

## **BELLEVUE PLANNING COMMISSION**

Thursday, December 21, 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 November 16, 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, Perez Addition Replat One, being a replat of Lot 3, Perez Addition, from RE to RE-PS, with site plan approval, for the purpose of single-family residential development; small subdivision plat Lots 1 and 2, Perez Addition Replat One; and waiver of Section 6-4, Subdivision Regulations. Applicant: Jon Carrell for TD2. General location: 10715 Old 36th Street. Case #'s: Z-2311-19, S-2311-16.

b. Request for a conditional use permit for Tax Lots 1 and 2A and Part of Tax Lot 2, East of the Railroad and Abandoned Railroad, all located in Section 14, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, for the purpose of a rendering facility expansion. Applicant: Darling Ingredients Inc. General location: 14401 S 5th Street. Case #: CUP-2311-04. Applicant **withdrew application**

### 4. CURRENT BUSINESS

a. Approval of the 2024 Uniform Review Schedule

### 5. ADJOURNMENT

# MINUTE RECORD

Bellevue Planning Commission Meeting, November 16, 2023, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, November 16, 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 Sarpy County Times 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 Taylor-Jones, seconded by Ackley, to approve the minutes of the October 26, 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 Ackley, 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.

The following item was on the Consent Agenda:

2.a. Request to rezone Lots 1 and 2, The Shadows Replat II, being a replat of Lots 54, 55, Part of Lot 159, Fontenelle Hills II and Lots 12B and 13, The Shadows, from RS-120 and RS-120-PS to RS-120 and RS-120-PS, for the purpose of existing single-family residential; and small subdivision plat Lots 1 and 2, The Shadows Replat II. Applicant: Amanda Iwansky. General location: 215 Bellevue Blvd. S. Case #'s: Z-2310-18, S-2310-15.

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

Motion was made by Jacobson, seconded by Sims, to Approve the Consent Agenda item as presented. Upon roll call, all present voted yes. Motion carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 19, 2023.**

Aerni explained the public hearing procedures.

PUBLIC HEARING was held on a request to approve the Redevelopment Plan for Lots 1B1B, 1B2A2 & 1B2B1, Twin Ridge II. Applicant: Bapaji Maharaj, LLC. General location: 1110 Ft. Crook Rd. S. Case #: ECD-62

Aerni asked staff for updates. Curry stated there were no updates but gave a brief overview of the application. She said the property was previously designated as blighted and substandard by the City Council in August 2010. Curry stated the Redevelopment Plan is the next step in this process. She stated the site is located southwest of the intersection of Fort Crook Road and Lloyd Street. Curry said the site has an existing 40,549 square foot two-story motel built in 1973. She said the applicant is proposing to rehab the hotel into a modern extended stay hotel. Curry stated the Planning Department is recommending approval of the Redevelopment Plan based on conformance with the Comprehensive Plan, State Statutes, and the elimination of a blighted and substandard area.

Andrew Willis, 233 S. 13<sup>th</sup> St., Lincoln, NE, was present on behalf of the applicant. He stated the proposed Redevelopment Plan project will transform the 1973 motel and turn it from a standard motel into an extended stay facility. Willis said one of the biggest changes will be kitchenettes in each room. He said this is approximately a four-million-dollar project taking the existing motel and rehabbing it making it look very nice on the exterior and interior. Willis stated there will be a laundry mat added that will be available to the extended stay residents as well as the public. He said the TIF (Tax Increment Financing) request is for \$350,000 dollars based on the proposed incremental value.

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

Hankins requested clarification as to the amount of the TIF. Discussion ensued regarding the TIF

# MINUTE RECORD

Bellevue Planning Commission Meeting, November 16, 2023, Page 2

request and improvement costs.

Ackley asked the applicant how the increment was created with just adding a kitchenette to each room and the laundry mat. Willis stated with 96 rooms, the increment is approximately \$40,000 dollars per key. He said based on the room renovations and the exterior renovation, the \$40,000 is reasonable for this type of hotel.

Aerni discussed the proposed 8% interest rate and stated recent approved plans have not had a rate that high. Willis stated the reason for the 8% is the same reason loans on mortgages are 7.5%. He said the rising interest in general will justify the higher TIF rates. Aerni asked staff if the Finance Director approved the 8%. Palm stated the Finance Director was okay with the proposed 8% rate. Discussion ensued regarding principal and interest.

MOTION was made by Ackley, seconded by Hankins to recommend APPROVAL of a request to approve the Redevelopment Plan for Lots 1B1B, 1B2A2 & 1B2B1, Twin Ridge II. Applicant: Bapaji Maharaj, LLC. General location: 1110 Ft. Crook Rd. S. Case #: ECD-62. APPROVAL based upon conformance with the Comprehensive Plan, elimination of a blighted and substandard area, and conformance with the requirements of the State Statutes. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 19, 2023.**

PUBLIC HEARING was held on a request for a conditional use permit for Lot 1, Coastal Mart Addition, for the purpose of automobile sales. Applicant: Del Auto Sales, LLC. General location: 2605 W Chandler Rd. Case #: CUP-2308-03.

Aerni asked staff for updates. Palm stated there were no updates but gave a brief overview of the request. She stated the property is located at 26<sup>th</sup> Street and West Chandler Road and has an existing gas station/convenience store which has been vacant for a number of years. She said the property is currently zoned BG (General Business) which allows for a CUP (Conditional Use Permit) under that zoning district for automobile sales. Palm stated the applicant has submitted a site plan which conforms to the city's zoning regulations. She said the Public Works Department and the Fire Department have reviewed it and approve of the proposed layout. Palm stated staff is recommending approval of this request.

Paul Kimmons, 1808 N 87<sup>th</sup> St., Omaha, NE, stated he was the architect on the project. He stated this site is a good location and with the improvements being made it will be a plus to the community.

Diego Barraza, 2605 W. Chandler Rd, Bellevue, NE, stated this is a good location for his first car lot.

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

MOTION was made by Jacobson, seconded by Sims to recommend APPROVAL of a request for a conditional use permit for Lot 1, Coastal Mart Addition, for the purpose of automobile sales. Applicant: Del Auto Sales, LLC. General location: 2605 W Chandler Rd. Case #: CUP-2308-03. APPROVAL based upon compliance with the requirements of the Zoning Ordinance 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 December 19, 2023.**

PUBLIC HEARING was held on a request to annex Tax Lot 18, located in Section 23, T13N, R13E, of the 6th P.M., Sarpy County NE, and all abutting rights-of-way. Applicant: City of Bellevue.

Aerni asked staff for updates. Palm stated there were no updates but gave a brief overview of the request. She stated the annexation package has been broken into four proposed areas. Palm said for the public who are present and want to testify a map will be shown for each of the four areas. Palm stated annexation is naturally the next step for a city's growth and development. She said over the last three or four years the city has annexed various sections to the north and east of these annexation packages. Palm said some of the changes with annexation will include services such as garbage, Public Works, and City of Bellevue Police Department. Palm stated previously any areas with AG (Agricultural District) zoning that were annexed would lose their greenbelt status with Sarpy County but because of a recent change in State Statutes this is no longer the case. She said the city's levy is different than the county's levy but, in these areas, there is an Eastern Sarpy Fire General and an

# MINUTE RECORD

Bellevue Planning Commission Meeting, November 16, 2023, Page 3

Eastern Sarpy Fire Bond levy that will be removed and will lessen the change in levy. Palm stated the city sees this area as having potential economic development if the landowners choose to sell any of their properties. She said one item the city is wanting to move forward on is an application for a Good Life Tax District, which requires the property in the city limits.

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

Ackley stated in the past he was opposed to annexing ag land. He said in 2021 there were legal cases involving Gretna and Bellevue to distinguish rural and suburban designations. Ackley stated in 2021 based on both of those cases the Supreme Court changed the law making it okay to annex ag land if it is not deemed rural in nature but instead is deemed suburban. He said because of that the legislature in 2023 passed statutes to say if agricultural land is annexed and is still used for agricultural purposes the owner can apply for greenbelt which assesses the land at 75% of its value. Ackley stated so for those owners who are concerned about the tax impact, they can still qualify for the ag greenbelt valuation, but they must apply for it.

MOTION was made by Ackley, seconded by Jacobson to recommend APPROVAL of a request to annex Tax Lot 18, located in Section 23, T13N, R13E, of the 6th P.M., Sarpy County, NE, and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 19, 2023.**

PUBLIC HEARING was held on a request to annex Tax Lot 24, located in Section 22, T13N, R13E, of the 6th P.M., Sarpy County NE, and all abutting rights-of-way. Applicant: City of Bellevue.

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

MOTION was made by Ackley, seconded by Taylor-Jones, to recommend APPROVAL of a request to annex Tax Lot 24, located in Sect. 22, T13N, R13E, of the 6th P.M., Sarpy Co. NE, and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 19, 2023.**

PUBLIC HEARING was held on a request to annex Tax Lot 21, Tax Lot 20, Tax Lot 19A2, Tax Lots 13 & 14B, Tax Lot 19A1B, Tax Lot 19A1A1A, Tax Lot 22, Lot 1, Hike Addition, Tax Lot 10, all located in Section 22, T13N, R13E, of the 6th P.M., Sarpy County, NE, and all abutting rights-of-way. Applicant: City of Bellevue.

