

BELLEVUE PLANNING COMMISSION

Thursday, October 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 September 26, 2019 Regular Meeting
- e. Accept into the record all staff reports, attachments, memos, and handouts regarding each application.

2. CONSENT AGENDA/PUBLIC HEARINGS

- a. Request to final plat Lots 94 through 170, and Outlot B, Liberty, being a replat of part of Outlot B and part of Lot 1, Daniell's Farm Addition. Applicant: Liberty Land, LLC. General Location: Daniell Road and Chennault Street. Case #: S-1910-08.

3. PUBLIC HEARINGS:

- a. Request to rezone Lot 2, Twin Valley Church Replat 1 Addition, from RG-28 to RG-28-PS for the purpose of Multi Family Residential Development, with site plan approval. Applicant: Encompass Design Inc. General Location: Ft Crook Rd & Grenoble Dr. Case #: Z-1906-05.

4. CURRENT BUSINESS

- a. Election of Officers
- b. Planning Department Updates

5. ADJOURNMENT

MINUTE RECORD

Bellevue Planning Commission Meeting, September 26, 2019, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, September 26, 2019 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Perrin, Cain, Aerni, Ackley, Hankins, Cutsforth and Ritz. Also present were Angela Curry, Planning Assistant, and Dean Dunn, Public Works Engineer.

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 are available for public inspection within ten days of the meeting.

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

Motion was made by Cain, seconded by Cutsforth, to approve the minutes of the August 22, 2019 regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

Curry advised no additional updates were received by staff.

Motion was made by Casey, 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.

Ritz explained the public hearing procedures.

PUBLIC HEARING was held on a request to rezone Lots 1 through 72, and Outlots A through C, Belle Lago Replat 1, being a replat of Lot 81, and Outlot F, Belle Lago, from RG-50-PS and RG-28-PS, to RG-8-PS for the purpose of multi-family residential development, with site plan approval; preliminary plat Lots 1 through 72, and Outlots A through C, Belle Lago Replat 1; and final plat Lots 1 through 72, and Outlots A through C, Belle Lago Replat 1. Applicant: HRC Belle Lago, LLC. General Location: Southeast corner of 48th Street and Capehart Road. Case #'s: Z-1907-06, S-1907-05, S-1907-06.

Larry Jobeun, 11440 West Center Road, Omaha, NE was present on behalf of the applicant. Jobeun stated this to be a replat recorded and approved by City Council as Lot 81 and Outlot F for a 120 unit multi-family apartments. This preliminary plat, final plat and rezoning will provide for 72 single family townhome style residences. All 72 proposed units will sit on their own individual lots. All streets within the development are private and will be maintained by a Home Owners Association. Two different types of unit floor plans will be available. One calls for the units to be 1631 square feet. These are attached four plexes. The two exterior units are expected to be priced at \$213,900 and the two interior units on the larger floor plan is expected to be \$203,900. The other floor plan is expected to be 1515 square feet with the two exterior units costing \$213,900 and interior \$203,900 per unit. He stated they started with 120 multi-family units and are now reduced to 72 units. A reduction in density of 48 units. Jobeun believes, as does the Planning Department, this is consistent with the master plan and compatible with the surrounding area. They reviewed the recommendation report and found the same.

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

Aerni asked for clarification on the number of buildings that will sit on one lot. He also asked that Planning staff take a look at whether or not there should be a zero lot line Aerni asked the applicant to clarify the request to have three foot side yards. He suggested four houses are being slammed together. The applicant stated the four units are attached and the side yards will have a separation of approximately eight feet. Aerni clarified the applicant stated each of the four buildings are to be considered as an individual lot. He asked if the applicant should have a zero lot line between the lots. Jobeun stated a covenant will be in place that will call for a party wall type agreement with this type of construction. He stated these are townhome type units, but each will sit on its own lot. Aerni asked that Planning staff take a look at the three foot side yard to confirm that it should not be zero. Jobeun said he believes the three foot side yard is to represent the space between the four clusters of buildings but he agrees, perhaps it should say zero lot line with respect to the units that are in a cluster. Aerni asked the applicant to assure the 15 foot front yard will allow enough space for proper parking of vehicles so they will not overhang into the street. Jobeun stated there is 20 feet from the garage to the street which will provide enough space to eliminate vehicle overhang into the private roadway. Aerni asked if there should be a request to make an amendment to change the setback to zero. Ackley said there are 4 different units in one building, so the setbacks apply to the building as opposed to an individual unit. Aerni stated each unit is on its own individual lot so there are four individual lots. Ritz said his concern with changing the setbacks for the future is the area will now have a zero lot line if someone would want to come in and change one of the buildings. He suggested it be left as is to be corrected if needed. He believes staff chose this specific zoning type which will allow for the buildings to touch without any

