BELLEVUE PLANNING COMMISSION

Thursday, October 25, 2018 7:00 PM Bellevue City Hall 1500 Wall Street Bellevue, NE 68005

- 1. CALL TO ORDER: a. Pledge of Allegiance b. Roll Call c. The Open Meetings Act location d. Approve Minutes of September 20, 2018 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 3, College Plaza Replat I, and Lot 5, College Plaza Addition, all located in the Southeast 1/4 of Section 26, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from BN-PCO and BNH-PCO to BG-PCO for the purpose of commercial development. 4. CURRENT BUSINESS a. Election of Officers b. Chair Updates
 - 5. ADJOURNMENT

Bellevue Planning Commission Meeting, September 20, 2018, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, September 20, 2018 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Perrin, Cain, Jacobson, Ackley, Casey, and Ritz. Absent were Baumgartner and Smith. Also present were Chris Shewchuk, Planning Director, and Tammi Palm, Land Use Planner.

Notice of this meeting was given in advance thereof by publication in the Bellevue Leader 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.

Jacobson 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 Cain, to approve the minutes of the August 23, 2018 regular meeting as presented. Upon roll call, all presented voted yes. Motion carried unanimously.

Motion was made by Cain, seconded by Casey, 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.

Jacobson explained the public hearing procedures.

PUBLIC HEARING was held on a request to rezone Tax Lot 1, except right-of-way, located in the Northeast ¼ of Section 7, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to BN for the purpose of a business office. Applicant: Matt Ricchini. Location: 4803 Capehart Road. Case #: Z-1808-04.

Matt Ricchini, 2211 Capehart Road, Suite 106, thanked the Planning Commission for the public service they provide to the community. He mentioned he applied for the rezoning to operate his State Farm Insurance business. He stated his business would be beneficial for the current land owners, for himself, and for the community. He commented he feels with the development of the residential houses being built adjacent to the property, it will make the existing house on the lot stick out like a sore thumb. He does not feel there will be any interest in buying the existing home as a residence due to the traffic generated on Capehart Road. He explained his office primarily uses the phone, computer, and text to operate his business. He stated he and his employee also make house calls. Ricchini commented his business is not a retail establishment and there will be minimal traffic to his office. He stated he appreciates the Planning Department's recommendation, however he does not agree with it. He advised he has had discussions with Chris Shewchuk, Planning Director. He referred to a statement in the recommendation report which states "it is also safe to assume at some point in the future, improvements will need to be made to 48th Street as well which will limit the full access this property currently has." Ricchini commented it sounds like the 48th Street access will be eliminated and the access road from behind would have to be used. He stated the conversation with Shewchuk was in regards to the time frame. He questioned if it would happened within five years, ten years, or fifteen years. He stated Shewchuk's reply was "Matt it may never happen." Ricchini commented he feels this should not be a deciding factor if his request to rezone is approved or denied. He stated the current house is the building he will use to operate his business in. The building will not look like a commercial building. He mentioned the property may not blend in when the housing development behind it is developed. He stated when Capehart Road was paved by the county, it was done with the expectation of increased traffic. Ricchini commented what would be good for Bellevue is to reconsider the use not as residential dwellings, but rather a community with a variety of integrated zonings to serve the community.

Kevin Mills, 4803 Capehart Road, mentioned he is the current owner of the property Mr. Ricchini wishes to rezone. He stated he has talked to the city and county, and has been advised there will be nothing done to 48th Street for fifteen to twenty years. He questioned why this would be denied if that is the case, and why the property couldn't be rezoned back to residential once Ricchini retires. He stated he has concerns selling it as a residential property when he is unsure what the county has planned for his driveway. He explained he contacted the county to inquire about his driveway and was informed they are unsure what will happen. He has concerns selling his house to someone knowing there may be a major change to the road and his driveway in the future.

Cheryl Mills, 4803 Capehart Road, mentioned she is the co-owner of the property. She explained when she and her husband met with the builder for Falcon Pointe nothing was ever mentioned to them about closing off the access to 48th Street or the possibility of using an access easement to get to their property. She stated she talked to Tammi Palm and she explained to her the builder was probably

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unaware of future plan for 48th Street at the time he spoke to them and most likely did not have the finalized plat. Mills advised Palm did email her a copy of the recorded Falcon Pointe plat which indicates the proposed access through Outlot A, on the west side of her house. Her concern is how this proposed access will look in the future. Another concern is when she goes to sell her house, she feels this could be a potential issue for a buyer. She stated she feels she needs to disclose there may be plans in the future which will affect the property.

