

## **BELLEVUE PLANNING COMMISSION**

Thursday, June 22, 2023 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

### **1. CALL TO ORDER:**

a. Pledge of Allegiance

b. Roll Call

c. The Open Meetings Act location

d. Approve the minutes of the May 25, 2023 Regular Meeting

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

### **2. CONSENT AGENDA/PUBLIC HEARINGS:**

#### **3. PUBLIC HEARINGS:**

a. Request to rezone Lots 1 and 2, Vacanti Replat, being a replat of Lot 2, Otto's Replat, from BG to BG and RS-72 for the purpose of single-family residential and commercial development; and small subdivision plat Lots 1 and 2, Vacanti Replat. Applicant: Puglisi House, LLC. General Location: S. 31st Street and Golden Blvd. Case #: Z-2305-12.

b. Request to approve the Redevelopment Plan for Lots 7 and 8, Old Orchard Place. Applicant: Excel Development Group. General location: 13th Street and Kasper Street. Case #: ECD-61.

c. Request to rezone Lots 154 through 199, and Outlots "F" through "K", Spring Ridge, being a platting of Tax Lot 12, Part of Tax Lot 13A, Part of the Irregular Northeasterly Part of Tax Lot 12B, Lot 2, Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6th P.M., Sarpy County, NE, from AG and BG to RA, RG-8-PS, BG, and BGH, for the purpose of residential development and a billboard; and preliminary plat Lots 154 through 199, and Outlots "F" through "K", Spring Ridge. Applicant: Orchard Valley, Inc. General location: South 21st Street and Gilmore Lake Road. Case #'s: Z-2301-01, S-2301-01.

#### **4. CURRENT BUSINESS**

a. Election of Chair to fill vacancy left by Sue Cutsforth resignation.

#### **5. ADJOURNMENT**



# MINUTE RECORD

Bellevue Planning Commission Meeting, May 25, 2023, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, May 25, 2023, at 6:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Hankins, Aerni, Cutsforth, Ackley, and Jacobson. Absent were Commissioners Ritz, Sims, Bennett, and Perrin. Also present was Tammi Palm, Planning Manager, and Angela Curry, Assistant Planning Manager.

Notice of this meeting was given in advance thereof by publication in the Gretna Guide and News 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 Jacobson, seconded by Ackley, to approve the minutes of the April 27, 2023 regular meeting as presented. Upon roll call, Hankins, Ackley, and Jacobson voted yes. Aerni and Cutsforth abstained, Motion carried.

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

The following item was on the Consent Agenda:

Item 2.a. Request to rezone Lots 1 and 2, Childs Estate Acres Replat 7, being a replat of Lot 8, Replat Childs Estate Acres and Lot 23, Childs Estate Acres, located in the Northeast ¼ of Section 22, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from RG-50 and RS-84 to RG-50 and RS-84, for the purpose of a lot line adjustment; and small subdivision plat Lots 1 and 2, Childs Estate Acres Replat 7. Applicants: Bonifacio Ascencio/Eric Cano. General location: 1001/1003 Virginia Street. Case #'s: Z-2304-09, S-2304-05.

There was no one present to speak in favor of, or in opposition to this request.

MOTION was made by Jacobson, seconded by Ackley to recommend APPROVAL of the consent agenda item. APPROVAL based upon lack of perceived negative impact to the surrounding neighborhood 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 June 20, 2023.**

Cutsforth explained the public hearing procedures.

PUBLIC HEARING was held on a request to rezone Lots 1 and 2, Walnut Grove Estates Replat 1, being a replat of Lot 2, Walnut Grove Estates, from AG to RE for the purpose of single-family residential development; small subdivision plat Lots 1 and 2, Walnut Grove Estates Replat 1; and waiver of Section 6-4 of the Subdivision Regulations, regarding street design standards. Applicant: Eric Carlson. General location: 5007 Platteview Rd. Case #'s: Z-2303-08, S-2303-04.

Cutsforth asked staff for updates. Palm stated the applicant has requested this item be continued indefinitely to address a technical issue with the survey. She said staff is in favor of the continuance.

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

MOTION was made by Aerni, seconded by Hankins to CONTINUE INDEFINITELY a request to rezone Lots 1 and 2, Walnut Grove Estates Replat 1, being a replat of Lot 2, Walnut Grove Estates, from AG to RE for the purpose of single-family residential development; small subdivision plat Lots 1 and 2, Walnut Grove Estates Replat 1; and waiver of Section 6-4 of the Subdivision Regulations, regarding street design standards. Applicant: Eric Carlson. General location: 5007 Platteview Rd. Case #'s: Z-2303-08, S-2303-04. Upon roll call, all present voted yes. MOTION carried unanimously.

PUBLIC HEARING was held on a request for a conditional use permit for Lots 1 through 6 & the North 15' of Lots 19A Wilson & Johnson Subdivision, located in the Southwest ¼ of Section 31, T14N, R14E of the 6th P.M., Sarpy County Nebraska, for the purpose of a 50' telecommunications tower replacement. Applicant: Christy Eichorn for Verizon Wireless. General Location: 406 E Mission Avenue. Case #: CUP-2303-02

# MINUTE RECORD

Bellevue Planning Commission Meeting, May 25, 2023, Page 2

Cutsforth asked staff for updates. Palm stated between the time the Planning Commission packets were distributed and tonight's meeting, the applicant has satisfied the technical deficiency listed in the staff report. She stated this is a replacement tower for the existing tower. Palm said this new tower will not be the flagpole design but will be the same height as the existing tower. She said the applicant provided street views of what the new tower would look like eastbound on Mission Avenue. Palm stated staff is recommending approval of the request.

Christy Eichorn, 7824 Sycamore Dr., Lincoln, NE was present on behalf of Verizon Wireless. Eichorn stated Verizon is updating their antennas and radios. She stated the existing flagpole design was not going to fit the upgraded equipment, so the new design is as close as possible to the existing pole. Eichorn said the new pole will be located one foot from the existing pole and within 30 days of the new monopole going up the old pole will be removed.

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

Jacobson questioned if there would be any change in meeting the FCC (Federal Communications Commission) regulations. Eichorn stated with the new tower they are required to do all new regulatory work so the new tower will be in compliance with the FCC regulations.

MOTION was made by Ackley, seconded by Jacobson to recommend APPROVAL of a request for a conditional use permit for Lots 1 through 6 & the North 15' of Lots 19A Wilson & Johnson Subdivision, located in the Southwest ¼ of Section 31, T14N, R14E of the 6th P.M., Sarpy County Nebraska, for the purpose of a 50' telecommunications tower replacement. Applicant: Christy Eichorn for Verizon Wireless. General Location: 406 E Mission Avenue. Case #: CUP-2303-02 APPROVAL based upon conformance with Section 6.06, Zoning Ordinance, as well as 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 June 20, 2023.**

PUBLIC HEARING was held on a request to approve the Parks Master Plan. Applicant: City of Bellevue. Case #: 175.

Cutsforth asked staff for updates. Palm stated Lamp Rynearson was available to give a presentation.

Jeff Spiehs, 1462 S. 11<sup>th</sup> Street, Omaha, NE, with Lamp Rynearson was present to give a summary of the Parks Master Plan. Spiehs stated the theme of the Plan is "Open for Adventure, the idea of parks being a place for all but to define their own use and taking advantage of the topography and history of Bellevue. He said compared to other cities, there is a large percentage of acreage that is dedicated to the City of Bellevue's parks; however, access and visibility to some of these parks is limited. Spiehs stated this Plan sets goals and priorities to help guide the city in the future. He said this Plan is about connectivity and strategically allocating resources to be set up for success in the future. Spiehs said the project was structured with a working committee including city staff from Community Development, Public Works, Planning, and the Parks and Recreation department. He stated the project was led by a steering committee including members of the Planning Commission, Offutt Air Force Base, Bellevue Public Schools, Fontenelle Forest, the Chamber of Commerce and other community leaders. Spiehs stated the project started with an assessment of every park, and every piece of equipment which was given a rating from poor to excellent. He said there are 55 total parks which equals 14% of total land in the city. Ackley inquired if the 14% is based on land owned by the City of Bellevue. Spiehs stated it does not include all land owned by the City of Bellevue. He said the total acreage is Bellevue's city limits and the ETJ (Extraterritorial Jurisdiction), and of that 14% is dedicated to park land.

Spiehs stated the project began with interviews with city staff, elected officials, the mayor's office, parks maintenance, school officials, police department, and focus groups. He said a survey taken at the beginning of the project regarding value and how people prefer to use the parks was utilized, and an additional survey was given at the end of the project and used to learn more about park users' experience and had them rate their current experience. Spiehs stated several workshops were held including one dedicated to youth where they could design their own parks. He stated in November 2022 there was a public open house, and then work began on finishing the Plan. He said the theme was to provide consistency around maintenance, safety, connectivity, and accessibility for all including people with developmental disabilities. Spiehs stated the entire City of Bellevue parks system was broken up into six zones to help balance the system and develop recommendations and allocate funds. Spiehs said there are a couple of new park concepts, one being the Daniell Farm Recreation Lake at 37<sup>th</sup> Street and Capehart Road. He stated that would be a new lake with a paved and wooded

# MINUTE RECORD

Bellevue Planning Commission Meeting, May 25, 2023, Page 3

recreation trail similar to Wehrspann Lake in Omaha. Spiehs stated an interactive database will be provided to the City of Bellevue for their website at [bellevue.net](http://bellevue.net) for public use. It would allow you to type in the name of a park and see the park's location and the amenities at that park.

