting UAT test scripts in the UAT testing Plan and issue tracking log as needed, client may use their own UAT Testing Plan document if available

The client will provide the following resources or task deliverables





- Create a User Acceptance Test Plan with scenario based test scripts to include end-to-end system and client business process functionality, system workflow, system configuration, data migration, interfaces, reports, etc
- Execute UAT Testing Plan
- Track and document test results
- Written acceptance of System User Acceptance Testing complete via the DSI Deliverable Acceptance Form

Assumptions and Constraints

- The client will develop a UAT Test Plan
- The client will provide resources for User Acceptance Testing throughout the process
- The client will track and document test results in a mutually agreed format
- DSI will provide resources to address discrepancies

Upon successful completion of UAT Testing, Client will sign a DSI Deliverable Acceptance form, provided by the DSI Project Manager, to document their acceptance of UAT Testing and acknowledgement that UAT Testing has been completed successfully

Project Management / Engagement Management

The Project Manager's primary goal is to deliver the project within defined constraints through planning, scheduling, and controlling those activities required to achieve the project's objectives and meet customer expectations. The Project Manager strives to deliver on schedule, within budget, within scope, and at the desired performance level.

DSI assigns a professional Project Manager and/or a professional Engagement Manager for every consulting engagement. DSI's Project Management Office ("PMO") and Project Management Methodology provides Project Managers with a formal framework that is used in initiating, planning, managing (executing, monitoring, and controlling), and closing DSI's customer projects. DSI's Project Manager will have the primary responsibility for coordinating all activities for this SOW including scheduling resources, confirming project activities and that all project deliverable and defined activities are executed within the scope of this SOW. DSI's Project Manager will serve as the single point of contact for the project related to this SOW.

DSI's Project Management Methodology provides a defined set of phases and deliverables per Project Management Institute Best Practices which include a series of planning phase activities, including initial alignment meetings to prepare for the kickoff meeting to enable all project participants to understand the project scope, project plan, and objectives. The project kickoff meeting will allow all participants to be introduced, review and understand the delivery methodology, define team roles and responsibilities, review the communications and risk management plans, review documentation templates, review the SOW and project schedule. The Executing phase allows DSI Project Managers to direct and manage project progress through task execution, distribute project related information per the Communications plan, Quality Assurance per the SOW guidelines, project team development and coaching, and checkpoint meetings to review project progress during each work week, and weekly status meetings. The Monitoring and Controlling phase provides the DSI PM with the toolset to manage the triple constraint triangle of scope, cost, and schedule through integrated change control, quality assurance, deliverable validation, risk monitoring and control, performance monitoring to plan





and schedule, and initiating corrective action measures. In the Closing phase, the Project Manager will verify product and deliverable acceptance, perform final financial audits, lessons learned, project archive delivery and updates, and formal project completion acceptance from the customer.

Project Management activities include:

- Project planning and kickoff meetings
- Project schedule developed per SOW tasks, deliverables, and resource assignments
- Status reporting and status meeting
- Continuously communicating, planning, and scheduling updates
- Schedule and budget monitoring, and scope management
- Risk Management planning to continuously identify, analyze, and mitigate risks
- Action Item and decision tracking, as well as resolving and escalating issues
- Quality Control
- Change control management
- DSI project resource management
- Work product completion and deliverable acceptance management
- Project Completion Acceptance execution

Project Timeline

DSI anticipates commencing this project on a mutually agreeable start date upon receipt of an executed SOW acceptance page ("Acceptance") found at the conclusion of this document. Within two weeks of the Orientation Call, the DSI Project Manager will schedule a mutually agreeable date and time for the project kick-off meeting. As a deliverable of the kick-off meeting, the DSI Project Manager will develop a project schedule to be shared with the clients' project manager for review and agreement. As a deliverable of the kick-off meeting, the DSI Project Manager will develop a project schedule to be shared with the clients' project manager for review and agreement.

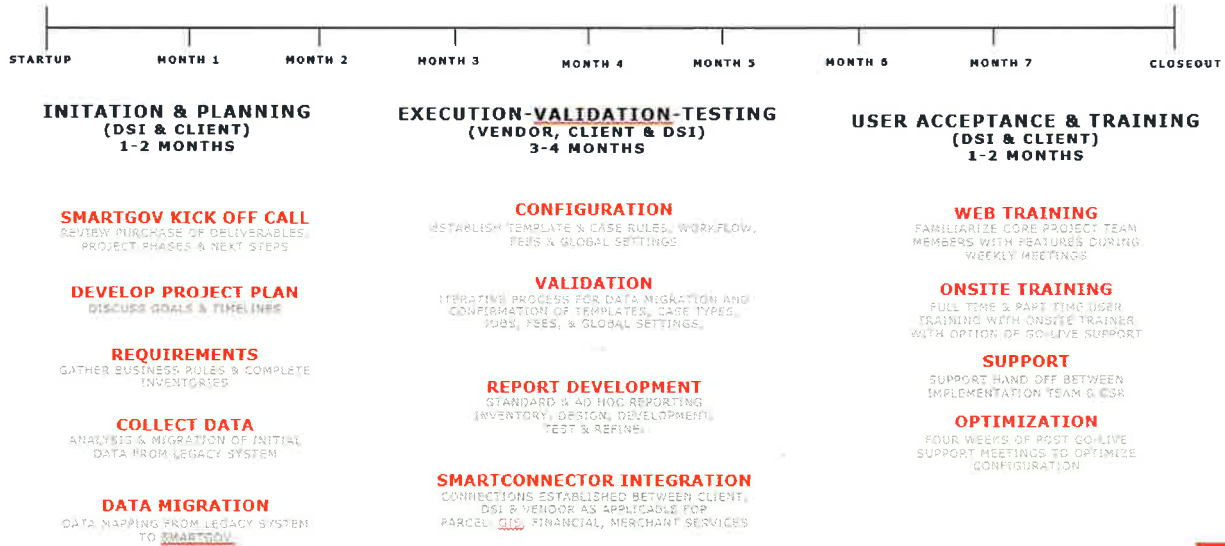
The following generic process will be followed for the implementation of this project. Below is a depiction of the generic process the DSI Project Manager/Engagement Manager will follow for the implementation, DSI reserves the right to modify this process to reflect the scope of this project.





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SMARTGOV High Level Process



Professional Services Invoicing / Billing

Invoicing Terms

DSI will generate project invoices when the above product codes are completed for the value of the product code as shown in the Investment table.

Travel Expenses

Travel expenses are inclusive in Dude Solutions pricing for your project.

DSI understands there are extenuating circumstances that require a change in scheduling. DSI will make every attempt to accommodate cancellation/rescheduling requests on an as-needed basis. Rescheduling requests will be subject to resource availability and every attempt will be made to meet requested timeframes and timelines, however, no guarantee can be made for requested dates or times. Client accepts that DSI will reschedule based upon our resources' next availability that meets the project duration requirement to complete the scope of work.

Cancellation Policy

Cancellation and Rescheduling requests will be managed per the below policy:



Cancellation/Rescheduling Fees: In the event that the Client requests to reschedule their onsite work date(s), Client must reschedule 14 days in advance of the scheduled onsite work. Any requests for rescheduling onsite work within the 14-day window prior to the scheduled onsite date, will require the Client to reimburse DSI the full cost of any **Cancellation Fees** and **Re-booking Fees** incurred.

Definitions:

- **Cancellation Fees:** Any actual fees incurred by DSI from its travel providers which are the result of the Client canceling work for scheduled date(s) which are not immediately rescheduled, including, but not limited to fees charged for airfare, train, rental car, and hotel.
- **Re-booking Fees:** Any change fees associated with changing travel arrangements to accommodate a rescheduled date requested by Client including, but not limited to, any difference in reasonable travel costs (airfare increase, hotel increase, rental car increase) incurred when re-booking for requested dates.
- **Force Majeure:** Client will not be held liable for Cancellation or Re-booking Fees incurred by DSI as a result of an act of God, such as an earthquake, hurricane, tornado, flooding, winter super storm, winter weather that shuts down a facility, or other natural disaster, or in the case of war, action of foreign enemies, terrorist activities, labor dispute or strike, government sanction, blockage, embargo, or failure of electrical service within a facility's power grid.

