

BELLEVUE PLANNING COMMISSION

Thursday, August 24, 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 Minutes of August 7, 2023 Regular Meeting

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

2. CONSENT AGENDA/PUBLIC HEARINGS:

a. Request to final plat Lots 1 through 6, and Outlots A through F, Cardinal Commons Addition being a replat of Lots 7 and 8, Old Orchard Place. Applicant: Excel Development Group. General location: S. 13th Street and Kasper Street. Case #: S-2306-10

b. Request to rezone Lot 144, Nob Hill, from BG to RS-84 for the purpose of an existing single-family residence. Applicant: David and Debora Rospierski. Location: 610 Nob Hill Terrace. Case #: Z-2307-15.

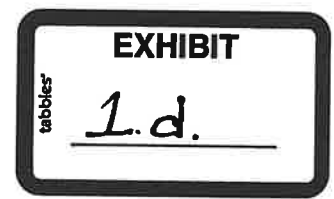
3. PUBLIC HEARINGS:

a. Request for site plan approval for Lot 1, Kennedy Town Center Replat Eight being a replat of Lot 75, Kennedy Town Center, and Lots 5 and 6, Kennedy Town Center Replat Three; and small subdivision plat Lots 1 and 2, and Outlot A, Kennedy Town Center Replat Eight. Applicant: Parviz Atamov. General location: W. Chandler Rd. and S. 22nd Street. Case #'s: Z-2307-14 and S-2307-13.

b. Request to rezone Lot 1, College Apartments Addition, from RG-8 to RG-8-PS, with site plan approval, for the purpose of multi-family development. Applicant: Elevate Lofts, LLC. General location: 400 W. 19th Avenue. Case #: Z-2210-12.

4. CURRENT BUSINESS

5. ADJOURNMENT



MINUTE RECORD

Bellevue Planning Commission Meeting, August 7, 2023, Page 1

The Bellevue Planning Commission held a regular meeting on Monday, August 7, 2023, at 6:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Hankins, Jacobson, Sims, Taylor-Jones, Aerni, Ackley, Lasenburg, Bennett, and Perrin. Also present were Tammi Palm, Planning Director, and Angela Curry, Assistant Planning Manager.

Notice of this meeting was given in advance thereof by publication in the Omaha World Herald 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.

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

Motion was made by Ackley, seconded by Jacobson, to approve the minutes of the June 22, 2023, regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

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

Motion was made by Jacobson, seconded by Perrin, 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.

Aerni explained the public hearing procedures.

PUBLIC HEARING was held on a request to rezone Lot 1, Gregg Road Subdivision, from AG to RG-20-PS for the purpose of multi-family residential development with site plan approval; preliminary plat Lot 1, Gregg Road Subdivision; and final plat Lot 1, Gregg Road Subdivision. Applicant: Gregg & 75, LLC. General location: 1920 Gregg Rd. Case #'s: Z-2304-10, S-2304-06, S-2304-07.

Aerni asked staff for updates. Palm stated there were no updates and provided a summary of the request. She said Gregg & 75, LLC's request is to preliminary plat and final plat, Lot 1, Gregg Road Subdivision. Palm said this is an unplatted tax lot which is vacant after an existing house on the lot was demolished. She stated the request is also for a change of zone from AG (Agricultural District) to RG-20-PS (General Residential – 2,000 Square Foot Zone – Planned Subdivision) to facilitate a 156-unit multi-family residential development. Palm stated the Future Land Use Map shows this area as multi-family so the request is in conformance with the Comprehensive Plan. She said all the pertinent documents have been reviewed by staff and found to be in conformance with the city's regulations. Palm stated staff is recommending approval of the request.

Jeff Stoll with E & A Consulting Group, 10909 Mill Valley Rd., Omaha, NE was present on behalf of the applicant. Stoll stated this is a 9 1/2-acre development. Stoll said there will be 20 studio apartments, 58 one-bedroom apartments and 78 two-bedroom apartments ranging from 700 square feet to approximately 1,200 square feet. He said the development team is very appreciative of city staff for their support in getting this development to this stage.

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

Hankins asked staff why a traffic study was not done for this project. Palm stated a traffic study was not requested by the engineering department. She stated the city's engineers feel that Gregg Road is capable as a collector street to handle the increased traffic. Palm said typically a multi-family development is not a huge traffic generator.

Lasenburg questioned staff if the pedestrian standpoint had been considered. Palm stated yes things that are reviewed are connectivity, sidewalks, and potential connections to trails in the area. She stated with any new construction sidewalks are required unless it is waived by the Public Works Director or City Council. Palm said sidewalks are shown on the site plan.

Jacobson stated the site plan only shows one entrance into the development and questioned if that was acceptable to staff. Palm stated with the number of units in the development, Fire Code does not require two entrances. She said the Fire Department felt the layout of the site was adequate for their trucks to get in and out with one entrance.

Aerni stated he took this route to the meeting tonight and it took ten minutes to get from 25th street to

MINUTE RECORD

Bellevue Planning Commission Meeting, August 7, 2023, Page 2

15th street on Cornhusker Road. He stated that area gets very congested and feels a traffic study should have been done. Palm stated staff understands that and timing of the lights is something that are routinely studied along Cornhusker Road. She said there are long term plans for Cornhusker Road. She said with the Comprehensive Plan update there will be a long-range transportation plan to specifically study issues such as Cornhusker Road's congestion.

Hankins asked the applicant what the market rate for these apartments will be and will any of them be at a low-income rate. Willie Douglas, 21008 Cumberland, Dr., Elkhorn, NE, stated all of these units will be market rate rentals and there will be no low-income rates.

MOTION was made by Jacobson, seconded by Hankins, to recommend APPROVAL of a request to rezone Lot 1, Gregg Road Subdivision, from AG to RG-20-PS for the purpose of multi-family residential development with site plan approval; preliminary plat Lot 1, Gregg Road Subdivision; and final plat Lot 1, Gregg Road Subdivision. Applicant: Gregg & 75, LLC. General location: 1920 Gregg Rd. Case #'s: Z-2304-10, S-2304-06, S-2304-07. APPROVAL based upon conformance with the Zoning Ordinance, Subdivision Regulations, Comprehensive Plan, 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 September 5, 2023.

PUBLIC HEARING was held on a request to rezone Lots 1 through 4, and Outlots A through E, Cardinal Commons Addition, being a replat of Lots 7 and 8, Old Orchard Place, from AG to RG-28-PS for the purpose of senior housing; and preliminary plat Lots 1 through 3, and Outlots A through D, Cardinal Commons Addition. Applicant: Excel Development Group. General location: S. 13th St. and Kasper St. Case #'s: Z-2305-11, S-2305-08, S-2306-10.

Aerni asked staff for updates. Palm stated the staff report noted a technical deficiency with regards to the drainage report. She said the deficiencies have been taken care of so that no longer applies to the request. She stated Mr. Menard and his team had TIF (Tax Increment Financing) approved by City Council on July 18th so the Commissioners are familiar with this project. She stated the request is for rezoning and a preliminary plat for the development of a senior housing community. Palm said the plan is for 31 duplexes (62 units) and the project will be constructed in two phases. She said staff feels this is a much-needed development and will help the city facilitate some of the goals of the recently approved Affordable Housing Action Plan. Palm stated staff is recommending approval of the request.