Bonnie McFarland, 7216 S. 53<sup>rd</sup> Street, Bellevue, NE, stated she lives by Aspen Park and questioned if there was a plan for that park. She said Aspen Park has been her back yard for 47 years and she values the park and looks out for it. McFarland stated she has donated trees to the park and has tried to keep people from damaging the park or the animals who live there. She said residents are doing damage to the park with cars, go carts, and dirt bikes. McFarland stated she has offered to donate five hundred dollars for a camera to monitor people entering the pool late at night yelling and drinking but was turned down. She said people who use the park for frisbee golf do not respect their property jumping the fence to retrieve their frisbees in her yard. She stated the newly placed picnic table has been used for nefarious activities. McFarland stated there is noise from cars that do not belong there, radios blaring, and fireworks are constant as early as late June.

Palm thanked McFarland for being a caring, responsible, neighbor to Aspen Park. She said the city is aware of some of the issues related to Aspen Park which is frustrating for park staff to clean up graffiti and trash only for it to reoccur. Palm stated those items are touched on in the park Plan because the city wants the park users to feel safe. She stated there are park profiles in the Plan for each park within the city, and for Aspen Park it is described as a level one and two maintenance which means addressing safety concerns, unsafe walkways, erosion, downed branches and trees, repair, replace, removal of broken equipment, and comfort concerns, painting, and additional seating. Palm said all those recommendations are outlined on page 113 of the Park Plan. She said some items addressed by McFarland can be passed along to the police department. Discussion ensued regarding redesigning the park to improve behavior and safety in the park.

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

Jacobson stated participating and having the public engaged in putting this Plan together is appreciated. He inquired in terms of security what is the key plan in some of these parks. Spiehs stated early in the Plan, the assistant police chief and officers were interviewed regarding the routine patrols and what they observed. He said they were mostly interested in more of a systemic solution which is through the design. Discussion ensued regarding different safety options that might be implemented.

Discussion ensued regarding the census and the demographics shown in the Plan of the city's potential growth rate.

Jacobson inquired when this Plan would need to be refreshed. Spiehs said the goal is to refresh the Plan every five years.

Jacobson inquired if the intent is to incorporate this Plan into the Comprehensive Plan and Long-Range Transportation Plan. Palm stated pieces of this Plan would match with the updated Comprehensive Plan and Long-Range Transportation Plan. She said once adopted this Plan will stand alone but will be referenced when updating all other plans.

Ackley inquired if the Plan's expenditures be folded into the CIP (Capital Improvement Plan) over a six-year period. Spiehs stated it could be used as a reference when a one and six-year plan is put together. Ackley stated he did not see a timeline on the decommissioning of some parks. Spiehs said there is no timeline for decommissioning of parks; it is only list that can be considered by the Planning Commission and City Council.

Aerni stated he recently learned a baseball team has a partnership with Aspen Park to maintain the fields to release some of the financial burden from the city. Spiehs said that is a model that is used in a lot of communities and Bellevue Junior Sports Association is one of the organizations that utilizes that option.

Discussion ensued regarding corridors and the amenities within those corridors. Spiehs gave examples of existing corridors.

# MINUTE RECORD

Bellevue Planning Commission Meeting, May 25, 2023, Page 4

MOTION was made by Jacobson, seconded by Ackley to recommend APPROVAL of a request to approve the Parks Master Plan. Applicant: City of Bellevue. Case #: 175. APPROVAL of the Parks Master Plan as presented. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON June 20, 2023.**

Meeting adjourned at 7:06 p.m.



Dianna Van Horn  
Planning Secretary

**CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** Z-2305-12  
S-2305-09

**FOR HEARING OF:**  
**REPORT #1:** June 22, 2023

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Puglisi House, LLC  
3318 S. 106<sup>th</sup> Street  
Omaha, NE 68124

**B. PROPERTY OWNER:**

Puglisi House, LLC  
3318 S. 106<sup>th</sup> Street  
Omaha, NE 68124

**C. GENERAL LOCATION:**

South 31<sup>st</sup> Street and Golden Boulevard

**D. LEGAL DESCRIPTION:**

Lots 1 and 2, Vacanti Replat, being a replat of Lot 2, Otto's Replat, located in the Southwest ¼ of Section 33, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

**E. REQUESTED ACTIONS:**

1. Rezone Lot 2, Vacanti Replat, from BG to BG and RS-72.
2. Small subdivision plat Lots 1 and 2, Vacanti Replat.

**F. EXISTING ZONING AND LAND USE:**

BG/Vacant

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a change of zone and small subdivision plat to create a single-family residential lot.

**H. SIZE OF SITE:**

The site is approximately 0.79 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is currently vacant and covered in vegetation.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

- C. North:** Commercial/BG
- D. East:** Commercial/BG
- E. South:** Single-Family/RS-72
- F. West:** Multi-Family Residential/ RG-20-PS

**G. RELEVANT CASE HISTORY:**

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

**H. APPLICABLE REGULATIONS:**

1. Section 5.10, Zoning Ordinance, regarding RS-72 uses and requirements.
2. 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 commercial.

**B. OTHER PLANS:**

None

**C. TRAFFIC AND ACCESS:**

1. There is no MAPA traffic data information available for this area.
2. Proposed Lot 1 will have access from South 31<sup>st</sup> Street while proposed Lot 2 will have access along Golden Boulevard.

**D. UTILITIES:**

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

**E. ANALYSIS:**

1. Pat and Janelle Vacanti, on behalf of Puglisi House, LLC., have submitted a request to rezone Lots 1 and 2, Vacanti Replat, from BG to BG and RS-72 for the purpose of a single family residential and commercial development.
2. In conjunction with the change of zone, the applicant is requesting a small subdivision plat for Lots 1 and 2, Vacanti Replat.
3. Proposed Lot 1 will remain zoned BG to allow for future commercial use. The applicant has indicated future commercial development on this lot would be similar in size and layout to the existing dental office to the north. Proposed Lot 2 would be rezoned to RS-72. The applicant desires to build a single family residential home (1,200-1,300 square foot in size) similar to the existing homes in the adjacent neighborhood.

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

4. Both proposed lots meet the minimum requirements for the requested zonings.
5. The requested RS-72 zoning is consistent with the zoning designation of the adjacent residential neighborhood.
6. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works Department, and the Papillion La Vista 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.

Bellevue Public Works Engineer Matt Knight requested technical revisions to the plat. The applicant's engineer has satisfied this request.

Sarpy County Public Works Engineer Michael Sharp requested technical revisions to the plat. These revisions have since been made.

No other comments were received on this case.

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

8. The residential development will have access to Golden Boulevard via a private drive. The proposed commercial lot will have access to South 31<sup>st</sup> Street.

9. The Future Land Use Map of the Comprehensive Plan shows this area as commercial. If single family residential zoning is approved for Lot 2, the Future Land Use Map can be amended with the 2023 Comprehensive Plan update.

10. Staff believes this proposed RS-72 single family residential zoning fits with the adjacent neighborhood, while the remaining BG zoning will preserve commercial opportunity in the area.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

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

**V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

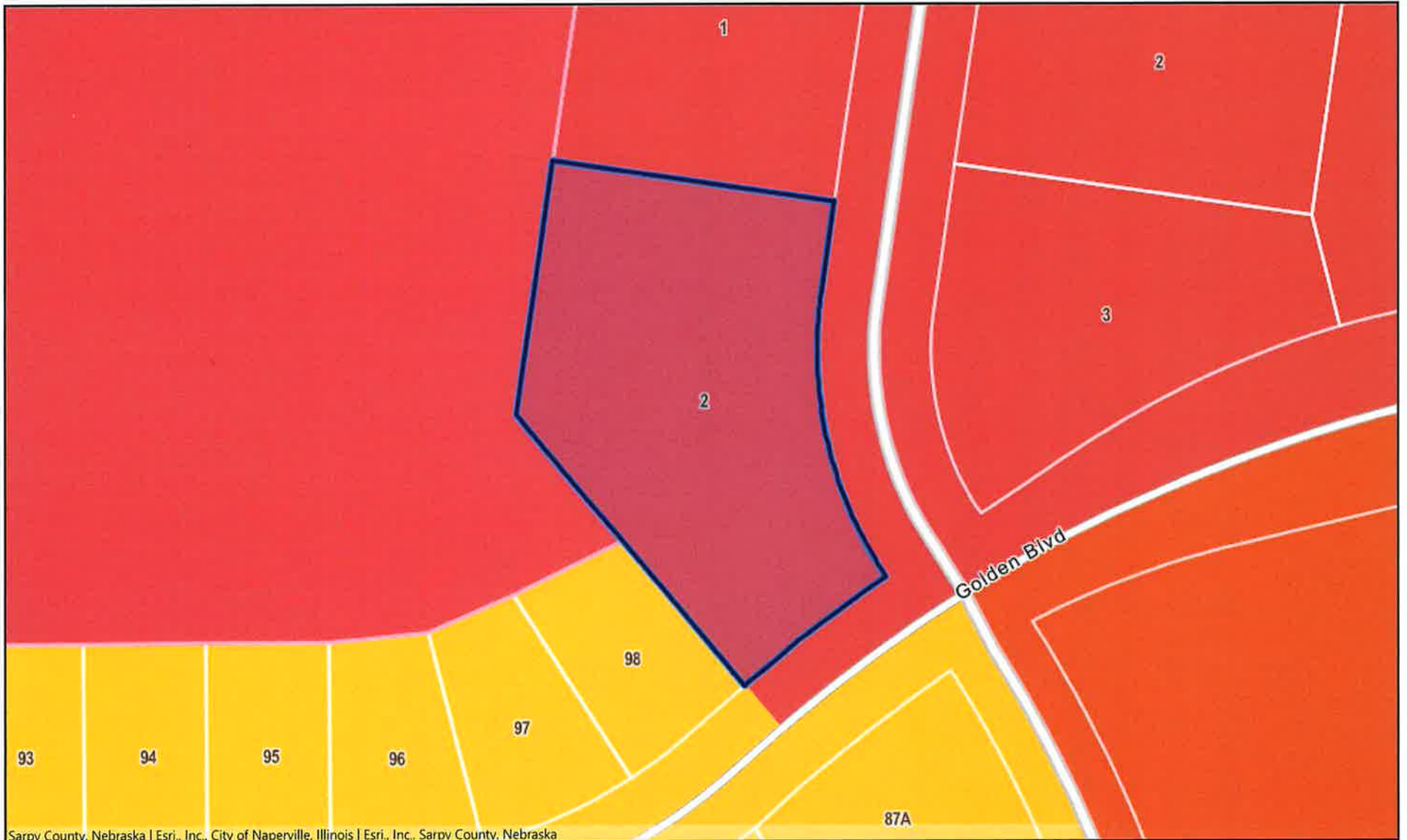
1. Vicinity map/Zoning Map
2. 2020 GIS aerial photo of the property
3. Justification letter received May 12, 2023
4. Small Subdivision Plat received June 1, 2023

