

## **BELLEVUE PLANNING COMMISSION**

Thursday, January 24, 2019 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 December 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 the North 1/2 of the east 35.2' of Lot 2 and North 1/2 of Lot 3, Tiller's Hillcrest Addition, from BG to BGH to RS-84 for the purpose of an existing single family residence. Applicant: BJ Justice. Location: 210 Galvin Road North. Case #: Z-1812-10.
- b. Request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row, all located in the North 1/2 of Section 21, T14N, R13E; rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North the 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North 1/2 of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RS-72 to RS-72 and AG for the purpose of an existing single family residence and agricultural use; and small subdivision plat Lots 1 and, Rancho La Estrella. Applicants: Jose and Monica Ramirez. Location: 2803 Childs Road West. Case #'s: Z-1811-09 and S-1811-11.
- c. Request to annex SID 147, Blackhawk. Applicant: City of Bellevue.

### **4. CURRENT BUSINESS**

### **5. ADJOURNMENT**

# MINUTE RECORD

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

The Bellevue Planning Commission held a regular meeting on Thursday, December 20, 2018 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Cain, Baumgartner, Jacobson, Ackley, Cutsforth, Ritz, and Smith. Absent was Commissioner Perrin. 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 Casey, seconded by Cutsforth, to approve the minutes of the November 15, 2018 regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

Motion was made by Ackley, seconded by Cain, 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 Lots 1 through 121, and Outlots A through G, Belle Lago South, being a replat of Lots 20 through 22, and Outlots B, G, and H, Belle Lago, and a platting of the Southwest ¼ of the Northwest ¼, all located in Section 8, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County from AG and RG-50-PS to RG-50-PS for residential development; and preliminary plat Lots 1 through 121, and Outlots A through G, Belle Lago South. Applicant: Boyer Young Development Company. General Location: Southeast of 48<sup>th</sup> Street and Capehart Road. Case #'s: Z-1809-07 and S-1809-08.

Larry Jobeun, 11440 West Center Road, Fullenkamp, Jobeun, Johnson, and Beller, LLP, was present on behalf of the applicant. He advised the proposed development is located near the southeast corner of 48<sup>th</sup> and Capehart Road. The area consists of 65 acres of undeveloped land. Located to the north of the proposed development is the Belle Lago subdivision which is in the process of being developed. The properties located to the east and to the west are zoned AG and are both undeveloped land. Immediately to the south is the Clearwater Falls subdivision, which was developed by Boyer Young Development Company. Jobeun explained Boyer Young also has Lions Gate and Cedar Grove Subdivisions developing in the area as well. The future land use map designates this area as medium density residential. The proposal is for 121 total lots, however one of the lots is a replatted lot from the Belle Lago subdivision. Subsequently, there will be 120 new lots. The density is approximately 4.4 lots per acre. There are also seven outlots, which include a lake and a relatively large drainage way. The rezoning request is from AG and RG-50-PS to RG-50-PS to allow the front yard setback to change from 35 feet to 25 feet and the rear yard setback from 25 feet to 20 feet. This is primarily due to the amount of wetlands, green space, the lake, the narrowness of the entire subdivision, and topographical reasons. These are the same setbacks that were approved for the Belle Lago subdivision. Jobeun explained the proposal includes 30 smaller villa type lots along the western and southern boundaries of the proposed subdivision. The average sales prices of the villa lots will be approximately \$285,000 with around 6,500 square feet in lot size. The remainder of the subdivision will include full size lots ranging from around 10,000 square feet in lot area with the average sale price being \$345,000. Jobeun noted access to the development will be from 42<sup>nd</sup> Avenue, 44<sup>th</sup> Street, 44<sup>th</sup> Avenue, and 45<sup>th</sup> Street. The access point from 45<sup>th</sup> Street makes a connection for Lookingglass Drive. This street will be the east/west connection and serve as a collector street, which will eventually connect development from 36<sup>th</sup> Street to 48<sup>th</sup> Street. Jobeun explained the developer is working to acquire 1.3 acres of vacant ground to the west in order to facilitate the 45<sup>th</sup> Street connection. The property is being developed through the use of a Sanitary Improvement District (SID). Jobeun advised the technical deficiencies outlined in the staff recommendation report have already been satisfied. Letters were mailed out to the property owners within 300 feet of the proposed development and to the HOA on November 29<sup>th</sup> from the developer. The developer held a meeting on December 10, 2018 at the nearby Lewis and Clark Middle School. Only one gentleman attended the meeting.

Mark Westergard, 10909 Mill Valley Road, Suite 100, E & A Consulting Group, Inc., was present as the applicant's engineer. He mentioned there are two challenges with this development: the first being the land acquisition to facilitate the 45<sup>th</sup> Street connection, and the second being the trail connectivity to the surrounding developments. The proposed development connects a trail to the Clearwater Falls subdivision north along proposed South 44<sup>th</sup> Avenue. Staff would like to see trail connections to the

# MINUTE RECORD

Bellevue Planning Commission Meeting, December 20, 2018, Page 2

east and west along Lookingglass Drive, as well as along the lake to the eastern boundary of the subdivision. The area to the northeast of the existing lake is slated someday to be a regional park. The City would like to see connectivity to this area. Westergard mentioned the developer is not sure if they can afford to implement the trail plan from day one; however, it is agreed upon by all parties it is the best thing for the City and the best thing for the SID. The developer needs to figure out a way to pay for it. This could include paying for a good share of it upfront, and phasing a portion of the trails which could not be paid for on day one. Westergard provided a display and description of the proposed trails. In regards to the Lookingglass trail, the City would like to have a ten foot wide trail. It is normal for the district to pay for half of the areas that are fronting the side yard or the front yard of residential lots. The district would pay for five feet of the trail, and the homeowner for five feet (the width of a typical sidewalk). This is reflected in the projected costs. He indicated the sidewalks outlined in orange on the display are the sidewalks the district would have to build under the normal Subdivision Regulations of the city. The district would be responsible for filling in the gaps along the outlots in the area. There would be an entire connection from Clearwater Falls all the way into the current Belle Lago Subdivision. The way the latest proposal to the City has been modeled, there would be enough funds for a district of this size to do both of these trails from day one. The item in question is the proposed trail which connects to the regional park from Clearwater Falls. The Clearwater Falls subdivision has a trail that is six foot wide which connects to their park area. The proposed Belle Lago South trail would connect to that, with the idea to provide pedestrians connectivity to the future regional park area. This is proposed to be an eight foot wide trail. Westergard explained the dashed line on the display indicates wetlands that the firm has delineated. The wetlands are relatively close to the lots. He advised there are several culverts on the project. This is causing them to bump up against their 404 permit with the Corps of Engineers as far as the amount of area which can be disturbed. The intent is to look at the project and use good engineering practice to see if a trail in this proposed area can be done. This particular portion of the trail may be expensive. The developer is willing to take on the obligation to connect the trails; however, the district is not sure when they will be able to afford to do so. The developer will also look at an alternative to take the five foot walk along South 44<sup>th</sup> Avenue and make it an eight foot walk. It would come up into Belle Lago and it would come around the north side of the lake, on top of the dam, and into the regional park area. This is an alternative, should insurmountable engineering problems arise on the portion of the proposed trail that goes into Outlot A. It would still provide the same benefit to the residents and provide connectivity to a future regional park, and be easier to construct.

Shewchuk addressed the proposed road connection from Lookingglass to 45<sup>th</sup> Street. He advised this would require acquisition of property from the abutting land owner. Worst case scenario, the SID may have to use eminent domain to acquire this property. The land acquisition is not shown as part of the preliminary plat and will not be part of the final plat. He explained if eminent domain is used, the final plat would need to be filed prior to this action taking place. Street connections would need to be shown to make it necessary for eminent domain. In this situation, it could be possible the land would be acquired after the final plat has been approved. The road would be constructed when the rest of the infrastructure is done. If this connection is not completed, building permits will be held. Shewchuk advised this will be put into the Subdivision Agreement. Before any building permits for Belle Lago South would be issued, the road connection would have to be done.