Connor Menard, 8551 Lexington Ave., Lincoln, NE, stated these duplexes will be two-bedroom, one bath, approximately 1,300 square foot units with single car garages for seniors 55 years and older. He stated there will also be a community building. Menard stated the development fits with the neighborhood with single-family on the west and apartments on the east side of the development.

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

Jacobson questioned staff if there was a sidewalk plan for residents in the area to access the Fort Crook Road mass transit plan as it evolves. Palm stated Kasper Street is a rural section with open ditches and not conducive to sidewalks at this point. She said the city has a plan to do an overlay of Kasper Street which will be a short-term solution. Palm stated with the final plat and subdivision agreement of the development the city will ask the developer to enter into an MOU (Memorandum of Understanding) knowing that Kasper Street will have to be improved at some point. She said Habitat for Humanity owns the property on the south side of Kasper Street and they have plans for a larger subdivision so there will be a need to improve Kasper Street to a city section, with full curb and gutters, and sidewalks. Palm stated that will take place sometime in the future. She said there was a traffic study done with the Habitat for Humanity development so the city understands the long-term implications of development along Kasper Street.

MOTION was made by Ackley, seconded by Perrin, to recommend APPROVAL of a request to rezone Lots 1 through 4, and Outlots A through E, Cardinal Commons Addition, being a replat of Lots 7 and 8, Old Orchard Place, from AG to RG-28-PS for the purpose of senior housing; and preliminary plat Lots 1 through 3, and Outlots A through D, Cardinal Commons Addition. Applicant: Excel Development Group. General location: S. 13th St. and Kasper St. Case #'s: Z-2305-11, S-2305-08, S-2306-10. APPROVAL based upon conformance with the Zoning Ordinance, Subdivision Regulations, Comprehensive Plan, and lack of perceived negative impact to the surrounding area. Upon roll call, all present voted yes. MOTION carried unanimously.

MINUTE RECORD

Bellevue Planning Commission Meeting, August 7, 2023, Page 3

This item will proceed to City Council for PUBLIC HEARING ON September 5, 2023.

PUBLIC HEARING was held on a request to approve the 2024-2029 Capital Improvement Plan. Applicant: City of Bellevue. Case #: 177.

Aerni asked staff for updates. Curry stated there were no updates, but she was aware of some questions the Commissioners had. She said the CIP is part of the city's budget, so the Finance Department has reviewed the plan and any adjustments have been made prior to tonight's meeting. Curry said there are some major projects listed on the CIP such as the library renovation, streetscape on Washington St. and Mission Ave., and park upgrades.

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

Ackley stated he was happy to see the \$750,000 economic development money being set aside for LB840. He questioned if page 5 of the CIP \$8,000,000 dollars in water main extension was along Highway 34. Palm stated that is to facilitate infrastructure along Highway 34 to the Platteview Road corridor. She said it has been a goal of the city to get development along that corridor so with the addition of this infrastructure the city feels strongly that development will soon follow. Palm stated there are some plans for development in that area. Ackley questioned the \$5,000,000 on page 5 listed as entertainment district. Palm stated the entertainment district is near Highway 34 and Platteview Road that is being planned for a water park. She said a conceptual design is in the works and to facilitate that the city is putting money in the budget to move forward with the design, grading, and the construction phase. Ackley stated the cover mentions the reconstruction on Hancock Street to Washington. He asked if that was in conformance with the Olde Towne overlay where there would be angled parking. Palm stated yes that is to facilitate the recommendation of the Mission Avenue streetscape design. Ackley asked if that was a concentrated area or would it cover all of Mission Avenue. Palm stated the first phase was just a concentrated three or four block area but eventually would be all of Mission Avenue.

Hankins questioned funds for the Haworth Park drainage ditch since Bellevue University would be leasing Haworth Park. Palm stated there will be an upcoming MOU on the City Council agenda, but the city is taking responsibility for a lot of that infrastructure work.

Jacobson questioned if the library renovations of \$3,200,000 are for the new location. Palm stated that it was for the new location.

Aerni questioned whether the \$4,500,000 for 36th Street on page 6 was for construction or design. Palm stated the design is complete and they are working on ROW (Right-Of-Way) acquisition so those funds would be for construction. Aerni asked if that would be for three lanes on 36th Street to Platteview Road. Palm stated that is correct. Aerni asked if the design and construction of 36th Street north of Highway 370 was approved on a previous CIP. Palm stated the design is mostly complete but the issue become what is the cost share between the city and the county so those numbers may change.

Ackley questioned if on page 5 the park items listed were included in the new Master Park Plan that was recently adopted. Palm stated most of the items listed do implement what was approved in the new Park Master Plan.

Jacobson asked if the library renovation included the off-site renovation for sidewalks. Palm stated the renovations were for interior and on-site work only.

Sims questioned on page 6 the purpose of the Hayworth and American Heros Park sanitary for \$1,400,000. Palm stated that is to facilitate the improvements for proposed soccer fields and associated structures.

MOTION was made by Jacobson, seconded by Sims, to recommend APPROVAL of a request to approve the 2024-2029 Capital Improvement Plan. Applicant: City of Bellevue. Case #: 177. APPROVAL of the 2024-2029 Capital Improvement Plan as presented. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to City Council for PUBLIC HEARING ON September 5, 2023.

MINUTE RECORD

Bellevue Planning Commission Meeting, August 7, 2023, Page 4

Meeting adjourned at 6:35 p.m.

Dianna Van Horn

Dianna Van Horn
Planning Secretary

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT # 1

CASE NUMBERS: S-2306-10

FOR HEARING OF:

REPORT #1: August 24, 2023

I. GENERAL INFORMATION

A. APPLICANT:

Excel Development Group
Attn: Connor Menard
8551 Lexington Avenue
Lincoln, NE 68505

B. PROPERTY OWNERS:

Muriel L Hagmann Trustee
Attn: Linda Lee
1012 Kasper Street
Bellevue, NE 68147

C. GENERAL LOCATION:

South 13th Street and Kasper Street

D. LEGAL DESCRIPTION:

Lots 1 through 6, and Outlots A through F, Cardinal Commons, being a replat of Lots 7 and 8, Old Orchard Place, located in the Southeast ¼ of Section 22, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Final plat Lots 1 through 6, and Outlots A through F, Cardinal Commons

F. EXISTING ZONING AND LAND USE:

AG/Single Family Residential

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a final plat to enable the construction of an affordable senior housing development.

H. SIZE OF SITE:

The site is approximately 11 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site was most recently developed with a single-family residence constructed in 1928, along with several outbuildings that have since been demolished. Currently, there is a telecommunications tower in the northwest corner of the development.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Single-Family Residential, RG-50
- 2. **East:** Multi-Family Residential and Industrial/RG-20-PS and ML
- 3. **South:** Single-Family Residential and Agricultural/RS-120 and AG
- 4. **West:** Single Family Residential, RS-72 and AG

C. RELEVANT CASE HISTORY:

- 1. On July 18, 2023, the City Council approved a redevelopment plan for Lots 7 and 8, Old Orchard Place, for the purpose of an affordable senior housing development.
- 2. On August 7, 2023, the Planning Commission recommended approval for a request to rezone Lots 1 through 4, and Outlots A through E, Cardinal Commons, being a replat of Lots 7 and 8, Old Orchard Place, located in the Southeast ¼ of Section 22, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RG-28-PS, for the purpose of an affordable senior housing development; and preliminary plat Lots 1 through 4, and Outlots A through E, Cardinal Commons.