Donald Evans, 1709 Platteview Rd., Bellevue, NE, inquired who determines the zoning when the property is annexed. Palm stated the zoning does not change with this application. Evans stated he has heard there are plans to develop a water park or casino in this area. He stated he has been approached by the Mayor and City Administrator to sell his property. Palm stated the request for annexation does not have anything to do with the sale of land. Evans asked if the mayor requested the annexation. Palm stated the City Administration has requested this annexation to be moved forward. Evans stated the mayor has told him this area will become part of the City of Bellevue for development. Palm stated this application does not have anything to do with the sale or development of the property. She said that would be a different process. Discussion ensued regarding who to contact regarding the development plans for this area. Evans inquired if he could be forced to sell once it is annexed. Palm stated this annexation has nothing to do with the sale, rezoning, replatting or development of these properties.

David Schroeder, 1811 Platteview Rd., Bellevue, NE, inquired what happens if they do not want the services provided by this annexation. Palm stated the city will not force anyone to hook up to water and sewer if they do not want to. She said if the property is replatted then Subdivision Regulations would require those hook ups if they were available within 1,000 feet. Discussion ensued regarding the replatting of these properties. Schroeder stated for the record he is not happy with this annexation. He said he believes this annexation is leading to the casino and horse track that the mayor wants to bring to Bellevue. Schroeder stated Bellevue does not need a casino and horse track and all the bad things it brings with it.

# MINUTE RECORD

Bellevue Planning Commission Meeting, November 16, 2023, Page 4

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

MOTION was made by Jacobson, seconded by Ackley to recommend APPROVAL of a request to annex Tax Lot 21, Tax Lot 20, Tax Lot 19A2, Tax Lots 13 & 14B, Tax Lot 19A1B, Tax Lot 19A1A1A, Tax Lot 22, Lot 1, Hike Addition, Tax Lot 10, all located in Section 22, T13N, R13E, of the 6th P.M., Sarpy County, NE, and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 19, 2023.**

PUBLIC HEARING was held on a request to annex the Southeast ¼ (Parcel ID 010613005), Lot 1, Prairie View Acres, all Tax Lots 2B East Part Tax Lot 2C & 3, all located in Section 15, T13N, R13E, of the 6th P.M., Sarpy County, NE, and all abutting rights-of-way. Applicant: City of Bellevue.

Paul Hartman, 14814 S. 10<sup>th</sup> St., Bellevue, NE, inquired what services he would receive with this annexation. He said he has concerns regarding the snow removal which at this time is being done by Sarpy County and they do a great job. Palm stated the city would assume responsibility for any public right-of-way. She said the city may contract with the county so the county could potentially still be handling the snow removal this season. She said the city has a very good Public Works Department and believes he will receive that same quality of service from Bellevue.

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

Ackley stated with the annexation package the city must contemplate how many new road miles they will be picking up. He stated with this package they are picking up 13.25 lane miles for maintenance and based on that they will budget for one additional personnel, and one single axle plow to take care of the additional areas.

MOTION was made by Ackley, seconded by Taylor-Jones to recommend APPROVAL of a request to annex the Southeast ¼ (Parcel ID 010613005), Lot 1, Prairie View Acres, all Tax Lots 2B East Part Tax Lot 2C & 3, all located in Section 15, T13N, R13E, of the 6th P.M., Sarpy County, NE, and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 19, 2023.**

Meeting adjourned at 6:46 p.m.



Dianna Van Horn  
Planning Secretary

**CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** Z-2311-19  
S-2311-16

**FOR HEARING OF:**  
**REPORT #1:** December 21, 2023

**I. GENERAL INFORMATION**

**A. APPLICANT:**

TD2 Engineering and Surveying  
Attn: Jon Carrell  
10836 Old Mill Road  
Omaha, NE 68154

**B. PROPERTY OWNER:**

Michael Perez  
10715 Old 36<sup>th</sup> Street  
Bellevue, NE 68123

**C. GENERAL LOCATION:**

10715 Old 36<sup>th</sup> Street

**D. LEGAL DESCRIPTION:**

Lots 1 and 2, Perez Addition Replat One, being a replat of part of Lot 3, Perez Addition, located in the Northwest ¼ of Section 28, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

**E. REQUESTED ACTIONS:**

1. Rezone Lots 1 and 2, Perez Addition Replat One from RE to RE-PS.
2. Small Subdivision Plat Lots 1 and 2, Perez Addition Replat One.
3. Waiver of Section 6-4, Subdivision Regulations.

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

RE/Single-Family Residential

**G. PURPOSE OF REQUEST:**

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

**H. SIZE OF SITE:**

The site is approximately 10 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is presently being used as single-family residential and is developed with a single family residence constructed in 2015.

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

1. **North:** Agricultural/Multi-Family Residential, AG and RG-20
2. **East:** Agricultural/Single Family Residential, RE
3. **South:** Single Family Residential/RE
4. **West:** Agricultural, AG

**C. REVELANT CASE HISTORY:**

On September 22, 2005, the Planning Commission recommended denial of the request to rezone Lots 1 through 4, inclusive, Perez Addition, being a platting of Tax Lots 23 and 24, located in the West ½ of Section 28, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska from AG to RE for the purpose of single-family residential development; and small subdivision plat Lots 1 through 4, Perez Addition. The City Council approved the aforementioned request on October 24, 2005.

**D. APPLICABLE REGULATIONS:**

1. Chapter 5, Subdivision Regulations, regarding Small Subdivision Plats.
2. Section 5.07, Zoning Ordinance, regarding RE uses and requirements.
3. Section 5.17, Zoning Ordinance, regarding -PS Planned Subdivision District.

4. Section 5.29, Zoning Ordinance, regarding Air Installation Compatible Use Zone; Clear Zone, Accident Potential Zones I and II, Noise Zones, and Height and Obstruction Criteria.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

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

**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 a private easement obtained from the property owners of Lot 4, Perez Addition.

**D. UTILITIES:**

This area is not served by sanitary sewer.

**E. ANALYSIS:**

1. Jon Carrell, on behalf of TD2 Engineering and Surveying, is requesting approval of a rezoning and small subdivision plat for Lots 1 and 2, Perez Addition Replat One, for the purpose of single family residential development.
2. This area is comprised of acreages and low density residential, primarily due to its location in the Air Installation Compatible Use Zone (AICUZ) of Offutt Air Force Base. The AICUZ overlay regulates and restricts development within the zone as a safety measure. Additionally, there is floodplain and floodway in this vicinity.
3. The property is presently zoned RE. The applicant is requesting a -PS overlay at staff's request. The purpose being so development can be controlled through the public hearing process. Staff recommended the -PS overlay due to the property's location within the AICUZ zone.

All traditional setbacks of the RE zoning district will remain in place.

4. The proposed site plan shows the boundary of the Accident Potential Zone II (APZ II zone) within the AICUZ. The property owner's proposed residence will lie outside the APZ II zone. The home will be within the noise contour. Preliminary reviews were done with Offutt AFB. They had no issues with the proposed platting as long as the home remains outside of the APZ II zone. The applicant has shown the proposed building envelope outside of this area on the site plan.

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, Sarpy County Planning, Sarpy County Public Works Department, Sarpy County Deputy Administrator, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Krista Hoffart, Offutt AFB, stated "Applicant has worked with Offutt AFB to ensure that their project remains out of the Accident Potential Zone. No additional comments."

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

6. In addition to the replatting and rezoning, the applicant is requesting a waiver of Section 6-4, Subdivision Regulations, pertaining to minimum design standards for access. Since the access easement serves more than one property, it is required to be designed to the city's minimum standards for a private or public street. The applicant is proposing a gravel access/drive to his residence which will come off an existing gravel access. Staff has no objection to this waiver based on existing conditions, as well as the fact this is an area where development is extremely limited due to the AICUZ overlay.

7. The Future Land Use Map of the Comprehensive Plan shows this area as being residential estates. The request is in conformance with the Comprehensive Plan.

#### **F. TECHNICAL DEFICIENCIES:**

1. The applicant needs to provide written verification from Omaha Public Power District he can use a portion of their easement for access. (Applicant states he has received verbal approval.)

2. Easement document from the owners of Lot 4, Perez Addition, needs to be updated to have the signatures of all the property owners listed with Sarpy County.

**IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, and lack of perceived negative impact upon the surrounding area. APPROVAL also based on Offutt Air Force Base's review; contingent upon completion of the technical deficiencies prior to being placed on a city council agenda.