DSI Project Team Roles and Responsibilities

The roles listed below comprise the DSI team supporting this project. The team brings a wealth of experience and knowledge that will provide you with the highest caliber of expertise, thought leadership, and project management. *Due to the size and scope of the project, one person may play multiple roles, to be determined by DSI as appropriate.*

- **Senior Implementation Consultant:** The Senior Technical Consultant ("STC") will develop and deploy the solution and ensure that it meets the business requirements for the project. The STC's goal is to deliver a responsive system that complies with the functional specification. The STC defines, designs, and implements the features or products that meet the client's functional expectations.
- **Implementation Consultant:** The Implementation Consultants ("IS") primary role is to provide project implementation support by setting up a client's account, performing system configuration as defined in the scope of the project, creating/modifying templates as defined in the scope of the project, and creating or modifying standard or custom reports as defined in the scope of the project or requirements discovered during requirements gathering sessions.
- **Project Manager / Engagement Manager:** The Project Manager's ("Project Manager" or "PM") / Engagement Manager's ("Engagement Manager" or "EM") primary role is to deliver the project within the project's defined constraints through planning, scheduling, monitoring progress, controlling scope, and managing client expectations. The PM/EM manages the process to release the correct product on schedule and within budget.





Project Assumptions and Constraints

DSI has made the following general assumptions in this SOW to derive the estimated cost for this project. It is the responsibility of City Of Bellevue to validate these assumptions and responsibilities before signing the Acceptance. Deviations from these assumptions may impact DSI's ability to successfully complete the project and will be addressed via a CCA process, as appropriate. Any changes in scope, schedule, or costs will be documented via the CCA process, whether there is a cost impact or not. Zero dollar CCA's will be used as mutual agreement documentation for scope and schedule changes.

Project Assumptions

- Client business stakeholders must be available for onsite visits and working phone conversations.
- DSI resources will be onsite as planned and scheduled.
- Prerequisite data gathering, related to an orientation call or requirements gathering session onsite, must be completed prior to scheduled onsite or orientation call date in order to maximize onsite consulting time and resource productivity.
- DSI is not responsible for delays caused by missing data or other configuration information that is required to be available prior to the onsite visit. Having the requested data and configuration information available prior to the onsite visit may minimize delays so progress can be made quickly.
- Regarding requested enhancements or new feature development, the request will be fully documented and delivered to the DSI software engineering team for review for product inclusion, definition, development, prioritization, and sprint release development and confirmation.

General, Administrative, and Cost

- DSI must be in receipt of this SOW, signed by an authorized Client representative, prior to initiation of services including orientation calls or onsite visits.
- As applicable, designated deliverables must be approved in writing using the *DSI Deliverable Acceptance form*.
- Upon satisfactory completion of project, Client must provide project sign-off using the *DSI Project Completion Acceptance form*.
- DSI is not responsible for delays caused by Client, its contractors, or any third party vendors or third party service providers.
- All project documentation will be prepared in DSI standard format in Microsoft Word, Excel, PowerPoint, Project, Visio, and/or PDF.
- This document could include technical inaccuracies and/or typographical errors.



- **Any request** by City Of Bellevue to modify the scope of work, schedule, or costs will require preparation of a CCA form detailing the work to be performed, as well as the associated costs. Additional work will be performed only after both parties have duly executed the CCA. Scope of work changes will impact the project schedule which will be updated to reflect such changes upon CCA approval.
- All on-site work will be conducted at Client's physical location. As required, appropriate Client personnel will be made available either at that location or via alternate means (e.g., conference call) for in-person meetings, tours, and ad-hoc meetings with appropriate personnel for additional fact finding, data gathering, and reiteration demos.

Client's Support

- Client will provide the needed input, resources, and documentation to support the tasks contained herein.
- Client will assign a project manager/leader to coordinate activities, reviews, and the collection of information in support of this project and to act as a point of contact.
- Client team members will be identified and be part of the decision-making process as it relates to changes in process, applications, technology, etc.
- Client will provide assistance in the development of functional requirements and will confirm those requirements meet the project's overall business objective.
- Client business and technical staff must be available for team workshops, requirements gathering, data gathering, and/or consulting sessions.
- Client will be responsible for scheduling and coordinating all meetings and interviews involving other teams, departments, jurisdictions, management teams, or other necessary resources required for the success of this project.
- Client will provide access to resources in a manner consistent with the proposed schedule and provide suitable designees in the absence of required resources.
- Client will provide adequate working facilities (i.e., desk, computer, telephone, contractor identification, access badge, parking pass, etc.) for DSI to perform any portion of this project that must be conducted at Client's facility and access to all applicable software, databases, tools, and systems at their facilities.
- Client will ensure that the consultant(s) are granted access to the facilities and/or systems required to conduct the necessary work defined in this SOW.
- Client will provide a knowledgeable Escort for data gathering, requirements gathering, tours, and access to restricted personnel as necessary.
- A minimum of 24-hour notice if all minimum required members for any scheduled meeting cannot attend the meeting. This will allow the meeting coordinator sufficient time to cancel or re-schedule the meeting.



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- Advance notice if there is to be any additional incurred travel expenses above and beyond the contract. DSI will confirm approval of all travel dates and expenses in email from the appropriate project sponsors prior to being on site.

Client Engagement Responsibilities

The below table demonstrates the anticipated client engagement responsibilities and level of effort involvement to ensure the success of the project.

Role	Time (% FTE)	Responsibilities
Implementation Project Lead	30-40%	<ul style="list-style-type: none"> • Serve as primary Person of Contact • Work with Dude PM to plan and schedule client resources • Manage the scope of the paid services in SOW • Coordinate Client staff assignments • Manage Client activities to meet schedule commitments • Mitigate all implementation risks • Define requirement/layouts of reports purchased • Identify requirements for any connectors purchased • Sign-off on completion of all implementation services delivered
Subject Matter Experts (Multiple)	40-60%	<ul style="list-style-type: none"> • Attend Implementation/configuration meetings • Define and provide input into configuration • Attend User Acceptance and validation Training • Validate data and configuration • Develop UAT Test Scripts
IT Lead	5-10%	<ul style="list-style-type: none"> • Manage infrastructure changes to support SmartGov • Provide the data to be migrated from systems • Mitigate any technical issues • Coordinate technical assignments required to implement • SMARTConnectors, including GIS and parcel data



Data Validator / UAT Testing	20-30%	<ul style="list-style-type: none"> • Validate all data migrated • Comprehend the data in the prior system and how it translates to Community Development • Verify the data that was validated • Participate in UAT Testing, execute test scripts and provide feedback
System Administrator	10-15%	<ul style="list-style-type: none"> • Manage SmartGov Configuration • Create user accounts • Handle user access/privileges • Reset passwords • Supervise organization information changes • Regulate system values • Customize attributes • Generate ad hoc reports • Support internal usage of SmartGov
Training Coordinator	10%	<ul style="list-style-type: none"> • Manage data within SmartGov, specifically: • Accreditations • Task lists • Training Tracks • Assessments • Training Items • Training Location (conference room, off-site, etc.)
User	Case-by-Case	<ul style="list-style-type: none"> • Participate in SmartGov training • Participate in UAT Testing, execute Test Scripts

Change Control Authorization Process

In order to maintain a positive relationship with our clients and to complete all services and deliverables of a project on a timely basis, all facets of the project must be agreed upon, and any changes to the project must be requested and evaluated for impacts. Change control is an essential mechanism to monitor and document all project changes and deviations from the original scope and objectives of the project. All project changes must be requested via the project CCA process. The basic steps for a change are:

- The client team or DSI team discovers a need to change the project.
- The authorized client project manager or DSI Project Manager is notified and a CCA is initiated.





- The written project change request is reviewed by all necessary parties and either accepted or rejected.
- If rejected, the change request is maintained in the project file for reference purposes.
- If the written change request is accepted, then:
 - All necessary signatures are recorded on the change request
 - All affected documentation is revised to reflect the change(s)
 - Any adjustments to schedule, scope, and/or cost are made to the overall project plan
 - Signatures are required for all change requests
- Copies of the official approved and signed CCA are forwarded to the customer project manager and DSI Project Manager for the documentation archive. DSI will forward a copy to the Project Accounting Team in the office to update the project information and budget (if necessary).

Change Control Authorizations Process Steps

Step	Type	Description
1	Request	A request is made for a change to the agreed upon scope baseline. The request may be internally or externally generated, must be formally written and communicated to the project manager, and may have been prompted by any number of reasons or events.
2	Evaluate	The project manager facilitates an evaluation to confirm that the requested change is in fact a change to the agreed upon scope baseline. If so, the project manager implements the request as described below.
3	Assess	If the request is in fact a change to the scope baseline, the project manager assesses the impact on project schedule, budget and work products, using a similar approach as the original project planning process, utilizing team member expertise as needed.
4	Document	The project manager documents the project impact and other critical information in a CCA form. A summary of the change is recorded in a change order log. This log is required, and is a very useful tracking tool, and is included in the project status report.
5	Decide	The change order is presented to the project's governing authority, typically a steering committee, stakeholder's, or equivalent. In some cases, the project may have a separate change management board to process change requests. The governing authority decides whether or not to implement the change, and obtains approval for any needed additional resources (if it does not itself have the authority to authorize resource changes).