MINUTE RECORD

Bellevue Planning Commission Meeting, September 26, 2019, Page 2

work on the side lots. Ritz noted the technical deficiency regarding street names in item “F”, page 5, and asked commissioners to include that language when making the motion.

MOTION was made by Ackley, seconded by Hankins, to recommend APPROVAL of a request to rezone Lots 1 through 72, and Outlots A through C, Belle Lago Replat 1, being a replat of Lot 81, and Outlot F, Belle Lago, from RG-50-PS and RG-28-PS, to RG-8-PS for the purpose of multi-family residential development, with site plan approval; preliminary plat Lots 1 through 72, and Outlots A through C, Belle Lago Replat 1; and final plat Lots 1 through 72, and Outlots A through C, Belle Lago Replat 1. Applicant: HRC Belle Lago, LLC. General Location: Southeast corner of 48th Street and Capehart Road. Case #'s: Z-1907-06, S-1907-05, S-1907-06. APPROVAL of the application based upon conformance with the zoning ordinance, subdivision regulations, and lack of perceived negative impact to the surrounding area, contingent however upon the satisfaction of the technical deficiency referenced in item F on page 5 of the application summary. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to CITY COUNCIL for PUBLIC HEARING on November 05, 2019.

PUBLIC HEARING was held on a request to rezone Lot 1, South Woods Replat 3, being a replat of Lot 2, Pendleton, and Lots 7 and 8, South Woods, from MH, BGH, and RG-8 to RG-8 for the purpose of an elementary school; conditional use permit for Lot 1, South Woods Replat 3; and small subdivision plat Lot 1, South Woods Replat 3. Applicant: Kenneth Hahn Architects. General Location: Fort Crook Rd & Childs Rd West. Case #'s: Z-1906-04, S-1906-03, CUP-1906-02.

Planning Commission vice Chair, Eric Ritz recused himself and left chambers at 7:20 p.m. Ackley chaired the meeting.

David Kramer, Attorney, Baird Holm Law firm, 1700 Farnam Street, Suite 1500, Omaha, NE 68102 was present on behalf of the applicant Kenneth Hahn Architects and Omaha Public Schools. Kramer stated, over the past several months there have been multiple discussions regarding the property for the proposed elementary school. He said, the applicant worked with the city’s legal department to address the concerns made by the Commission, and those concerns have been incorporated into the conditional use permit. Kramer asked that the project be approved so the applicant can move forward. He indicated Kenneth Hahn, architect, and Lisa Sterba, Omaha Public School District were also available to answer questions.

Ackley asked Kramer to highlight the changes from the last hearing. Kramer said the most significant change is in regards to stacking of buses over the railroad tracks. He said they re-planned the entry and exit of buses for student pick up and drop off. Kramer stated transportation will be provided to students who live on the east side of Fort Crook Road. He addressed the discussion on sidewalks and stated the school district made a commitment to add one sidewalk, however, in agreement with the City, the sidewalk that goes in the direction of the railroad tracks will not be installed as to eliminate the encouragement of students to walk towards the railroad tracks. He stated the site plan map shows the sidewalk that will be installed on OPS property to facilitate the students that will walk to school.

John Whiteing, 1001 Childs Road West, Bellevue, NE 68147 was present to speak on this matter. Whiteing stated he lives directly opposite of the school and both he and his neighbors east and west are in favor of the school.

There was no one else present to speak for, or against this request. Subsequently, Ritz closed the public hearing.