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

Ackley requested a background on the discussions had between the applicant and the Planning Department. He commented a concern with the property to rezone to BN may allow a future use such as restaurants or retail. He explained once a rezoning is done it stays with the property, which would allow for several other uses.

Shewchuk commented part of the discussion was similar to what Ackley just explained. He stated most of the discussion was in regards to the driveway access and when and if that changes. He explained a change to the current access could happen in five, ten, fifteen, twenty years, or never; however he believes it will occur at some point. Shewchuk mentioned 48th Street currently stops at the southern end of the Clearwater Falls and Cedar Grove subdivisions. The properties to the south of those developments are in the Platte River sewer drainage area, which will be difficult to sewer; therefore, there is limited future growth predicted. There are approximately 80 to 120 acres along 48th Street that will likely develop very soon. As long as 48th Street is the county's jurisdiction they will keep an eye on traffic. They have already done some traffic counts and will continue to do improvements when necessary. Some of the items they will look at are traffic counts, turning movements, and the number of accidents near 48th Street and Capehart Road. Based on the driveway design standards used by engineers, the property's current driveway is fine based on the intersection having a stop sign. The driveway is approximately 130 feet south of the Capehart Road pavement. Again, that meets the standards for a driveway location near an intersection with a stop sign. If the intersection becomes signalized and 48th Street classifies as a collector street, the required distance from the driveway to the intersection would be 175 feet. This would still work on the lot, however the driveway would have to be shifted towards the southern end of the property. If 48th Street is classified as a major street or an arterial, the requirement would be 230 feet of separation from Capehart Road to the driveway. This would not work on the property and an alternate access would be needed. This alternate access has been planned for to the west through Outlot A, Falcon Pointe. This item was discussed with Mr. Ricchini. It was explained to him in the event this alternate access was needed, it is expected either the city or the county would be responsible for putting that driveway in. The access would not just be taken away from 48th Street with nothing left for the property owner to use. This would be part of the paving project for 48th Street and the access easement would be paved for Mr. Ricchini. Shewchuk advised Mr. Ricchini asked if access was the Planning Department's main objection to the rezoning. He stated he advised Ricchini it was not. He explained what spot zoning is and advised the applicant this request is considered spot zoning. He stated the major objection to this request is due to spot zoning. This property would be the only property on the south side of Capehart Road near 48th Street to be zoned commercially. The areas directly east and west of this property have been platted and zoned for apartments and single family residential development. There is commercial property located at 36th Street and Capehart Road which will serve this area. The issue of commercial zoning along this corridor was discussed when Belle Lago and Falcon Pointe were approved. The City Council approved the two plats with the residential zoning. Another item discussed with Mr. Ricchini was the zoning remains with the property. Even if the applicant were to stay in business for twenty years, the zoning would stay with the property after his business is gone. The applicant could leave the property in two years and then there are several uses which would be allowed on the property as a permitted use. The main reasons for recommendation of denial are based upon lack of conformance with the Comprehensive Plan and spot zoning.

Ackley explained from a zoning perspective he is the concerned with all of the permitted uses which could be allowed on the property. He stated there are approximately 45 allowed uses in the BN zoning district. Ackley mentioned if a home based business would be allowed with a conditional use permit. Shewchuk mentioned the criteria to have a home based business was discussed with Mr. Ricchini. The home based business requires someone live in the residence. It allows for one other employee on the premises. Another criteria is you cannot link your address to a home based business. Ackley questioned if the business owner or the employee would need to reside there. Shewchuk replied the business owner or an employee would be allowed to reside there.