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6	Incorporate	The project manager incorporates changes into the project's scope baseline in the form of such artifacts as contracts, statements of work, project plans, requirements and design documents per the approved CCA document.
7	Implement	The project team implements the changes.





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Proposal terms

- Proposal has been prepared for City Of Bellevue ("Subscriber")
- Proposal expires in sixty (60) days
- Initial Term: 11 months

Order Form terms

- This Order Form and its Services are governed by the terms of the Dude Solutions, Inc. Subscription Agreement found at <https://www.dudesolutions.com/terms> (<https://www.dudesolutions.com/terms>) ("Terms"), unless Subscriber has a separate written agreement executed by Dude Solutions, Inc. ("DSI") for the Services, in which case the separate written agreement will govern. Acceptance is expressly limited to these Terms. Any additional or different terms proposed by Subscriber (including, without limitation, any terms contained in any Subscriber purchase order) are objected to and rejected and will be deemed a material alteration hereof.
- Acceptance of this Order Form on behalf of a company or legal entity represents that you have authority to bind such entity and its affiliates to the order, terms and conditions herein. If you do not have such authority, or you do not agree with the Terms set forth herein, you must not accept this Order Form and may not use the Service.
- The Effective Date of the Agreement between Subscriber and DSI is the date Subscriber accepts this Order Form.

Additional information

- DSI fees do not include any taxes, levies, duties, or similar government assessments for which Subscriber may be responsible. Tax exemption certifications can be sent to accountsreceivable@dudesolutions.com (<mailto:accountsreceivable@dudesolutions.com>).
- Billing frequency other than annual is subject to additional processing fees.
- Please reference Q-200159 on any applicable purchase order; address purchase order to: Dude Solutions, 11000 Regency Parkway, Suite 110, Cary, NC 27518
- Dude Solutions, Inc. maintains the necessary liability coverage for its products and professional services. Proof of insurance can be provided upon request.

Q-200159

Accepted by: City Of Bellevue

Printed Name

Dude Solutions Acceptance:

Brian Benfer

Printed Name

DocuSigned by:

Brian Benfer

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Software for Smarter Operations

Signed Name

Signed Name

Title

Title

Date

Date

SVP, Sales

10/7/2020 | 6:01:08 AM PDT



CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

16c.
10/20/2020

COUNCIL MEETING DATE: 11/03/2020		SUBMITTED BY: Jim Ristow		City Administrator	
AGENDA ITEM:		CONSENT AGENDA	<input type="checkbox"/>	SPECIAL PRESENTATION	<input type="checkbox"/>
LIQUOR LICENSE	<input type="checkbox"/>	ORDINANCE	<input type="checkbox"/>	PUBLIC HEARING	<input type="checkbox"/>
RESOLUTION	<input type="checkbox"/>	CURRENT BUSINESS	<input checked="" type="checkbox"/>	OTHER	<input type="checkbox"/>

SUBJECT:

Renewal of the City Employee Medical, Dental, Vision and Legal Insurance for two years (2021 and 2022).
Renewal of the City Employee Group Life, Group Voluntary Life and Long-Term Disability Insurance for three years (2021, 2022 & 2023).

SYNOPSIS/BACKGROUND:

The City provides subsidized healthcare insurance to qualified employees and retirees. The medical insurance subsidies for current employees are 92.5% for individual coverage and 82% for other coverage. The medical plan received a two-year extension: 1% decrease in the fully-insured premiums for year 1 (2021) and no change for year 2 (2022). Provider remains BlueCross BlueShield NE. The Health Care Insurance Committee, made up of members of City Administration and the Bargaining Units, recommended that the savings be used to increase the self-funded component of the plan to mitigate any future increases in cost. Therefore, no increase (or decrease) in the medical premium is proposed. The other coverages will change from Met Life to Reliance Standard. Dental and LTD will receive reductions of 7.47% and 5.19%, respectively and other coverage premiums will remain unchanged.

FISCAL IMPACT: BUDGETED FUNDS?: GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: COUNTER-PARTY: INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED:

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve the renewal of insurance plans and premiums for their respective terms.

ATTACHMENTS:

1. <input type="text" value="Insurance Premium Schedules"/>	2. <input type="text" value="Annual Savings Exhibit"/>	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



#1



City of Bellevue

PROPOSAL OF INSURANCE | SEPTEMBER 11, 2020



DISCLOSURES

This proposal contains a brief description of coverages offered and is based upon underwriting information gathered from the client. It is not a legal contract. It neither modifies nor supersedes the insuring agreements, terms, conditions and exclusions of the policies referenced, which constitute the sole agreement between the insurer and the insured. Higher limits and/or optional coverages may be available. Specimen copies of all policies can be provided for review prior to the binding of coverage, upon request.

Our Privacy Policy is available on our website at <https://www.hakco.com//privacy-policy>



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Section 2 Dental

- a. Alternative Proposal

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- a. Alternative Proposal

Section 4 Group Life, AD&D

- a. Alternative Proposal

Section 5 Group Supplemental Life

- a. Alternative Proposal

Section 6 Long Term Disability

- a. Alternative Proposal



PRODUCTS & SERVICES

EMPLOYEE BENEFITS

Group Medical Plans

- Private Exchange
- Health Reimbursement Accounts
- Health Savings Accounts
- Fully Insured
- Self-Funding

Basic & Supplemental Life Insurance

Voluntary Benefits

Short & Long-Term Disability

Plan Document & SPD Development

Employee Communications & Education

Web-Based HR Portal

Consulting Services

Retirement Plans

Owner-Based Planning

Executive Benefits

COMMERCIAL INSURANCE

Property

Auto

Workers' Compensation

General Liability

Umbrella & Excess Liability

Professional Liability

Directors & Officers Liability

Employment Practices Liability

Cyber Liability

Captive & Insurance Management

Risk Management Consulting

Risk Analysis & Risk Transfer Review

Insurance Valuation Appraisals

24-Hour Claims Service

Loss Control Services

PERSONAL INSURANCE

Homes & Condominiums

Automobile & Recreation Vehicles

Antique Automobiles

Art, Furs, Collections, Jewelry

Watercraft

Umbrella & Personal Excess Liability

Flood

Earthquake

SURETY BONDS

Bid Bonds

Performance Bonds

Miscellaneous Bonds

Financial Analysis

Financial Presentation to Surety

Contractor Prequalification Assistance

Consulting Services

Banker, Attorney & CPA Referral

This is a summary and not all inclusive, contact us for more information.



YOUR TEAM



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www.hakco.com





City of Bellevue

Date Prepared: 9/29/2020

Group Health Benefits and Rate Comparison




Effective January 1, 2021

			
AM Best Carrier Rating		A-	
Network		Network Blue	
BENEFIT SUMMARY		In-Network	Out-of-Network
Deductible			
Single		\$250	\$6,000
Family		\$500	\$12,000
Office Visit Copay			
Physician (PCP)		\$30 Copay	Deductible & Coinsurance
Specialist		\$45 Copay	Deductible & Coinsurance
Hospital Visit		Deductible & Coinsurance	Deductible & Coinsurance
Co-Insurance		50%	50%
Out-of-Pocket (Includes Ded.)			
Single		\$1,000	\$8,000
Family		\$2,000	\$16,000
Maximum Benefit		Unlimited	
Prescription Drug			
Deductible			
Generic		\$10 Copay	In-Network + 25%
Formulary		\$30 Copay	In-Network + 25%
Non-Formulary		\$50 Copay	In-Network + 25%
Specialty		\$100 Copay	Not Covered
Mail Order		90 Day Supply	
Routine Care			
Adult Physicals		100% Covered	Deductible & Coinsurance
Preventive Care		100% Covered	Deductible & Coinsurance
Short-Term Therapies		Visit Limitations May Apply	
Spinal Manipulation (Chiropractic)		Deductible & Coinsurance	Deductible & Coinsurance
Physical, Speech, Occupational		Deductible & Coinsurance	Deductible & Coinsurance
Cardiac/Pulmonary Rehabilitation		Deductible & Coinsurance	Deductible & Coinsurance
Mental Health / Substance Abuse		Prior Authorization Required	
Outpatient	Office Visit	100% Covered	Deductible & Coinsurance
	Other Services	Deductible & Coinsurance	Deductible & Coinsurance
Inpatient		Deductible & Coinsurance	Deductible & Coinsurance
Emergency Care		\$100 Copay	In -Network Benefit
Urgent Care		\$50 Copay	Deductible & Coinsurance
Maternity		Deductible & Coinsurance	Deductible & Coinsurance
Rate Guarantee		Deductible & Coinsurance	Deductible & Coinsurance
RATE SUMMARY W/ PSF FUNDING		2020 PSF Plan	
	Count	Current	Renewal
Employee	94	\$814.39	\$804.02
Employee/Spouse	38	\$1,654.45	\$1,633.19
Employee/Child(ren)	35	\$1,440.64	\$1,422.49
Family	99	\$2,351.96	\$2,321.89
Monthly Premium		\$422,688.20	\$417,293.36
Annual Premium		\$5,072,258.40	\$5,007,520.32
Percentage Change from Current			-1%