D. APPLICABLE REGULATIONS:

- 1. Chapter 4, Subdivision Regulations, regarding Final Plats.
- 2. 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 MAPA traffic data information available for this area.
2. Access is proposed from private streets at two points: South 13th Street as well as Kasper Street.

D. UTILITIES:

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

E. ANALYSIS:

1. Connor Menard, on behalf of Excel Development Group, has submitted a request to final Lots 1 through 6, and Outlots A through F, Cardinal Commons Addition.

2. RG-28-PS zoning was requested for the development and will take effect upon filing of the final plat.

3. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Offutt Air Force Base, Sarpy County Planning Director, Sarpy County Public Works, 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.

Public Works Engineer Matt Knight requested technical revisions to the plat. All comments have since been satisfied by the applicant's engineer.

Sarpy County Public Works Surveyor Jeremy Bender had minor technical comments pertaining to the plat. The applicant's engineer has since made the necessary revisions.

No other comments were received on this case.

4. The final plat is in general conformance with the approved preliminary plat. Minor interior adjustments were made to the lot configuration to accommodate development phasing. This does not change the overall plat or development.

5. The developer owes \$9,520 in park development fees, which will need to be paid prior to the filing of the final plat.

6. The Subdivision Agreement is being reviewed by the City Attorney and will be presented at City Council with the final plat.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

Approval based upon conformance with the preliminary plat.

V. PLANNING COMMISSION RECOMMENDATION

Under Review.

VI. ATTACHMENTS TO REPORT

1. Vicinity map/Zoning Map
2. 2022 GIS aerial photo of the property
3. Final plat received August 14, 2023

VII. COPIES OF REPORT TO:

1. Excel Development Group
2. REGA Engineering
3. Cline Williams
4. Linda Lee
5. Public Upon Request

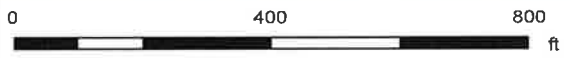

Assistant Planning Manager:


Planning Director


Date of Report



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



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



13th Street and Kasper Street



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



Map Scale 1: 4514

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Notes



RECEIVED
AUG 14 2023

CARDINAL COMMONS ADDITION

LOTS 1-6 INCLUSIVE & OUTLOTS "A"- "F" INCLUSIVE
A REPLAT OF LOTS 7 & 8, OLD ORCHARD PLACE
SE 1/4 OF SEC. 22, T.14N., R.13E. OF THE 6TH P.M., SАРY COUNTY, NEBRASKA

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA }
SАРY COUNTY }
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, duly commissioned, qualified for and residing in SАРY COUNTY, NEBRASKA, personally came BRUCE D. WILLIAMS, PRESIDENT OF EXCEL HOLDINGS, LLC, TO ME personally known to be the identical 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 SАРY COUNTY.

NOTARY PUBLIC
MY COMMISSION EXPIRES THE _____ DAY OF _____ 20____

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 ENCLOSED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER _____ DATE _____

REVIEW OF SАРY COUNTY ENGINEER/SURVEYOR
THIS PLAT OF CARDINAL COMMONS ADDITION WAS REVIEWED BY THE SАРY COUNTY ENGINEER/SURVEYOR'S OFFICE ON THE _____ DAY OF _____ 20____

SАРY COUNTY SURVEYOR/ENGINEER _____

APPROVAL OF THE PLANNING COMMISSION OF BELLEVUE, NEBRASKA

THIS FINAL PLAT OF CARDINAL COMMONS ADDITION WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION THIS _____ DAY OF _____ 20____

ACCEPTANCE OF THE BELLEVUE CITY COUNCIL
THE FINAL PLAT OF CARDINAL COMMONS ADDITION WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA ON THIS _____ DAY OF _____ 20____ IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

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

CHAIRPERSON, BELLEVUE PLANNING COMMISSION _____
MAYOR _____
CITY CLERK _____

MONUMENT SYMBOL LEGEND

- SET (3/4"x24" Bor w/ L5 3/4" Cap)
- FOUND CAPPED REBAR WITH 1-1/4" PLASTIC CAP STAMPED "LS 478"
- FOUND 1-1/2" PIPE
- FOUND 1" FINISHED PIPE

U/E UTILITY EASEMENT
(R) RECORD PER LAND SURVEYOR'S CERTIFICATE BY NEBRASKA REGISTERED LAND SURVEYOR #478 DATED 03/29/2007, LEGAL DESCRIPTION LEGAL AS PLATTED AND RECORDED IN SАРY COUNTY, NEBRASKA.
(P) RECORD PER OLD ORCHARD PLACE.
NOTE: BEARINGS ARE BASED ON THE NORTH LINE OF LOT 7, OLD ORCHARD PLACE.

REGA ENGINEERING GROUP, INC.
601 OLD CENEY RD
SUITE A
LINCOLN, NE 68512
402-484-7342 OFFICE

REGA ENGINEERING
601 OLD CENEY RD, SUITE A
LINCOLN, NEBRASKA 68512
402-484-7342

JOB NAME: CARDINAL COMMONS
LOCATION: BELLEVUE, NEBRASKA
DRAWN BY: RSH
SCALE: 1"=20'
DATE: 07/26/2023
JOB NUMBER: 221054
CHECKED BY: WILL
SHEET 1 OF 1



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., CITY OF BELLEVUE, SАРY COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AT THE NORTHWEST CORNER OF SAID LOT 7;
THENCE ON THE NORTH LINE OF SAID LOT 7, N87°06'31"E, 894.18 FEET TO THE NORTHEAST CORNER OF SAID LOT 7, ALL BEARINGS HEREON ARE RELATIVE HEREIN;
THENCE ON THE EAST LINE OF SAID LOTS 7 & 8, S80°20'54"E, 554.37 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8;
THENCE ON THE SOUTH LINE OF SAID LOT 8, S02°04'24"W, 889.30 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8;
THENCE ON THE WEST LINE OF SAID LOTS 7 & 8, N02°28'37"W, 539.44 FEET TO THE POINT OF BEGINNING;
CONTAINING A CALCULATED AREA OF 487,663 SQUARE FEET OR 11.20 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 POSITIONS CORRECTLY SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DATA IS CORRECT AND IN ACCORDANCE WITH THE LAND SURVEYORS REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY.