**V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

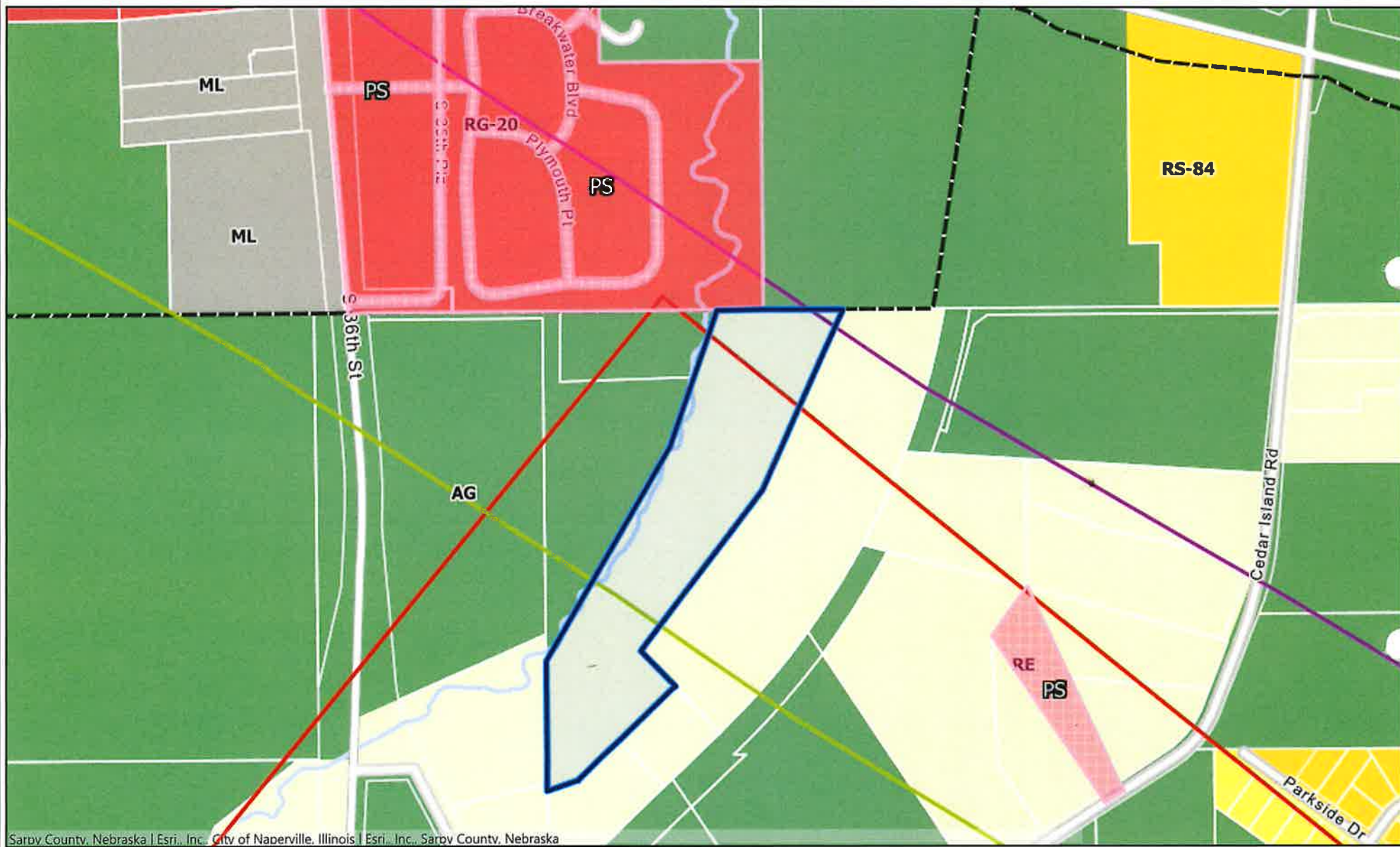
1. Vicinity map/Zoning Map.
2. 2022 GIS aerial photo of the property.
3. Zoning justification letter received November 8, 2023.
4. Written waiver request received November 16, 2023.
5. Small subdivision plat received December 11, 2023.
6. Site plan received December 13, 2023.

**VII. COPIES OF REPORT TO:**

1. Jon Carrell, TD2
2. Michael Perez, c/o Jonathan Revis
3. Public Upon Request

  
Assistant Planning Manager

 12/14/23  
Planning Director Date of Report



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



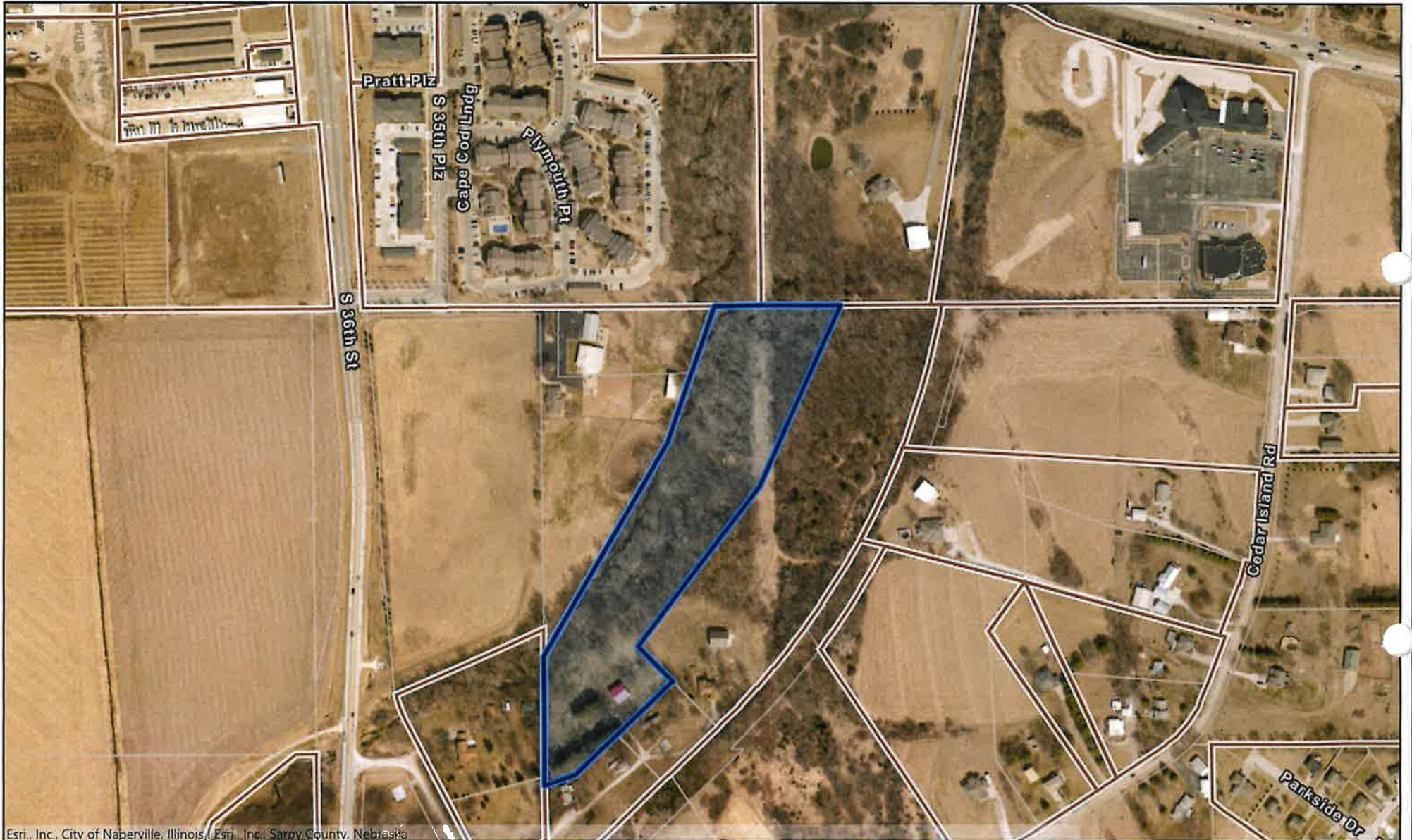
Map Scale 1: 6370

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Notes





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



Map Scale 1: 6370

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



Notes



Email Transmitted to: [tammi.palm@bellevue.net](mailto:tammi.palm@bellevue.net)

November 8, 2023

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

**RE: Letter of Justification**  
10707 Old 36<sup>th</sup> Street  
Bellevue, NE 68123  
Lot 3, Perez Addition  
Sarpy County, NE

Ms. Palm,

We have been requested to replat Lot 3, Perez Addition into 2 (two) separate residential lots. The south lot already has a residence in place and the north lot is for the proposed construction of a new residence. We will be calling the new plat, Perez Addition Replat One.

Respectfully submitted by:  
Thompson, Dreesen & Dorner, Inc.



Jon L. Carrell, L.S.

RECEIVED  
NOV 08 2023  
PLANNING DEPT.