This is a partial summary of the major benefits and an estimate of premium based upon information currently available. Actual policy provisions and SMD final premium may vary. 9902




City of Bellevue
Group Dental Renewal
Effective January 1, 2021

Date Prepared: 9/16/2020

					
AM Best Carrier Rating		A+		A+	
BENEFITS		Current Benefits		Current Benefits	
Class A - PREVENTIVE & DIAGNOSTIC		Exams, Cleanings, Fluoride, Bitewing X-Rays, Full Mouth X-Rays, Space Maintainers, Sealants		Exams, Cleanings, Fluoride, Bitewing X-Rays, Full Mouth X-Rays, Space Maintainers, Sealants	
Class B - BASIC		Periodontal Maintenance, Emergency Palliative Treatment, Periodontal Root Planing & Scaling, Periodontal Surgery, Amalgam & Composite Fillings, Simple Extractions, Root Canal, Surgical Extractions, Crown Repair		Periodontal Maintenance, Emergency Palliative Treatment, Periodontal Root Planing & Scaling, Periodontal Surgery, Amalgam & Composite Fillings, Simple Extractions, Root Canal, Surgical Extractions	
Class C - MAJOR & RESTORATIVE		Crowns, Inlays, Outlays, Dentures, Bridges, General Anesthesia, Implants		Crowns, Inlays, Outlays, Dentures, Bridges, General Anesthesia, Implants	
Class D - ORTHODONTIA					
DEDUCTIBLE (Calendar Year)		In-Network	Out-of-Network	In-Network	Out-of-Network
Individual		\$25	\$50	\$25	\$50
Family		\$75	\$150	\$75	\$150
Waived for Preventive (Yes or No)					
PERCENTAGE		In-Network	Out-of-Network	In-Network	Out-of-Network
Class A		100%	80%	100%	80%
Class B		80%	60%	80%	60%
Class C		60%	50%	60%	50%
Class D		50%	50%	50%	50%
MAXIMUMS		In-Network	Out-of-Network	In-Network	Out-of-Network
Classes A, B & C combined (annual)		\$1,500	\$1,000	\$1,500	\$1,000
Class D (lifetime maximum)		\$1,500	\$1,500	\$1,500	\$1,500
WAITING PERIODS					
Major/Orthodontia:		None		None	
Late Entrant:		Yes		Yes	
USUAL & CUSTOMARY		In-Network	Out-of-Network	In-Network	Out-of-Network
		90th U & C		90th U & C	
Rate Guarantee		12 months		24 Months	
RATE SUMMARY		Current	Renewal	Proposed Option 2	
Employee	151	\$32.69	\$32.69	Proposed Option 2 \$30.24	
Employee + Spouse					
Employee + Child					
Family	150	\$87.58	\$87.58	\$81.04	
Total Monthly Premium		\$18,073.19	\$18,073.19	\$16,722.24	
Total Annual Premium		\$216,878.28	\$216,878.28	\$200,666.88	
Percentage Change from Current		0.00%		-7.47%	

City of Bellevue
 Group Vision Renewal
 Effective January 1, 2021

Date Prepared: 9/16/2020

					
AM Best Carrier Rating		A+		A+	
Benefits		In-Network	Out-of-Network	In-Network	Out-of-Network
Deductible/Copay		\$25 Copay	N/A	\$25 Copay	N/A
Eye Exam		\$10 Copay	Covered up to \$45	\$10 Copay	Covered up to \$45
Standard Plastic Lenses					
	Single	Covered After Copay	\$30 Allowance	Covered After Copay	\$30 Allowance
	Bifocal	Covered After Copay	\$50 Allowance	Covered After Copay	\$50 Allowance
	Trifocal	Covered After Copay	\$65 Allowance	Covered After Copay	\$65 Allowance
	Lenticular Lens	Covered After Copay	\$100 Allowance	Covered After Copay	\$100 Allowance
Frames		\$130 Allowance	\$70 Allowance	\$130 Allowance	\$70 Allowance
Contact Lenses					
	Necessary	Covered in Full	\$210 Allowance	Covered in Full	\$210 Allowance
	Elective	\$130 Allowance	\$105 Allowance	\$130 Allowance	\$105 Allowance
Fitting Evaluation		Covered in Full Not to Exceed \$60	Applied to Allowance for Lenses	Covered in Full Not to Exceed \$60	Applied to Allowance for Lenses
Frequency					
	Examination	12		12	
	Frame	12		12	
	Lenses	24		24	
Rate Guarantee		12 Months		24 Months	
RATES		Current	Renewal	Proposed Option 2	
Employee	59	\$7.15	\$7.15	\$7.15	
Employee + Spouse	27	\$14.32	\$14.32	\$14.32	
Employee + Child(ren)	16	\$12.12	\$12.12	\$12.12	
Family	40	\$19.98	\$19.98	\$19.98	
Monthly Premium		\$1,801.61	\$1,801.61	\$1,801.61	
Annual Premium		\$21,619.32	\$21,619.32	\$21,619.32	
Percentage Change from Current			0.00%	0.00%	