**VII. COPIES OF REPORT TO:**

1. Puglisi House, LLC
2. Pat Vacanti
3. Janelle Vacanti
4. Hill-Farrell Associates, Attn: Doug Hill
5. Public Upon Request

  
Assistant Planning Manager

   
Planning Manager                      Date of Report



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



Map Scale 1: 1128

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





May 12, 2023

Dear Bellevue Planning Dept. -

Janelle Vacanti, sole owner  
of Puglisi House, LLC. is requesting  
re-zoning of pending small subdivision  
lot 2 Vacanti Replat because she  
intends to develop for single family residences  
(RS 72)

Respectfully

Pat Vacanti  
Treasurer Puglisi House, LLC.

RECEIVED  
MAY 12 2023  
PLANNING DEPT.





We Influence The World!

City of Bellevue  
Planning Department  
1510 Wall St. • Bellevue, Nebraska • 68005 • 402-293-3026

## Agenda Item 3.b.

**To:** Planning Commission  
**From:** Tammi Palm, Planning Manager  
**Date:** June 15, 2023  
**Subject:** Lots 7 and 8, Old Orchard Place

Attached for your review and recommendation is the Redevelopment Plan for Cardinal Commons I. This plan proposes the redevelopment of the vacant property of Lots 7 and 8, Old Orchard Place. 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.

Cardinal Commons I (Phase 1 of the proposed Cardinal Commons subdivision) is approximately 5.6 acres in size and consists of several lots generally located on the northeast corner of South 13<sup>th</sup> Street and Kasper Street. The property presently contains a single family residence and several outbuildings which will be demolished under this plan.

The applicant is proposing redevelopment of the property by constructing 18 duplexes consisting of 36 units of affordable senior housing. Each unit will be two-bedroom and one-bathroom, with approximately 1,034 square feet of living area, 53 square feet of storage space, and a 292 square foot single-car garage, for a total of 1,379 square feet. The developer also plans to construct a 2,052 square foot community center which will house a kitchen, shared community space for residents, and a storm shelter.

The applicant is estimating the property's assessed valuation to be \$7,650,000 upon full build-out of the site. The applicant is using \$356,936 as the base value.

The Redevelopment Plan states there is approximately \$2,149,815 of Tax Increment Financing (TIF) eligible redevelopment costs associated with the project. The applicant is proposing the use of TIF to fund \$280,000 of these expenses. The breakdown of costs and data supporting the payback of TIF expenditures is attached to the Redevelopment Plan for your review.

The City Attorney and Finance Director have reviewed the Plan and found it acceptable in regard to legal content and the proposed interest rate.

The Planning Department believes this project will be a benefit to the city through the improvement of a blighted and substandard area with a parcel that has remained vacant and underutilized. The Comprehensive Plan designates this area as medium density residential. The applicant's proposed development is in conformance with the Comprehensive Plan. The applicant is proposing an RG-28-PS zoning for the property, which is presently zoned AG. The proposed residential development is consistent with the existing uses adjacent to the property and conforms to the city's overall plan for development.

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 Cardinal Commons I 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 infill redevelopment.

**TAX INCREMENT FINANCING REDEVELOPMENT PLAN  
FOR  
CARDINAL COMMONS I**

LOTS 7 AND 8, OLD ORCHARD PLACE ADDITION

BELLEVUE, NEBRASKA

SUBMITTED: May 3, 2023

Submitted to:

Chairman and Members of the Planning Board

Submitted by:

Applicant: Excel Development Group  
8551 Lexington Avenue  
Lincoln, NE 68505

Attorney for Applicant: Michael D. Matejka  
Woods Aitken LLP  
10250 Regency Circle, Suite 525  
Omaha, NE 68114  
(402) 898-7409  
[mmatejka@woodsaitken.com](mailto:mmatejka@woodsaitken.com)

RECEIVED  
MAY 17 2023  
PLANNING DEPT.

## **PROJECT DESCRIPTION**

### **Background:**

The project site is generally located at the Northeast corner of the intersection of South 13th Street and Kasper Street. The project site presently consists of portions of Lots 7 and 8, Old Orchard Place Addition, City of Bellevue, Sarpy County Nebraska, and is approximately 5.6 acres.

The project site is designated as a “blighted and substandard” area by the City of Bellevue. Redevelopment of the property will support the City of Bellevue’s elimination of blighted and substandard areas within its boundaries as well as provide needed additional housing in the City.

Redevelopment of this site is anticipated to begin in 2023. It is anticipated that the construction of the 18 duplexes consisting of 36 units of affordable senior housing and a separate community building for this project will be completed in 2024.

### **Existing Land Use and Conditions of the Redevelopment Site:**

The Preliminary Plat is attached as Exhibit “A-1”. The project site will be the land designated as Portions of Lots 1, 2, and Outlot B, and all of Outlot C, Cardinal Commons Preliminary Plat, City of Bellevue, Sarpy County, Nebraska. On the Preliminary Plat is the proposed site plan for both this project, on the east side and the future Cardinal Commons II, on the west side.

Lots 7 and 8, Old Orchard Place Addition, are currently owned by Muriel Hagmann, Trustee of the Muriel Hagmann Family Trust. Excel Development Group has a binding contract to purchase this property upon the approval of the final plat by the City of Bellevue.

The project site is currently used as a residence with an adjoining acreage. The residence is a single-family house that is 94 years old. There is also a horse barn, pole barn, and tool shed. All of these structures are more than 40 years old and are in a deteriorated condition.

The project site is currently zoned as Agriculture – AG.

The project site has been declared to be blighted and substandard by the City of Bellevue pursuant to the standards of the Community Development Law, Neb. Rev. Stat. § 18-2101, et. seq.

### **Proposed Use and Project Details:**

The Preliminary Plat and Site Plan is attached as Exhibit “A”. The Applicant proposes to construct 18 duplexes consisting of 36 units of affordable senior housing known as Cardinal Commons I. Each unit will have 2 bedrooms and 1 bathroom, and have approximately 1,034 square feet living area, 53 SF storage area, 292 SF single-car garage, total of 1,379 SF. The Applicant will also construct a 2,052 square foot community center which will have a kitchen, a community use space for residents, and a storm shelter. The project is proposed to be rezoned to RG-28 (General Residential).

The residential structures will be built by a contractor selected by the Applicant. The architectural plans are being designed by Architectural Design Associates (ADA). Engineering services are provided by REGA Engineering.

Applicant anticipates beginning grading and construction of necessary infrastructure in 2023, and anticipates completing the construction of the duplexes and community center in 2024.

Applicant will operate the project as an affordable senior rental project for with at least one qualifying tenant living in the unit being aged 55 or older. The Applicant has received an allocation of federal and state low-income housing tax credits from the Nebraska Investment Finance Authority (“NIFA”). The project will be subject to a Land Use and Restriction Agreement with NIFA that will require 40% of the units to have overall rents affordable at or below 60% of the applicable median income for a period of 45 years.

**Parking Plan for Proposed Project:**

Each residence will have an attached garage and driveway available for parking. There will be parking along the roads within the development as well. There will be a parking lot available for the community building.

**ANALYSIS:**

The project site is located within a Community Redevelopment Area, meets the requirements of the Community Development Law, and qualifies for the submission of an application for the utilization of Tax Increment Financing (“TIF”) to cover costs associated with project development as submitted for approval through the TIF process. The project will be in compliance with the City’s zoning requirements, the City’s Master Plan, and applicable ordinances and development regulations.

This project serves to expand housing availability for persons in Bellevue 55 and older with 80% of the units having residents with incomes below 60% of the applicable medium income. The project also eliminates an area of blight with no recent development. The project will provide the needed site preparation, utilities connections, and infrastructure necessary to develop a location that has stagnated development due to the lack of necessary infrastructure for a comprehensive development. The difficulties and the additional costs involved in installing infrastructure and connecting utilities are challenges that further support the necessity of TIF assistance for this project.

This project would not be feasible without the assistance of TIF. The project’s largest source of funds are federal and state low income housing tax credits. These credits are allocated by the Nebraska Investment Finance Authority “NIFA”. The project will be subject to a Land Use Restriction Agreement filed by NIFA that will require 40% of the units in the project to have overall rents affordable at or below 60% of the applicable median income for a period of 45 years. This restriction substantially reduces the available income from the project as shown by the calculation on the return on investment with and without TIF funds attached as Exhibit B. A reasonable investor would not find the return on investment to be sufficient to invest additional equity into the project. In addition, the project is required to have a debt service coverage ratio of at least 1.15. Without TIF, the debt service coverage ratio would only be 0.981 and the project could not go forward. Therefore, the assistance of TIF is absolutely necessary to complete this project.