Cain guestioned the applicant if this was the only property he has considered for his business and why

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he chose this particular location. Ricchini replied he drives by the property every day and is aware of the traffic count. He stated as a business owner, high traffic counts are a good thing. He commented this is a terrible location for a residence but a great location for a business. He stated the property has elevation to it and the lot has the potential to serve 260 to 270 rooftops. He advised his business is to protect rooftops. Ricchini explained there is a "gentleman's agreement" among State Farm agents, meaning you do not impede on one of your peers area of town. He stated as an agent, he has had his eye on the southwestern growth of Bellevue. Cain inquired if Ricchini plans to reside there. Ricchini replied he does not plan to live there. Cain inquired what the applicant would do with the out building on the property. Ricchini advised he has talked to an architect regarding taking the building out to allow for parking and to have easier access to the business.

Cain mentioned the current property would have to have changes to it to become a business. She questioned the applicant's intentions on bringing the property to code. Ricchini replied he has every intention to comply with the Americans with Disabilities Act (ADA) requirements. He intends to install a handicap ramp to allow access to the building and will install a unisex handicap restroom. Cain mentioned with other construction of homes in the area how does the applicant see his business fitting into the area. Ricchini commented it will be the same building sitting there whether he owns it or not. Conversation ensued on this topic.

Jacobson inquired if there will be additional parking per ADA requirements. Ricchini explained by having the out building removed there would be additional parking to the immediate south of the building. It would allow for safer access to the building.

Casey questioned the applicant if he intends to change any of the façade to house and if there will be signage. Ricchini commented he does not intend to change the façade of the building. He intends to put an illuminated State Farm monument sign which would be approximately two feet tall and five feet wide. He commented part of the rezoning request is to allow for signage.

Ritz clarified the property is currently zoned AG. Shewchuk replied yes. Ritz noted per Article 7 of the Zoning Ordinance it states signage is allowed as a permitted accessory use in the AG district. Ritz inquired if at any time the city determines 48th Street is an arterial, if whoever owns the property is cut off from 48th Street and would they have to use the right-of-way that will be developed through the future subdivision. Shewchuk explained if it is an arterial and there is a stop sign there, the driveway is good. If it is an arterial and a traffic signal, the 230 feet distance requirement comes in and the driveway would not fit there. Ritz requested clarification if the city would pave the driveway through the subdivision if necessary and the owner would not have any recourse. Shewchuk replied that was correct.

Jacobson mentioned if the property remains zoned AG with a residence on it, it stays that way and could become problematic. If the property is zoned BN, there would be no way to return the zoning to AG because of characteristics of the area will have changed. He inquired if the property could be rezoned back to AG. Shewchuk replied it would not be allowed to because the AG zoning district requires a 20 acre minimum lot size. He stated other residential zoning districts would need to be considered.

Casey inquired if the city has ever gone back to rezone a property residential after it has been zoned commercially. Shewchuk replied the city would not request the zoning change; the new owner of the property would make that request.

Ackley stated the use of the business could work there, however from a planning perspective, it is not good planning.

MOTION was made by Ackley, seconded by Cain, to recommend DENIAL of a request to rezone Tax Lot 1, except right-of-way, located in the Northeast ¼ of Section 7, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to BN for the purpose of a business office. Applicant: Matt Ricchini. Location: 4803 Capehart Road. Case #: Z-1808-04. DENIAL based upon lack of conformance with the Comprehensive Plan, and lack of long range compatibility with the surrounding residential developments. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to CITY COUNCIL for PUBLIC HEARING on October 22, 2018.

PUBLIC HEARING was held on a request to rezone Lot 74, Kennedy Town Center, located in the Southwest ¼ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from BN to BG for the purpose of a convenience store with fuel and liquor sales; and approval of the proposed access. Applicant: Casey's Retail Company. Location: 7724 South 22nd Street. Case #: Z-1808-05.

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Rob Duvall, 1044 N. 115th Street, Suite 300, Omaha, NE, Schemmer Associates, was present on behalf of Casey's. The applicant is requesting to rezone this property from BN to BG to construct a convenience store with fuel and liquor sales. He stated to the north and the east of this property there is BG zoning, and to the south and west is multi-family residential zoning. Based on the surrounding area, Casey's feels this is a good fit to the area.

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

Casey mentioned the recommendation report indicates Offutt AFB has concerns with the close proximity of the proposed store to Chandler View Elementary. He inquired if any input was received from Omaha Public Schools (OPS). Shewchuk replied no comments were received from OPS. He mentioned he looked at the distance from Kwik Shop on Mission Avenue to Central Elementary and Mission Middle School. He advised those two schools are considerably closer to Kwik Shop than Casey's will be to Chandler View Elementary.