City of Bellevue
Group Life, AD10/8/2020 Renewal
Effective January 1, 2021

Date Prepared: 9/16/2020

AM Best Carrier Rating	A+	A+	A+	A+																																
Eligibility/Classes	Current Benefits Class 1 All Full Time Public Safety	Current Benefits Class 2 All Other Full Time EE's	Current Benefits Class 1 All Full Time Public Safety	Current Benefits Class 2 All Other Full Time EE's																																
Basic Life/AD&D Amount	Flat \$52,000	1 X Pay Plus \$7,000 to \$100,000	Flat \$52,000	1 X Pay Plus \$7,000 to \$100,000																																
Definition of Earnings	W2	W2	W2	W2																																
Maximum Benefit	\$52,000	\$100,000	\$52,000	\$100,000																																
Guarantee Issue	\$52,000	\$100,000	\$52,000	\$100,000																																
Participation	100%	100%	100%	100%																																
Reduction Schedule	<table border="0"> <tr><td>At Age:</td><td>Benefits Reduce To:</td></tr> <tr><td>70</td><td>35%</td></tr> <tr><td>75</td><td>55%</td></tr> <tr><td>80</td><td>70%</td></tr> </table>	At Age:	Benefits Reduce To:	70	35%	75	55%	80	70%	<table border="0"> <tr><td>At Age:</td><td>Benefits Reduce To:</td></tr> <tr><td>70</td><td>35%</td></tr> <tr><td>75</td><td>55%</td></tr> <tr><td>80</td><td>70%</td></tr> </table>	At Age:	Benefits Reduce To:	70	35%	75	55%	80	70%	<table border="0"> <tr><td>At Age:</td><td>Benefits Reduce To:</td></tr> <tr><td>70</td><td>35%</td></tr> <tr><td>75</td><td>55%</td></tr> <tr><td>80</td><td>70%</td></tr> </table>	At Age:	Benefits Reduce To:	70	35%	75	55%	80	70%	<table border="0"> <tr><td>At Age:</td><td>Benefits Reduce To:</td></tr> <tr><td>70</td><td>35%</td></tr> <tr><td>75</td><td>55%</td></tr> <tr><td>80</td><td>70%</td></tr> </table>	At Age:	Benefits Reduce To:	70	35%	75	55%	80	70%
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80	70%																																			
Premium Waiver	Yes	Yes	Yes	Yes																																
Accelerated Benefit	Yes	Yes	Yes	Yes																																
Conversion	Included	Included	Included	Included																																
AD&D Exclusions	<p><i>physical or mental illness or infirmity, or the diagnosis or treatment of such illness or infirmity; infection, other than infection occurring in an external accidental wound; suicide or attempted suicide; intentionally self-inflicted injury; service in the armed forces of any country or international authority; any accident related to; travel in an aircraft as a pilot, crew member, flight student or acting in any capacity other than passenger / travel in aircraft for purpose of parachuting or otherwise exiting such aircraft while in flight / parachuting or otherwise exiting from an aircraft which such aircraft is in flight except for self preservation / travel in aircraft for experimental purposes; committing or attempting to commit a felony; Voluntary intake of use by any means of any drug, medication or sedative, unless it is; taken or prescribed by a Physician or an "over the counter" / alcohol in combinations with any drug, medication, or sedative / poison, gas, or fumes; war, whether declared or undeclared, or act of war, insurrection, rebellion, riot; driving vehicle while intoxicated as defined by the laws of the jurisdiction in which the vehicle or other device was being operated</i></p>		<p><i>physical or mental illness or infirmity, or the diagnosis or treatment of such illness or infirmity; infection, other than infection occurring in an external accidental wound; suicide or attempted suicide; intentionally self-inflicted injury; service in the armed forces of any country or international authority; any accident related to; travel in an aircraft as a pilot, crew member, flight student or acting in any capacity other than passenger / travel in aircraft for purpose of parachuting or otherwise exiting such aircraft while in flight / parachuting or otherwise exiting from an aircraft which such aircraft is in flight except for self preservation / travel in aircraft for experimental purposes; committing or attempting to commit a felony; Voluntary intake of use by any means of any drug, medication or sedative, unless it is; taken or prescribed by a Physician or an "over the counter" / alcohol in combinations with any drug, medication, or sedative / poison, gas, or fumes; war, whether declared or undeclared, or act of war, insurrection, rebellion, riot; driving vehicle while intoxicated as defined by the laws of the jurisdiction in which the vehicle or other device was being operated</i></p>																																	
Waive Actively At Work	Applies	Applies	Applies	Applies																																
RATE GUARANTEE	12 Months		36 months																																	
Rate Summary	Current	Renewal	Proposed Option 2																																	
Basic Life																																				
Volume Lives	\$16,988,400	\$16,988,400	\$16,988,400																																	
Life Rate per \$1,000	\$0.123	\$0.135	\$0.123																																	
AD&D Rate per \$1,000	\$0.034	\$0.034	\$0.034																																	
Combined Rate per \$1,000	\$0.157	\$0.169	\$0.157																																	
Monthly Premium	\$2,667.18	\$2,871.04	\$2,667.18																																	
Annual Premium	\$32,006.15	\$34,452.48	\$32,006.15																																	
Percentage Change from Current		7.54%	0.00%																																	

City of Bellevue
Group Voluntary Life Renewal
Effective January 1, 2021




Date Prepared: 9/16/2020

				
AM Best Carrier Rating	A+	A+		
BENEFITS	Current Benefits	Current Benefits		
Life Amounts				
Employee	5X Salary	5X Salary		
Maximum	\$500,000	\$500,000		
Minimum	\$10,000	\$10,000		
Spouse				
Maximum	\$75,000	\$75,000		
Minimum	\$5,000	\$5,000		
Child				
Birth to 14 days	\$0	\$0		
Age 14 days to 6 mos	\$1,000	\$1,000		
6 months or older	\$10,000	\$10,000		
Premium Waiver	Yes	Yes		
Guaranteed Issue				
Employee	\$125,000	\$125,000		
Spouse	\$30,000	\$30,000		
Children	\$10,000	\$10,000		
Conversion	Yes	Yes		
Portability	Yes	Yes		
Exclusions				
AD&D	Suicide or Attempted Suicide; Intentionally Self-inflicted injury; service in the armed forces; Committing or attempting to commit a felony	Suicide or Attempted Suicide; Intentionally Self-inflicted injury; service in the armed forces; Committing or attempting to commit a felony		
Participation				
Eligibility	Full Time Employees	Full Time Employees		
Rate Guarantee	12 Months	36 Months		
Life Rate per \$1,000				
<u>Age</u>	<u>Current</u>	<u>Renewal</u>	<u>Current</u>	<u>Renewal</u>
Less than 30	\$0.070	\$0.070	\$0.070	\$0.070
30-34	\$0.080	\$0.080	\$0.080	\$0.080
35-39	\$0.100	\$0.100	\$0.100	\$0.100
40-44	\$0.135	\$0.135	\$0.135	\$0.135
45-49	\$0.185	\$0.185	\$0.185	\$0.185
50-54	\$0.265	\$0.265	\$0.265	\$0.265
55-59	\$0.465	\$0.465	\$0.465	\$0.465
60-64	\$0.695	\$0.695	\$0.695	\$0.695
65-69	\$1.305	\$1.305	\$1.305	\$1.305
70-74	\$2.095	\$2.095	\$2.095	\$2.095
75-99	\$2.095	\$2.095	\$2.095	\$2.095
Child Rate per \$1,000	\$0.800	\$0.800	\$0.800	\$0.800
AD&D Rate per \$1,000	\$0.035	\$0.035	\$0.035	\$0.035

This is a partial summary of the major benefits and an estimate of premium based upon the information currently available.
Actual policy provisions and final premiums may vary.

City of Bellevue
 Group LTD Renewal
 Effective January 1, 2021

Date Prepared: 9/16/2020

			
AM Best Carrier Rating	A+		A+
BENEFITS	Current Benefits		Current Benefits
Definition of Disability	Own Occupation 24 Months		Own Occupation 24 Months
Definition of Earnings	W2		W2
Eligibility	Class 1 All Other Full Time EE's Class 2 All Full Time Police & Fire EE's		Class 1 All Other Full Time EE's Class 2 All Full Time Police & Fire EE's
Partial/Residual Benefit	60%		60%
Percentage	\$10,000		\$10,000
Maximum	\$50		\$50
Minimum	180 Days		180 Days
Elimination	Normal Retirement Age		Normal Retirement Age
Duration	Family Social Security		Family Social Security
Social Security Offset	Yes		No
Pension Offset	Yes		Yes
Cost of Living Freeze	3 \ 12		3 \ 12
Pre-existing Condition Limitation	Work Incentive		Work Incentive
Mandatory Rehabilitation	<i>War, whether declared or undeclared, or act of war, insurrection, rebellion, or terrorist act; Active participation in a riot; Intentionally Self-inflicted injury; Attempted suicide; or Commission of or attempt to commit a felony</i>		<i>War, whether declared or undeclared, or act of war, insurrection, rebellion, or terrorist act; Active participation in a riot; Intentionally Self-inflicted injury; Attempted suicide; or Commission of or attempt to commit a felony</i>
Exclusions	24 Months		24 Months
Mental/Nervous	24 Months		24 Months
Alcohol/Drug	No Limitation		No Limitation
Self Reported Symptom Limitation	Yes		Yes
Survivor Benefit	Yes		Yes
Premium Waiver	Yes		Yes
Work Incentive	100%		100%
Participation	Employer Paid		Employer Paid
Contributions	12 Months		36 Months
RATE GUARANTEE	12 Months		36 Months
Rate Summary	Current		Renewal
No. of Participants	Option 1		
Covered Monthly Earnings	\$1,538,587.52	\$1,538,587.42	\$1,538,587.42
Rate per \$100	\$0.270	\$0.297	\$0.256
Monthly Premium	\$4,154.19	\$4,569.60	\$3,938.78
Annual Premium	\$49,850.24	\$54,835.26	\$47,265.41
Percentage Change from Current		10.00%	-5.19%

This is a partial summary of the major benefits and an estimate of premium based upon the information currently available.
 Actual policy provisions and final premiums may vary.

City of Bellevue
Annual Savings
Effective January 1, 2021

Date Prepared: 10/13/2020



	2021	2022
Medical	\$64,738.08	\$64,738.08
Dental	\$16,211.40	\$16,211.40
Vision	No change	No change
Group Life	\$2,446.33	\$2,446.33
Supplemental Life	No Change	No Change
Group Long Term Disability	\$7,569.85	\$7,569.85
Total Savings	\$90,965.66	\$90,965.66

This summary is based on the 2021 Renewal spreadsheet.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

16d.
10/20/2020

COUNCIL MEETING DATE: 10/20/2020		SUBMITTED BY: Fire Chief Perry Guido		
AGENDA ITEM:		CONSENT AGENDA <input checked="" type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>		
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>		

SUBJECT:

Purchase of a 2020 Pierce Impel Ascendant 107' aerial demo unit.