**Project Finance Summary**

<b><u>Sources of Funds</u></b>	<b><u>Amounts:</u></b>
Federal Tax Credit Equity	\$5,638,855
State Tax Credit Equity	\$2,547,435
Community Development Block Grant – Disaster Recovery Funds	\$2,000,000
Permanent Financing	\$1,092,049
Tax Increment Financing	\$280,000
Deferred Developer Fee	\$50,000
<b>Total Sources of Funds</b>	<b>\$11,608,339</b>

<b><u>Uses of Funds</u></b>	<b><u>Amounts:</u></b>
Land	\$700,000
Demolition	\$125,000
Real Prop Development – Offsite	\$60,000

On Site Grading, Clearing, Etc.	\$1,300,000
Title Recording and Insurance	\$26,959
Soils Testing & Concrete Testing	\$22,000
Architect & Engineering Fees	\$131,600
Architect – Construction Supervision	\$5,000
Environmental Study	\$5,000
Market Study	\$4,500
Federal & State Tax Credit Fees	\$215,058
Project Reserves	\$299,969
Construction (36 units & Community Building)	\$8,713,253
<b>Total Uses of Funds</b>	<b>\$11,608,339</b>

### **Assessed Valuation Discussion**

The project will be subject to Section 77-1333 of the Nebraska Revised Statutes which requires the County Assessor to assess the project using the income approach. Applicant estimates the average assessed valuation for each of the 18 duplexes to be \$425,000 per duplex for a total of \$7,650,000. The estimated assessed valuation for the Community Building is \$350,000, for a total estimated assessed valuation of \$8,000,000. The current assessed valuation for Lots 7 and 8 Old Orchard Place is \$356,936.

### **Land Use and Zoning**

Lots 7 and 8 Old Orchard Place are currently zoned as Agriculture – AG. The project site will be rezoned to RG-28 (General Residential).

### **Utilities and Public Improvements**

The project will require installation of roads, sidewalks, curbing, gutters, hydrants, sewers, and stormwater improvements within the project area and in the public right of way adjacent to the project.

### **Historical Status**

Not applicable.

### **EVALUATION CRITERIA: MANDATORY CRITERIA**

1. **The project must be located within a blighted area or an area eligible for a designation of blighted as required and set forth by Nebraska statute.**

The properties were previously designated by the City of Bellevue as substandard and blighted in accordance with Community Development Law, Neb. Rev. Stat. § 18-2101, et. seq.

2. **The project must further the objectives of the City's Master Plan.**

The project will result in the development of approximately 5.6 acres of underutilized land at the northeast corner of Kasper Street and 13th Street in Bellevue, NE. Once completed the development will offer 36 new duplex units for rental to tenants 55 and older with 80% of the units having incomes below 60% of the applicable medium income. The project will support the continued growth and housing needs of the Bellevue community. According to the Sarpy County & Communities, Nebraska County-Wide Housing Study with Strategies for Housing Affordability findings a majority of the 399 lost housing units in Sarpy County due to the 2019 disaster, an estimated 340 units, were in areas occupied by low- to moderate-income individuals and families. This includes an estimated 200 manufactured, modular and mobile homes in the City of Bellevue. At least 278 rental units are recommended for very low and low-income Sarpy County households by 2025. An estimated 154 rental housing units should be designated for seniors in the City of Bellevue. Bellevue Affordable Housing Action Plan shows a need for 104 affordable housing units for seniors (55+) and a need for 165 affordable housing units for seniors (55+) by 2032. This residential development conforms to the general plan for the City as a whole because it is consistent with the residential uses east and south of the project site. Additionally, the project furthers the City's goal of adding residential development to the area in a manner that is economically feasible.

3. **The use of TIF for the project will not result in a loss of pre-existing tax revenues to the City and other taxing jurisdictions.**

The Tax Increment Financing request proposes to utilize only the increase in property taxes resulting from the improvements made by the developer. Existing tax revenues will continue to accrue to the benefit of the City of Bellevue and other taxing jurisdictions within which the property lies. This property is currently underdeveloped, and the development of the property will add to the future tax base of the City. The City and other taxing authorities will continue to receive taxes at the current assessed value for the base year and will receive a significant increase in taxes on the increased taxable value upon completion of the TIF payments.

4. **The developer is able to demonstrate that the project would not be economically feasible without the use of Tax Increment Financing. In addition, if the project has site alternatives, the proposal must demonstrate that it would not occur in the area without TIF. Return on investment assists in determining the economic feasibility of the project.**

See Developer's "Return on Investment Analysis" attached hereto as Exhibit "B". This project would not be feasible without the assistance of the TIF. The project's largest source of funds are federal and state low income housing tax credits. These credits are allocated by the Nebraska Investment Finance Authority "NIFA". The project will be subject to a Land Use Restriction Agreement filed by NIFA that will require 40% of the units in the project to have overall rents affordable at or below 60% of the applicable median income for a period of 45 years. This restriction substantially reduces the available income from the project as shown by the calculation on the return on investment with and without TIF funds attached as Exhibit B. A reasonable investor would not find the return on investment to be sufficient to invest additional equity into the project. In addition, the project is required to have a debt service coverage ratio of at least 1.15. Without TIF, the debt service coverage ratio would only be 0.981 and the project could not go forward. Therefore, the assistance of TIF is absolutely necessary to complete this project.

## COST-BENEFIT ANALYSIS

1. **Tax shifts resulting from the approval of the use of funds pursuant to section 18-2147 (of the Community Development Law):**

There are no anticipated tax shifts resulting from this project. The current taxing authorities will continue to receive taxes on the property at the current assessed value determined for the base year.
2. **Public infrastructure and community public service needs impacts and local tax impacts arising from projects receiving incentives:**

Public infrastructure currently exists adjacent to the project site. The project will provide the necessary infrastructure within the site. There will be two street entrances into the project, from Kasper Street on the south and from both 13th Street on the west. Currently, this site is underutilized contributes to the blight of the area. In the long term, the project will provide a significant increase in local property tax revenues based upon the increased value of the developed site after repayment of the TIF funds. Because the project will provide 36 new senior housing units to the area, any impact upon the community public services already provided in the area is outweighed by the increased future tax revenue to be provided by the development.
3. **Impacts on employers and employees of firms locating or expanding within the boundaries of the area of redevelopment project:**

During redevelopment and construction, the project will create jobs and local businesses are likely to be patronized by workers. Upon completion of the project, the project will create housing availability for new and existing residents of the Bellevue community. The project will further benefit local business by increasing the residents in the area who will be likely to patronize nearby Bellevue businesses.
4. **Impacts on businesses within the area:**

This project will bring 36 additional households to the community of Bellevue. Those residents will support local shops and restaurants. The project will also provide new housing options for tenant's 55 and older in Bellevue.
5. **Impacts on students' populations and school districts within the project area:**

Since the 36 duplex units in this project will be rented to tenants 55 and older, the project is not likely to increase the student population in the school district with the project area.
6. **Any other impacts relevant to the consideration of costs and benefits arising from the development project:**

This project will bring new housing into an area that has not seen development for many years and will hopefully act as a catalyst for other developments and the revitalization of the surrounding properties. This project is in direct response to the devastating flooding that happened in 2019. Part of the funding source for Cardinal Commons I is a \$2 million of Community Development Block Grant – Disaster Recovery (CDBG-DR) that's in response to the flooding. The City of Bellevue was one of the hardest hit areas from the record breaking 2019 floods. The Cardinal Commons I project will bring much needed affordable housing to the City of Bellevue, will benefit low- to moderate-income persons, and will increase community resiliency in the face of future natural disasters by adding affordable housing in non-flood zone areas of Bellevue.

### **TIF REQUEST**

The TIF request is for \$280,000 plus accrued interest. The TIF amount is 2.4% of the total project cost. TIF will be used to offset TIF eligible costs such as land acquisition, site prep work, architectural and engineering fees, and public improvements as required. The TIF Eligible Expenses are shown in detail on Exhibit C. The total estimated project cost is \$11,608,339. The final assessed increased valuation upon completion of the project of \$7,650,000 will support the TIF request of \$280,000 with interest at the rate of 6.5% per annum as shown by the Amortization Schedule attached as Exhibit D.

**EXHIBIT "A-1"**  
**PRELIMINARY PLAT**

**SHEET LEGEND:**  
 COVER & PROPOSED LAYOUT  
 PROPOSED GRADING  
 PROPOSED UTILITY  
 SHEET PROFILE (MAGNAN DP)  
 STREET PROFILE (CARDINAL CH)  
 EROSION / SEDIMENT CONTROL

# CARDINAL COMMONS PRELIMINARY PLAT

LOCATED IN THE SE 1/4 OF SEC. 22, T.14N., R.13E. OF THE 6TH P.M., SARPY COUNTY, NEBRASKA



**Section Corner Ties**  
 E 1/4 Corner of Sec. 22, T.14N. R.13E.  
 44.53' Frd. Old Hole on East Rim of Washhole  
 WNW 1/4 Frd. Nail and Washer in Top of Cub  
 NW 44.00' Frd. Nail and Washer in Top of Cub  
 C 1/4 Corner of Sec. 22, T.14N. R.13E.  
 Frd. No. 5 Rebar  
 N 4x20 Frd. 4" Open Top pipe  
 S 4x20 Frd. 5/8" Rebar  
 SW 1/4 Frd. "X" Nail in East Face of P.P. 10' W.A.G.