LEI L. LOTH, L.S. #314

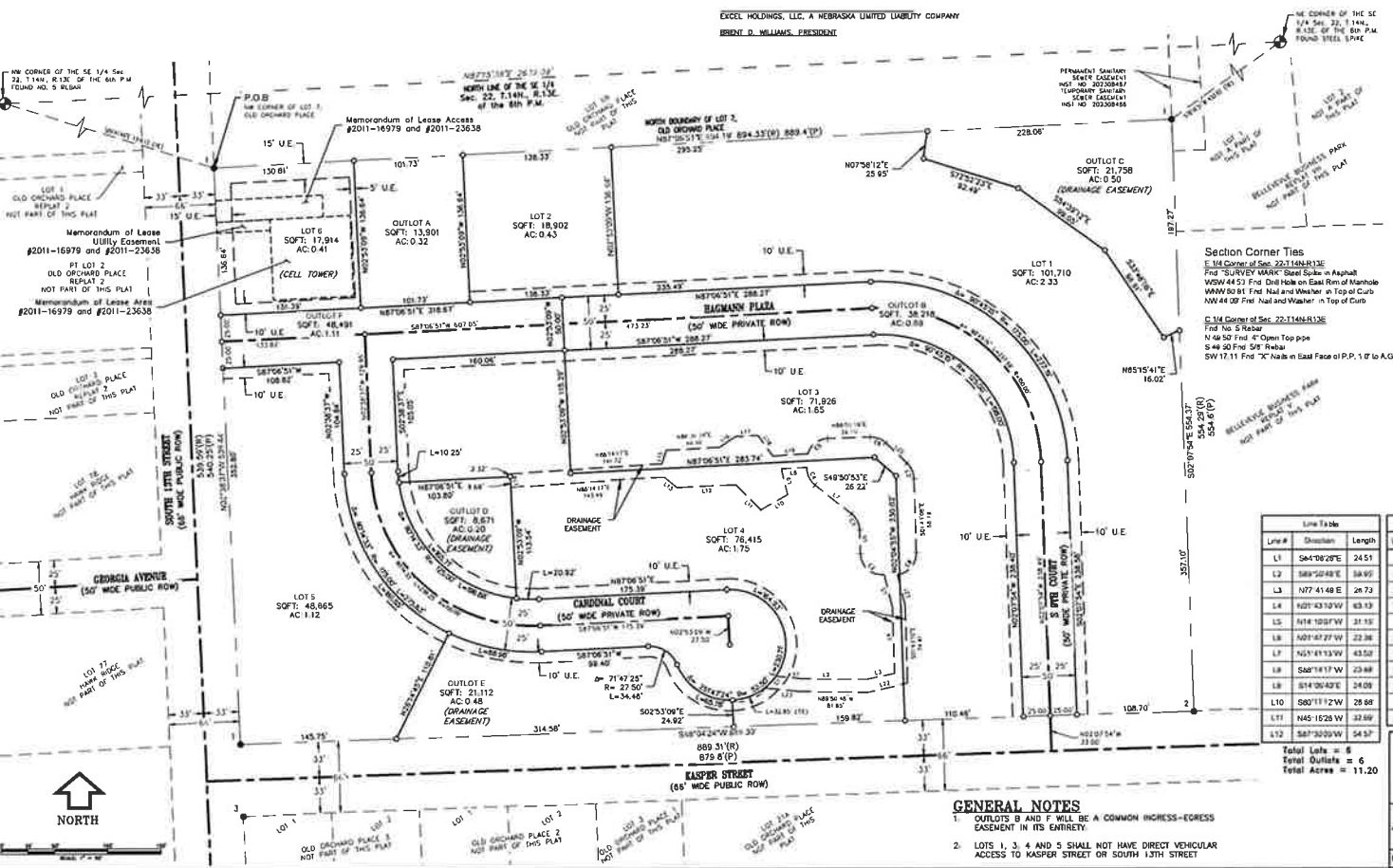
OWNERS CERTIFICATION:
WE THE UNDERSIGNED, EXCEL HOLDINGS, LLC, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OUT, PLATTED AND SUBMITTED, AND DO HEREBY LAY OUT AND SUBMIT, SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS CARDINAL COMMONS ADDITION, 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 HEREON.
LOCATION, USE AND WIDTH OF ALL REQUIRED EASEMENTS PERPETUAL EASEMENTS SHALL BE GRANTED TO OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURYLINK ACROSS THE EASEMENTS SHOWN HEREON. THE SUBDIVIDER SHALL GRANT PERPETUAL EASEMENTS TO METROPOLITAN UTILITIES DISTRICT AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR, AND RENEW PIPELINES, HYDRANTS, AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER, AND ACROSS A TEN (10) FOOT WIDE STRIP OF LAND ABUTTING ALL CULDECS-SAD STREETS, NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAY, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE FOREGOING OR RIGHTS HEREBY GRANTED.
CLEAR TITLE TO THE LAND CONTAINED IN THIS PLAT IS GUARANTEED. ANY ENCUMBRANCES OR SPECIAL ASSESSMENTS ARE EXPLAINED AS FOLLOWS:

EXCEL HOLDINGS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY
BRUCE D. WILLIAMS, PRESIDENT

Curve #	Bearing	Radius	Delta	Chord Direction	Chord Length
L1	13.11	52.50	16.29(2)	N43°01'13.8"E	15.60
C2	32.67	20.00	64.27(3)	N49°01'15"W	29.30
C3	17.42	20.00	49.23(4)	N26°44'20"W	18.41
C4	18.88	30.00	52.50(4)	N25°13'49"W	17.63
C5	24.78	20.00	70.55(4)	N52°33'25"E	23.21
C6	15.78	20.00	48.08(4)	S60°24'22"E	15.30
C7	15.79	20.00	45.06(2)	S34°18'26"E	15.30
C8	29.51	20.00	64.33(4)	S40°33'24"W	20.91

FOR REVIEW



GENERAL NOTES
1. OUTLOTS D AND F WILL BE A COMMON HIGHWAY-EGRESS EASEMENT IN ITS ENTIRETY.
2. LOTS 1, 3, 4 AND 5 SHALL NOT HAVE DIRECT VEHICULAR ACCESS TO KASPER STREET OR SOUTH 13TH STREET

Line Table

Line #	Bearing	Length
L1	S64°28'29"E	24.51
L2	S89°25'48"E	58.95
L3	N77°41'48"E	26.73
L4	N21°43'19"W	63.13
L5	N18°10'57"W	31.59
L6	N07°40'27"W	22.36
L7	N5°11'13"W	43.50
L8	S88°18'17"W	23.89
L9	S84°00'42"E	24.09
L10	S80°11'12"W	25.88
L11	N45°15'28"W	32.86
L12	S87°30'00"W	54.37

Total Lots = 6
Total Outlets = 6
Total Acres = 11.20

Line Table

Line #	Bearing	Length
L13	N60°25'18"W	19.20
L14	N62°33'00"W	12.00
L15	N19°35'00"E	12.87
L16	N54°18'21"E	11.13
L17	N88°31'29"E	21.33
L18	S33°55'39"E	23.60
L19	S88°18'17"E	23.51
L20	S45°49'42"E	27.57
L21	S14°10'07"E	29.33
L22	S77°41'49"W	28.01
L23	N48°03'20"W	24.21

2.b.