SYNOPSIS/BACKGROUND:

This aerial unit will be replacing one that was taken out of service 10/04/2018 because it was not able to pass UL testing and the amount of money to make it compliant was cost prohibitive. This unit is a demo unit. The purchase of this vehicle will provide a savings of approximately \$300,000 from what was budgeted for and what the cost would be to order one built. If approved the Fire Department could have this unit by the end of November, if it was to be ordered it would take one year before delivery.

FISCAL IMPACT: 1,074,183.00 BUDGETED FUNDS?: YES GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

I recommend that the City move forward with the purchase of the 2020 Pierce Impel Ascendant 107' aerial unit from Macqueen Emergency.

ATTACHMENTS:

- Email from Battalion Chief Gifford to Chief Betts.
- Price quote from Macqueen Emergency.
- Fleet Memo
-
-
-

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. B. ...
[Signature]
[Signature]

Gifford, Donald (235)

From: Gifford, Donald (235)
Sent: Thursday, October 8, 2020 8:01 AM
To: Betts, Steven
Subject: New Aerial.

Chief,

Specking with Todd Clyne on the purchase of the aerial I sent you, if we were to order the same one it would be year before the City would receive it and the cost would about \$300,000.00 more.

If the City approves the purchase of this aerial at the next council meeting the City would receive this aerial by the end of November. This aerial unit that is being purposed is a demo unit. This demo unit has front and side air bags. If there is any more information you need let me know.

Donald Gifford
Battalion Chief
Inspections Bureau
Bellevue Fire Department
Donald.gifford@bellevue.net
Cell Phone 402 515-8545
Office Phone 402-682-6630
Fax 402-293-3079



City of Bellevue

Fleet Maintenance Department
2012 Betz Road • Bellevue, Nebraska 68005 • (402) 293-3129

MEMORANDUM

To: Chief Betts
From: Todd Jarosz
Subject: Ladder Truck Replacement
Date: 10/10/2020

With the large increase in emergency calls the Fire Department has seen in the past few years, and with the current ladder truck responding to all the calls the two previous ladder trucks handled this only reiterates the need for a second ladder truck.

When purchasing an additional ladder truck for the Fire Department's fleet of equipment, there are some items to consider that would be of great benefit if they could be included in the decision. The first and foremost constituent is to follow the current brand of truck (Pierce). With all the important and costly software in the function of maintaining and repairing of equipment these days, finding the best brand that fits your needs and staying with it is a very smart financial move. Other areas to consider are parts availability, how fast a part can be received and the addition of parts kept on hand. Another item is with the speed of ever-changing technology, if any technical training is available for Fleet to include that with the purchase. With past experience of having many different brands of trucks along with state bid is not always the best route. I highly recommend staying with Pierce Fire trucks when looking to purchase a second ladder truck for the Fire Department. I feel financially this would be in best interest of the City of Bellevue.

Thank you,

Todd Jarosz
City of Bellevue
Fleet Superintendent



Date: October 7th, 2020

Customer: Bellevue Fire Department

Description: One (1) 2020 Pierce Impel™ 107' Ascendant™

Price Breakdown:

2020 Impel™ Ascendant™ 107' Aerial S/A	\$ 1,095,183
Total of 2-year Additional Warranty	\$ 9,000
Valued Customer Discount	\$ 30,000
Total	\$ 1,074,183

Payment Details: Full Payment 15 Days after Contract

Main Unit Features:

- Impel 7010 Cab – 4 Seats – Hands Free Air Pack Brackets
- 13" E-Coated Frame Rails – Standard Rust Inhibitor
- Frontal and Side Impact Airbags – Additional Command Zone Display
- 19" Bumper Extension w/Tray
- Cummins L9 450 HP, 1250 lb-ft Torque Engine – 3000 Series Transmission
- Foam system provisions
- Command Zone Advanced Electronics
- Aluminum Length Body – 500 Gallon Poly water tank
- Waterous CSU 2000 gpm Single Stage Pump – Low Crosslays
- Whelen MSeries Lighting Package – With new Freedom IV Light Bars
- Federal Q2B Mechanical Siren
- Quic-Loc Waterway
- Aerial Rung Lighting
- Tak-4 front suspension
- Rear camera
- Stokes box
- Red-White-Blue rung lighting
- Added EMS Compartment w/2 shelves, and 120V power and 12v power
- Added Lettering per Department's requirements

This price quote is good for 30 days.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 10/20/2020		SUBMITTED BY: Mark Elbert		Community Development Director	
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>		
LICQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>		PUBLIC HEARING <input type="checkbox"/>		
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>		OTHER <input type="checkbox"/>		

SUBJECT:

Approve and authorize the Mayor to sign a Lease/Purchase Agreement for the leasing of certain properties commonly known as Bellevue Sports Complex for the purpose of establishing and maintaining a six-field athletic complex.

SYNOPSIS/BACKGROUND:

The City has an interested lessee to lease certain properties identified in the Lease Agreement for the purpose of establishing and maintaining a six-field athletic complex. After the Lease Term has passed, Lessee will purchase said property.

FISCAL IMPACT?: BUDGETED FUNDS?: GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: COUNTER-PARTY: INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED:

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve and authorize the Mayor to sign the Lease/Purchase Agreement for the leasing and subsequent purchasing of certain properties in Bellevue Sports Complex.

ATTACHMENTS:

1. <input type="text" value="Lease-Purchase Agreement"/>	2. <input type="text"/>	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:



FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



LEASE PURCHASE AGREEMENT

THIS LEASE PURCHASE AGREEMENT is made this ____ day of _____, 2020 between the City of Bellevue, Nebraska, a municipal corporation (“Lessor/Seller”), and Premier Sports Village, LLC, a Nebraska Limited Liability Company (“Lessee/Buyer”), jointly referred to as the “parties”.

WHEREAS, Lessor/Seller is the owner of real property located in the City of Bellevue, Nebraska, which is legally described as *Lot 1 Bellevue Sports Complex (25ac), Parcel #011591799*.

WHEREAS, the parties desire to enter into a lease purchase agreement regarding the real property described herein.

NOW, THEREFORE, in consideration of the Rent and the covenants, conditions, and agreements herein reserved, mentioned and contained on the part of Lessee/Buyer to be paid, kept and performed, Lessor/Seller hereby leases to Lessee/Buyer, and Lessee/Buyer hereby accepts and hires from Lessor/Seller, the Leased Premises (as hereinafter defined), subject to the terms, conditions, and agreements herein expressed, in “AS IS/WHERE IS” condition with all faults and no representations expressed or implied. Upon expiration of the lease term (as hereinafter defined), for the additional consideration, covenants, and conditions contained herein, Lessor/Seller hereby agrees to sell, and Lessee/Buyer hereby agrees to purchase, the Leased Premises, subject to the terms, conditions, and agreements herein expressed, in “AS IS/WHERE IS” condition with all faults and no representations expressed or implied:

1. **Property.** The Property which is the subject of this agreement is legally described and depicted on Exhibit “A”, which is attached hereto and incorporated herein by this reference (the "Property"). Lessor/Seller demises and leases unto Lessee/Buyer, and Lessee/Buyer hereby accepts and leases from Lessor/Seller, the Property, on and subject to all the terms and conditions set forth in this agreement.
2. **Term.** Subject to each and all of the covenants, terms and conditions of this Lease, Lessor/Seller hereby leases the Property to Lessee/Buyer to have and to hold the Property from the date of the parties signing this Lease and lasting a period of eighteen (18) months from the date of the same (hereinafter “Original Lease Term”).
3. **Rent.** The Lessee/Buyer agrees to pay Lessor/Seller as rent the sum of Five thousand dollars (\$5,000.00) per month during the Original Lease Term without deduction, set-off, prior notice or demand. All Rent shall be due and payable on the first day of each calendar month throughout the Term and any extension thereof. Rent for any partial month shall be apportioned *pro rata* based on the actual number of days elapsed. All Rent shall be paid to Lessor/Seller at the address to which notices to Lessor/Seller are given. Rent payments shall be credited toward the Purchase Price.

The Security Deposit in the amount of \$5,000.00 shall be payable by Lessee/Buyer to Lessor/Seller within two (2) days after acceptance of this agreement. The Security Deposit shall be held by Lessor/Seller without liability for interest as security for the performance by Lessor/Seller of Lessor/Seller's covenants and obligations under this Lease.