Ackley inquired if there are restrictions or requirements on the lot to the west, located on the corner of 25th and Chandler, for access directly onto Chandler. He questioned if there are requirements based on how far the lot is from the intersection or would the lot also have the ability to have right in/right out from Chandler Road. Shewchuk replied it would follow the same guidelines based on distance from the intersection. The Public Works Department establishes the criteria for driveway locations. Ackley questioned if an application came in for this corner lot would the same right in/right out from 25th Street or Chandler Road be allowed. Shewchuk replied if it meets the criteria of spacing from driveways and from intersections he would think the Public Works Department would look favorably on it.

Jacobson referred to the site plan that was submitted in the report and pointed to the proposed traffic areas.

Ritz inquired if the city was to determine a traffic light would need to be installed at the intersection of 22nd Street and Chandler Road if there is enough distance from the intersection to the proposed right in/right out. Shewchuk commented that was not discussed specifically, however he assumes the Public Works Department looked at that before they determined if it was an appropriate location.

Casey commented when the car lots were going in there was some opposition to the perceived lighting issues onto the houses to the south. He inquired if any of the neighbors had comments regarding this proposal. Shewchuk replied there were not. He commented the Planning Department received several calls. He stated the neighbors had a neighborhood meeting and the proposed development was discussed there.

Jacobson inquired if the proposed development was liquid fuel sales. Shewchuk replied it is.

Ritz referred to a vacant lot across the street to the east of the proposed development which is currently zoned BG, and questioned if there was a reason the development did not look at this lot. Duvall replied he is not sure. This is the lot Casey's came to Schemmer with the proposed lot in mind.

MOTION was made by Ackley, seconded by Casey, to recommend APPROVAL of a request to rezone Lot 74, Kennedy Town Center, located in the Southwest ¼ of Section 15, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from BN to BG for the purpose of a convenience store with fuel and liquor sales; and approval of the proposed access. Applicant: Casey's Retail Company. Location: 7724 South 22nd Street. Case #: Z-1808-05. APPROVAL of the change of zone and access points based upon the lack of perceived negative impact upon the surrounding area, conformance with the Comprehensive Plan, and recommendation from the Public Works Department. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will be proceed to CITY COUNCIL for PUBLIC HEARING on October 22, 2018.

PUBLIC HEARING was held on a request to amend Article 7, City of Bellevue Zoning Ordinance, regarding digital signs. Applicant: City of Bellevue.

Shewchuk mentioned this item was discussed at the July Planning Commission meeting and was continued to tonight's meeting. Upon reviewing additional information regarding methods of measuring light intensity, it was determined to measure in foot candles versus nits. The Planning Department is recommending that digital signs be required to "be equipped with a sensor or other device to automatically adjust the day/night light intensity to a level not exceeding 0.3 foot candles over ambient

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lighting when measured in accordance with International Sign Association criteria." Shewchuk stated it is easier to measure light intensity in foot candles than in nits and that a light meter could be purchased rather inexpensively when needed.

Brittnie True, 23319 Hunt Avenue, Council Bluffs, Iowa, thanked Shewchuk for considering foot candles. She addressed the 15 second hold time, static signs, and brightness. She referred to the signs at Bellevue West and Sonic. She requested that the required hold time be reduced and the requirement for static displays be reconsidered.

Handouts were provided to the Planning Commission by Ms. True.

Pat Shannon, 3417 E. Dutchman Circle, Bellevue, stated he had concerns with on premise and off premise signs, and message centers. He stated the ordinances and regulations are a set of rules which should be followed. He referred to letter "C" in the handout which states 'the city reserves the right to further regulate individual signs based on vehicular traffic safety". He stated ordinances are enforced and should be applied, this should not be determined on an individual basis.

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

Shewchuk explained the difference between off premise signs and billboard signs. He explained once a sign is permitted the permit stays with the sign. There is no requirement for an annual permit. Shewchuk stated other concern brought forward by Mr. Shannon is already in the existing sign ordinance. He mentioned letter "C" is in the current ordinance, he just moved the placement of this item in the ordinance. He stated the intent is to have the regulations for billboards and other digital signs be compatible.