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT #1

CASE NUMBER: Z-2307-15

FOR HEARING OF:
REPORT #1: August 24, 2023

I. GENERAL INFORMATION

A. APPLICANTS:

David and Debora Rospierski
Attn: Debora Rospierski
610 Nob Hill Terrace
Bellevue, NE 68005

B. PROPERTY OWNER:

David and Debora Rospierski
610 Nob Hill Terrace
Bellevue, NE 68005

C. LOCATION:

610 Nob Hill Terrace

D. LEGAL DESCRIPTION:

Lot 144, Nob Hill, located in the Northwest $\frac{1}{4}$ of Section 23, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTION:

Rezone Lot 144, Nob Hill, from BG to RS-84.

F. EXISTING ZONING AND LAND USE:

BG, Single Family Residential

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval for a change of zone to bring a non-conforming use into conformance with the Zoning Ordinance.

H. SIZE OF SITE:

The site is approximately .23 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The property is presently developed with a single-family residence, which was constructed in 1972

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Single-Family Residential, BG
- 2. **East:** Single-Family Residential, RS-84
- 3. **South:** Single-Family Residential, RS-84
- 4. **West:** Commercial, BG

C. REVELANT CASE HISTORY:

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

D. APPLICABLE REGULATIONS:

- 1. Section 5.09, Zoning Ordinance, regarding RS-84 uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data available for this location.
2. Access is from a private driveway off Nob Hill Terrace.

D. UTILITIES:

All utilities are available to this location.

E. ANALYSIS:

1. Debora Rospierski, has submitted a request to rezone Lot 144, Nob Hill, from BG to RS-84.
2. The property is currently developed with a single-family residence. Sarpy County records indicate the home was constructed in 1972.
3. Based on its age, the present use of a single-family residence in a commercial zone is considered a legal nonconforming use. Single-family residential uses were allowed in BG zoning prior to the 2011 Zoning Ordinance update.

In the attached letter, the applicant explains if a nonconforming lot were damaged by 60% or more it could not be rebuilt. Therefore, it would be difficult to secure a bank loan for a nonconforming lot since banks would not want to take on such risk.

4. The requested RS-84 zoning is consistent with the zoning designation of the adjacent residential neighborhood to the east.

The property meets the RS-84 zoning requirements.

5. 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, 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.

6. This property is designated for commercial use in the Future Land Use Map of the Comprehensive Plan. Staff believes this was done in error based on its existing zoning. This lot is part of a long-established single family residential neighborhood. The designation will be corrected as part of our upcoming Comprehensive Plan update.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the zoning ordinance as well as lack of perceived negative impact to the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

Under Review

VI. ATTACHMENTS TO REPORT

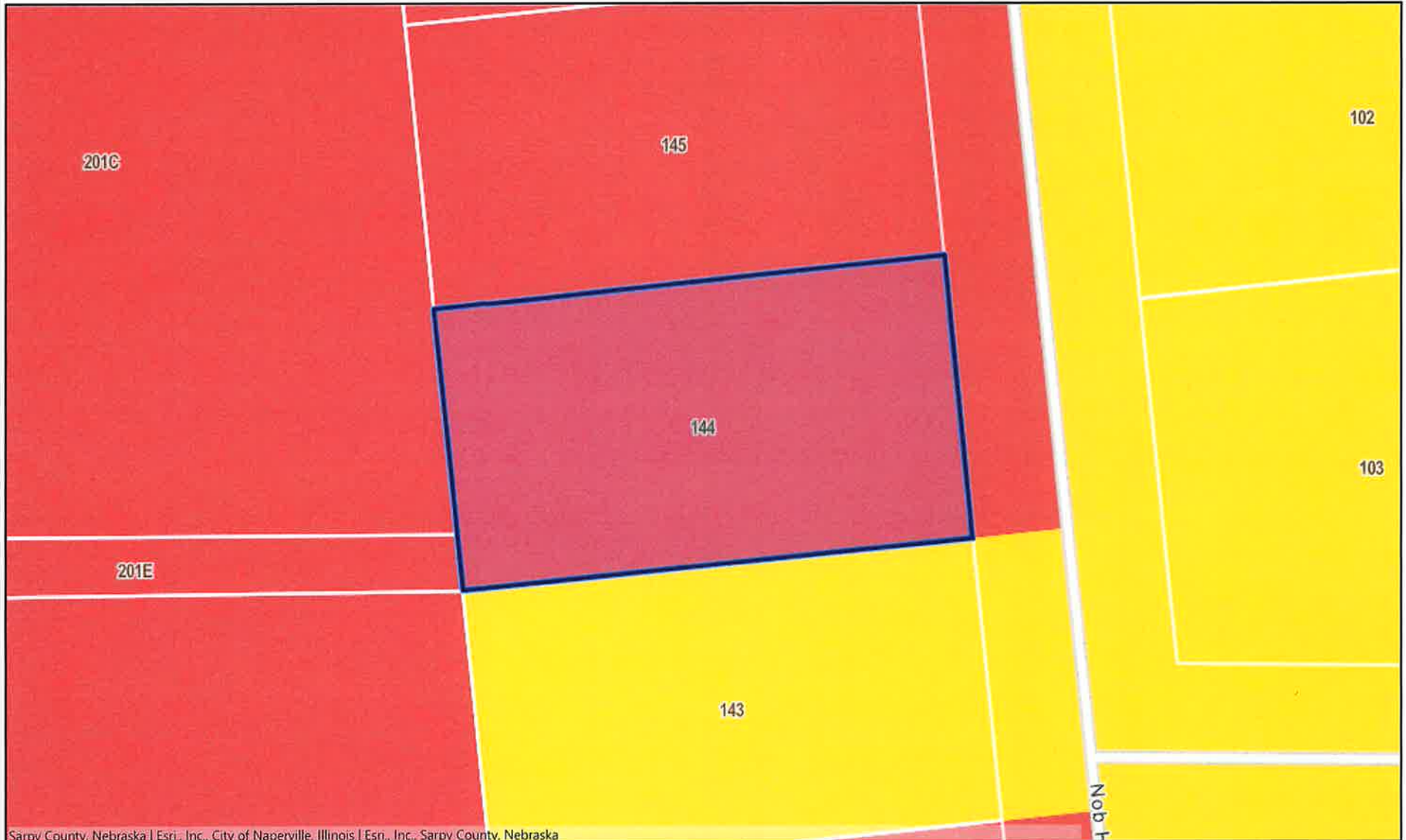
1. Vicinity Map/Zoning Map
2. 2022 GIS aerial photo of the property
3. Letter from the applicant received July 20, 2023

VII. COPIES OF REPORT TO:

1. Davie and Debora Rospierski
2. Pat Sullivan
3. Public Upon Request


Assistant Planning Manager


Planning Director 08/17/2023
Date of Report

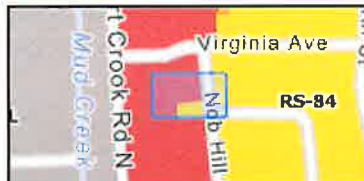


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Notes





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Notes



JUSTIFICATION OF THE ZONING CHANGE

Lot 144

The property was zoned BG General Business many years ago despite the fact that all of the properties west and adjacent to Nob Hill Terrace has been single-family, residential homes. The zoning of BG at the time allowed for single-family residential due to "pyramid" zoning application. In 2011, the City removed pyramid zoning from its code, literally causing 16 homes to be stripped of compliance and conformity with the zoning code, and became non-conforming lots. Non-conforming lots are subject to a lack of ability to secure lending due to the nonconforming use. The nonconforming use is subject to total removal of the structures if damaged by 60% or more. Banks do not want collateral with this risk. The 60% rules also creates an insurance risk so insurance coverage is more expensive. The City, despite being the one that created this problem, does not want to take it upon itself to resolve this unconscionable consequence. Accordingly, the applicant is justified in its request that it is zoned RS-84.