**LEGAL DESCRIPTION OF FINAL PLAT**  
 A parcel of land being all of Lots 7 & 8, Old Orchard Place, located in the SE 1/4 of Sec. 22, T. 14 N., R. 13 E. of the 6th P.M., Sarpy County, Nebraska and more particularly described as follows:  
**BEGINNING** at the NW Corner of said Lot 7;  
 Thence on the North line of said Lot 7, N87°05'51"E, 894.19 feet to the NE corner of said Lot 7, all bearings hereon are relative thereto;  
 Thence on the East line of said Lots 7 & 8, S02°07'54"E, 554.37 feet to the SE corner of said Lot 8;  
 Thence on the S line of said Lot 8, S44°04'24"W, 855.30 feet to the SW corner of said Lot 8;  
 Thence on the West line of said Lots 7 & 8, N02°38'33"W, 539.44 feet to the POINT OF BEGINNING,  
 Containing a calculated area of 487,883 square feet or 11.21 acres more or less.

**SURVEYOR'S CERTIFICATION**  
 I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THE FINAL PLAT ARE SO INDICATED, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED OR WILL BE INSTALLED AND THEIR POSITION IS CORRECTLY SHOWN AND THAT ALL DIMENSIONAL AND GEODTIC DATA IS CORRECT.

**OWNERS CERTIFICATION:**  
 WE THE UNDERSIGNED, MURIEL LEE MAGNAN FAMILY TRUST, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OUT, PLATTED AND SUBMITTED, AND DO HEREBY LAY OUT AND SUBMIT, SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.  
 THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS **CARDINAL COMMONS PRELIMINARY PLAT**, AN ADDITION TO THE CITY OF BELLEVUE, NEBRASKA. ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC UNLESS SPECIFICALLY NOTED HEREIN.  
 CLEAR TITLE TO THE LAND CONTAINED IN THIS PLAT IS GUARANTEED ANY ENCUMBRANCES OR SPECIAL ASSESSMENTS ARE EXPLAINED AS FOLLOWS:

LYLE L. LOTH, L.S. #314

MURIEL LEE MAGNAN FAMILY TRUST, A NEBRASKA LIMITED LIABILITY COMPANY  
 LINDA LEE, TRUSTEE

**ACKNOWLEDGE OF NOTARY:**

STATE OF NEBRASKA }  
 SARPY COUNTY }  
 On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came **LINDA LEE**, Trustee of MURIEL LEE MAGNAN FAMILY TRUST, to me personally known to be the individual person whose name is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said company.

NOTARY PUBLIC  
 My commission expires the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**APPROVAL OF BELLEVUE PUBLIC WORKS DIRECTOR**

THIS PLAT OF CARDINAL COMMONS PRELIMINARY PLAT WAS APPROVED BY THE BELLEVUE PUBLIC WORKS DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**COUNTY TREASURER'S CERTIFICATIONS**

THIS IS TO CERTIFY THAT I FOUND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER \_\_\_\_\_ DATE \_\_\_\_\_

**REVIEW OF SARPY COUNTY SURVEYOR**

THIS FINAL PLAT OF CARDINAL COMMONS PRELIMINARY PLAT WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SARPY COUNTY SURVEYOR/ENGINEER \_\_\_\_\_

**APPROVAL OF THE PLANNING COMMISSION OF BELLEVUE, NEBRASKA**

THIS FINAL PLAT OF CARDINAL COMMONS PRELIMINARY PLAT WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CHAIRPERSON, BELLEVUE PLANNING COMMISSION \_\_\_\_\_

**ACCEPTANCE OF THE BELLEVUE CITY BOARD**

THIS FINAL PLAT OF CARDINAL COMMONS PRELIMINARY PLAT WAS APPROVED BY THE CITY BOARD OF THE CITY OF BELLEVUE, NEBRASKA ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

CITY CHAIR \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

**MONUMENT SYMBOL LEGEND**

- 1 FOUND CAPPED REBAR WITH 1-1/4" PLASTIC CAP STAMPED "LS 478"
  - 2 FOUND 1-1/2" PIPE
  - 3 FOUND 1" FINCHED PIPE
  - (R) RECORD PER W.O. #07-036
  - (P) RECORD PER OLD ORCHARD PLACE
- NOTE: OUTLOT B IS AN ACCESS EASEMENT IN IT ENTIRETY.

**ZONING INFORMATION**

CURRENT ZONING: D1 - SINGLE FAMILY  
 FUTURE ZONING: RG - 28

**BUILDING SETBACK RESTRICTIONS**

FRONT YARD - 25 FEET  
 SIDE YARD - 5 FEET  
 REAR YARD - 20 FEET

**OWNER/DEVELOPER:**

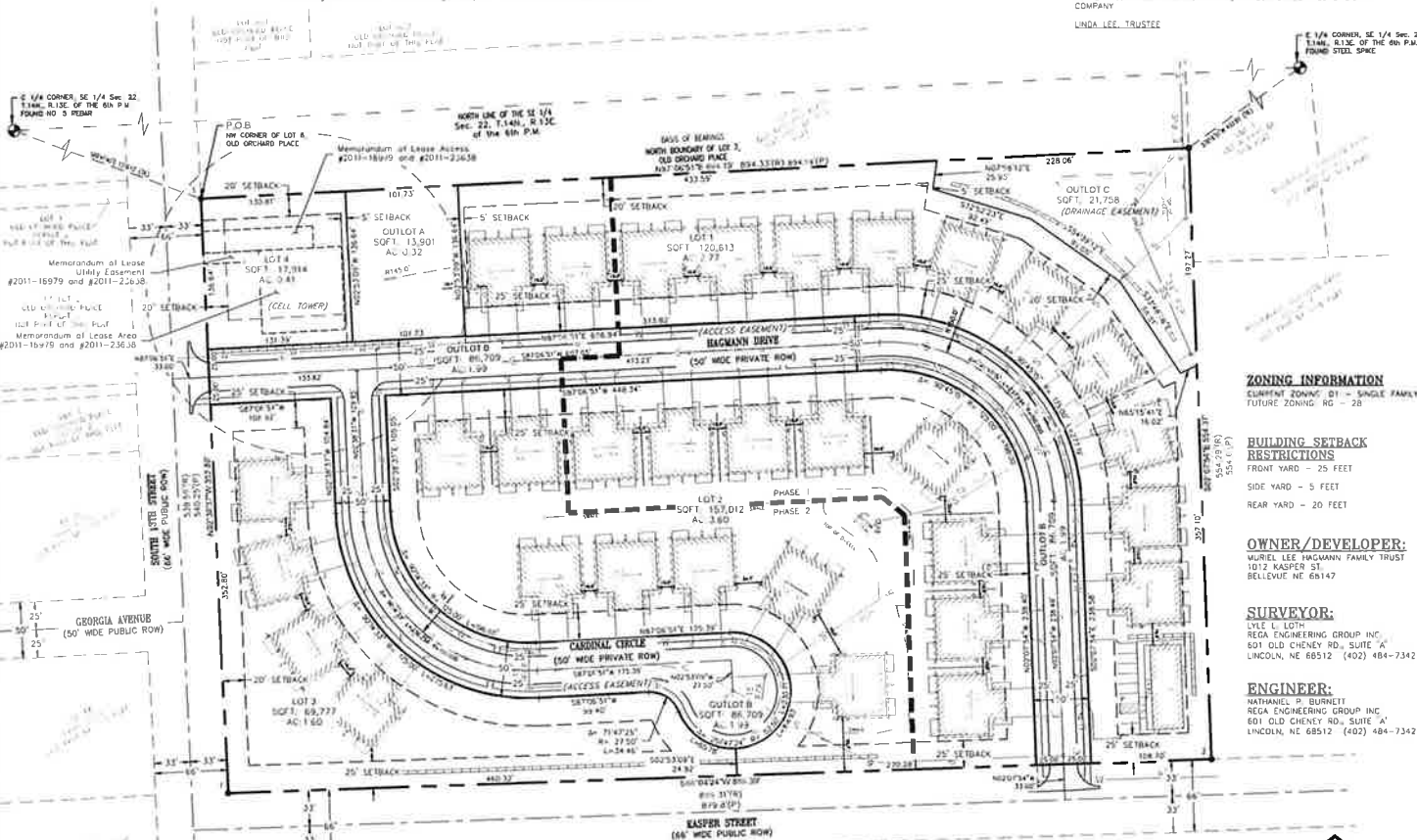
MURIEL LEE MAGNAN FAMILY TRUST  
 1012 KASPER ST.  
 BELLEVUE NE 68147

**SURVEYOR:**

LYLE L. LOTH  
 REGA ENGINEERING GROUP INC.  
 801 OLD CHENEY RD., SUITE 'A'  
 LINCOLN, NE 68512 (402) 484-7342

**ENGINEER:**

NATHANIEL P. BURNETT  
 REGA ENGINEERING GROUP INC.  
 801 OLD CHENEY RD., SUITE 'A'  
 LINCOLN, NE 68512 (402) 484-7342



Total Lots = 4  
 Total Outlots = 3  
 Total Acres = 11.21



REGA ENGINEERING GROUP, INC. 801 OLD CHENEY RD., SUITE A LINCOLN, NE 68512 402-484-7342 OFFICE		<b>REGA ENGINEERING</b> 801 OLD CHENEY RD., SUITE A LINCOLN, NEBRASKA 68512 (402) 484-7342 • ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE • LAND SURVEYING • INSURANCE	
JOB NAME: CARDINAL COMMONS	DATE: 02/08/2023	SCALE: 1"=30'	CHECKED: MLL/MS
LOCATION: BELLEVUE, NEBRASKA	JOB NUMBER: 221054		SHEET 1 OF 6