Ackley referred to scrolling signs. Ackley inquired as to whether or not there was an urgency to move this item on to the City Council; Shewchuk replied there was not. Ackley indicated that the matter of scrolling signs and other signs depicting movement should also be addressed in the regulations.

MOTION was made by Ackley, seconded by Perrin, to CONTINUE to the November 15, 2018 Planning Commission meeting a request to amend Article 7, City of Bellevue Zoning Ordinance, regarding digital signs. Applicant: City of Bellevue. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will CONTINUE to PLANNING COMMISSION for PUBLIC HEARING on November 15, 2018.

Meeting adjourned at 8:15 p.m.

Shirley R. Harbin

Shirley R. Harbin Planning Assistant

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT #1

CASE NUMBERS: Z-1808-06

FOR HEARING OF: REPORT #1: October 25, 2018

I. GENERAL INFORMATION

A. APPLICANT:

Charv's Contracting Attn: Diane Bruce 1020 Lincoln Road Bellevue, NE 68005

B. PROPERTY OWNER:

Charv's Contracting Attn: Diane Bruce 1020 Lincoln Road Bellevue, NE 68005

C. LOCATION:

1020 Lincoln Road

D. LEGAL DESCRIPTION:

Lots 1 and 3, College Plaza Addition Replat I, located in the Southwest ¹/₄ of Section 25 and the Southeast ¹/₄ of Section 26, and Lot 5, College Plaza Addition, located in the Southeast ¹/₄ of Section 26, all located in T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTION:

Rezone Lots 1 and 3, College Plaza Addition Replat I, and Lot 5, College Plaza Addition, from BNH-PCO and BN-PCO to BG-PCO.

F. EXISTING ZONING AND LAND USE:

BN-PCO and BNH-PCO, Commercial and Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning for the purpose of further commercial development on the property; including a doggy daycare and indoor sports facility.

H. SIZE OF SITE:

The site is approximately 4.74 acres.

II. <u>BACKGROUND INFORMATION</u>

A. EXISTING CONDITION OF SITE:

Lot 1, College Plaza Replat I, and Lot 5, College Plaza Addition, are presently vacant and covered in vegetation.

Lot 3, College Plaza Replat I, is developed with a commercial strip retail center. A portion of the center is filled with the B & B Classic Dogs restaurant. The remaining retail space is presently vacant.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. North: BN-PCO and Harvell Drive right-of-way, Commercial and Vacant
- **2. East:** BN-PCO, Commercial
- 3. South: RS-72, Commercial
- 4. West: BN-PCO and RS-72, Commercial and Single Family Residential

C. REVELANT CASE HISTORY:

On March 21, 2013, the Planning Commission recommended approval of a request to rezone Lot 3, College Plaza Replat I, from BN to BNH for the purpose of an entertainment restaurant. The City Council approved the aforementioned request on April 22, 2013.

D. APPLICABLE REGULATIONS:

- 1. Section 5.22, Zoning Ordinance, regarding BG uses and requirements.
- 2. Section 5.25, Zoning Ordinance, regarding PCO Planned Center Overlay.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data available for this area.

2. The property has access from an existing drive off of Lincoln Road.

D. UTILITES:

All utilities are available to this property.

E. ANALYSIS:

1. Diane Bruce, on behalf of Charv's Contracting, has submitted a request to rezone Lots 1 and 3, College Plaza Replat I, and Lot 5, College Plaza Addition, from BN-PCO (Neighborhood Business – Planned Center Overlay) and BNH-PCO (Heavy Neighborhood Business – Planned Center Overlay) to BG-PCO (General Business – Planned Center Overlay).

2. The purpose of this request is to obtain approval of a rezoning for the purpose of further commercial development on the property; including a doggy daycare and indoor sports facility.

3. The applicant presently operates B & B Classic Dogs in a portion of the existing strip retail building. Ms. Bruce has indicated in the attached letter to the Planning Department she has a new tenant desiring to operate a dog training/grooming facility in the empty bay next to her restaurant. Additionally, Ms. Bruce has future plans to construct an indoor sports facility on the vacant property next to her restaurant.

The proposed BG zoning allows these aforementioned uses as permitted uses.