Rebecca Gasparski



We Influence The World!

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

Agenda Item 3.a.

To: Planning Commission
From: Tammi Palm, Planning Director
Date: August 17, 2023
Subject: Kennedy Town Center Replat 8

The applicant is requesting a continuance to the September 28, 2023, Planning Commission meeting for the purpose of addressing technical revisions. Staff is supportive of this request.

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

3.b.

RECOMMENDATION REPORT # 1

CASE NUMBERS: Z-2210-12

FOR HEARING OF:

REPORT #1:

August 24, 2023

I. GENERAL INFORMATION

A. APPLICANT:

Elevate Lofts, LLC
1910 South 44th Street
Omaha, NE 68105

B. PROPERTY OWNER:

Elevate Lofts, LLC
1910 South 44th Street
Omaha, NE 68105

C. GENERAL LOCATION:

400 West 19th Avenue

D. LEGAL DESCRIPTION:

Lot 1, College Apartments Addition, located in the Northeast ¼ of Section 36, T14N, R13E, of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

Request to rezone Lot 1, College Apartments Addition, from RG-8 to RG-8-PS, with site plan approval.

F. EXISTING ZONING AND LAND USE:

RG-8, Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a change of zone with site plan approval for the purpose of multi-family residential redevelopment.

H. SIZE OF SITE:

The site is approximately 4 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently vacant. The prior multi-family buildings were recently demolished.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Single-Family and Multi-Family Residential, RS-84 and RG-8
2. **East:** Multi-Family Residential, RG-8
3. **South:** Single-Family Residential, RS-72
4. **West:** Single-Family Residential, RS-72

C. RELEVANT CASE HISTORY:

1. On April 28, 2022, Stella Realty, LLC requested approval of a request for a redevelopment plan for Lot 1, College Apartments Addition, located in the Northeast ¼ of Section 36, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. The Planning Commission recommended approval of this request on April 28, 2022. City Council approved the aforementioned request on June 21, 2022.

D. APPLICABLE REGULATIONS:

1. Section 5.15, Zoning Ordinance, regarding RG-8 uses and requirements.
2. Section 5.17, Zoning Ordinance, regarding Planned Unit Development uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no MAPA traffic data available for this location.
2. Access is proposed from West 19th Avenue.

D. UTILITIES:

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

E. ANALYSIS:

1. Andy Panebianco, on behalf of Elevate Lofts, LLC, has submitted a request to rezone (with site plan approval) Lot 1, College Apartments Addition, for the purpose of multi-family residential redevelopment.
2. The proposal consists of 168 apartment units in four buildings. The buildings are a mix of studio, one- and two-bedroom units.
3. This area currently has RG-8 (General Residential-800 Square Foot) zoning. The intent of the RG-8 district is to permit very high-density development, multi-story apartment development, and other uses that are typical and compatible in the operation of apartment houses. The applicant is proposing RG-8-PS zoning.

Based on the size of the property, the current zoning would allow for 219 units.

The -PS overlay is typically utilized in multi-family development. The intent is to encourage the creative design of new living areas. Additionally, it allows for modifications in the platting of lots and the siting of buildings. With the -PS zoning overlay, site plan approval is required.

4. This property has been historically utilized as a multi-family residential development known as College Apartments. The three prior buildings were constructed in 1900 and were recently demolished.
5. The site plan shows 255 total parking stalls including interior/underground parking in each building and exterior surface stalls. Seven parking stalls are ADA-accessible.
6. The applicant has submitted a separate landscape plan. The required 30-foot bufferyard between the proposed development and the adjacent single-family residential neighborhood is shown. The applicant is showing additional plantings, from the minimum required, along the north and east boundaries adjacent to the parking lot. This is being done for the purpose of mitigating the impact to the existing single-family residential neighborhood.

The landscape plan exceeds the minimum required by ordinance.

7. The applicant will offer a fitness room and a lounge as amenities to its residents. The applicant has indicated a pool, outdoor grills, and a dog run may be future amenities. These items are not shown on the site plan.

8. Internal sidewalks are shown. Additionally, a sidewalk will run adjacent along West 19th Avenue and connect to existing sidewalks to the east.

9. 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, 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.

Sarpy County 911/GIS requested an amendment to the street name. The applicant's engineer has since done so.

Matt Knight, Public Works Engineer, had technical comments pertaining to the site plan, utility plan, and grading plan. The applicant's engineer has addressed Mr. Knight's concerns.

The proposed drainage plan was reviewed by the city's engineers as well as JEO, who was contracted by the city to assist in this review. Both parties had technical comments regarding the plan, which have since been addressed by the applicant's engineer.

No other comments were received on this case.

10. In regard to requesting the -PS overlay for the development, the applicant's engineer indicates the existing site is approximately 200' wide from east to west, with slopes ranging from 6% to 20%. It is approximately 800' long from north to south with 10% slopes along the right-of-way on the eastern boundary. As such, the existing topography creates a challenging site to develop. TD2 also refers to infrastructure needs and building layout as reasons for the -PS overlay. The overlay will allow for multiple buildings on one lot.

11. Per Section 8.12, 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.

12. The RG-8 zoning exists currently on the property. This would allow for a multi-family residential development under present zoning with the proper platting.

13. The Future Land Use Map of the Comprehensive Plan designates this property as multi-family residential. Subsequently, this request is in conformance with the Comprehensive Plan.

14. City Council approved Tax Increment Financing for this development on October 18, 2022. The proposed site plan is in conformity with the approved Redevelopment Plan for this property.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance, the Comprehensive Plan, the Lot 1, College Apartment Addition 2022 Redevelopment Plan, and the opportunity for infill development.

V. PLANNING COMMISSION RECOMMENDATION

Under Review.