**RECEIVED**

**NOV 16 2023**

**PLANNING DEPT.**

Email Transmitted to: [tammi.palm@bellevue.net](mailto:tammi.palm@bellevue.net)

November 16, 2023

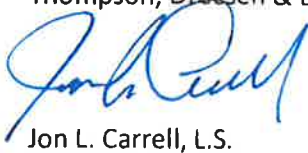
Ms. Tammi Palm  
Planning Director  
City of Bellevue  
1510 Wall Street  
Bellevue, NE 68005

RE: Wavier Request  
10707 Old 36<sup>th</sup> Street  
Bellevue, NE 68123  
Lot3, Perez Addition  
Sarpy County, NE

Ms. Palm,

We are requesting a requesting a wavier of Section 6-4 of the Subdivision Regulations, to allow for the unimproved easement serving more than one property. Such as, shown on the proposed plat of Perez Addition Replat One.

Respectfully submitted by:  
Thompson, Dreessen & Dorner, Inc.



Jon L. Carrell, L.S.

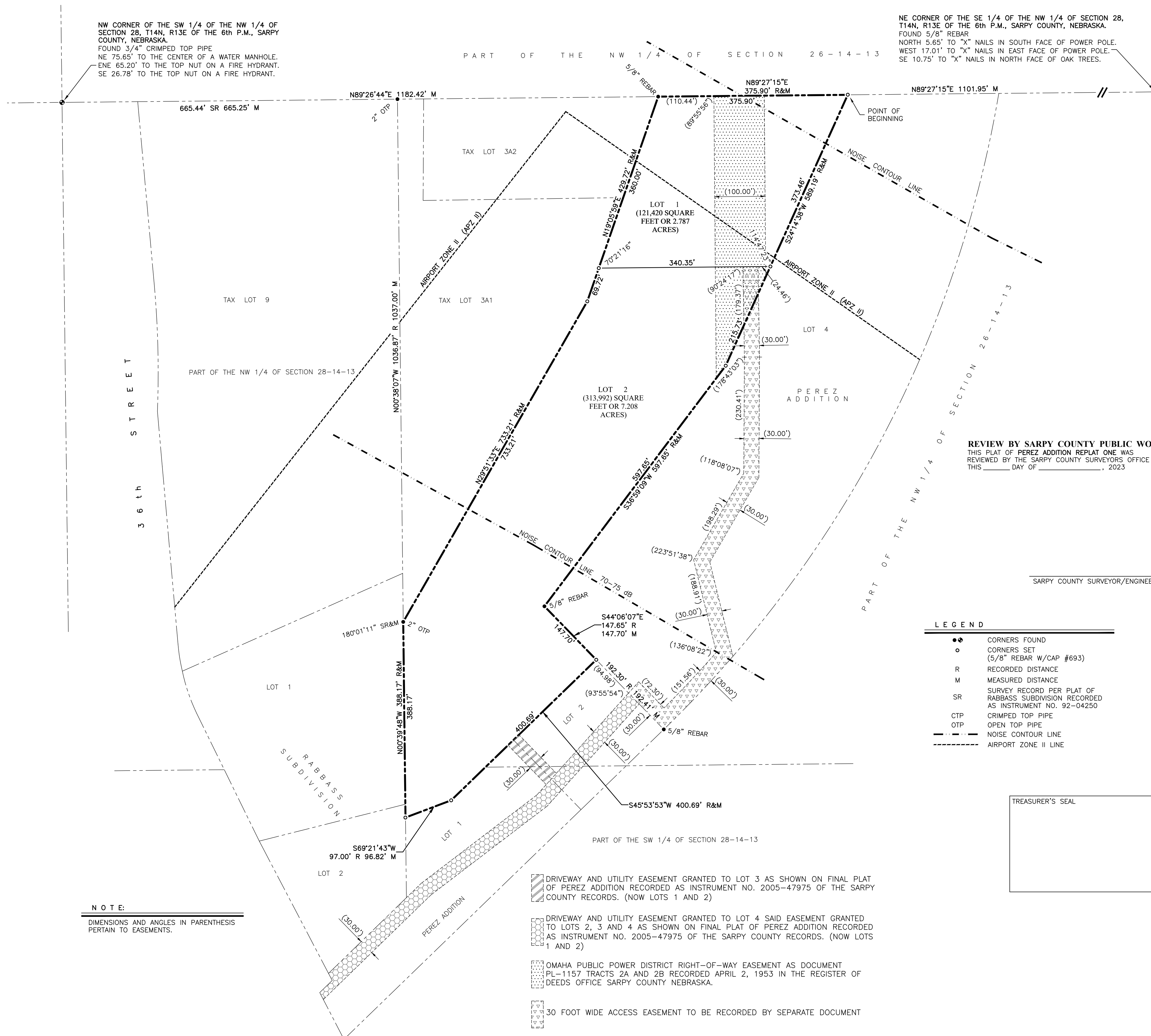




# PEREZ ADDITION REPLAT ONE

## LOTS 1 AND 2

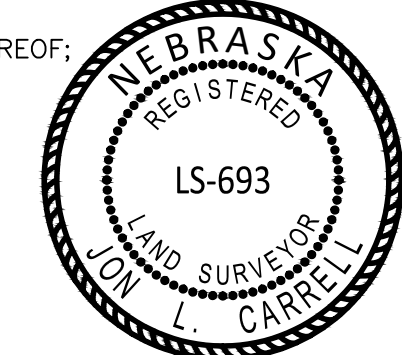
BEING A REPLATTING OF LOT 3, PEREZ ADDITION, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, LOCATED IN THE NW 1/4 AND THE SW 1/4 OF SECTION 28, T14N, R13E OF THE 6th P.M. SAID SARPY COUNTY.



### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA AND THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS IN EFFECT AS OF THE DATE SHOWN HEREON AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL ACCESSIBLE CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS PEREZ ADDITION REPLAT ONE, LOTS 1 AND 2, BEING A REPLATTING OF LOT 3, PEREZ ADDITION, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS, BEGINNING AT THE NE CORNER OF SAID LOT 3;

THENCE ON THE EAST LINE OF SAID LOT 3 ON THE FOLLOWING FOUR (4) COURSES;  
 THENCE S24°14'38"W (ASSUMED BEARING) 589.19 FEET;  
 THENCE S36°59'09"W 597.65 FEET; THENCE S44°06'07"E 147.70 FEET;  
 THENCE S45°53'53"W 400.69 FEET;  
 THENCE CONTINUING ON SAID SOUTH LINE S69°21'43"W 96.82 TO THE SE CORNER THEREOF;  
 THENCE ON THE WEST LINE OF SAID LOT 3 ON THE FOLLOWING THREE (3) COURSES;  
 THENCE N00°39'48"W 388.17 FEET;  
 THENCE N29°51'33"E 733.21 FEET;  
 THENCE N19°05'59"E 429.72 FEET TO THE NW CORNER THEREOF;  
 THENCE N89°27'15"E 375.90 FEET ON THE NORTH LINE OF SAID LOT 3 TO THE POINT OF BEGINNING.  
 CONTAINING 435,412 SQUARE FEET OR 9.996 ACRES



JON L. CARRELL  
NEBRASKA RLS #693

SEPTEMBER 11, 2023  
DATE:

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, MICHAEL J. PEREZ AND MARANDA PEREZ, HUSBAND AND WIFE, BEING THE OWNERS AND FARMERS AND MERCHANTS BANK OF ASHLAND, BEING THE MORTGAGE HOLDERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS PEREZ ADDITION REPLAT ONE, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE DO GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5') FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE LOT LINES; AN EIGHT (8') FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF THE LOT;

WE DO FURTHER GRANT PERPETUAL EASEMENTS TO METROPOLITAN UTILITIES DISTRICT OF OMAHA OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW, PIPELINES, HYDRANTS, VALVES AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE (5') FOOT WIDE STRIP OF LAND ABUTTING ALL STREETS, CIRCLES, AND CUL-DE-SAC STREETS WHETHER PUBLIC OR PRIVATE.

NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

MICHAEL J. PEREZ FARMERS AND MERCHANTS BANK OF ASHLAND  
 MARANDA PEREZ BY: TITLE:

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
 COUNTY OF DOUGLAS)  
 THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BY MICHAEL J. PEREZ AND MARANDA PEREZ, HUSBAND AND WIFE.

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
 COUNTY OF DOUGLAS)  
 THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BY \_\_\_\_\_ OF FARMERS AND MERCHANTS BANK OF ASHLAND ON BEHALF OF SAID BANK.