4. The purpose of the BG zoning district is to provide for a wide range of retail and service establishments, while the BN and BNH zoning districts are designed for more limited commercial uses serving the immediate vicinity.

The –PCO (Planned Center Overlay) requires site plan approval. Any further construction on these properties will require Ms. Bruce to obtain site plan approval through the Planning Commission and City Council public hearing process.

5. Like the BNH zone, the BG zone would require a 20 foot bufferyard from the existing RS-72 zoned property to the south. The current building is located approximately 140 feet from the rear property line. In addition, there is an elevation difference of approximately 40 feet from the rear property line of the single family residences to the existing commercial building.

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, 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.

7. Based on the businesses currently located in this development, and the topographical buffer between the majority of the property and the adjacent single family residential neighborhood, staff believes this change of zone will not have a negative impact on the surrounding neighborhoods. Furthermore, site plan approval will be required for additional construction in the proposed zoning district.

8. This request is in conformance with the Comprehensive Plan.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance, Comprehensive Plan, and lack of perceived negative impact upon the surrounding commercial and residential properties.

V. <u>PLANNING COMMISSION RECOMMENDATION</u>

Under Review

VI. ATTACHMENTS TO REPORT

- 1. Zoning Map
- 2. 2018 GIS aerial photo of the property
- 3. Justification letter received August 29, 2018

VII. <u>COPIES OF REPORT TO:</u>

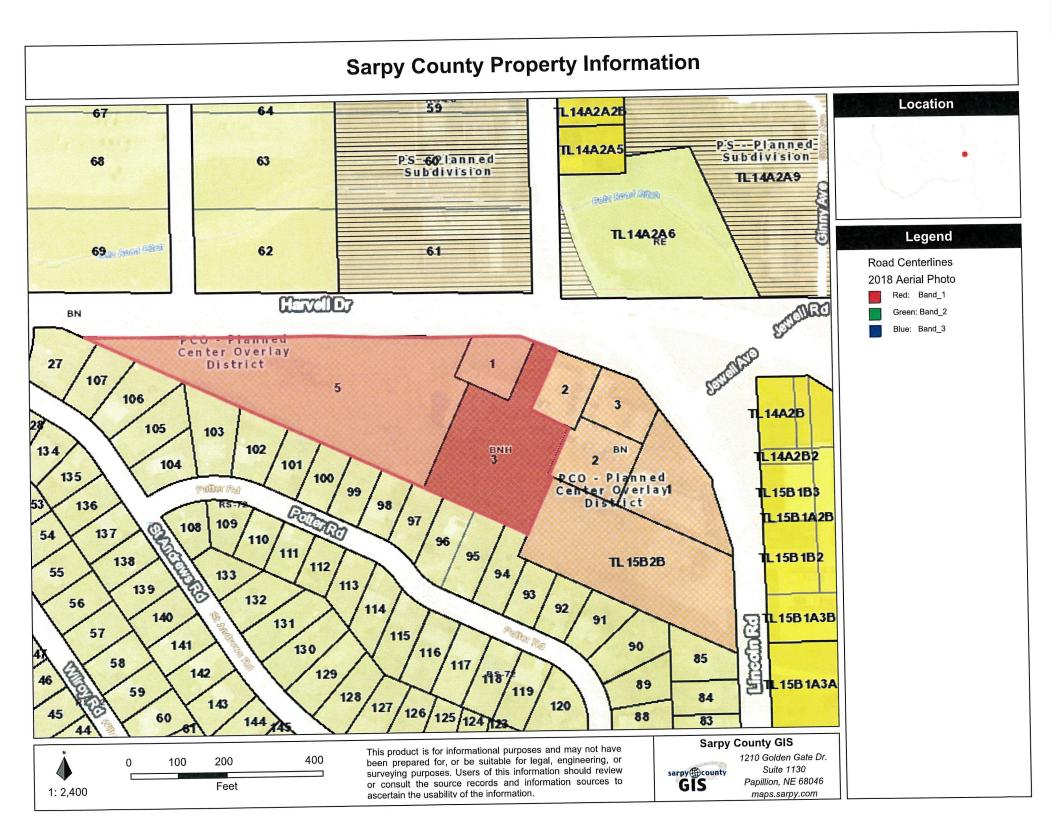
- 1. Charv's Contracting (Diane Bruce)
- 2. Public Upon Request