Casey commended the school district on their design of the school and willingness to work with the Commission, but expressed his concerns and reservations on location and safety of the children. Casey stated putting in sidewalks across Fort Crook Road may encourage students to cross eight lanes of traffic. Ackley reminded the applicant of prior discussions on infrastructure needed to support the site. He asked the applicant if they have a plan for additional infrastructure beyond the school site for children walking to school. Kramer stated there is currently one planned entrance to the school and the sidewalks are designed to have the children enter through that access point. Kramer stated no one is more concerned about student safety than the school district and it is a responsibility they take very seriously. He stated the cost to transport students from the east side will be more than \$108,000 per year. Kramer stated parents must also take responsibility to ensure the students arrive to school safely. He said for over two months they have attempted to address, from an infrastructure perspective, the resolutions suggested by staff that will create a workable balance for both the applicant and the Commission. Kramer believes the changes made to date will significantly address the concerns of the Commission. He stated his staff and the school are cognizant of areas that carry potential safety issues

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Bellevue Planning Commission Meeting, September 26, 2019, Page 3

and therefore, the school will post staff to monitor those areas. Ackley said his continual concern is with infrastructure impacted by the development. He said the lack of shoulders and sidewalks along Child's Road where children will possibly walk is concerning and asked the applicant about their plans to install sidewalks a block away from the school. Kramer said it is unusual to ask a developer to make improvements blocks away from their property; properties that the City has jurisdiction over and has not made improvements on. Kramer said the developments immediately adjacent to the school should be required to add the kind of infrastructure on their properties that will be necessary to meet the broader needs of the school district. He said it would be unreasonable to request the school district install sidewalks a block or two from its own property. Kramer said, to suggest they have an obligation to add sidewalks to properties in areas developed and undeveloped, may be beyond the reach of the Commission. Ackley asked how many students will attend the school and how many parents will be dropping off and picking up students daily. Kramer stated approximately 600 students will attend the school and roughly a third of the students may be driven by parents. Ackley stated it is common for new developments to make improvements to support their use. Kramer stated they are making significant accommodations on their property to address the concerns of staff and the Commission, and believe they provided something that offers an appropriate balance between the interest of the school district and the City. Mr. Ackley asked the applicant for his thoughts on crosswalks going across Fort Crook Road and the railroad. Kramer said their focus is to discourage the use of crosswalks on Fort Crook Road due to safety, and part of their solution is staffing, setting of ingress and egress, and changing bus routes so students will not have to cross eight lanes of traffic. Ackley asked if there were any discussions with the railroad; if they had concerns with placement of the school, and if they could offer any safety measures. Kramer said they did not speak with the railroad.

Ackley said the package provided to Planning Commissioners, Recommendation Report #3, gave a summary of items to look at. In particular, page 5 #9, zoning ordinance Section 6.06 Standards, Item 6.06.01 which reads; No conditional use permit shall be granted unless the Planning Commission or City Council has found: 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. He concluded with he believes the site is great but in the wrong place because of two active railroad lines and a 6 lane highway. Kramer disagreed with Ackley and said there are limited options to place a school in Bellevue. He said they want to put a school in Bellevue to ensure the students served will not have to sit on a bus for an extended length of time. Kramer also mentioned a proposed option to build a school across the street, but he believes this will create the same issues for students on the west side of Fort Crook, issues they are trying to resolve for students on the east side. Kramer believes the chosen site is ideal for students in the surrounding area and, it will provide an opportunity for growth. He said the applicant's efforts in working with the Planning Commission and the City are to make it as safe as possible.

Cain addressed passage across Fort Crook Road and the railroad tracks. She proposed building a passageway similar to one at Birchcrest Elementary. Kramer stated due to current standards an overpass is cost-prohibitive to build and he believes concerns for safety have been addressed by offering transportation to not just some, but all students who live east of Fort Crook Road. Cain strongly stated safety of students should be met regardless of extreme cost or another site should be considered.

Cutsforth asked Kramer if a discussion was had with the city on placement of sidewalks. Kramer said the City agreed placing crosswalks and walkways across Fort Crook Road may increase the likelihood of students going in that direction. Dean Dunn, Bellevue Public Works, said City staff discouraged putting a crossing across Fort Crook Road, a six lane road, because it will provide a false sense of security. He said based on past experience, the railroad will not agree to a pedestrian crossing going across the tracks. Dunn said Public Works discussed completing a sidewalk along city owned property to the northwest as well as a section on the north side of Childs Road which will be evaluated in the future.