### SARPY COUNTY TREASURER'S CERTIFICATE

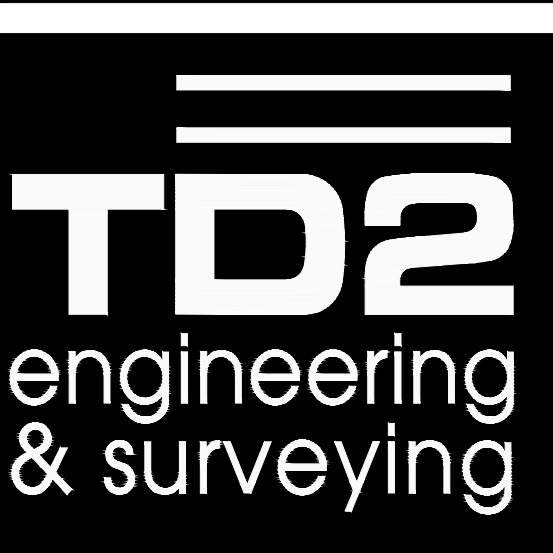
THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

### APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF PEREZ ADDITION REPLAT ONE WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

### APPROVAL OF BELLEVUE CITY COUNCIL

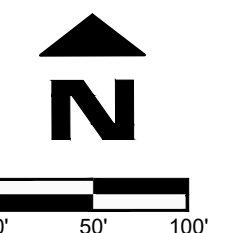
THIS PLAT OF PEREZ ADDITION REPLAT ONE WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023. APPROVAL OF THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.



thompson, dreessen & dornier, inc.  
 10836 Old Mill Rd  
 Omaha, NE 68154  
 p.402.330.8860 f.402.330.5866  
 td2co.com  
 dba: TD2 Engineering & Surveying  
 NE CA-0199

Survey Type

PEREZ ADDITION REPLAT ONE  
 LOTS 1 AND 2



### Revision Dates

No.	Description	MM-DD-YY
-	-	-
-	-	-
-	-	-
-	-	-

Job No.: A1436-23-21A  
 Drawn By: RJR  
 Reviewed By: JLC  
 Date: SEPTEMBER 11, 2023  
 Book: 22/24  
 Page: 55

Sheet Title

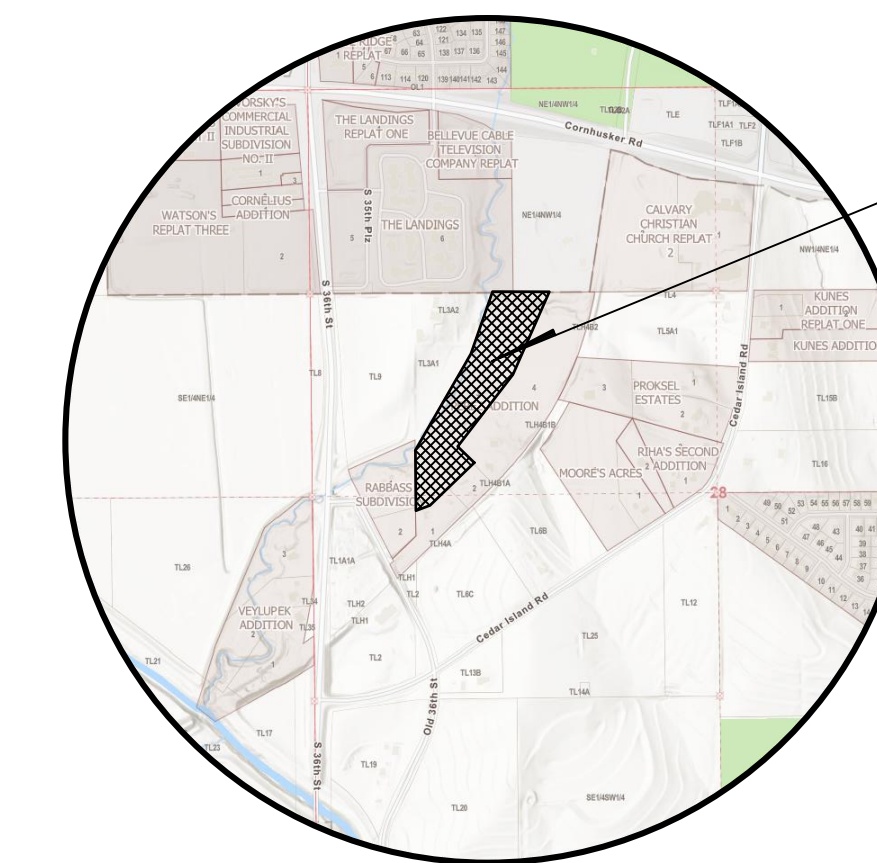
CITY OF BELLEVUE  
 FINAL PLAT

Sheet Number

SHEET 1 OF 1

# PEREZ ADDITION REPLAT ONE

## LOTS 1 AND 2



VICINITY MAP



thompson, dreessen & dornier, inc.  
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Survey Type

PEREZ ADDITION REPLAT ONE  
LOTS 1 AND 2



Revision Dates

No.	Description	MM-DD-YY
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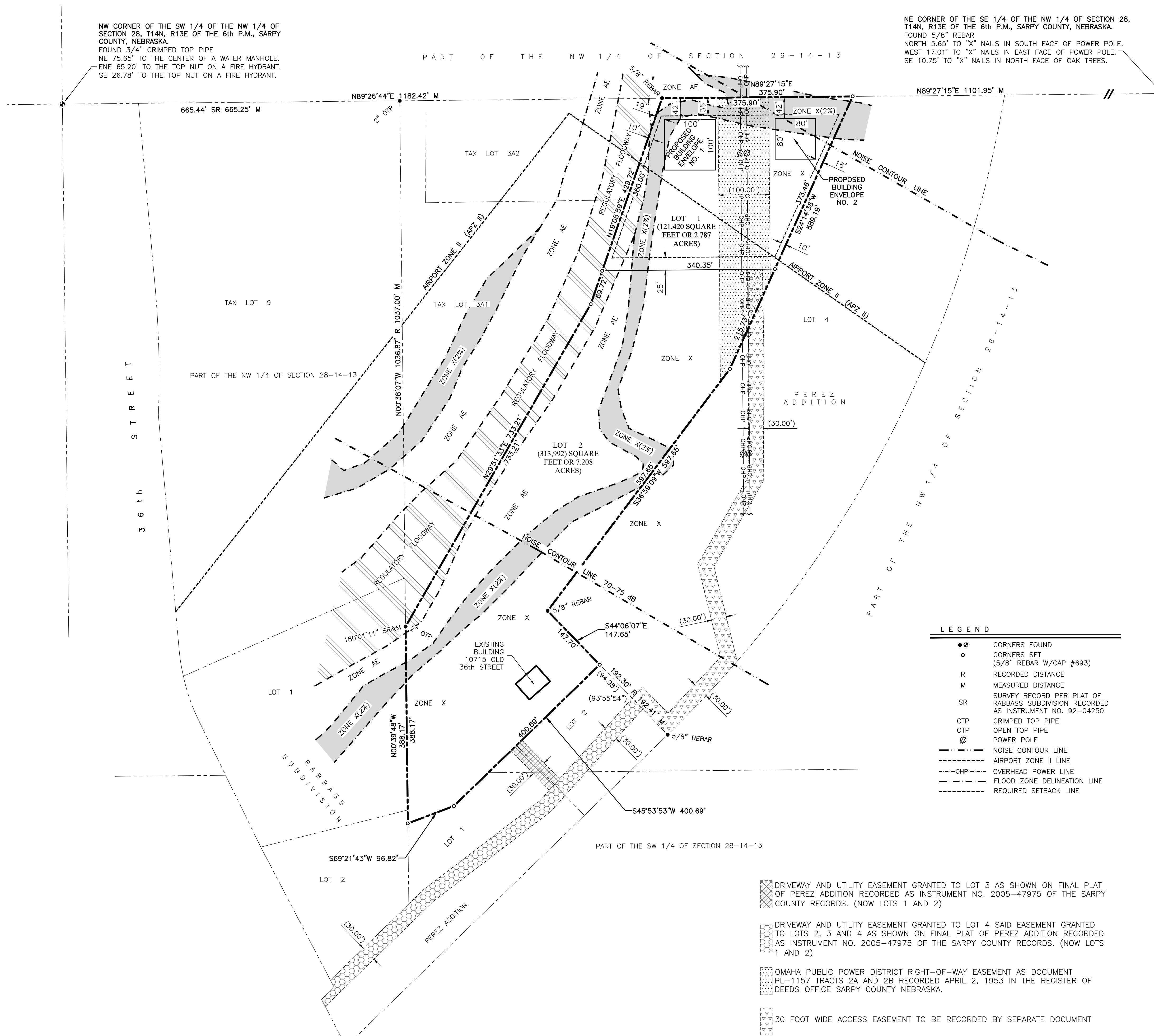
Job No.: A1436-23-21P  
Drawn By: RJR  
Reviewed By: JLC  
Date: SEPTEMBER 11, 2023  
Book: 22/24  
Page: 55

Sheet Title

CITY OF BELLEVUE  
SITE PLAN

Sheet Number

SHEET 1 OF 1



**CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** CUP-2311-04

**FOR HEARING OF:**

**REPORT #1:**

December 21, 2023

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Darling Ingredients Inc.  
Attn: Eric Sprague, General Manager  
14401 South 5<sup>th</sup> Street  
Bellevue, NE 68005

**B. PROPERTY OWNERS:**

Darling National, LLC  
5601 North MacArthur Boulevard  
Irving, TX 75038

**C. GENERAL LOCATION:**

14401 South 5<sup>th</sup> Street

**D. LEGAL DESCRIPTION:**

Tax Lots 1 and 2A and Part of Tax Lot 2, East of the Railroad and Abandoned Railroad, located in the Northeast ¼ of Section 14, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

**E. REQUESTED ACTION:**

1. Conditional Use Permit for Tax Lots 1 and 2A and Part of Tax Lot 2, East of the Railroad and Abandoned Railroad for the purpose of a rendering facility expansion.