**EXHIBIT B**

**RETURN ON INVESTMENT ANALYSIS**

## Return on Investment Analysis

### Project with TIF ROI Analysis

**Cardinal Commons I**  
**36-Unit Senior Duplexes**  
**FORECASTED CASH DISTRIBUTIONS**  
**TO INVESTORS WITH A \$ 405,998 Investment (1)**  
**ASSUMING A 28% MARGINAL FEDERAL TAX BRACKET (2)**

4-Dec-22

Year	Share Of Earnings (Losses)	Tax Benefit (Expense) (3)	331.731 Tax Credits (3)	Cash Distributions (4)	After Tax Benefits	Capital Contribution (4)	After Tax Cash Flow	Internal Rate of Return	
								Annual After Tax Return	Before Tax Equivalent IRR
Pre Open						(\$405,998)	(\$405,998)		
1	(\$21,015)	5,884	33,173	0	39,057	0	\$39,057	9.6%	
2	(\$16,489)	4,617	33,173	0	37,790	0	\$37,790	9.3%	
3	(\$16,428)	4,600	33,173	0	37,773	0	\$37,773	9.3%	
4	(\$16,366)	4,583	33,173	0	37,756	0	\$37,756	9.3%	
5	(\$16,304)	4,565	33,173	0	37,738	0	\$37,738	9.3%	
6	(\$16,241)	4,547	33,173	0	37,720	0	\$37,720	9.3%	
7	(\$16,177)	4,529	33,173	0	37,702	0	\$37,702	9.3%	
8	(\$16,111)	4,511	33,173	0	37,684	0	\$37,684	9.3%	
9	(\$16,045)	4,493	33,173	0	37,666	0	\$37,666	9.3%	
10	(\$16,103)	4,509	33,173	0	37,682	0	\$37,682	9.3%	
11	(\$15,457)	4,328	0	0	4,328	0	\$4,328	1.1%	
12	(\$15,387)	4,308	0	0	4,308	0	\$4,308	1.1%	
13	(\$15,316)	4,288	0	0	4,288	0	\$4,288	1.1%	
14	(\$15,243)	4,268	0	0	4,268	0	\$4,268	1.1%	
15	(\$15,293)	4,282	0	0	4,282	0	\$4,282	1.1%	
(5) 15	(\$127,461)	25,492	0	44,296	69,788	0	\$69,788		2.06%   2.86%

- (1) A \$405,998 investment is 5.00% of the projected \$0 to be invested as capital
- (2) For illustration purposes, a 28% federal tax bracket as of the date of the forecast is used. A lower tax bracket will decrease the internal rate of return.
- (3) Investors may use net losses and tax credits to offset taxes on \$25,000 of ordinary income. Unused losses and tax credits may be carried forward up to 15 years or carried back three years. Net losses and tax credits may be used to offset any amount of passive income. however alternative minimum tax rules may apply. It is assumed in this example that the investor has no passive income, is not affected by alternative minimum tax rules, and can use 100% of the tax credits each year. It is assumed that investors are on a cash basis. Interest accrued on investor loans is not deductible. Net income (loss) has been increased for net accrued investor loan interest in calculating tax benefit (expense).
- (4) Cash distributions includes interest paid on investor loans. Capital contributions include investor loan advances and principal repayment of investor loans.
- (5) Assets sold at end of year. See Calculation of Gain and Cash Proceeds At Sale for method used in calculating sale price. A capital gains tax rate of 20% is applied to the gain on sale in year 15.
- (6) The after tax internal rate of return is based on the annual net after tax cash flows including sale of the projects. The internal rate of return is the percentage rate that equates the present value of an expected future series of cash flows to the initial investment.

## Project Without TIF ROI Analysis

Cardinal Commons I  
36-Unit Senior Duplexes  
FORECASTED CASH DISTRIBUTIONS  
TO INVESTORS WITH A \$ 405,998 Investment (1)  
ASSUMING A 28% MARGINAL FEDERAL TAX BRACKET (2)

4-Dec-22

Year	Share Of Earnings (Losses)	Tax Benefit (Expense) (3)	331,731 Tax Credits (3)	Cash Distributions (4)	After Tax Benefits	Capital Contribution (4)	After Tax Cash Flow	Internal Rate of Return	
								Annual After Tax Return	Before Tax Equivalent IRR
Pre Open						(\$405,998)	(\$405,998)		
1	(\$21,926)	6,139	33,173	0	39,312	0	\$39,312	9.7%	
2	(\$17,388)	4,869	33,173	0	38,042	0	\$38,042	9.4%	
3	(\$17,315)	4,848	33,173	0	38,021	0	\$38,021	9.4%	
4	(\$17,241)	4,828	33,173	0	38,001	0	\$38,001	9.4%	
5	(\$17,165)	4,806	33,173	0	37,979	0	\$37,979	9.4%	
6	(\$17,087)	4,784	33,173	0	37,958	0	\$37,958	9.3%	
7	(\$17,008)	4,762	33,173	0	37,935	0	\$37,935	9.3%	
8	(\$16,927)	4,739	33,173	0	37,913	0	\$37,913	9.3%	
9	(\$16,843)	4,716	33,173	0	37,889	0	\$37,889	9.3%	
10	(\$16,882)	4,727	33,173	0	37,900	0	\$37,900	9.3%	
11	(\$16,217)	4,541	0	0	4,541	0	\$4,541	1.1%	
12	(\$16,126)	4,515	0	0	4,515	0	\$4,515	1.1%	
13	(\$16,033)	4,489	0	0	4,489	0	\$4,489	1.1%	
14	(\$15,936)	4,462	0	0	4,462	0	\$4,462	1.1%	
15	(\$15,961)	4,469	0	0	4,469	0	\$4,469	1.1%	
(5) 15	(\$130,928)	26,186	0	28,863	55,049	0	\$55,049	1.77%	2.46%

(1) A \$405,998 investment is 5.00% of the projected 50 to be invested as capital

(2) For illustration purposes, a 28% federal tax bracket as of the date of the forecast is used. A lower tax bracket will decrease the internal rate of return.

(3) Investors may use net losses and tax credits to offset taxes on \$25,000 of ordinary income. Unused losses and tax credits may be carried forward up to 15 years, or carried back three years. Net losses and tax credits may be used to offset any amount of passive income, however alternative minimum tax rules may apply. It is assumed in this example that the investor has no passive income, is not affected by alternative minimum tax rules, and can use 100% of the tax credits each year. It is assumed that investors are on a cash basis. Interest accrued on investor loans is not deductible. Net income (loss) has been increased for net accrued investor loan interest in calculating tax benefit (expense).

(4) Cash distributions includes interest paid on investor loans. Capital contributions include investor loan advances and principal repayment of investor loans.

(5) Assets sold at end of year. See Calculation of Gain and Cash Proceeds At Sale for method used in calculating sale price. A capital gains tax rate of 20% is applied to the gain on sale in year 15.

(6) The after tax internal rate of return is based on the annual net after tax cash flows including sale of the projects. The internal rate of return is the percentage rate that equates the present value of an expected future series of cash flows to the initial investment.

### Conclusion

Project without TIF would have a -0.29% after tax IRR and a -0.4% before tax equivalent IRR consequence.

### Debt Service Coverage Ratio (DSCR)

Project with TIF DSCR: 1.245

Project without TIF DSCR: 0.981

**Conclusion**

Project without TIF would make the average DSCR fall to 0.981 which is below the 1.15 minimum requirement.

**EXHIBIT C**

**TIF ELIGIBLE EXPENSES**

<b><u>TIF Eligible Expenses</u></b>	
<b>Land Acquisition</b>	<b>\$700,000</b>
<b>Site Grading</b>	<b>\$400,000</b>
<b>Storm Sewer</b>	<b>\$100,000</b>
<b>Sanitary Sewer</b>	<b>\$250,000</b>
<b>Paving</b>	<b>\$300,000</b>
<b>Sidewalk</b>	<b>\$50,000</b>
<b>Water</b>	<b>\$150,000</b>
<b>Electricity</b>	<b>\$50,000</b>
<b>Architecture/Engineering</b>	<b>\$131,600</b>
<b>Attorney Fees</b>	<b>\$12,500</b>
<b>TIF Application Fees</b>	<b>\$3,500</b>
<b>Rezoning Fees</b>	<b>\$525</b>
<b>Platting Fees</b>	<b>\$1,690</b>
<b>Total:</b>	<b>\$2,149,815</b>
<b>Requesting:</b>	<b>\$280,000</b>

**EXHIBIT D**

# Simple Interest Loan Calculator



[HELP](#)

Loan Information	
Loan Amount	\$ 280,000
Annual Interest Rate	6.50%
Term of Loan in Years	15
First Day Interest Accrues	9/10/2025
Payment Frequency	Semi-Annual
Days in Year	360
Extra Semi-Annual Payment	\$ -

Summary	
Daily Interest Rate	0.0180556%
Number of Payments	31
Total Payments	\$ 447,143.22
Total Interest	\$ 167,143.22

**Semi-Annual Payment**

**\$14,750.89** (rounded up)

Enter Monthly Payment

14750.89 (rounded up)