Jobeun explained state law allows SIDs to use the power of eminent domain if they need to with the consent or approval of the governing jurisdiction over the SID. There can be a provision in the Subdivision Agreement which provides for that. The connectivity makes sense from an overall transportation system perspective. The hope is to negotiate with the land owner well in advance of having to go through an eminent domain process. The eminent domain process is the last resort if an agreement cannot be reached. State law requires the developer to negotiate in good faith and make an offer based upon the fair market value of the property. Jobeun advised the developer would not be taking the property, rather compensating the landowner for it. He noted when the area to the west and east of the proposed subdivision develops at some point in the future, Lookingglass Drive will be a collector street from 36<sup>th</sup> to 48<sup>th</sup> Street. Ultimately, it is a necessary connection. He reiterated the ultimate goal is to acquire the 1.3 acres without the use of eminent domain. He pointed out the SID is a political subdivision of the State of Nebraska just like the City of Bellevue is. He mentioned if this was a City of Bellevue project the City would have to do the same thing.

Shewchuk stated as Mr. Westergard pointed out the area to the northeast of the lake is planned to be developed as a community neighborhood park. The park would serve several surrounding neighborhoods developing in the area. This is a more efficient use of land rather than each neighborhood developing their own small park. The area being viewed for park development has trees and power lines running through it, therefore it is not conducive for residential development. There will be trail connections from Clearwater Falls and Cedar Grove through Belle Lago South to this area

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Bellevue Planning Commission Meeting, December 20, 2018, Page 3

which would connect along Lookingglass Drive over towards 36<sup>th</sup> Street. There will be a ten foot trail along 36<sup>th</sup> Street when that construction is done, over to 48<sup>th</sup> Street where there is an eight foot trail. Ultimately this will connect to the Daniell Farm property the City has, or further south along 36<sup>th</sup> Street into Two Springs. The trails will connect through several SIDs to Capehart Road, which will help complete a trail system in that part of the City. Shewchuk commented he understands Mr. Westergard's concerns with the timing and cost. He mentioned he is okay with the proposed plan and timing for construction. There will be something specific in the Subdivision Agreement, as far as the timing or assurances of having the trail completed. He noted the agreement will have conditions outlined in regards to completing the trail.

Brian Koontz, 13512 South 46<sup>th</sup> Street, commented he supports the development of Belle Lago South. He mentioned in the area between 36<sup>th</sup> and 48<sup>th</sup> Streets south of Capehart Road there are five new developments, with approximately 850 to 1,000 lots with new homes being developed. He questioned what the plan is for the roads, particularly 48<sup>th</sup> Street and Capehart Road to 36<sup>th</sup> Street. He mentioned the widening of 36<sup>th</sup> Street has been delayed and there is only one stop light located at 36<sup>th</sup> and Capehart. He stated the traffic backs up along westbound Capehart Road near 36<sup>th</sup> Street, and also along northbound 36<sup>th</sup> Street near Highway 370. He commented if every home has two cars, this would be an additional 2,000 vehicles in this area. He inquired if the roads will be widened and if there will be a traffic light will be placed at 48<sup>th</sup> and Capehart. He questioned if this will be done prior to construction, during construction, or after all of the homes are built. He stated there will be construction traffic, along with the residential traffic from the surrounding neighborhoods. Shewchuk advised the City and County Public Works Departments are keeping an eye on the 48<sup>th</sup> and Capehart Road intersection as far as necessary improvements. There is certain criteria which would need to be met before a traffic signal would go in. Part of what is considered is the traffic volume, and part of it is traffic delay and accidents. The SIDs abutting the area will contribute to paying for a traffic signal if necessary. Shewchuk explained a signal will be coming at some point in the future, but he is not sure when. He indicated it would most likely be after more construction is done in the area. He explained the right-of-way is wide enough on both 48<sup>th</sup> Street and Capehart Road to have additional lanes. Again, the amount of traffic dictates road widening. The widening of the north part of 36<sup>th</sup> Street should begin next year. The area from Blaine Avenue to Sheridan Road is the first phase of the 36<sup>th</sup> Street widening project. Koontz commented his understanding was the project was delayed for two years. He commented his concern is there is already congestion there. He understands more vehicles are needed to justify the widening, but there is already traffic backed up in excess of two miles either direction. Shewchuk replied everyone is aware of it. He stated 36<sup>th</sup> Street has been on the drawing board for a number of years. There were delays in getting environmental approvals from the Federal Highway Administration. These were delays the City had no control over. The Capehart Road widening is in the Capital Improvement Plan (CIP) between 27<sup>th</sup> and 36<sup>th</sup> Street.

Paul Eloffson, 10050 Regency Circle, Omaha, Fitzgerald Schorr Law Firm, was present of behalf of Maalero LLC, the land owner who owns the portion of the land which is being discussed to be acquired. He stated the staff report references the necessity of the connection to South 45<sup>th</sup> Street is to avoid having South 44<sup>th</sup> Avenue be a collector street, but rather having Lookingglass Drive as a collector street. He questioned what the rationale is to support this.

Jobeun mentioned Lookingglass Drive has always been the planned east/west collector street from 36<sup>th</sup> to 48<sup>th</sup> Street. He stated it is part of the road system and transportation plan. The new 44<sup>th</sup> Avenue will make the north/south connection through Belle Lago. The extension of Lookingglass Drive to the west will connect to 45<sup>th</sup> Street. This allows future residents to come out onto 45<sup>th</sup> Street, go south to Sheridan, and then Sheridan to 48<sup>th</sup> Street to make the connection. Jobeun commented he believes sometime in the future the intersection of 48<sup>th</sup> Street and Sheridan Road will be signalized. He believes the thought of the Planning Department was having a more direct route to 48<sup>th</sup> Street for Belle Lago South residents via the 45<sup>th</sup> Street connection.

Westergard added when discussion took place with the City, the City's first choice was to make 44<sup>th</sup> Street a collector street. As it was discussed further, there were a couple of reasons for the alternative of going with the 45<sup>th</sup> Street connection. One reason was making 44<sup>th</sup> Avenue a collector with 32 foot wide paving, it would connect into existing Belle Lago. Those streets in the platted Belle Lago subdivision are local streets and are just 25 feet. Therefore, you would be running a collector street into a local street which does not make sense. The other reason was a physical restraint issue. The wetlands are fairly close. The slopes that would be required to do the right-of-way and width of lane required for a collector would put this project over the limits for a nationwide permit under the Corps of Engineers. Subsequently, it was decided the best alternative was to connect Lookingglass Drive as a collector to 45<sup>th</sup> Street.



# MINUTE RECORD

Bellevue Planning Commission Meeting, December 20, 2018, Page 4

Shewchuk stated Lookingglass from 36<sup>th</sup> Street to the east is already a collector street. It makes sense to have it continue on through this section over to 48<sup>th</sup> Street as a collector for the various neighborhoods.