This is a triple net lease (NNN) to the Lessor/Seller. It is the intent of the Parties that the Rent shall be an absolutely net return to the Lessor/Seller and that the Lessee/Buyer shall pay all costs and expenses relating to the Property of any kind or nature whatsoever. Such costs and expenses shall include, without limitation, all amounts attributable to, paid or incurred in connection with the ownership, operation, repair, restoration, maintenance and management of the Property; real property taxes; rent taxes; gross receipt taxes; water and sewer charges; insurance premiums; utilities; refuse disposal; lighting (including outside lighting); fire detection systems including monitoring, maintenance and repair; security; janitorial services; labor; air-conditioning and heating; maintenance and repair costs and service contracts; costs of licenses, permits and inspections; and all other costs and expenses paid or incurred with respect to the Property.

4. **Utility Charges.** Lessee/Buyer shall be responsible for all utilities and services provided to Lessee/Buyer at the Property and agrees to pay, prior to delinquency, all charges for electricity, gas, water, sewage, and/or all other public and private services or charges used by or through Lessee/Buyer at the Property.
5. **Use.** Lessee/Buyer shall use the Property for the sole and exclusive purpose of establishing and maintaining a six-field athletic complex and thereafter constructing an indoor multi-purpose facility that includes, but is not limited to, hosting athletic trainings, apparel shop, concession stand(s), office, shelter, restrooms, dance studio, coffee shop and a fitness gym for public/private use on the Property during the lease term. Lessee/Buyer accepts the Property "AS-IS" without reservation or qualification. Lessor/Seller makes no representation as to the suitability of the Property for any purpose whatsoever. Notwithstanding any other provision of this Lease, Lessee/Buyer shall comply with all local, state or federal laws, statutes, ordinances and governmental rules, regulations or requirements now in force or which may hereafter be in force with respect to the Lessee/Buyer's use and occupancy of the Property.
6. **Alterations, Maintenance & Repairs.** Lessee/Buyer agrees that during the Term, Lessor/Seller shall not be obligated to repair, replace or otherwise maintain the Property for any purpose or to any standard or in any way. All work, alterations, installations, additions and improvements shall be done at Lessee/Buyer sole expense. In the event of termination of this agreement due to Lessee/Buyer's Default, Lessee/Buyer will be required, at Lessee/Buyer's sole cost and expense, to remove most, if not all, of Lessee/Buyer's alterations and improvements and restore the Property to their original condition, except ordinary wear and tear. The Lessee/Buyer shall keep the Property free and clear of all trash, rubbish, debris and other materials the presence or accumulation of which may constitute a nuisance under the laws of the City of Bellevue. Lessee/Buyer shall not commit nor allow the waste of any of the Property nor the occurrence of any

unlawful act thereupon. Lessee/Buyer shall maintain the entirety of the property (including without limiting the generality of the foregoing the roof, foundation, water, sewer and gas connections, pipes and mains, plumbing, heating and ventilation, and electrical systems) in good operational condition for the conduct of Lessee/Buyer's business at the Property. All repair work shall be done in a good and workmanlike manner. Lessor/Seller shall not be responsible for maintaining, repairing or restoring any part of the property or improvements.

Lessee/Buyer shall provide a written monthly update to the Bellevue City Administrator, Jim Ristow, throughout the lease term listing all maintenance, repairs, improvements, restorations and/or alterations made to the property.

7. **Assignment and Subletting:** Lessee/Buyer shall not assign this Lease without the written consent of Lessor/Seller, which shall not be unreasonably withheld during the lease term. Any occupant, assignee, or sub-Lessee/Buyer must agree to abide by all of the terms and provisions of this Lease in the event of written consent.
8. **Damages to Property.** If the Property or any part thereof, shall be damaged by fire or other casualty, whether man made, natural or otherwise, Lessee shall at its own expense commence to restore said property and thereafter diligently complete such restoration. Such repairs shall substantially restore the condition of the property prior to the casualty. No abatement of rent shall be allowed during the time and to the extent the property is unfit for use as a result of such damages.
9. **Default & Termination.** Lessee/Buyer shall be considered in Default if one of the following events occurs:
 - (a) Failure by Lessee/Buyer to make any Rent or any other payment owed by Lessee/Buyer to Lessor/Seller under this agreement, and the continuance of such failure for fifteen (15) consecutive days after written notice by Lessor/Seller to Lessee/Buyer.
 - (b) Failure by Lessee/Buyer to comply with any of the statutes, ordinances, rules, orders, regulations and requirements of the State of Nebraska.
 - (c) Failure by Lessee/Buyer to comply with any provision of the agreement.Upon the occurrence of any Default by Lessee/Buyer and at any time thereafter, Lessor/Seller may, without any further notice, terminate the Lease Purchase Agreement and seek other remedies available to the Lessor/Seller according to law. Lessee/Buyer shall be liable for any and all damages of any kind or nature arising from or as a result of Lessee/Buyer's default. Lessee/Buyer hereby waives any and all rights of redemption it may have, and further waives any counterclaims, other than compulsory counterclaims, against the Lessor/Seller under existing or future laws.
10. **Lease Expiration.** The expiration of this Lease shall occur eighteen (18) months from the date of from the date of the parties signing this Lease and lasting a period of eighteen (18) months from the date of the same. Upon expiration, the parties shall proceed to Closing as hereinafter provided.

11. **Purchase Price.** The purchase price for the Property shall be Six hundred and Fifty Thousand Dollars (\$650,000.00) less a credit for all Rent paid prior to the date of the closing. The Parties agree that this purchase price is a fair and accurate representation of the value of the Property, given the considerations stated herein.
12. **Right of First Refusal.** Lessor/Seller does hereby grant to Lessee/Buyer the right of first refusal to *Lot 3 Bellevue Sports Complex (62ac)*, Parcel #011591801, in Bellevue, Sarpy County, Nebraska.
13. **Conveyance.** Lessor/Seller hereby represents and warrants to Lessee/Buyer that (i) Lessor/Seller has good and marketable fee simple title to the Property (including, without limitation, the improvements and fixtures thereon, listed on Exhibit "B", which is attached hereto and incorporated herein by this reference); (ii) Lessor/Seller has the authority to enter into this agreement; (iii) the Property is zoned BG General Business District and is suitable for the Permitted Use; and (iv) to the best knowledge of Lessor/Seller, the Property is not in violation of any federal, state or local law relating to Hazardous Material or environmental contaminants and has no known latent defects. The condition of the water well shall be inspected by Lessor/Seller. Any repairs recommended as part of said inspection shall be the responsibility of the Lessor/Seller. Lessor/Seller represents that they have good, valid and marketable title, in fee simple, and agrees to convey title to Property to Buyer or his nominee by warranty deed free and clear of all liens, encumbrances or special taxes or reserves levied or assessed, subject to all building and use restrictions, utility easements not exceeding ten (10) feet in width abutting the boundary of the Property, and covenants now of record.
14. **Closing - Condition of Property; Acceptance.** The closing of the sale of the Property shall be closed on a mutually agreeable date between the parties in March 2022. Both parties acknowledge and understand that the closing of the sale may be handled by an Escrow Agent and that the Broker is authorized to transfer the Deposit or any other funds it receives to said Escrow Agent. After said transfer, Broker shall have no further responsibility or liability to either party for the accounting for said funds. Escrow Agent's charge for the escrow closing shall be equally divided between the parties.

Lessor/Seller shall provide to Lessee/Buyer a copy of the latest As Built Survey, showing legal, easements, parking stalls, setbacks, and Flood Plain status, and other elements of revealed by public record. Lessor/Seller shall provide copies of Soils report if available. Along with any other CAD drawings if available. Lessee/Buyer accepts the Property in its present condition "as is." Lessee/Buyer acknowledges that it has had full opportunity to examine the Property and obtain knowledge of the physical condition of the Property, as well as, the state of its title, zoning, present uses, streets, sidewalks, parking areas, curbs and access thereto. Lessee/Buyer and its agents may conduct such tests, studies, inspections, surveys, environmental assessments, surveys and title reviews as Lessee/Buyer may desire to obtain or perform relating to title to the Property or the physical condition of the Property or any other element or aspect of the Property, and Lessor/Seller hereby grants Lessee/Buyer and its agents permission to perform such inspections.