Ackley asked for factual clarification that 90% of the students who live east of Fort Crook Road will be bused. Kramer said there are 90 students that live east of Fort Crook Road, not 90% of the students, and all will be provided transportation. Lisa Sterba, Chief Operations Officer, Omaha Public Schools, 3215 Cuming Street, Omaha, NE said all students east of Fort Crook Road will receive transportation. Ackley asked how many of the potential students are located east of Fort Crook Road. Sterba stated more than 50% live east of Fort Crook Road and all will be provided transportation; even those who live less than a mile from the school. Ackley stated, for clarification, students from the west side living within a mile of the school will not receive transportation. Sterba said that is correct. Sterba said Kenneth Hahn of Hahn Architects will provide sidewalks to the north out of the neighborhood to the front door of the school in an effort to divert students from Childs Road. She said both students and parents will be educated to call the school if a student misses the bus and someone will provide

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transportation.

Casey asked if the entire planned attendance area was focused east of Fort Crook Road. Sterba stated there is also a housing development to the west.

Kenneth Hahn, Kenneth Hahn Architects, 1345 South 75th Street, Omaha, NE, stated a sidewalk exists along Nebraska Drive up to the Chandler Road intersection, and the only area without a sidewalk is City owned property.

Aerni apologized for wording he used at the last Planning Commission meeting when he said the Planning Commission is not here to debate safety. He said his intended wording is they are not there to debate responsibility of parents. Aerni said he supports the application and commends the applicant for following the recommended approval of City staff and the Planning Commission to make the plan better. He asked the applicant if they need approval of the City to build the school. Kramer said they are members of the community and want to be good partners and good stewards. He said this is a facility that is expected to be around for the next 50 years and they want to be in a positive relationship with the City. Kramer said they would like to have approval and recommendation of the Planning Commission and then City Council approval to move forward and build a school that the whole of the community will be proud to be a part of. Aerni thanked the applicants for working with the Planning Commission. Ackley said after working on this for three months, they can all agree student safety is paramount. He said a developer has some responsibility for the infrastructure required to support their development but he does not see any of that in the conditional use permit and hopes City Council will add this as part of the Conditional Use Permit in terms of some allocations of expenses or how some of the improvements will work.

MOTION was made by Ackley, seconded by Perrin, to recommend DENIAL of the request to rezone Lot 1, South Woods Replat 3, being a replat of Lot 2, Pendleton, and Lots 7 and 8, South Woods, from MH, BGH, and RG-8 to RG-8 for the purpose of an elementary school; conditional use permit for Lot 1, South Woods Replat 3; and small subdivision plat Lot 1, South Woods Replat 3. Applicant: Kenneth Hahn Architects. General Location: Fort Crook Rd & Childs Rd West. Case #'s: Z-1906-04, S-1906-03, CUP-1906-02. DENIAL of the application based on lack of safety in terms of the potential issues with Fort Crook Road, which has been recognized by the applicant and City to discourage crossing an 8 lane intersection and 2 railroad tracks. Denial also based upon lack of plans for infrastructure beyond the boundaries of the proposed site. Upon roll call, 6 voted yes, Aerni voted no and Ritz Abstained (with conflict) MOTION carried.

This item will proceed to CITY COUNCIL for PUBLIC HEARING on November 05, 2019.

Ritz rejoined the meeting at 7:55 p.m.

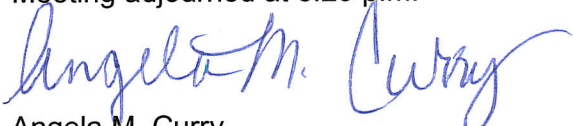
PUBLIC HEARING was held on a request to rezone Lot 2, Twin Valley Church Replat 1 Addition, from RG-28 to RG-28-PS for the purpose of Multi Family Residential Development, with site plan approval. Applicant: Encompass Design Inc. General Location: Ft Crook Rd & Grenoble Dr. Case #: Z-1906-05.

The applicant requested a continuance to the October 24, 2019 Planning Commission meeting.

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

MOTION was made by Ackley, seconded by Ritz, to CONTINUE to the October 24, 2019 Planning Commission meeting a request to rezone Lot 2, Twin Valley Church Replat 1 Addition, from RG-28 to RG-28-PS for the purpose of Multi Family Residential Development, with site plan approval. Applicant: Encompass Design Inc. General Location: Ft Crook Rd & Grenoble Dr. Case #: Z-1906-05. Upon roll call, all voted yes. Motion carried unanimously.