Rounding On

## Amortization Schedule

Pmt No.	Date	Payment	Interest Accrued	Interest Balance	Principal Balance	Total Owed
	9/9/25			\$ 280,000	\$ 280,000	
1	3/10/26	14,750.89	9,201.11	0.00	274,450.22	274,450.22
2	9/10/26	14,750.89	9,117.85	0.00	268,817.18	268,817.18
3	3/10/27	14,750.89	8,785.09	0.00	262,851.38	262,851.38
4	9/10/27	14,750.89	8,732.51	0.00	256,833.00	256,833.00
5	3/10/28	14,750.89	8,439.82	0.00	250,521.93	250,521.93
6	9/10/28	14,750.89	8,322.90	0.00	244,093.93	244,093.93
7	3/10/29	14,750.89	7,977.13	0.00	237,320.17	237,320.17
8	9/10/29	14,750.89	7,884.30	0.00	230,453.58	230,453.58
9	3/10/30	14,750.89	7,531.35	0.00	223,234.04	223,234.04
10	9/10/30	14,750.89	7,416.33	0.00	215,899.48	215,899.48
11	3/10/31	14,750.89	7,055.72	0.00	208,204.31	208,204.31
12	9/10/31	14,750.89	6,917.01	0.00	200,370.43	200,370.43
13	3/10/32	14,750.89	6,584.39	0.00	192,203.93	192,203.93
14	9/10/32	14,750.89	6,385.44	0.00	183,838.48	183,838.48
15	3/10/33	14,750.89	6,007.94	0.00	175,095.54	175,095.54
16	9/10/33	14,750.89	5,817.06	0.00	166,161.71	166,161.71
17	3/10/34	14,750.89	5,430.26	0.00	156,841.08	156,841.08
18	9/10/34	14,750.89	5,210.61	0.00	147,300.80	147,300.80
19	3/10/35	14,750.89	4,813.87	0.00	137,363.78	137,363.78
20	9/10/35	14,750.89	4,563.53	0.00	127,176.42	127,176.42
21	3/10/36	14,750.89	4,179.16	0.00	116,604.69	116,604.69
22	9/10/36	14,750.89	3,873.87	0.00	105,727.66	105,727.66
23	3/10/37	14,750.89	3,455.24	0.00	94,432.01	94,432.01
24	9/10/37	14,750.89	3,137.24	0.00	82,818.36	82,818.36
25	3/10/38	14,750.89	2,706.55	0.00	70,774.02	70,774.02
26	9/10/38	14,750.89	2,351.27	0.00	58,374.40	58,374.40
27	3/10/39	14,750.89	1,907.71	0.00	45,531.22	45,531.22

28	9/10/39	14,750.89	1,512.65	0.00	32,292.98	32,292.98
29	3/10/40	14,750.89	1,061.18	0.00	18,603.27	18,603.27
30	9/10/40	14,750.89	618.04	0.00	4,470.43	4,470.43
31	3/10/41	4,616.52	146.10	0.00	0.00	0.00

**CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** S-2301-01  
Z-2301-01

**FOR HEARING OF:**  
**REPORT #1:** June 22, 2023

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Orchard Valley, Inc.  
Melvin Sudbeck  
16255 Woodland Drive  
Omaha, NE 68136

**B. PROPERTY OWNERS:**

Orchard Valley, Inc.  
16255 Woodland Drive  
Omaha, NE 68136

Lionel and Martha Mora  
1902 Lola Avenue  
Bellevue, NE 68147

**C. GENERAL LOCATION:**

South 21<sup>st</sup> Street and Gilmore Lake Road

**D. LEGAL DESCRIPTION:**

Lots 154 through 199, and Outlots "F" through "K," Spring Ridge, being a platting of Tax Lot 12, Part of Tax Lot 13A, Part of the Irregular Northeasterly Part of Tax Lot 12B, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE.

**E. REQUESTED ACTIONS:**

1. Rezone Lots 154 through 199, and Outlots “F” through “K,” Spring Ridge, from AG and BG to RA, BG, BGH, and RG-8-PS, with site plan approval.
2. Preliminary plat Lots 154 through 199, and Outlots “F” through “K,” Spring Ridge.

**F. EXISTING ZONING AND LAND USE:**

AG and BG; Vacant/Agricultural, Single Family Residential, and VFW Post 10727

**G. PURPOSE OF REQUEST:**

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

**H. SIZE OF SITE:**

The site is approximately 38.25 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

Proposed Lot 154 is developed with a single family residence constructed in 2014. Most of the property is vacant and has recently been used agriculturally. Additionally, the VFW Post 10727 is located on a portion of proposed Outlot H at the east end of Gilmore Lake Road.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** Single Family Residential/Vacant RS-72 and RD-60
2. **East:** Highway 75 Right-of-Way
3. **South:** Vacant, AG
4. **West:** Single Family Residential, RS-72, RS-72-PS, and RD-60

**C. REVELANT CASE HISTORY:**

1. On January 24, 2013 the Planning Commission continued a request to rezone Lots 1 through 147, and Outlots A and B, Spring Ridge, being a platting of part of Tax Lot 13A, lying north of Tax Lot 6A2A; Part of Tax Lot 12 (irregular 809.99’ x 554.44’); and Lots 92A and 93A, Childs Estate Acres; all located in Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska from AG and RS-72 to RD-60 for the purpose of single family residential development; and preliminary plat

Lots 1 through 147, and Outlots A and B, Spring Ridge. Action on this request was continued until the February 28, 2013 Planning Commission meeting.

2. On February 28, 2013, the Planning Commission recommended approval of a request to rezone Lots 1 through 147, and Outlots A and B, Spring Ridge, being a platting of part of Tax Lot 13A, lying north of Tax Lot 6A2A; Part of Tax Lot 12 (irregular 809.99' x 554.44'); and Lots 92A and 93A, Childs Estate Acres; all located in Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska from AG and RS-72 to RD-60 for the purpose of single family residential development; and preliminary plat Lots 1 through 147, and Outlots A and B, Spring Ridge. On April 8, 2014, the City Council approved the final plat of Lots 1 through 45 and Outlot A, Spring Ridge, contingent upon the improvement of Gilmore Lake Road.

3. On April 24, 2014, the Planning Commission recommended approval of a request to rezone Lots 1 through 203, and Outlots A through F, Spring Ridge, being a platting of Lots 91, 92A, 92B, 93A, 93B, 94 through 96, 109 through 111, and 114, Childs Estate Acres; Lots 1 and 2, Bohac Addition; part of Outlot B, Green Meadows; that part of Tax Lot 13A, lying north of Tax Lot 6A2A, except for 33'; Tax Lots 5A2 and 6A2; the irregular 809.99' x 554.44' tract being a part of Tax Lot 12; the irregular southeast 10.21 acres of Tax Lot 12; the approximate 139.82' x 780' tract being part of Tax Lot 12; together with the portions of vacated 23<sup>rd</sup> Street, Cary Street, and Concord Street; all located in Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska from AG, RS-72, RD-60, and BG to BG, RS-72, RD-60, and RG-20; and preliminary plat Lots 1 through 203, and Outlots A through F, Spring Ridge. The City Council approved this request on June 9, 2014.

4. On September 24, 2014, the Planning Commission recommended approval of a request to final plat Lots 1 through 153, and Outlots A through E, Spring Ridge, being a platting of Lots 91, 92A, 92B, 93A, 93B, 94 through 96, 109 through 111, and 114, Childs Estate Acres; together with the drainage alley adjacent to the west line of said Lot 110, together with part of vacated Cary Street, Concord Street, and 23<sup>rd</sup> Street lying within said Childs Estate Acres, part of Tax Lots 5A2 and 6A2, and part of Tax Lot 13 north of Tax Lot 6A2A except 33'; all located in the Northwest ¼ of Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE. The City Council approved this request on October 13, 2014.

5. On August 26, 2021, the Planning Commission continued a request to rezone Lots 154 through 196, and Outlots "F" through "J," Spring Ridge, being a platting of Tax Lot 12, Tax Lot 13A, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE from AG and BG to RA, BG, and RG-8-PS for the purpose of single family and multi-family residential development; and preliminary plat Lots 154 through 196, and Outlots "F" through "J," Spring Ridge.

6. On October 28, 2021, the Planning Commission continued a request to rezone Lots 154 through 196, and Outlots "F" through "J," Spring Ridge, being a platting

of Tax Lot 12, Tax Lot 13A, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE from AG and BG to RA, BG, and RG-8-PS for the purpose of single family and multi-family residential development; and preliminary plat Lots 154 through 196, and Outlots “F” through “J,” Spring Ridge.

7. On December 16, 2021, the Planning Commission continued a request to rezone Lots 154 through 196, and Outlots “F” through “J,” Spring Ridge, being a platting of Tax Lot 12, Tax Lot 13A, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE from AG and BG to RA, BG, and RG-8-PS for the purpose of single family and multi-family residential development; and preliminary plat Lots 154 through 196, and Outlots “F” through “J,” Spring Ridge.

8. On January 27, 2022, the Planning Commission recommended approval of a request to rezone Lots 154 through 196, and Outlots “F” through “J,” Spring Ridge, being a platting of Tax Lot 12, Tax Lot 13A, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE from AG and BG to RA, BG, and RG-8-PS for the purpose of single family and multi-family residential development; and preliminary plat Lots 154 through 196, and Outlots “F” through “J,” Spring Ridge. The City Council approved this request on March 15, 2022

#### **D. APPLICABLE REGULATIONS:**

1. Section 5.06, Zoning Ordinance, regarding RA uses and requirements.
2. Section 5.15, Zoning Ordinance, regarding RG-8 uses and requirements.
3. Section 5.17, Zoning Ordinance, regarding Planned Subdivision (-PS) uses and requirements.
4. Section 5.22, Zoning Ordinance, regarding BG uses and requirements.
5. Section 5.24, Zoning Ordinance, regarding BGH uses and requirements.
6. Chapter 3, Subdivision Regulations, regarding Preliminary Plats.
7. Chapter 6, Subdivision Regulations, regarding Minimum Design Standards.
8. 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 being medium density and multi family residential.