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

Ackley stated he is unsure why the developer is being required to acquire or condemn property. He questioned if there can be a collector street with a stub on the west and a stub on the east without the developer having to acquire and connect with 45<sup>th</sup> Street. There will still be two access points to the south, South 44<sup>th</sup> Avenue and South 42<sup>nd</sup> Avenue, connecting through. Shewchuk replied the 45<sup>th</sup> Street connection is the best way to get the majority of traffic coming out of Belle Lago South to 48<sup>th</sup> Street. Jacobson inquired if the engineering department for the City reviewed the traffic flow and acquisition. Shewchuk replied yes. Ackley clarified the shortest route to 48<sup>th</sup> Street from the proposed subdivision is the 45<sup>th</sup> Street connection from Sheridan to 48<sup>th</sup> Street, as opposed to dropping all the way to South 44<sup>th</sup> Street or South 42<sup>nd</sup> and looping through the Clearwater Falls subdivision. Shewchuk replied that was correct. He stated the 45<sup>th</sup> Street connection would also be better than going north on 44<sup>th</sup> Avenue into Belle Lago. Ackley commented he could not remember a time where a developer was required to acquire a property using eminent domain. Ackley mentioned when he thinks of forced acquisition or condemnation it is a "hostage" situation for the developer if he buys it, or for the land owner if it gets condemned. Shewchuk explained during the review process the Planning and Public Works Departments felt this access was necessary for this development. Ackley inquired if there is a requirement on the plat for it. Jobeun explained it cannot be shown as part of the preliminary plat for a couple reasons. First of all, the developer does not own it. Secondly, the SID does not have the power or authority to acquire property whether it is eminent domain or otherwise. The statute states the SID can acquire property inside or outside its corporate limits, with the approval of the governing jurisdiction. In this particular case, the governing jurisdiction is the City of Bellevue. He noted the Subdivision Agreement will have a provision included which authorizes the SID to acquire this property outside its corporate limits to make this extension of Lookingglass Drive to 45<sup>th</sup> Street. Once the City Council approves the Subdivision Agreement they also approve the final plat. The SID will then have the power and the authority to acquire the property by eminent domain if necessary. Jobeun stressed the hope is to acquire the property without having to use eminent domain, and to reach an amicable purchase price. Jobeun noted ultimately the access is better with acquiring the property to make the 45<sup>th</sup> Street connection. Discussion followed on this topic.

Ackley inquired if a new plat will need to be reviewed once the property is acquired. Jobeun stated it's possible a new plat would need to be submitted. It would need to be determined as surplus property by the district. Ackley inquired how park fees would be calculated since they are only calculated on property they own. He questioned if there would be anything added for the 1.3 acres. Shewchuk replied not at this time. If the property is part of a preliminary plat in the future it would be subject to the park fees at that time.

Jacobson questioned if the two collector roads would be on the front end of the physical development. Jobeun explained the proposed development is not phased. The development will be constructed in one phase. All the public improvements would be installed with the development. Jacobson mentioned the construction of the 45<sup>th</sup> Street connection could be delayed if the necessary property has not been acquired. Jobeun commented the alignment of Lookingglass Drive is pretty well established. It would be one thing if the location of Lookingglass between 36<sup>th</sup> and 48<sup>th</sup> Street wasn't known. Jobeun pointed out Lookingglass will make a direct route from 36<sup>th</sup> to 48<sup>th</sup> Street. It is more desirable to improve the access initially, as opposed to bringing people into Clearwater Falls via South 42<sup>nd</sup> Avenue and South 44<sup>th</sup> Street. Jacobson stated he is sensitive to traffic concerns in the area. Discussion followed.

Ritz stated the preliminary plat can only be done on the property the applicant owns. He requested clarification if the Planning Commission is making a recommendation on only approving the area the developer currently owns, or also including the area they need to acquire. Shewchuk stated both. The preliminary plat is presented for approval and the development of the property would be dependent on Lookingglass Drive being extended to the west to South 45<sup>th</sup> Street. He explained that is why it is shown on the plat. The applicant has agreed to do that but they cannot do that until after the final plat is approved. This connection will be subject to conditions of the Subdivision Agreement which will be done with the final plat.

Jacobson inquired if the height and setback requirements for fencing in the RG-50-PS will remain the same. Shewchuk replied yes.

# MINUTE RECORD

Bellevue Planning Commission Meeting, December 20, 2018, Page 5

Ackley commented he is not a fan of potential condemnation; however, he stated this a good development for the area, it will make good trail connections, and it is a good development for Bellevue.

MOTION was made by Ackley, seconded by Cain, to recommend APPROVAL of a request to rezone Lots 1 through 121, and Outlots A through G, Belle Lago South, being a replat of Lots 20 through 22, and Outlots B, G, and H, Belle Lago, and a platting of the Southwest ¼ of the Northwest ¼, all located in Section 8, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County from AG and RG-50-PS to RG-50-PS for residential development; and preliminary plat Lots 1 through 121, and Outlots A through G, Belle Lago South. Applicant: Boyer Young Development Company. General Location: Southeast of 48<sup>th</sup> Street and Capehart Road. Case #'s: Z-1809-07 and S-1809-08. APPROVAL based upon conformance with the Zoning Ordinance, Comprehensive Plan, Subdivision Regulations, and lack of perceived negative impact to the surrounding areas. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to CITY COUNCIL for PUBLIC HEARING on January 28, 2019.**

Meeting adjourned at 8:00 p.m.



Shirley R. Harbin  
Planning Assistant

**3.a.**

# **CITY OF BELLEVUE PLANNING DEPARTMENT**

## **RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** Z-1812-10

**FOR HEARING OF:**

**REPORT #1:**

January 24, 2019

### **I. GENERAL INFORMATION**

#### **A. APPLICANT:**

BJ Justice  
210 Galvin Road North  
Bellevue, NE 68005

#### **B. PROPERTY OWNERS:**

BJ and Joan Justice  
210 Galvin Road North  
Bellevue, NE 68005

#### **C. LOCATION:**

210 Galvin Road North

#### **D. LEGAL DESCRIPTION:**

North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, located in the Southeast ¼ of Section 23 T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

#### **E. REQUESTED ACTIONS:**

1. Rezone the North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, from BG and BGH to RS-84.

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

BG and BGH, Single Family Residential

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain a rezoning for the purpose of an existing single family residence.

**H. SIZE OF SITE:**

The site is approximately .55 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is presently developed with a single family residence (constructed in 1955) and a storage shed.

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

1. **North:** BG, Commercial
2. **East:** BG, Commercial (across Galvin Rd)
3. **South:** BG/BGH, Single Family Residential
4. **West:** BGH, Commercial

**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 property as commercial.

**B. OTHER PLANS:**

None

**C. TRAFFIC AND ACCESS:**

1. The 2016 MAPA Traffic Flow Map estimates approximately 12,450 vehicles per day near the intersection of Galvin Road North and Avery Road.

2. The property has access to Galvin Road North via a private drive.

**D. UTILITIES:**

All utilities are available to this property.

**E. ANALYSIS:**

1. BJ Justice has submitted a request to rezone the North ½ of the east 35.2' of Lot 2, and North ½ of Lot 3, Tiller's Hillcrest Addition, for the purpose of an existing single family residence.

2. This property is presently zoned BG and BGH. The applicant is requesting a change of zone to the RS-84 zoning district.

Prior to our 2011 Zoning Ordinance update, single family residences were a permitted use in the BG and BGH districts. Under our current regulations, a single family residence is a legal non-conforming use in a commercial zoning district.

3. The applicant has indicated he is asking for a change of zone to facilitate a refinance on the home. Mr. Justice stated he is unable to do so with a legal non-conforming use. Please refer to the applicant's letter attached to this report.

4. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

No comments were received on this case.

5. The Future Land Use Map of the Comprehensive Plan shows this property as commercial.

The Comprehensive Plan does not preclude a change of zone in this location. Staff believes commercial use for this property is an appropriate long-term plan; however, the residential zoning will allow for the existing single family residence to remain until such time as commercial development occurs.

6. The City Council has previously approved residential zoning for several legal non-conforming residences in commercial zoning since the 2011 Zoning Ordinance update.



**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

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

**V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Letter from the applicant received December 21, 2018

**VII. COPIES OF REPORT TO:**

1. BJ Justice
3. Public Upon Request



Prepared by:



Planning Director



Date of Report





Area of Rezoning Request



Location

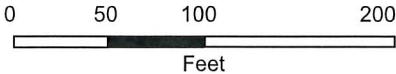


Legend

- Road Centerlines  
2018 Aerial Photo
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



1: 1,200



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.