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

MH/Rendering Plant Facility

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain a conditional use permit to enable a rendering facility expansion.

**H. SIZE OF SITE:**

The site is approximately 21 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is presently developed as a rendering plant.

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

- 1. **North:** Vacant/MH
- 2. **East:** Agricultural/Vacant, AG
- 3. **South:** Railroad right-of-way
- 4. **West:** Agricultural/Vacant, AG

**C. REVELANT CASE HISTORY:**

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

**D. APPLICABLE REGULATIONS:**

- 1. Section 5.28, Zoning Ordinance, regarding conditional uses in the MH zoning district.
- 2. Article 6, Zoning Ordinance, regarding Conditional Use Permits.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

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

**B. OTHER PLANS:**

None

**C. TRAFFIC AND ACCESS:**

1. There is no MAPA traffic data information available for this area.
2. Access is from unimproved 5<sup>th</sup> Street.

**D. UTILITIES:**

Public utilities do not service this development.

**E. ANALYSIS:**

1. Darling Ingredients, Inc., has submitted a request for a conditional use permit for 14401 South 5<sup>th</sup> Street (Parcel ID 010614230) for the purpose of a rendering facility expansion.

The property is zoned MH (Heavy Manufacturing). Section 5.28.03, Zoning Ordinance, allows “rendering of by-products of slaughtering and killing of animals or poultry” as a conditional use in this zoning district.

2. Planning records from Sarpy County indicate a special use permit was applied for on March 31, 1971, by National By-Products, Inc. to “erect a modern continuous animal by-product waste recycling rendering plant to replace our present facility.” National By-Products was proposing to demolish their existing plant and replace it with a new facility. The Sarpy County Board of Commissioners approved the application on May 10, 1971. There is no site plan attached to this record.

3. The City of Bellevue expanded its extra-territorial jurisdiction in 1983 to encompass this area. On June 24, 2019, the city annexed Darling Ingredients Inc.

4. Under its 1971 special use permit from Sarpy County, Nebraska, the rendering facility is considered a legal non-conforming use. Earlier this year, Darling Ingredients Inc. was denied a building permit for expansion based on this premise.

5. Darling Ingredients Inc. has detailed their expansion in an attached document. As part of this conditional use permit application, they are proposing to construct a new cooker line building, relocate their finished fat storage tanks, construct a new employee breakroom building, construct a new 8,000 square foot protein grinding room building and associated protein storage silos, relocate their thaw building, and extend their raw material receiving bay. Please refer to the attached document received October 27, 2023, for additional information.

6. This application was sent out to the following departments for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning, Sarpy County Public Works, Papio-Missouri NRD, and the Bellevue Public School District. The cover letter indicated a deadline

to send comments back to the Planning Department and stated if the requested department did not have comments pertaining to the application, no response was needed.

Ian O. Ghanavati, Water Resources Engineer, Papio-Missouri River NRD, commented the proposed development is partially within the 500' from levee centerline landward levee critical zone. He provided Papio NRD Section 408 guidance. Mr. Ghanavati stated grading and building plans should be submitted to the Papio NRD, who would then assess if there was need for Corps of Engineers plan review. Mr. Ghanavati also pointed out a portion of the proposed development would be in the Special Flood Hazard Areas (Zone AH) upon adoption of the updated Flood Insurance Rate Maps. The Papio NRD advised Darling Ingredients Inc. to arrange a meeting between Darling Ingredients Inc, the city, and the NRD to discuss. This comments/information was provided to the applicant.

John Krager, Engineering Services Manager, had comments pertaining to traffic. He stated the Public Works Department is in the process of initiating a traffic study of the area (Fort Crook Road South/Fairview Road intersection) and requested the applicant supply information to help facilitate the traffic study; relevant data to include shift times, number of employees per shift, and typical delivery schedules with vehicle type. Mr. Krager requested the data reflect the current operation along with the proposed expanded operation. In response, the applicant provided the following:

- Shift times:
  - 0700-1530 (25 personnel)
  - 1500-2330 (6 personnel)
  - 2300-0730 (4 personnel)
- Applicant stated deliveries are made by tractor/trailers typically between 0630 and 1800, with some overnight deliveries. Darling Ingredients Inc. advised they are currently averaging 20-25 trucks per day; however, stated with their expansion this will increase to 35-40 trucks per day in the next two years.

Krista Hoffart, Offutt AFB, requested the ability to review site plan elevations to ensure the heights and locations of proposed facilities and silos will not impact Offutt's missions and flying operations, as the development is in proximity to the air force base and adjacent to Offutt's flight paths. Ms. Hoffart also requested information pertaining to levels of emissions, as smoke can inhibit a pilot's line of site. Offutt also requested verification birds do not congregate at the site, as birds create a large hazard to aircraft. Ms. Hoffart stated Offutt does not recommend uses that encourage visual inhibitors or risks to flight safety. This information was shared to the applicant. Darling Ingredients Inc. stated they would share site plans and elevations with Offutt AFB. They further advised they could provide emissions data but indicated no smoke is generated at their facility under "everyday operations." Staff requested this information be given to the city to forward to

Offutt AFB. Darling Ingredients, Inc. has provided additional information which has been forwarded to Offutt for their review.

Mike Christensen, Chief Building Official, stated “I would discourage expanding anything that already presents a public nuisance to the area. The trucks that bring in all of the animal by-product are not odor free and often are leaking liquid from the by-product. These trucks are passing through areas that are being developed, or poised to be heavily developed in the near future to get to this location. The CITY OF BELLEVUE, NEBRASKA CODE OF ORDINANCES under Section 19-2 DEFINITION, a PUBLIC NUISANCE exists when a person fails to perform a duty or permits any condition or thing to exist, which act, omission, condition or thing either: (C) is offensive to the senses; Section 19-3 ILLUSTRATIVE ENUMERATION. For the purposes of this chapter, the following is a nonexclusive illustrative list of examples of public nuisances that exist pursuant to the definition in Section 19-2: (C) All disagreeable or obnoxious gases, odors and/or fumes, as well as the conditions, substances, or other causes which give rise to the emission or generation of such gases, odors and/or fumes.”

No other comments were received in this case.

7. Based on its current use, the Future Land Use Map of the Comprehensive Plan shows this immediate area as heavy manufacturing. The city is currently in the process of updating its Comprehensive Plan.

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

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

6.06.02 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.

6.06.03 That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.

6.06.04 Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.

6.06.05 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

6.06.06 The use shall not include noise which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.

6.06.07 The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.

6.06.08 The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.

6.06.09 The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.

6.06.10 The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

6.06.11 The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.

9. Staff does not believe the applicant can meet all the necessary requirements of Section 6.06 based on the perceived negative impact of the proposed conditional use. Staff is concerned with the applicant's ability to meet Sections 6.06.02, 6.06.03, 6.06.04, 6.06.05, 6.06.08 and 6.06.10 specifically.

Over the years, the City of Bellevue has grown southward with its city limits and its development. Although once an isolated rendering facility in Sarpy County's jurisdiction, it is now adjacent to areas of growth and development in the city. The city is currently in the process of updating its Comprehensive Plan and creating a long-range transportation plan. The Fairview Road corridor, along with the Highway 34 and Platteview Road corridors are expected to see exponential growth in the coming years with several large projects in the preliminary development phases.

#### **F. TECHNICAL DEFICIENCIES:**

1. Recommendation of approval should be contingent upon the completion of Offutt Air Force Base's review and recommendation.
2. Recommendation of approval should be contingent upon the applicant following through with the necessary permitting of the Papio Missouri River NRD and Corps of Engineers, as appropriate.

#### **IV. DEPARTMENT RECOMMENDATION**

DENIAL based upon Section 6.06, standards for conditional use permits.