VI. ATTACHMENTS TO REPORT

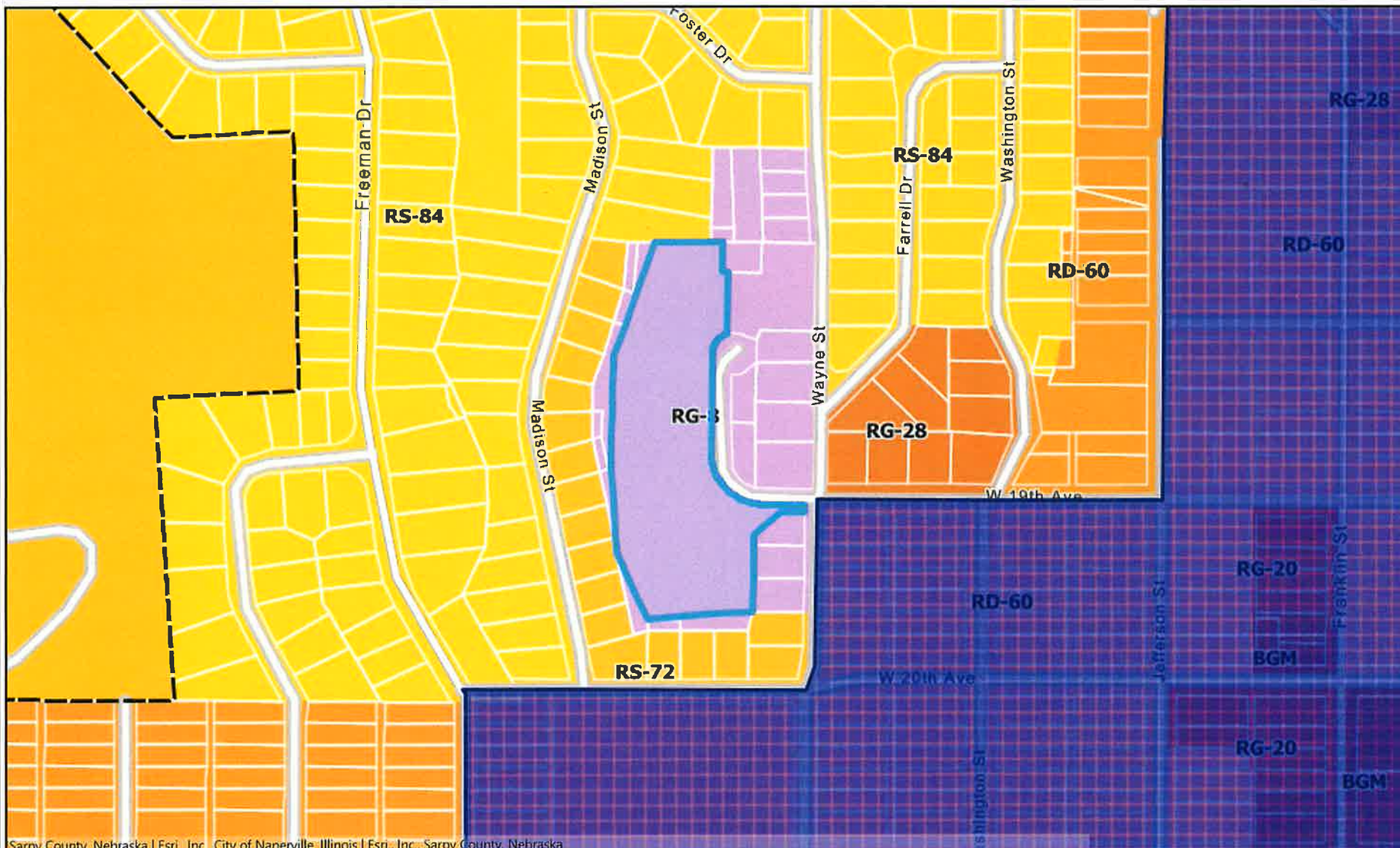
1. Zoning/Vicinity Map
2. 2022 GIS aerial photo of the property
3. Site plan received August 15, 2023
4. Landscape plan received August 11, 2023
5. Zoning justification letter received August 11, 2023

VII. COPIES OF REPORT TO:

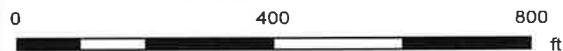
1. Elevate Lofts, LLC
2. Andrew Koster: Thompson, Dreessen & Dorner, Inc.
3. Public Upon Request


Assistant Planning Manager


Planning Director Date of Report



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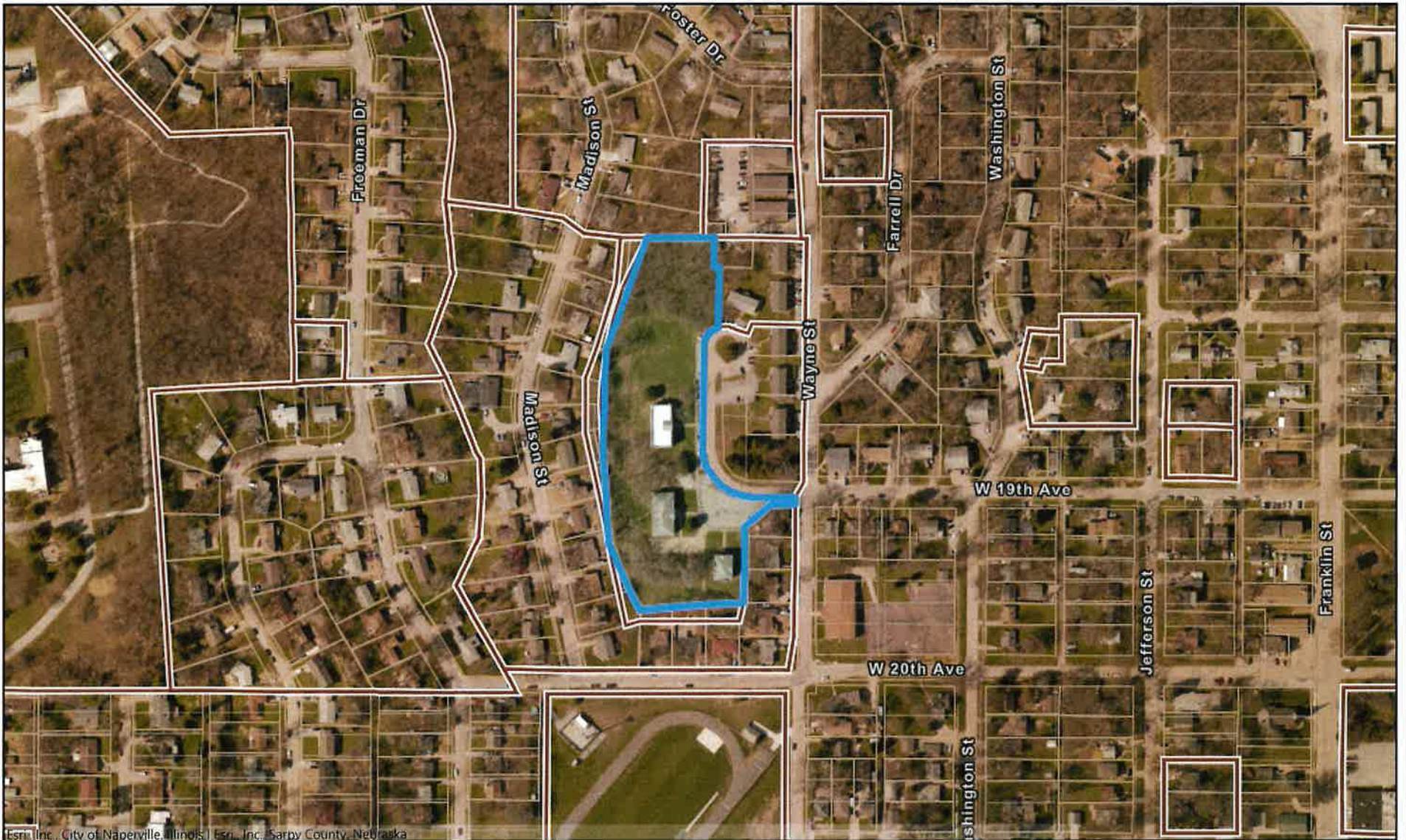
Map Scale 1: 4514