15. **State Documentary Tax:** The State Documentary Tax on the deed shall be paid by the seller.
16. **LEASE with DMV.** See attached lease document.
17. **Indemnity.** Without limitation to the foregoing, To the maximum extent permitted by law, Lessee/Buyer, on behalf of Lessee/Buyer and all of Lessee/Buyer's heirs, executors and assigns, Lessee/Buyer hereby waives any right, remedy or recourse that Lessee/Buyer may have now, or in the future, against Lessor/Seller its employees and agents, as a result of any act, error or omission of Lessor/Seller, including those of its agents and employees, including any claim for any loss or damage to Lessee/Buyer's property or other property placed or located on the Property as a result of any such act, error or omission made in furtherance of any right or authority reserved by Lessor/Seller in this paragraph or elsewhere in this Lease. Without limitation to the foregoing, and to the maximum extent permitted by law, Lessee/Buyer shall hold Lessor/Seller harmless from and against any claim, liability, loss or damage of any nature whatsoever, whether related to an existing condition of the Property or otherwise, (a) of Lessee/Buyer or any other person (including any employee, contractor or agent of Lessor/Seller) that may arise or result from, out of or in connection with any Lessee/Buyer's use or occupancy of the Leased Property, including, any such claim, damages or liability that may arise or result from any lawful or unlawful entry upon Leased Property, and (b) to Lessor/Seller that may arise or result from, out of or in connection with any default under, or breach of, any covenant, term or condition of this Lease.
18. **Insurance.** Lessee/Buyer at its sole cost and expense, shall obtain and maintain (or cause to be obtained and maintained) comprehensive broad form commercial general liability insurance covering claims arising out of Lessee/Buyer's operations, use and occupancy of the Property. Coverage shall be maintained on an occurrence basis, covering premises and operations, products and completed operations, contractual liability, personal injury liability, bodily injury liability and property damage liability. Such insurance shall have a combined single limit of not less than One Million Dollars (\$1,000,000) per occurrence and One Million Dollars (\$1,000,000) in the aggregate. Such insurance shall: (a) name Lessor/Seller as an additional insured; (b) specifically insure Lessee/Buyer's indemnity obligations; and (c) be primary to any liability insurance maintained by Lessee/Buyer. Lessor/Seller does not in any way represent that the insurance herein, whether in scope of coverage or limits of coverage, is adequate or sufficient to protect Lessee/Buyer's business or interests and Lessor/Seller shall not be responsible for any of Lessee/Buyer's furniture, fixtures, equipment, other personal property or business damages.
19. **No Waiver of Breach.** No act or acts, omission or omissions, or series of acts or omissions, or waiver, acquiescence, or forgiveness by Lessor/Seller as to any default in or failure of performance, either in whole or in part, by Lessee/Buyer, of any of the covenants, terms and conditions of this Lease, shall be deemed or construed to be a waiver by Lessor/Seller of the right at all times thereafter to insist upon the prompt, full and complete

performance by Lessee/Buyer of each and all the covenants, terms and conditions hereof thereafter to be performed in the same manner and to the same extent as the same are herein covenanted to be performed by Lessee/Buyer.

20. **No Partnership, Joint Venture.** Nothing contained in this Lease shall be deemed or construed to create a partnership or joint venture as between Lessor/Seller and Lessee/Buyer, or between Lessor/Seller and any other party; nor shall Lessee/Buyer be deemed the Lessor/Seller's agent. Lessor/Seller shall not be liable for the debts or obligations of Lessee/Buyer or for any other party.
21. **Partial Invalidity.** If any term, covenant or condition of this Lease or the application thereof to any person or circumstance is, to any extent, invalid or unenforceable, the remainder of this Lease, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this Lease shall be valid and be enforced to the fullest extent permitted by law.
22. **Notice.** Whenever notice is required to be given by Lessor/Seller under this Lease, it will be deemed sufficient if sent by regular U.S. mail or hand-delivered to Lessee/Buyer at the address of Premier Sports 7001 N 153rd Bennington, NE 68007.
23. **Time.** Time is of the essence of this agreement and each and all of its provisions in which performance is a factor. All periods of time referred to herein shall include all Saturdays, Sundays and state or national holidays.
24. **Amendments.** No provision of this agreement may be amended or added to except by an agreement in writing signed by the parties hereto or their respective successors in interest. This agreement shall not be effective or binding on any party until fully executed by both parties hereto.
25. **Force Majeure.** Neither Party will be liable for any failure or delay in performing an obligation under this agreement that is due to any of the following causes (which events and/or circumstances are hereinafter referred to as "Force Majeure"), to the extent beyond its reasonable control: acts of God, riots, war, terrorist act, epidemic, pandemic, quarantine, civil commotion, natural catastrophes. The parties stipulate that Force Majeure shall not include the novel coronavirus Covid-19 pandemic which is ongoing as of the date of the execution of this agreement. For the avoidance of doubt, Force Majeure shall not include (a) financial distress nor the inability of either party to make a profit or avoid a financial loss, (b) changes in the market prices or conditions, or (c) a party's financial inability to perform its obligations hereunder.
26. **Choice of Law.** This Lease shall be governed by the laws of the State of Nebraska.
27. **Representation.** Lessor/Seller is represented by Colm Breathnach of Colliers International. Lessee/Buyer is represented in this transaction by Robert Anthony, Realtor,

BT Realty Group LLC. Commission shall be split equally between Keller Williams and Colliers International pursuant to the City of Bellevue's contract with Colm Breathnach of Colliers International.

DATED this ____ day of _____, 2020.

CITY OF BELLEVUE, a municipal
corporation, Lessor/Seller

Attest: _____
City Clerk

By: _____
Mayor

Premier Sports Village, LLC, Lessee/Buyer



011591799

Property Address: 14202 Harlan Lewis Rd

Acreage: 24.98 ac.

Legal Description: Lot 1 Bellevue Sports Complex (25 ac)



**COMMERCIAL
LEASE PROPOSAL**

for

**The City of Bellevue, NE
at
14402 Harlan Lewis Rd, Bellevue, NE 68005**

March 1, 2019

The following Lease Proposal that is being offered on behalf of State of Nebraska DMV to the City of Bellevue, NE. This Lease Proposal contains the basic terms and conditions upon which Nebraska DMV ("Tenant") is interested in pursuing a lease arrangement with the City of Bellevue, NE ("Landlord") for space located at 14402 Harlan Lewis Rd, Bellevue, NE 68005 in Omaha, Nebraska.

- LOCATION:** 14402 Harlan Lewis Rd,
Bellevue, NE 68005
- TENANT:** Nebraska DMV
- LEASED PREMISES:** The proposed Leased Premises will consist of approximately 75,000 square feet of concrete parking, as depicted in Exhibit A.
- INITIAL LEASE TERM:** The Initial Lease Term will be for a period of two (2) years. Tenant shall have the option to terminate the Lease with one hundred and twenty (120) days written notice to Landlord implying their intent to terminate the Lease. At the end of the Initial Lease Term, Tenant agrees to notify Landlord of their intention to Terminate or Renew the Lease.
- COMMENCEMENT DATE:** The Commencement Date for the Lease Term is projected to be March 18, 2019. The exact commencement date will be mutually agreed upon between the Tenant and Landlord.
- RENTAL RATE:** The Rental Rate for the Leased Premises during the Initial Lease Term will be as follows:
- Years 1 - 2: \$900.00 per month
- The lease document will be defined as a full-service lease. Landlord shall remove snow and keep Leased Premises clean and clear of debris.
- SECURITY DEPOSIT:** Equal to the first month's rent to be paid at lease execution.
- RENEWAL OPTIONS:** There will be five (5), one (1) year renewal options following The Initial Lease Term. The renewal options must be exercised in writing 60 days prior to the end of the current term. The renewal rate for the renewal terms shall be the same as the Initial Lease Term. Landlord shall have to right to terminate this Lease Hold with one hundred and twenty (120) day notice to Tenant.





ADDITIONAL PROVISIONS: Tenant shall have the right to modify paint markings to suit needs.

REPRESENTATION: Tenant is represented in this lease transaction by Brayden Mussman & Colm Breathnach of Colliers International. In the event a lease is executed by and between Landlord and Tenant, Tenant's agent will receive, from the landlord, a real estate commission equal to three percent (3%) of the gross value of the lease.

Although this letter is intended to summarize the principal terms and conditions of the proposed transaction and contemplates a later execution of the lease document, neither this letter nor any action of the parties to date shall be deemed to indicate a binding agreement between parties. This letter reflects the Tenant's present intent regarding the terms and conditions of the proposed transaction and shall not be construed to create any legal rights or obligations between the Landlord and the Tenant. It is intended that all such legal rights and obligations will come into existence only when appropriate documentation has been executed.

Yours very truly,
Colliers International

A handwritten signature in blue ink that reads "Colm Breathnach".

Colm Breathnach
Broker Associate

A handwritten signature in blue ink that reads "Brayden Mussman".

Brayden Mussman
Associate

AGREED & ACCEPTED this __ day of _____, 2019.

By: _____
Title: _____



Exhibit A