#### **V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

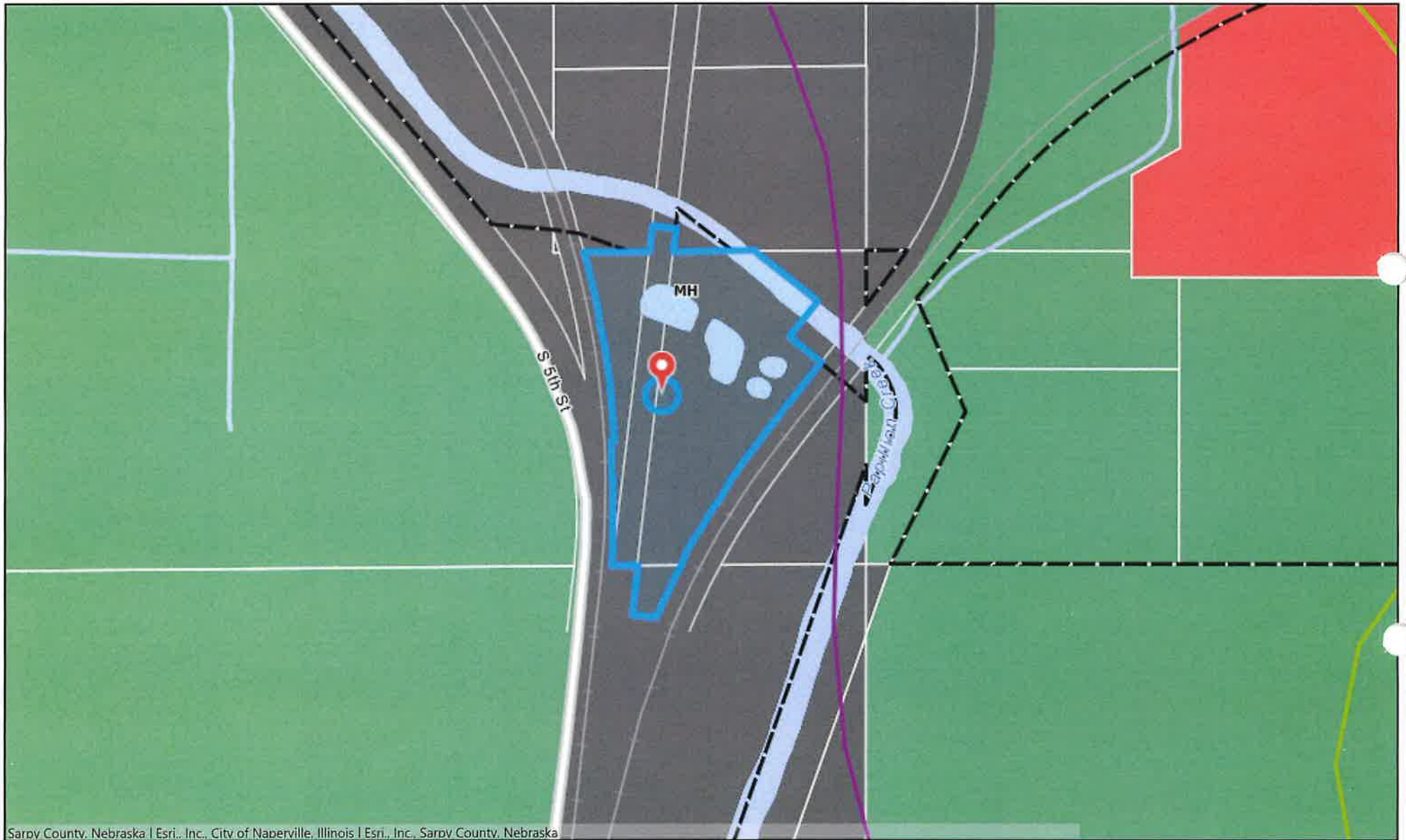
1. Vicinity map/Zoning Map
2. 2022 GIS aerial photo of the property
3. Topographic survey received October 27, 2023
4. Description of project received October 27, 2023

**VII. COPIES OF REPORT TO:**

1. Darling Ingredients Inc. c/o Erik Sprague
2. Public Upon Request

  
Assistant Planning Manager

 12/14/23  
Planning Director Date of Report



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



Map Scale 1: 9028

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Notes

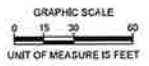




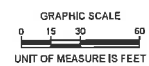
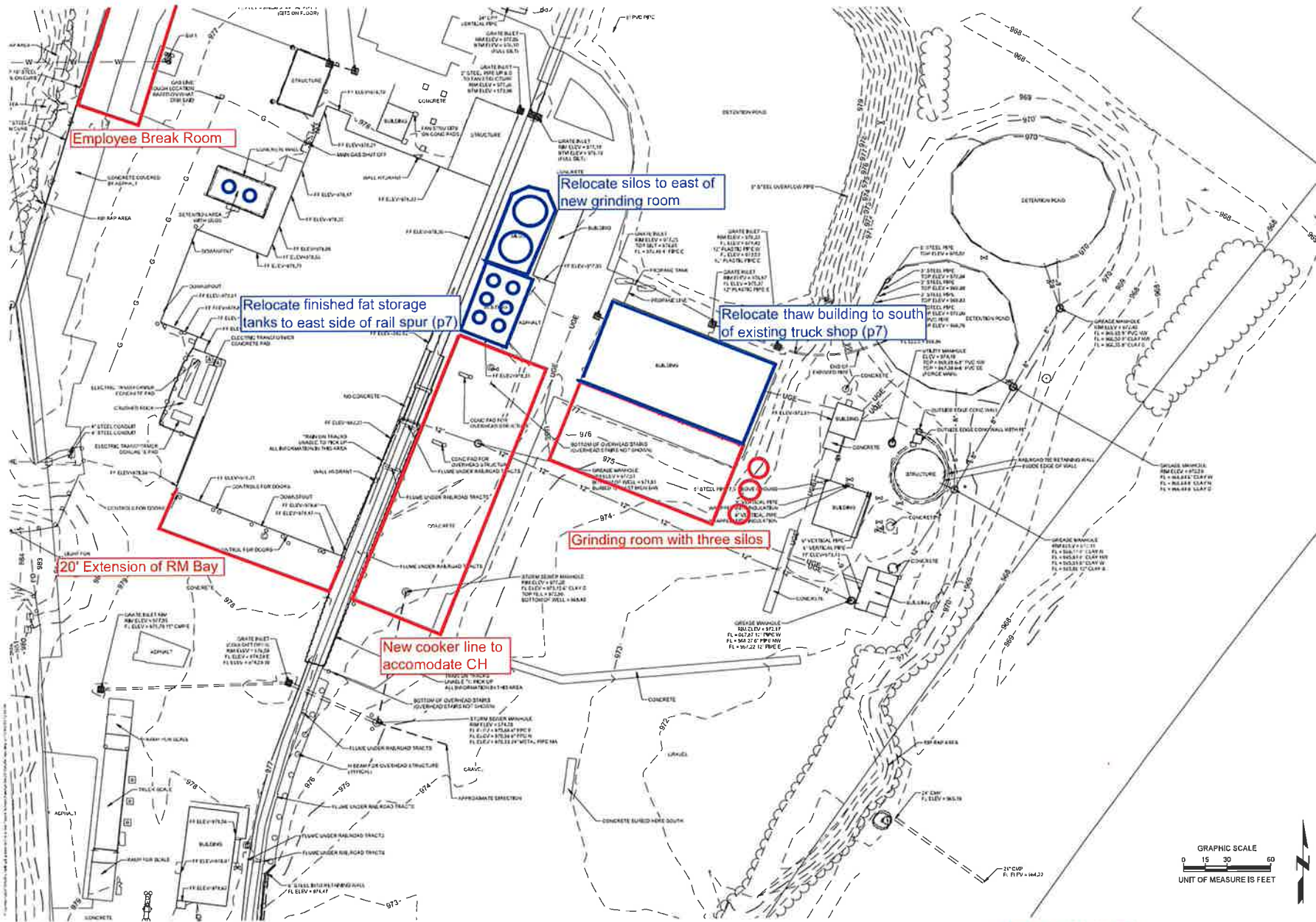
2023  
DARLING INGREDIENTS  
ENTIRE SITE

TOPOGRAPHIC SURVEY

PROJECT NO. 231304-00  
DATE: 9/27/2023  
DRAWN BY: BOW  
FILE NAME: 20231304-ED-Topo.dwg  
FIELD BOOK: BELLEVUE #1  
FIELD CROWN: 11448771440001  
SURVEY FILE NO.:  
PLAN NO. 00-14  
TO PRESENT REVIEW:  
DATE:  
BY:  
REVISIONS:



RECEIVED  
OCT 27 2023  
PLANNING DEPT.



RECEIVED  
 OCT 27 2023  
 PLANNING DEPT.