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Notes





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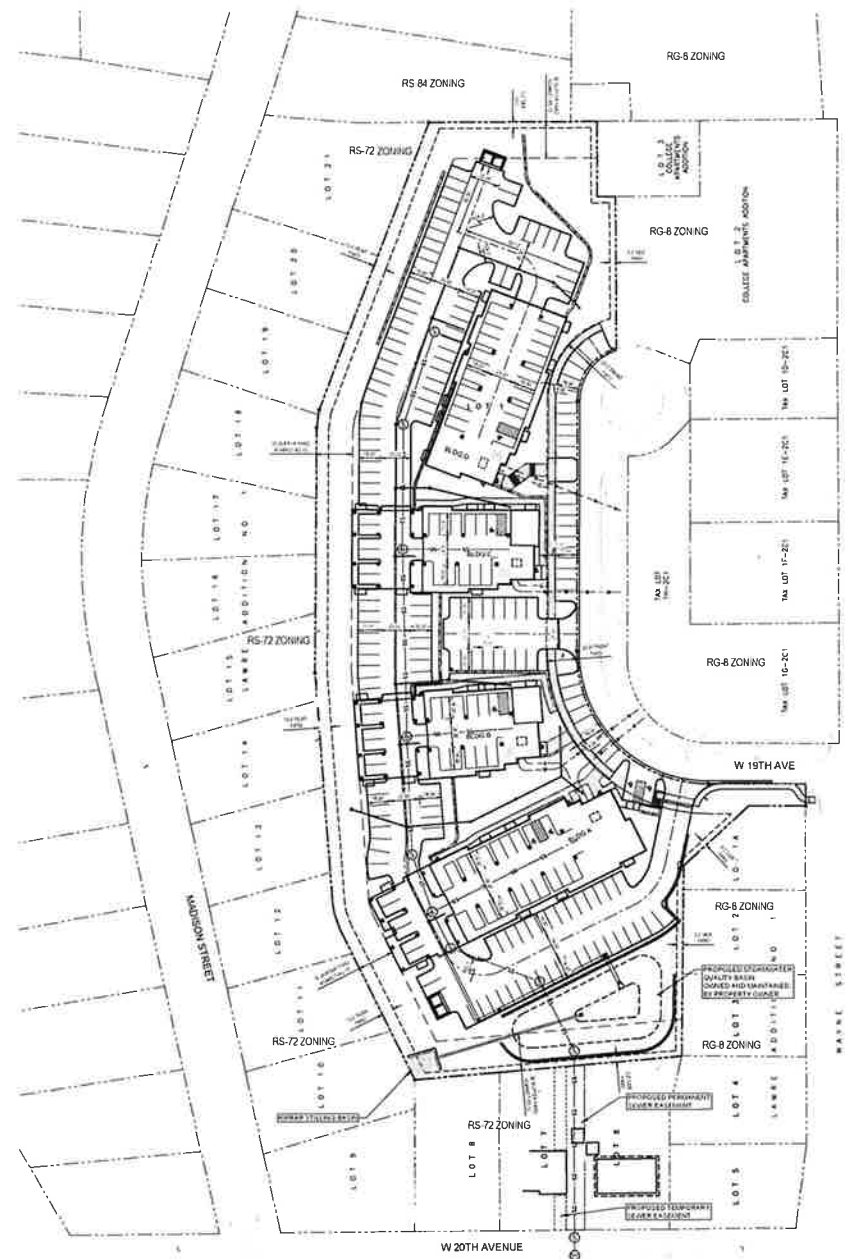
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Notes



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VICINITY MAP

WAIVER REQUESTS

REQUEST FOR WAIVER OF THE FOLLOWING ZONING CODE REQUIREMENTS:

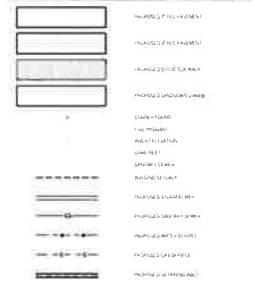
LEGAL DESCRIPTION

LOT 11-17, ADDITION NO. 1, W 19TH AVE, BELLEVUE, NE

SITE NOTES

1. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF BELLEVUE AND THE NEBRASKA DEPARTMENT OF REVENUE.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF BELLEVUE AND THE NEBRASKA DEPARTMENT OF REVENUE.
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20. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF BELLEVUE AND THE NEBRASKA DEPARTMENT OF REVENUE.

LEGEND



SITE STATISTICS

ITEM	REQUIREMENT	PROVIDED
SITE AREA	182,545 SF	
PROPOSED USE	MULTI-FAMILY RESIDENTIAL	APARTMENTS
PROPOSED UNIT COUNT	158 UNITS	
CURRENT ZONING	RS-8	
PROPOSED ZONING	RG-8(P)	
ZONING CRITERIA	REQUIREMENT	PROVIDED
PARKING CRITERIA	2 PARKING STALLS PER DWELLING UNIT	1.5 PARKING STALLS PER DWELLING UNIT
PARKING STALLS	316 PARKING STALLS	238 PARKING STALLS
ADA PARKING STALLS	7 ADA STALLS	7 ADA STALLS
SITE AREA	855 SF PER UNIT (50% MAX)	1,064 SF PER UNIT
FRONT YARD	25 FT	25 FT
STREET SIDE YARD	5 FT	N/A
SIDE YARD	3 FT	3 FT
REAR YARD	10 FT	10 FT
HEIGHT	NONE	N/A
APPROXIMATE COVERAGE	8% MAX	8%

Elevate Lofts of Bellevue
 Bellevue, Nebraska

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Date: July 20, 2023
 Project Number: 12-004
 Revisions:

No.	Description	Date



thompson, dressen & dörner, inc.
 10830 Old Mill Rd Omaha, NE 68154
 402.330.8860 www.td2co.com

OVERALL SITE PLAN

August 11, 2023

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

Re: Elevate Lofts
400 W 19th Ave, Bellevue, NE 68005
TD2 File No. 869-419.1

Ms. Palm:

This letter is regarding the site plan application for Elevate Lofts located at 400 W 19th Ave, Bellevue, NE 68005. The existing zoning for the property is RG-8, and the proposed zoning is RG-8-PS.

The existing topography on site creates a challenging situation. The site is about 200 feet wide from east to west with slopes ranging from 6% to 20%. It is about 800 feet long from north to south with 10% slopes along the right-of-way on the eastern boundary.

The site is not directly served by storm sewer or sanitary sewer and will require constructing sewer service between existing homes.

The Planned Subdivision District will allow for the construction of multiple apartment buildings, which is necessary to overcome the additional development burdens that this site presents. The proposed apartment buildings have been arranged to maintain the historical drainage patterns which still provide a feasible design for development.

If there are any questions, please call.

Sincerely,

THOMPSON, DREESSEN & DORNER, INC.



Andrew A. Koster, P.E.

AAK/anr

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AUG 11 2023
PLANNING DEPT.