#### **B. OTHER PLANS:**

None

#### **C. TRAFFIC AND ACCESS:**

1. There is no MAPA traffic data information available for this area.
2. Access is proposed from newly constructed extensions of Lola Avenue, Gilmore Lake Road, and Morrie Drive. The proposed multi-family development will have private streets.

#### **D. UTILITIES:**

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

#### **E. ANALYSIS:**

1. Melvin Sudbeck, on behalf of Orchard Valley, Inc., has submitted a request to preliminary plat Lots 154 through 199, and Outlots F through K, Spring Ridge, for the purpose of single family and multi-family residential development and a billboard.

2. The applicant is also requesting a change in zone from AG and BG to BG (General Business), RA (Residential Agriculture), BGH (Heavy General Business), and RG-8-PS (General Residence, 800 Square Foot Zone, Planned Subdivision) for Lots 154 through 199, and Outlots F through K, Spring Ridge.

Lots 155 through 199, along with Outlots F and G, will be zoned RG-8-PS for the purpose of multi-family residential development.

Lot 154 will be zoned RA to accommodate the existing single family residential development on this property.

Outlot H contains a portion of the VFW Post 10727. Their existing property is zoned BG. Outlot H will be zoned BG to stay consistent with the remainder of their property and use thereof.

The applicant is requesting BG zoning for Outlots I and J. BGH zoning is being requested for Outlot K for a billboard.

3. In addition to the rezoning of Lots 154 through 199, and Outlots “F” through “K,” site plan approval is also being requested.

Lots 155 through 177 will be developed as single family residences, with the following setbacks:

- Front yard – 25 feet
- Rear yard – 25 feet
- Side yard – 5 feet
- Street side yard – 15’

In comparison, the typical single family residence constructed in the RG-8 zoning district must have the following setbacks:

- Front yard – 25 feet
- Rear yard – 10’
- Side yard – 3’
- Street side yard – 5’

Lots 178 through 180, 183 through 184, and 187 through 188 will be constructed with multi-family residential buildings. Each building will house between 48 and 68 units, with a total of 408 units in seven buildings. Lot 186 will be constructed as a clubhouse for the development, with amenities to include a pool, workout room, and event space. The applicant has indicated other amenities may include benches, playground, and a dog park.

Lots 182 through 185, Lot 182, and Lots 189 through 199 will be constructed with three- to seven-unit row homes, with a total of 74 row homes.

Lot 154 is developed with a single family residence constructed in 2014. It is presently a non conforming agricultural tax lot. The applicant is purchasing a portion of the tax lot to include in this development; therefore, the entire parcel is being included in the preliminary plat.

4. The site plan shows 363 surface parking stalls, and 336 garage spaces in the apartment buildings, for a total of 699 parking stalls available. The row homes will also have 148 internal stalls, and 26 external stalls.

5. The proposed subdivision will develop in two different phases, working from north to south.

6. Mr. Sudbeck submitted a previous platting and rezoning request similar to this last year. That preliminary plat was approved; however, it expired after one year without a final plat submittal.

With this submission, Mr. Sudbeck has added two additional single family residential lots on the north side of the development, thereby decreasing the overall lot sizes. Outlots I and J have requested commercial zoning, and Outlot K has requested heavy commercial zoning. The developer has indicated he wishes to erect a billboard on proposed Outlot K. In the prior approved preliminary plat, the proposed outlots on this part of the property were to be zoned RG-8-PS, compatible with the surrounding development.

7. 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, 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.

Don Gifford, Bellevue Fire Department, had comments pertaining to fire hydrants and access. Mr. Gifford's comments have since been satisfied by the applicant.

Public Works Engineer Matt Knight had technical comments pertaining to the initial drainage, grading, street profiles, storm sewer, paving plans, and preliminary utility plan. The applicant has made the requested revisions.

The Public Works Department requested an updated traffic study for Phases IV and V of this development. The original traffic study was done with the preliminary platting in 2014. Based on the updated traffic impact analysis, some improvements will need to be made to South 25<sup>th</sup> Street in addition to improving Gilmore Lake Road. A southbound turn lane at the intersection of South 25<sup>th</sup> Street and Gilmore Lake Road is recommended by 2025. Additionally, a northbound turn lane is recommended by 2025 at the intersection of South 25<sup>th</sup> Street and Morrie Drive. These improvements will be part of the Gilmore Lake Road infrastructure and will be addressed in the amended Spring Ridge Subdivision Agreement, which will be finalized with the final plat process.

No other comments were received on this case.

8. A portion of the VFW Post 10727 sits on proposed Outlot H. The VFW structure was built in 1981. The applicant has worked with the VFW since the original

Spring Ridge platting was approved in 2014. The developer has facilitated an easement agreement with the VFW.

9. Construction of this development is contingent upon the improvement of Gilmore Lake Road. When the original Spring Ridge plat was approved in 2014, the applicant was to be responsible for 25% of these costs, along with the city, Sarpy County, and SID 279 (Spring Creek). Since that time, the city has annexed the Spring Creek subdivision, therefore assuming 75% of the improvement costs. The applicant and his development team have been in discussions with the city regarding the planned improvements for Gilmore Lake Road. These engineering conversations are ongoing. Finalized costs and timing will be part of the amended Spring Ridge Subdivision Agreement. A draft of this document has been submitted and is under review by the City Attorney.

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

11. Per Section 8.12, Zoning Ordinance, the apartment buildings and row homes will need to meet the city's design standards. Compliance with these regulations will be reviewed as part of the building permit process.

12. Based upon the number of acres, this development will require a contribution to the Park Fund in the amount of \$32,512.50.

13. The Future Land Use Map of the Comprehensive Plan shows this area as being commercial for the VFW property, otherwise, it is shown as medium density residential and multi family residential. The requested commercial zoning of the outlots for the purpose of a billboard goes against the Comprehensive Plan for this area.

14. Per Article 7, Zoning Ordinance, billboards are allowed to be located on a lot zoned BG, BGH, ML, or MH. A BGH zoning would allow for a billboard up to 400 square feet on its face. A digital billboard would be permitted. A billboard is permitted to be 55' in height, with an additional 5' permitted for extensions beyond the sign face. A billboard cannot be located within a 150' radius from any residential zoning district. The applicant has accounted for this spacing with the commercially zoned outlots.

15. Staff is not supportive of the proposed commercial zoning for the billboard. It goes against the Comprehensive Plan. Furthermore, the Planning Department has an application for multi family residential development to the south of these parcels on Tax Lot 2A and 3B. This development would have multi family residential zoning, which would sandwich a pocket of heavy general business zoning in between residential zonings and would not be compatible with the surrounding development.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

DENIAL of the proposed development based on the outlot configuration and proposed commercial zoning for the purpose of a billboard. DENIAL based upon lack of conformance with the Comprehensive Plan and perceived negative impact to the surrounding development.

**V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

1. Vicinity map/Zoning Map
2. 2022 GIS aerial photo of the property
3. Preliminary plat received May 19, 2023
4. Site plan received May 19, 2023
5. Zoning/Phasing exhibit received May 19, 2023
6. Landscape plan received May 19, 2023
7. Recreational needs/zoning justification received May 19, 2023

**VII. COPIES OF REPORT TO:**

1. Orchard Valley, Inc.
2. Lionel and Martha Mora
3. FoleyShald Engineering
4. Klancy Peterson
5. Public Upon Request

  
Assistant Planning Manager

  
Planning Manager                      06/15/23  
Date of Report

# South 21st Street and Gilmore Lake Road



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



Map Scale 1: 9028

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





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



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



Notes











RECEIVED

MAY 19 2023

PLANNING DEPT.

May 18, 2023

**SPRING RIDGE PHASES 4/5 – RECREATIONAL NEEDS**

The Phase 4/5 community site will have large areas of common space within proposed Outlots F and I which will include green space available to residents. This green space will include landscaping and a sidewalk network as shown in the Planned Subdivision and may also include other amenities including benches, gathering areas, playgrounds, and/or dog parks. Additionally, Lot 186 is proposed as a community clubhouse which could include amenities such as a pool, workout room, study area, and/or event room.

**SPRING RIDGE PHASES 4/5 – REZONING JUSTIFICATION**

We are requesting that the City of Bellevue accept the proposed rezoning as per the Preliminary Plat for Spring Ridge Phases 4/5. The existing zoning for the project area is Agricultural District (AG) and General Business District (BG). The proposed zoning is Residential Agricultural District (RA), General Residential (RG-8-PS), General Business District (BG) and Heavy General Business (BGH). The future land use for the site includes Multi Family Residential (MFR), Medium Density Residential (MDR), and Commercial (C). Through meetings with City Staff, we believe the proposed rezoning of the site meets the future land use, transitioning from medium density residential on the north to multifamily residential on the south.

Lot 154 is proposed as “RA” to help transition an existing “AG” acreage lot towards the proposed future land use of “MDR”. The proposed zoning better meets the current use of the property as a large residential lot. Outlots H, I and J are proposed BG Zoning, and Outlot K is proposed as BGH zoning to allow for a billboard. This will match the existing zoning designation of the VFW building and Gilmore Lake to the west, making the entirety of Gilmore Lake and the VFW one cohesive zone. Most of the proposed site, including Lots 155-199 and Outlots F and G is proposed as “RG-8-PS”. This rezoning would replace an existing farm field with a mixture of residential units. The north and west side of this area (Lots 155-177) provides single-family detached lots meeting the future land use of “MDR”. The central and southern part of this area (Lots 178 – 199) provide apartments and rowhomes to meet the future land use of “MFR”.