Sarpy County GIS

1210 Golden Gate Dr.  
Suite 1130  
Papillion, NE 68046  
maps.sarpy.com



B.J. Justice

210 Galvin Road N

Bellevue, NE 68005

December 19, 2018

City of Bellevue Planning Director

Mr. Chris Shewchuk

1510 Wall Street

Bellevue, NE 68005

Dear Mr. Shewchuk,

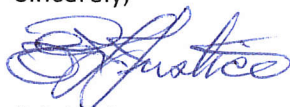
I have submitted an application for re-zoning of our residence to be zoned from Commercial to Residential. The property is legally described as N 1/2 of E 35.2' of Lot 2 & N 1/2 Of Lot 3 Tillers Hillcrest Addition.

It was built in 1956 by my father-in-law as his family home. Of course it was my wife child hood home. After purchasing the property four years ago we have remodeled it and are enjoying living here. But now we have a need to refinance and due to the current zoning we are not able to do so. We now have an "ARM" Loan and hope we can refinance to secure a " Fixed Rate Loan". The current zoning states that if the house should be destroyed by fire or wind or some other cause we are not allowed to rebuild. Therefore lenders will not finance it. This is the reason for our request.

Thanking you for your kind consideration,

I remain,

Sincerely,



B.J. Justice

RECEIVED  
DEC 21 2018  
PLANNING DEPT.

3.b.

# **CITY OF BELLEVUE PLANNING DEPARTMENT**

## **RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** Z-1811-09  
S-1811-11

**FOR HEARING OF:**  
**REPORT #1:** January 24, 2019

### **I. GENERAL INFORMATION**

#### **A. APPLICANTS:**

Jose and Monica Ramirez  
2803 Childs Road West  
Bellevue, NE 68147

#### **B. PROPERTY OWNERS:**

Jose and Monica Ramirez  
2803 Childs Road West  
Bellevue, NE 68147

#### **C. LOCATION:**

2803 Childs Road West

#### **D. LEGAL DESCRIPTION:**

Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

#### **E. REQUESTED ACTIONS:**

1. Annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row.
2. Rezone Lots 1 and 2, Rancho La Estrella, from RS-72 to AG and RS-72.
3. Small Subdivision plat Lots 1 and 2, Rancho La Estrella.



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

RS-72, Single Family Residential/Vacant

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain an annexation, rezoning, and small subdivision plat for the purpose of an existing single family residence and agricultural use.

**H. SIZE OF SITE:**

The site is approximately 27 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

Approximately three acres of the property is developed with a single family residence (constructed in 1916) and accessory structures. The remainder of the property is presently vacant and covered in vegetation.

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

1. **North:** Single Family Residential, RS-72
2. **East:** Single Family Residential/Vacant, RS-72
3. **South:** Vacant/COB Fire Training Center, RS-72
4. **West:** Single Family Residential/Vacant, RS-72

**C. REVELANT CASE HISTORY:**

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

**D. APPLICABLE REGULATIONS:**

1. Section 5.05, Zoning Ordinance, regarding AG uses and requirements.
2. Section 5.10, Zoning Ordinance, regarding RS-72 uses and requirements.
3. Chapter 5, Subdivision Regulations, regarding small subdivisions.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this property as low density and medium density residential.

**B. OTHER PLANS:**

None

**C. TRAFFIC AND ACCESS:**

1. There is no traffic data information available for this area.
2. The property has access via a private drive off of Childs Road West.

**D. UTILITIES:**

This property is not served by sanitary sewer; however, it is served by public water.

**E. ANALYSIS:**

1. Jose and Monica Ramirez have submitted a request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned railroad right-of-way, all located in the North ½ of Section 21, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. They are making this request in order to facilitate a small subdivision plat and rezoning on their property. Currently, the aforementioned portion of the proposed plat is outside of the city limits, while the remainder of their property is in city limits. In order to complete their request for a small subdivision plat, all of the property needs to be within the city's boundary.

The boundary of these parcels is contiguous to the current city boundary.

Please refer to the attached map. Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned railroad right-of-way are highlighted in red. The current city limit boundary is identified by the dashed black line.

2. The applicants are also requesting to rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, and small subdivision plat Lots 1 and 2, Rancho La Estrella.

3. The property is presently zoned RS-72. The applicant is requesting the zoning remain RS-72 for proposed Lot 1, while Lot 2 be zoned AG.

The applicants have indicated they intend to maintain the single family residence on proposed Lot 1, while utilizing proposed Lot 2 for agricultural use. Please refer to their attached letter.

4. The proposed lots meet the minimum requirements for their intended zoning districts.

5. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works Department, and the Omaha Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Captain Dave Stukenholtz, Bellevue Police Department, expressed concerns regarding potential herd size, animal waste, and odor.

Section 5.05.02, Zoning Ordinance, does allow for farming, pasturing, and animal husbandry as a permitted use in the AG district subject to the rules and regulations of the Board of Health and NDEQ, provided that no livestock feedlot or yard for more than 25 animals shall be established.

The applicant has approximately 24 acres on proposed Lot 2 which he is requesting for the AG zoning. Based on the amount of land and secluded nature of this particular property, staff does not share these concerns regarding animal waste and odor.

No other comments were received in this case.

6. The Future Land Use Map of the Comprehensive Plan designates this area as low density and medium density residential. The RS-72 zoning of proposed Lot 1 would be considered medium density residential. Rezoning proposed Lot 2 to AG does not preclude it from becoming a residential development in the future.

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

None

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

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

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

Under Review

**VI. ATTACHMENTS TO REPORT**

1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Small Subdivision plat received December 17, 2018
4. City Limits Map
5. Letter from the applicant received November 15, 2018

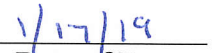
**VII. COPIES OF REPORT TO:**

1. Jose and Monica Ramirez
2. DWS (Denny Whitfield)
3. Public Upon Request



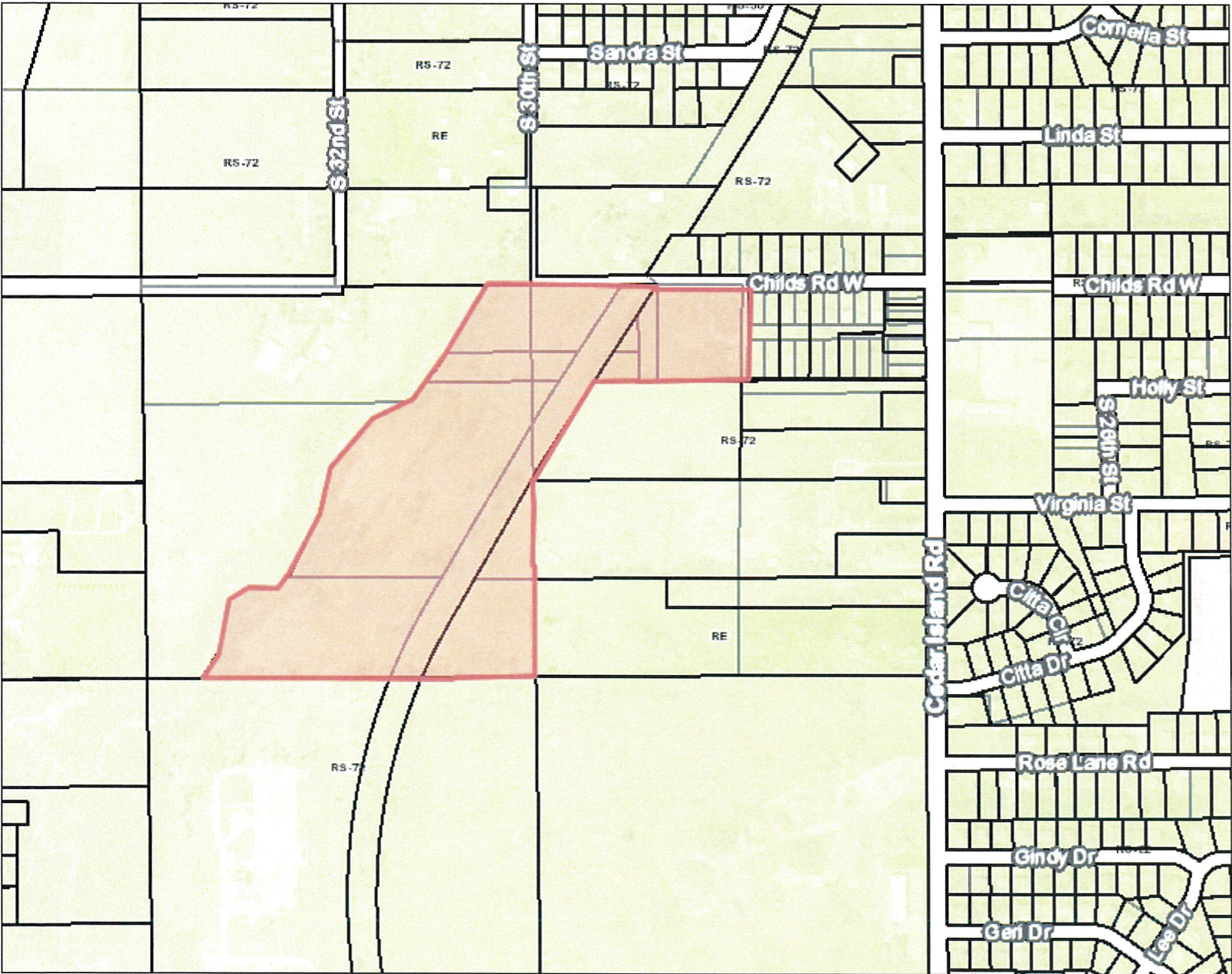
Prepared by:

  
Planning Director

  
Date of Report



# Zoning Map

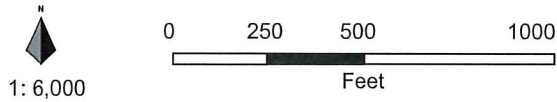


## Location



## Legend

- Road Centerlines  
2018 Aerial Photo
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

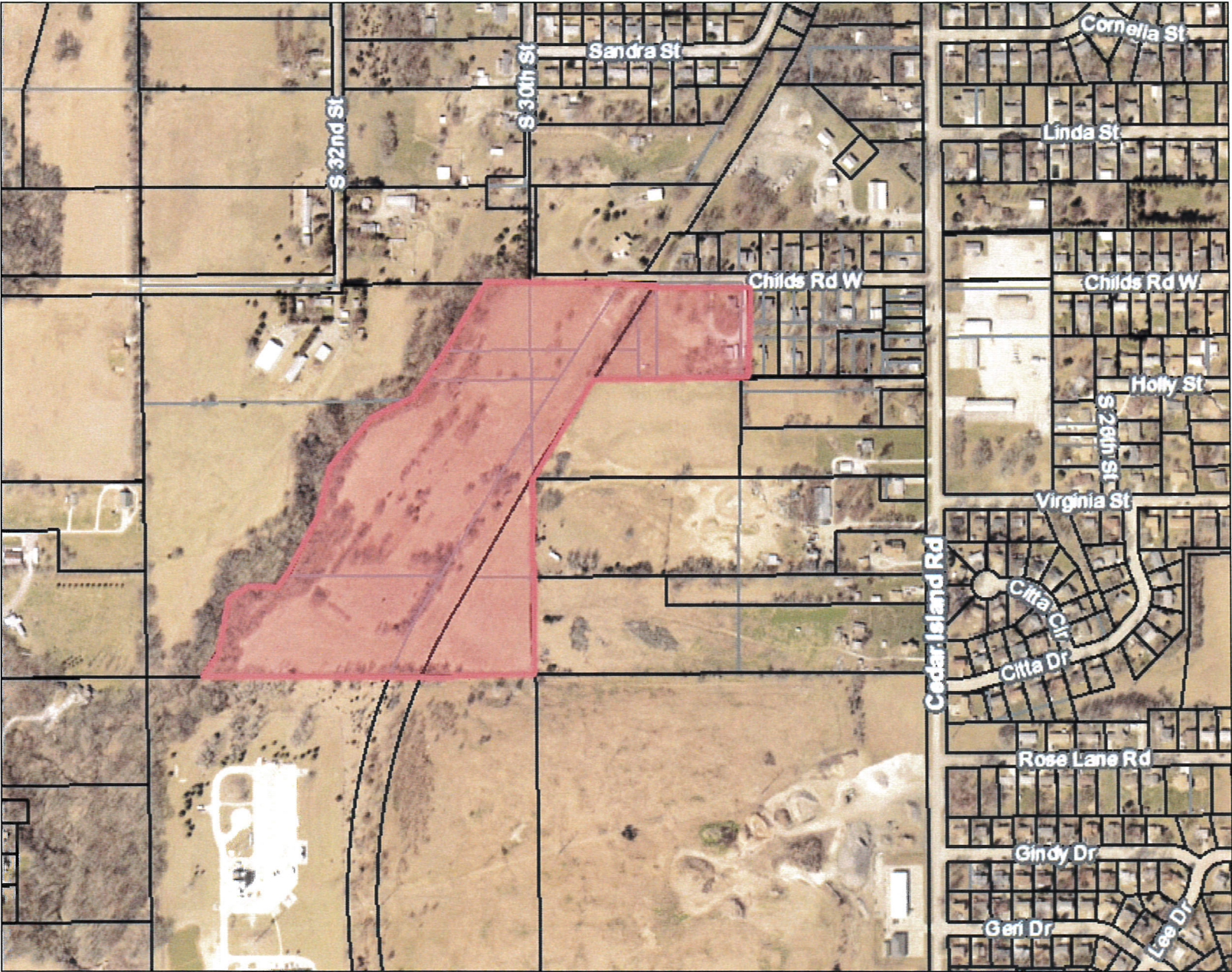


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**Sarpy County GIS**  
1210 Golden Gate Dr.  
Suite 1130  
Papillion, NE 68046  
maps.sarpy.com



# Area of Rezoning Request



## Location

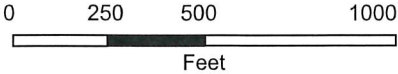


## Legend

- Road Centerlines  
2018 Aerial Photo
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