DOUGLAS/SARPY COUNTIES - LOW DISTORTION PROJECTION			
PROJECTION: TRANSVERSE MERCATOR			
SCALE FACTOR: 1.0000482			
CENTRAL MERIDIAN: -96°03'00"			
LATITUDE OF ORIGIN: 41°11'00"			
FALSE NORTHING: 25,000 METERS (82,020.833 US FEET)			
FALSE EASTING: 40,000 METERS (131,233.333 US FEET)			
POINT NAME	NORTHING US SURVEY FEET	EASTING US SURVEY FEET	LONG DESCRIPTION
CP-1	51247.57	168997.91	5/8" REBAR 3' WEST OF CURB AT CURVE
CP-2	51555.36	169090.25	5/8" REBAR 11.5' SOUTH OF CONCRETE CORNER
CP-3	51488.60	169248.79	5/8" REBAR 4' SOUTH OF END OF RETURN

BENCHMARKS - NAVD88				
POINT NAME	NORTHING US SURVEY FEET	EASTING US SURVEY FEET	ELEVATION	LONG DESCRIPTION
BM-1	51417	169107	980.46	TOP NUT OF FIRE HYDRANT
BM-2	51576	169087	975.18	CHISELED SQUARE AT THE NORTHEAST CORNER OF CONCRETE PAD WITH GAS BLOW OFF TOWER

- POINTS LEGEND
- ▲ AIR CONDITIONER
  - BENCH-MARK
  - BOLLARD
  - COLUMNS
  - ELECTRICAL METER
  - FLAG POLE
  - GAS PUMP
  - GAS VALVE
  - GAS INLET
  - GUY POLE
  - GUY WIRE
  - HYDRAULIC
  - LIGHT POLE
  - OILFIELD MAN-HOLE
  - WINDTORNAD WELL
  - PUMP
  - POWER POLE
  - POWER POLE WITH LIGHT MAST ARM
  - PROpane TANK
  - RAILROAD BOX
  - REFLECTOR POST
  - RIGHT-OF-WAY MARKER
  - SANITARY SEWER CLEAN OUT
  - SIGN
  - SPRINKLER BOX
  - TELEPHONE PULLBOX
  - TELEPHONE
  - TRANSFER SIGNAL
  - WATER MAN-HOLE
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**Darling Ingredients Inc.**  
**Conditional Use Permit Application**

**Background**

Darling is a global developer of sustainable natural ingredients from edible and inedible bio-nutrients, creating a wide range of ingredients and customized specialty solutions for customers in the pharmaceutical, food, pet food, feed, technical, fuel, bioenergy and fertilizer industries. The Company collects and transforms all aspects of animal by-product streams into useable and specialty ingredients, such as gelatin, edible fats, feed-grade fats, animal proteins and meals, plasma, pet food ingredients, organic fertilizers, yellow grease, fuel feedstocks, and green energy. The Company also recovers and converts used cooking oil and commercial bakery residuals into valuable feed and fuel ingredients. Darling is a publicly owned corporation whose shares are traded on the NYSE under the symbol DAR. More information can be found at <https://www.darlingii.com/>.

In 2021 Bloomberg and TBD Media Group announced Darling as one of the top 50 Sustainability and Climate Change leaders. They believe Darling is a sustainable creator that is meeting the challenges our planet is facing today by developing solutions that will shape our society going forward. The Company is recognized for its focus on seeking better ways to meet the growing demands of the world, while reducing the carbon emissions needed to produce products and minimizing the impact on our environment. As demand on natural resources rise, with more mouths to feed and higher demand for transportation energy, Darling is believed to be at the forefront to reduce the impacts of climate change.

It is also important to note that Darling is a critical service provider to the food production industry (e.g. dairy, poultry, beef, etc.) and has been a fully functioning essential business during the Pandemic. Without our services there can be interruptions in the food supply chain and the byproducts we process have the potential to be mismanaged in ways that can have a significant impact on public health and the environment.

**The Property**

The Darling Bellevue, NE facility is currently producing animal and plant-based fats and proteins as ingredients for use in the production of renewable diesel, animal feed and organic fertilizer. The basic conversion process involves the use of steam to heat the incoming byproducts, referred to by the industry as Cooking, which allows the fats to separate from the proteins where they are then further refined in a limited way before being made available for sale as a finished ingredient. Traditionally, this industry has been referred to as Rendering. The Facility and Project are located at 14401 South 5<sup>th</sup> Street in Bellevue, Sarpy County, Nebraska. The facility was purchased from National By-Products in 2006 by Darling and historical information indicates that the subject property has been the location of a

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rendering plant facility for over 100 years. The Facility is bounded by Papillion Creek to the North, railroad tracks and Papillion Creek to the East, railroad tracks to the South and South 5<sup>th</sup> Street to the West.

### **Purpose of Conditional Use**

Darling has prepared the enclosed Conditional Use Permit Application in order to construct additional structures to support a facility expansion, construction of a new employee break room and relocation and replacement of existing structures. The enclosed Site Plan has been edited to visually demonstrate the property modifications that are included in the Conditional Use Permit Application. The overall scope of the project request is broken down below:

1. **New Cooker Line Building:** In February of 2023, Darling entered into an agreement with Cattlemen's Heritage Beef Company to purchase the beef processing by products from its planned 2,000-head per day beef-processing facility. To support this agreement, Darling intends to expand the facility to increase receiving and processing capacity of the rendering plant. Cattlemen's new beef-processing facility aims to provide a market for cattle raised by smaller, independent cattle producers. The details of the new processing building are not finalized, but the new building will add a third cooker line and associated equipment that is identical to the existing two cooker lines located inside the processing building. The proposed new cooker line will be located in a new building that is expected to be around 20,000 square feet and will be located to directly to the East of the existing processing building. Cattlemen's Heritage Beef Company is expected to break ground on the new facility sometime in 2024.
2. **Relocation of Finished Fat Storage Tanks:** To create space for the new cooker building footprint, Darling will need to relocate the eight existing finished fat storage tanks to the South of their current location, along the East side of the rail spur.
3. **New Employee Break Room Building:** The intent of this project is to provide Darling employees with a more comfortable break area with more amenities. The new building will be 3,297 square feet and will be located Northwest of the main processing building. The new Break Room will replace the current breakroom, located inside the processing plant, and will give new and existing employees a space to rest and shower that is outside of the footprint of the processing facility.
4. **New Protein Grinding Room Building and Associated Protein Storage:** To support the segregation of the finished protein produced by the existing

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and future cooking processes, some limited protein storage will be added and the protein finishing system will be moved from inside the existing processing building to a new building footprint of approximately 8,000 square feet. The new building will include the curing, milling, and screening steps and a portion of this building will be used for finished protein loadout to support the shipping of the segregated protein as required by our customers and the FDA. The two existing finished protein silos will be relocated to the East of the new Grinding Room and an additional silo will be added to support the future expansion. The silos will be located directly adjacent to the new Grinding Room Building and will sit on approximately 2,640 square feet of space.

5. **Relocation of Thaw Building:** The existing Thaw Building is reaching the end of its useful service life and is situated in the area where Darling would like to locate the new Grinding Room Building. To support this, Darling proposes to construct a new, approximately 8,000 square foot building to the South end of the property. The purpose of this building is to thaw incoming frozen raw material trailers prior to unloading during the winter months.
6. **Extension of Raw Material Receiving Bay:** Darling proposes to extend the Raw Material Receiving Bay by approximately 20 feet to the South. This will allow for the unloading of raw material trailers to be performed entirely inside the building envelope with the doors closed, keeping the Raw Material Receiving Bay under the control of the odor abatement system.

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# PLANNING COMMISSION

## Uniform Review Schedule – 2024

SUBMITTAL <sup>1,2</sup> DEADLINE FOR ALL APPLICATIONS	FINAL REVISIONS DEADLINE	PLANNING COMMISSION PUBLIC HEARING	SMALL <sup>3</sup> SUBDIVISION OR FINAL PLAT APPLICATIONS NOT REQUIRING ZONING ACTION	CITY COUNCIL <sup>3</sup> ZONING/PRELIM INARY PLAT APPLICATIONS
December 22, 2023	January 16, 2024	January 25, 2024	February 06, 2024	February 20, 2024
January 19, 2024	February 12, 2024	February 22, 2024	March 05, 2024	March 19, 2024
February 23, 2024	March 18, 2024	March 28, 2024	April 02, 2024	April 16, 2024
March 22, 2024	April 15, 2024	April 25, 2024	May 07, 2024	May 21, 2024
April 19, 2024	May 13, 2024	May 23, 2024	June 04, 2024	June 18, 2024
May 24, 2024	June 17, 2024	June 27, 2024	July 02, 2024	July 16, 2024
June 21, 2024	July 15, 2024	July 25, 2024	August 06, 2024	August 20, 2024
July 19, 2024	August 12, 2024	August 22, 2024	September 03, 2024	September 17, 2024
August 23, 2024	September 16, 2024	September 26, 2024	October 01, 2024	October 15, 2024
September 20, 2024	October 14, 2024	October 24, 2024	November 05, 2024	November 19, 2024
October 18, 2024	November 12, 2024	*November 21, 2024	December 03, 2024	December 17, 2024
November 15, 2024	December 9, 2024	*December 19, 2024	January 07, 2025	January 21, 2025
December 20, 2024	January 13, 2025	January 23, 2025	February 04, 2025	February 18, 2025

Approved by the Bellevue Planning Commission

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Chairman

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Date

\*Please note meeting dates reflect the third Thursday of the month.

<sup>1</sup> A preapplication meeting with the Planning Department Staff is required PRIOR to the submission of an application for a preliminary plat.

<sup>2</sup> Preliminary plats shall be scheduled on the Planning Commission agenda upon submittal of revised plans in accordance to Section 3-6 (3) of the Subdivision Regulations

<sup>3</sup> Dates shown for City Council hearings are shown as a guide for planning purposes only.