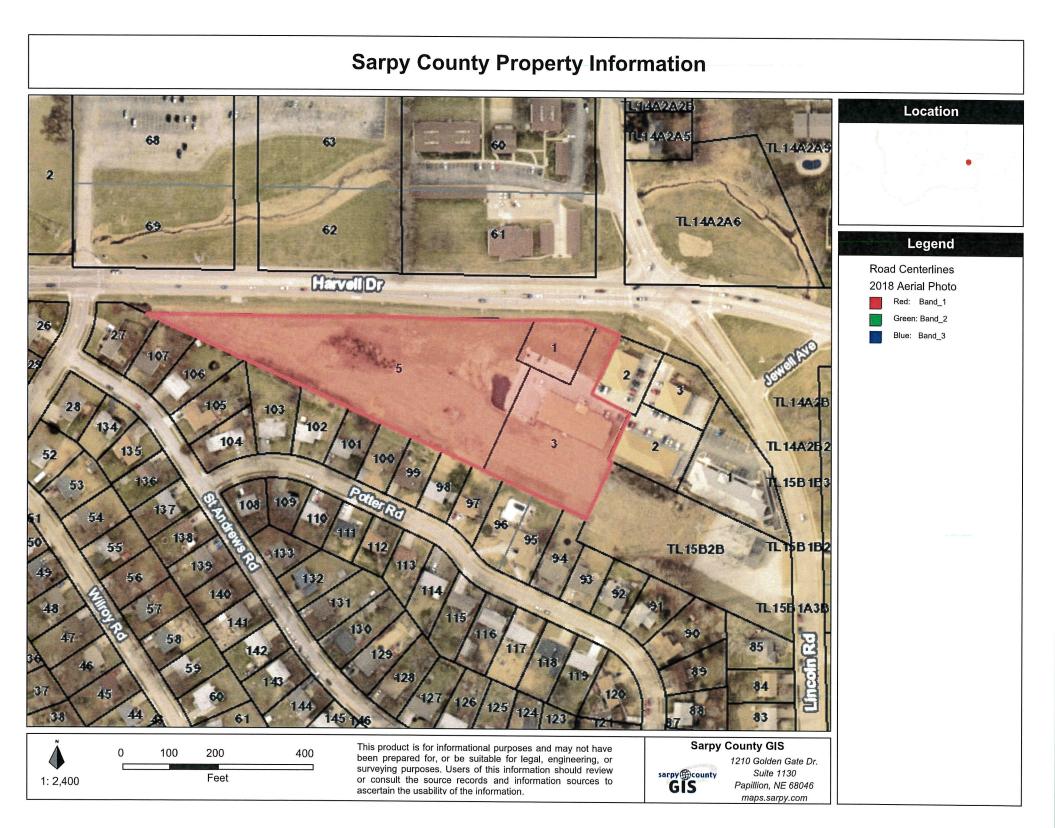
Emmi Palm

Prepared by:

Planning Director

Date of Report





August 28, 2018

City of Bellevue Planning Department 1510 Wall Street Bellevue, NE 68005

To whom it may concern:

This letter is our request to rezone a few lots at 1020 Lincoln Rd. Please find attached the application for this zoning change.

We would like to rezone lots 1 & 5 College Plaza from <u>BN</u> and Lot 3 College Plaza from <u>BNH</u> to <u>BG</u> for all of them. We asking for this rezoning as we have a new tenant hoping to opening a dog training/grooming facility at the empty bay next to B & B Classic Dogs. We are also in the middle of plans to building an indoor sports facility on Lot 5 and need it rezoned to meet those requirements. Lot 3 hasn't been determined yet, but if it doesn't become a parking lot, we are planning to build another building to lease to a retail type operation so hoping to have it all rezoned at the same time.

The tenant will be taking over the property in November or December at the latest. The Indoor Sports facility is in the planning stages and we are anticipating starting the building right after the new year.

Please feel to contact me if you have any questions or concerns at 402-670-1025 or Diane@bbclassicdogs.com

Respectfully,

M Kuce 0

Diane Bruce Charv's Contracting, Inc. 1020 Lincoln Rd Bellevue, Ne 68005

> RECEIVED AUG 29 2018 PLANNING DEPT.