1: 6,000



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## Sarpy County GIS

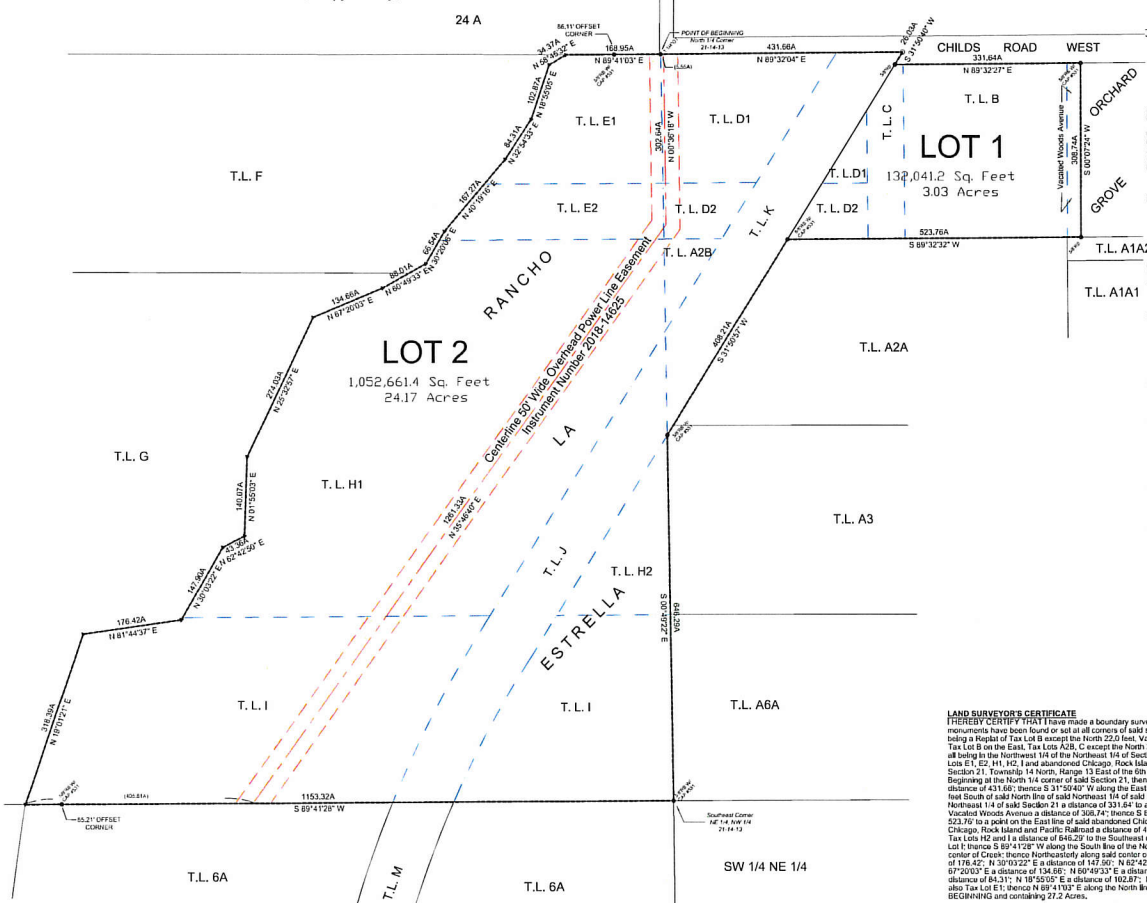


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Suite 1130  
Papillion, NE 68046  
maps.sarpy.com



RANCHO LA ESTRELLA  
LOTS 1 and 2

Being a replat of Tax Lot B except the North 22.0 feet, Vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2 and abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot K) all being in the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, together with Tax Lots E1, E2, H1, H2, I and Abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot J) all being in the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska.



**DEDICATION**  
Know all men by these presents that we, Jose Ramirez and Monica Ramirez, husband and wife, being the owners of the property described within the Surveyor's Certificate and embraced within this Plat, have caused said land to be replatted as shown, said addition to be hereafter known as "RANCHO LA ESTRELLA", and we do hereby certify and approve of the disposition of the property as shown on this plat, and further grant perpetual easements to Omaha Public Power District (OPPD), Cox Communications, and CenturyLink across a five (5) foot wide strip of land abutting all front and side boundary lot lines, an eight (8) foot wide strip of land abutting the rear boundary lines of all interior lots, and a sixteen (16) foot wide strip of land abutting the rear boundary lines of all exterior lots. The term exterior lots is herein defined as those lots forming the outer perimeter of the above described addition. The sixteen (16) foot wide easement may be reduced to eight (8) feet wide when the adjacent land is surveyed, platted and recorded. The subdividers shall grant perpetual easements to Metropolitan Utilities District and/or Black Hills Energy, their successors and assigns to install, 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 five (5) foot wide strip of land abutting all easement streets. No permanent buildings or existing wells shall be placed in said easement ways, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid or rights herein granted.

In witness whereof, we do set our names this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**ACKNOWLEDGEMENT OF NOTARY**  
County of \_\_\_\_\_, State of Nebraska  
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public duly commissioned and qualified in and for said County, appeared Jose Ramirez and Monica Ramirez, husband and wife, known by me to be the identical persons whose names are affixed to the Dedication on My Commission expires \_\_\_\_\_.

Notary Public: \_\_\_\_\_

**COUNTY TREASURER'S CERTIFICATION**  
This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

Sarpy County Treasurer: \_\_\_\_\_ Date: \_\_\_\_\_

**REVIEWED BY SARPY COUNTY PUBLIC WORKS**  
This Plat of "RANCHO LA ESTRELLA" was reviewed by the Sarpy County Surveyor's Office.

Sarpy County Engineer / Surveyor: \_\_\_\_\_ Date: \_\_\_\_\_

**APPROVAL OF BELLEVUE PLANNING COMMISSION**  
This Plat of "RANCHO LA ESTRELLA" was approved by the Bellevue Planning Commission.

Chairman, Bellevue Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_

**APPROVAL OF BELLEVUE City Council**  
This Plat of "RANCHO LA ESTRELLA" was approved by the Bellevue City Council. This Plat becomes null and void if not recorded within 90 days of approval date.

Mayor, City of Bellevue: \_\_\_\_\_ Date: \_\_\_\_\_

Attest: City Clerk: \_\_\_\_\_

**LAND SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT I have made a boundary survey of the subdivision herein and that permanent monuments have been found or set at all corners of said subdivision to be known as RANCHO LA ESTRELLA, being a Replat of Tax Lot B except the North 22.0 feet, Vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2 and abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot K) all being in the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, together with Tax Lots E1, E2, H1, H2, I and abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot J) all being in the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:  
Beginning at the North 1/4 corner of said Section 21, thence N 89°32'27" E (assumed bearing) along the North line of said Northeast 1/4 of said Section 21 a distance of 431.66'; thence S 31°59'40" W along the East line of said abandoned Chicago, Rock Island and Pacific Railroad a distance of 26.63' to a point 22.0 feet South of said North line of said Northeast 1/4 of said Section 21; thence N 89°32'27" E on a line 22.0 feet South of and parallel with said North line of said Northeast 1/4 of said Section 21 a distance of 331.64' to a point on the East line of said Vacated Woods Avenue; thence S 60°07'24" W along said East line of Vacated Woods Avenue a distance of 388.74'; thence S 89°32'27" W along the South line of said Vacated Woods Avenue; Tax Lots B, C and D2 a distance of 232.76' to a point on the East line of said abandoned Chicago, Rock Island and Pacific Railroad; thence S 31°59'40" W along said East line of said abandoned Chicago, Rock Island and Pacific Railroad a distance of 408.21' to a point on the East line of said Tax Lot H2; thence S 89°32'27" E along said East line of said Tax Lot H2 and a distance of 646.29' to the Southeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 21 and the Southeast corner of said Tax Lot I; thence S 89°41'28" W along the South line of the Northwest 1/4 of the Northwest 1/4 of said Section 21 and also Tax Lot I a distance of 1153.32' to the center of Creek; thence Northeastly along said center of Creek the following 13 courses: thence N 19°01'21" E a distance of 318.39'; N 81°44'37" E a distance of 116.42'; N 30°10'22" E a distance of 147.50'; S 42°42'52" E a distance of 63.30'; N 81°58'12" E a distance of 149.07'; N 25°32'57" E a distance of 274.03'; S 67°20'03" E a distance of 134.88'; N 60°49'33" E a distance of 88.01'; N 30°20'08" E a distance of 66.54'; N 40°19'16" E a distance of 187.27'; N 32°54'33" E a distance of 64.31'; N 19°55'00" E a distance of 182.87'; N 58°42'32" E a distance of 34.37' to a point on the North line of the Northwest 1/4 of said Section 21 and also Tax Lot E1; thence N 89°41'03" E along the North line of the Northwest 1/4 of Section 21 and also Tax Lot E1 a distance of 168.95' to the POINT OF BEGINNING and containing 21.2 Acres.

Dennis L. Whitbeck, L.S., 449  
Date: 10-30-18

Reserved for Sarpy County Deeds Office

City of Bellevue - Small Subdivision

RANCHO LA ESTRELLA

DW S  
2915 Sheridan Road, Bellevue, NE 68123

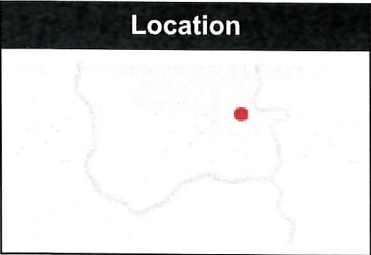
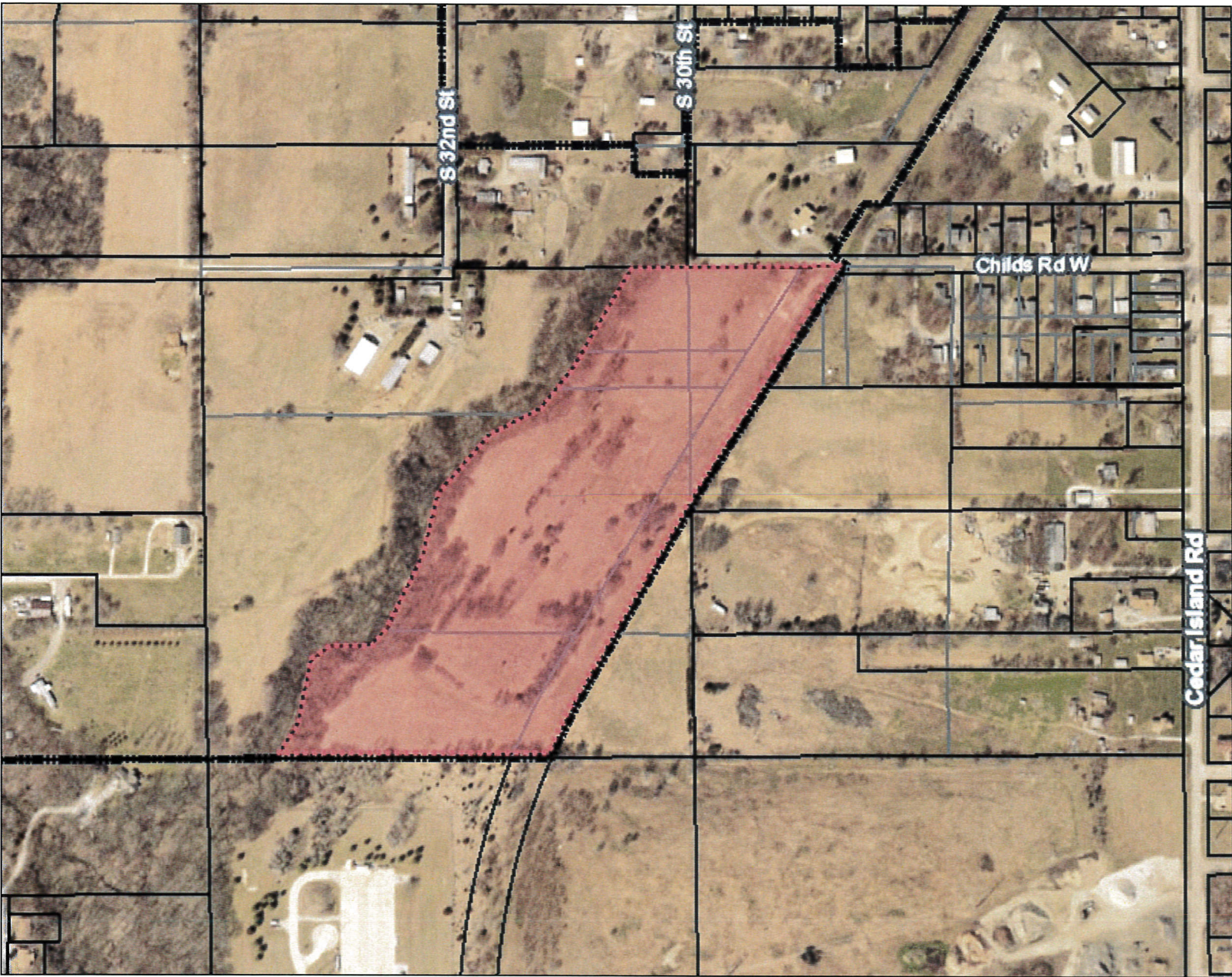
D Land Surveying

Date: 10-18-18  
Project: 15-7  
Sheet: 1 of 1

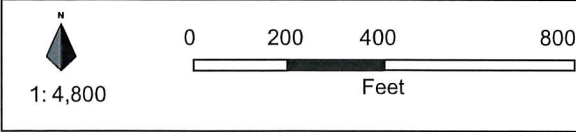
RECEIVED  
DEC 17 2018  
PLANNING DEPT.



# City Limits Boundary



- Legend
- Road Centerlines
  - Sanitary & Improvement District
  - Municipal Boundaries
  - 2018 Aerial Photo
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



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Papillion, NE 68046  
maps.sarpy.com



Jose & Monica Ramirez  
2803 Childs Road W  
Bellevue, NE 68147  
(402)707-9657

Dear Zoning Board,

Our names are Jose Ramirez and Monica Ramirez. We are an owner of the Parcel #011590762, Parcel #010602771 and Parcel #011590763, mailing address 2803 Childs Road W Bellevue, NE 68147. These are all directly next to each other. We are currently undergoing a process to join all of these parcels to one parcel of over 20 acres. I am requesting to rezone these parcels from RS -72 to AG. The reason behind this is we have a love of ranching and farming. We know there are similarly zoned parcels within the city of Bellevue and we want to make sure we are meeting all the regulations with the city in order to have our ranch. The current zoning of the parcels does not allow the full agricultural regulations for us. We have no plans of disturbing any neighbors; simply we want to raise cattle and livestock to make a living for our family.

Thank you for your attention and making a positive decision in this matter. If you have any questions please feel free to contact us at the information that we have provided above.

Jose Ramirez  
Jose Ramirez

Monica Ramirez  
Monica Ramirez

RECEIVED  
NOV 15 2018  
PLANNING DEPT.



## City of Bellevue

Office of the Planning Department

### Agenda Item 3c

**To:** Planning Commission  
**From:** Chris Shewchuk, Planning Director *CMS*  
**Date:** January 18, 2019  
**Subject:** Request to annex SID #147, Blackhawk

The City of Bellevue is proposing to annex into the city limits Sanitary and Improvement District #147, Blackhawk. It has been determined that the SID is feasible for the City to annex based upon a review of its June 30, 2018 financial audit and input from City departments regarding operational needs to provide service to the area. The SID consists of 150 single-family residences and one park lot. The estimated population, based on Census data, is 393 people.

The Planning Department annually reviews SID audits and makes recommendations regarding annexations. While the City has typically proposed an annexation package consisting of several areas, at this time only SID 147 is being proposed for annexation as its review has been completed ahead of other SIDs. I expect in the near future a larger annexation package consisting of several SIDs and other properties will be presented for review.

#### Fiscal Analysis

As of June 30, 2018 Sanitary and Improvement District #147 had outstanding bonded indebtedness of \$935,000 plus an additional \$271,165 of general fund warrants outstanding. Prior to the end of the City's fiscal year, principal and interest payments of approximately \$97,000 will be due (although a portion of that will be paid by the SID prior to annexation approval). Bond payments in future years will be approximately \$95,000. The bonds carry interest rates ranging from 2.45% to 3.6%; the final maturity date for outstanding bonds is August 15, 2030.

Since the audit was completed, the SID has issued additional warrants. As of this date, the outstanding warrant balance is \$315,775.98 with \$23,458.62 (plus interest) being due this fiscal year. General fund warrants are due three years after the date of issuance with the remaining warrants becoming due periodically through December 26, 2021. It will be in the City's best interest to pay off warrants prior to their due dates as they carry an interest rate of 7%.

As of December 31, 2018 the SID had cash on deposit with the County Treasurer of \$88,042.50. These funds can be used to pay bond and warrant expenses.



The assessed valuation of SID 147 for 2018 is \$36,201,124; the SID tax levy is 0.63 which will result in approximately \$228,000 of taxes receivable in 2019. The current City levy is 0.61; assuming no change in the levy and valuation, the City's taxes receivable in future years would be approximately \$220,800. (This is a conservative calculation as the SID valuation has increased by about 16.8% in the last five years.)

In addition to property tax revenue, the City would receive state highway allocation funds of approximately \$35,800 (based on current funding and is subject to change based on state revenue). The Wastewater Department would see additional revenue of \$54,594 most of which is paid to Omaha for sewage treatment while the remainder funds the operations of the department. Other tax revenue, such as sales taxes on delivered merchandise and automobiles, would be paid to the City but an estimate of this amount is not available.

### Department Review

The proposal to annex SID 147 was sent to other City departments for their review. Department heads were asked to provide comments on how the annexation would affect the operations of the department in terms of workload and need for additional personnel or equipment. The following comments were received:

Streets: Annexation would add 4.25 lane miles to the City with annual maintenance costs of \$16,372. Although the additional lane miles by themselves would not result in a need for additional personnel or equipment, past annexations have not led to more resources for the department resulting in significant increases in the ratio of manpower to lane miles. The City would also acquire a bridge on 25<sup>th</sup> Street that would need to be added to the inspection schedule and would need to contract for installation of curb ramps in the next three years at an estimated cost of \$50,000. Annual street lighting costs would be \$10,575.

Wastewater: Infrastructure is satisfactory with minimal immediate repairs needed. Wastewater revenue would allow the department to continue to operate within its current operating margin.

Police: Can absorb this area with existing department strength.

Fire: Would not add to current call workload as the Fire Department already serves this area. A larger annexation would result in the need for another inspector and medic unit.

Library: A small budget increase may be necessary for additional materials, depending upon how many new card holders there are. This would have a minimal impact on the overall City budget.

Administrative Services: Minimal impact on transportation services, could be absorbed with existing resources.

Fleet Maintenance: As the City continues to grow, there will be greater need for additional maintenance facilities and staff.

City Clerk: No comments as there are no commercial establishments in the area.

Parks: Maintaining the 7.5 acre park would require the addition of one part-time employee and one seasonal employee, plus the purchase of two zero turn mowers. Personnel costs are estimated to be \$53,000 annually, while the mowers would be a one-time expense of \$2,600.

### Impact on Residents

Upon the effective date of the annexation, residents will begin to receive services from the City of Bellevue in place of those currently being provided by Sarpy County or other entities. Such

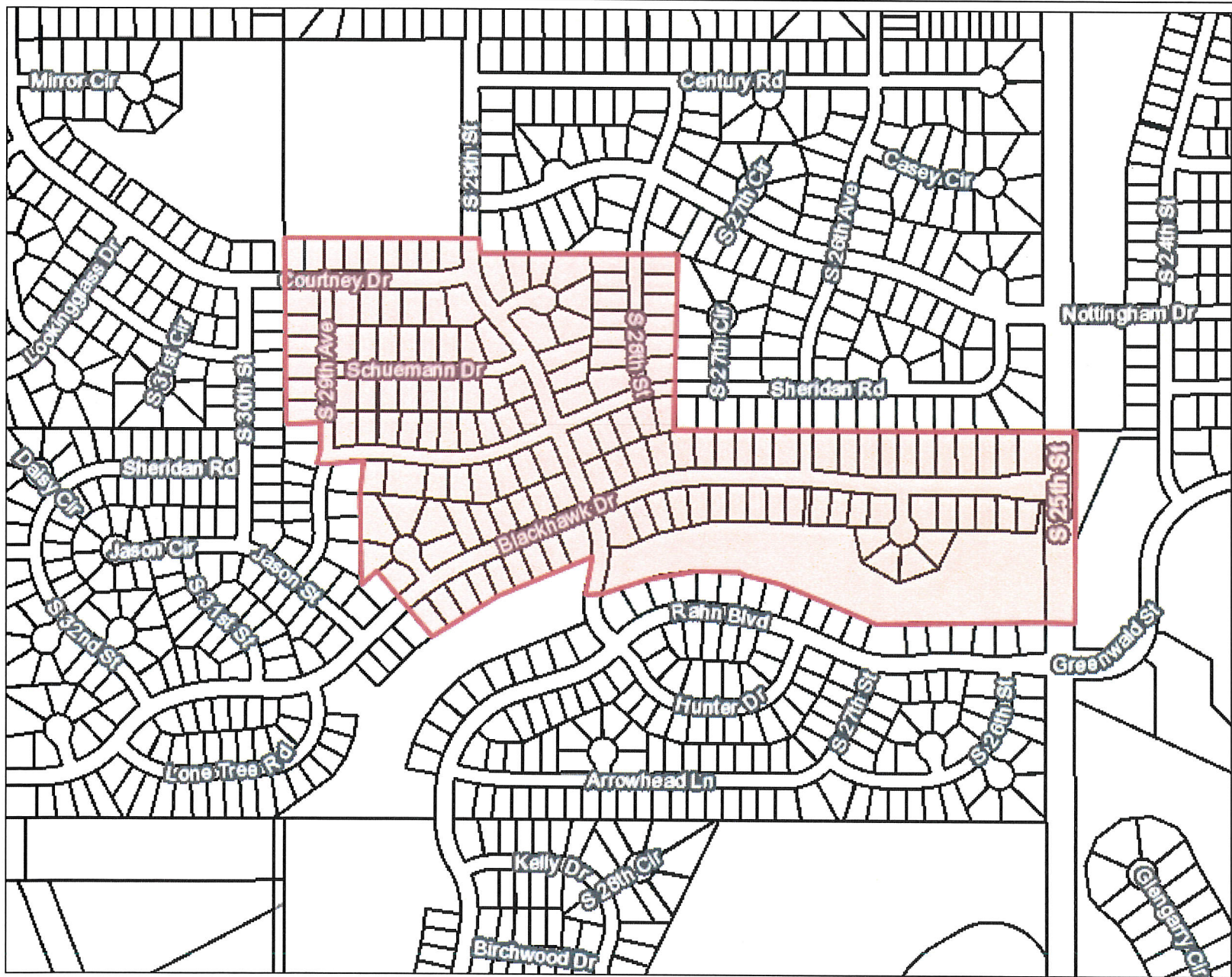
services include law enforcement, street maintenance and snow removal, maintenance of the sanitary sewer system, park maintenance, and trash removal. The area already is served by the Bellevue Fire Department, but that is through an agreement with the Easter Sarpy Rural Fire Protection District. Residents will be able to run for City offices and vote in local elections and be eligible to be appointed to City boards and commissions that require residency. Residents will also pay lower fees for some recreational programs and be able to get a library card free of charge.

Based upon current property tax rates, residents should experience lower property taxes in the future. The current levy for residents is 2.40401, while the levy for city residents is 2.198227. The difference in the levies would result in a decrease in property taxes of \$205.78 for every \$100,000 of assessed valuation. The change would be in effect for 2019 taxes due in 2020.

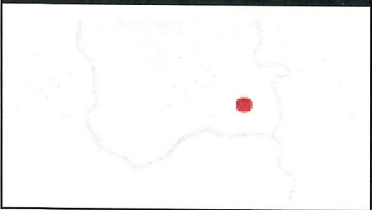
#### Planning Department Recommendation

Based upon the review of the review of the financial audit and fiscal analysis and the City's ability to provide services to the residents of Blackhawk without negatively impacting the City budget, the Planning Department recommends approval of the proposal to annex Sanitary and Improvement District #147, Blackhawk, into the city limits.

**Area of Proposed Annexation SID 147, Blackhawk**



### Location




### Legend

Road Centerlines




1: 6,000

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