Meeting adjourned at 8:23 p.m.



Angela M. Curry
Planning Assistant

2.a.

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 1

CASE NUMBERS: S-1910-08

FOR HEARING OF:

REPORT #1: October 24, 2019

I. GENERAL INFORMATION

A. APPLICANT:

Liberty Land, LLC
Dennis Van Moorlegghem
7002 South 131st Avenue
Omaha, NE 68138

B. PROPERTY OWNER:

Liberty Land, LLC
7002 South 131st Avenue
Omaha, NE 68138

C. GENERAL LOCATION:

Daniell Road and Chennault Street

D. LEGAL DESCRIPTION:

Lots 94 through 170, and Outlot B, Liberty, being a replat of part of Outlot B and part of Lot 1, Daniell's Farm Addition, located in the Northwest ¼ of Section 5, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Final plat Lots 94 through 170, and Outlot B, Liberty for the purpose of single family residential development.

F. EXISTING ZONING AND LAND USE:

RS-72-PS, Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain final plat approval to enable single family residential development.

H. SIZE OF SITE:

The site is approximately 25 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently vacant.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Single Family Residential, RS-72
- 2. **East:** Single Family Residential, RS-72-PS
- 3. **South:** Vacant, AG
- 4. **West:** Single Family Residential, RS-72-PS and RS-72

C. REVELANT CASE HISTORY:

1. On January 26, 2012, the Planning Commission recommended approval of a request to rezone Lots 1 through 5, Daniell's Farm Addition, being a platting of Tax Lot 16A, Tax Lot 17A1A, Tax Lot 18A1A, Tax Lot 18A1B1, all located in Section 5, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to AG, RS-72, RG-50 and MU for the purpose of future park, residential, and commercial development; and small subdivision plat Lots 1 through 5, Daniell's Farm Addition. The City Council approved the aforementioned request April 9, 2012.
2. On November 19, 2015, the Planning Commission recommended approval of a request to rezone Lots 1 through 292, and Outlots B through D, Liberty, being a replat of Lot 2, and Outlot B, Daniell's Farm Addition; together with part of Tax Lot 19 lying north of new Capehart Road except right-of-way, located in the Southwest ¼ of Section 5, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG and RS-72 to RS-72-PS for the purpose of single family residential development; and preliminary plat Lots 1 through 292, and Outlots B through D, Liberty. The City Council approved the aforementioned request on January 11, 2016.
3. On December 15, 2016, the Planning Commission recommended approval of a request to final plat Lots 1 through 93, and Outlot A, Liberty, being a platting of part of Lot 1, part of Lot 2, and part of Outlot B, Daniell's Farm Addition; and

approval of the Subdivision Agreement. On January 9, 2017, the City Council approved the aforementioned request.

D. APPLICABLE REGULATIONS:

1. Chapter 4, Subdivision Regulations, regarding Final Plats.
2. Chapter 7, Subdivision Regulations, regarding Capital Improvements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. Access for this portion of the development is proposed from Chennault Street, as well as newly constructed extensions of Daniell Road and Barksdale Drive.

D. UTILITIES:

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

E. ANALYSIS:

1. Liberty Land LLC, Dennis Van Moorleghem, has submitted a request to final plat Lots 94 through 170, and Outlot B, Liberty. This is the second of four phases to be final platted.
2. RS-72-PS zoning for single family residences was requested for the development, and will take effect upon filing of the final plat.
3. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Offutt Air Force Base, Sarpy County Planning Director, Sarpy County Public Works Director, 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 Wassenaar, Sarpy County Senior Engineer, and Public Works Engineer Matt Knight had minor technical comments pertaining to the plat. The applicant's engineer has since revised these items to satisfy these issues.

No other comments were received on this case.

4. The final plat is in conformance with the approved preliminary plat.
5. The applicant has submitted an amendment to the Subdivision Agreement which has been reviewed by the City Attorney and will be presented to the City Council with the final plat request.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the preliminary plat.

V. PLANNING COMMISSION RECOMMENDATION

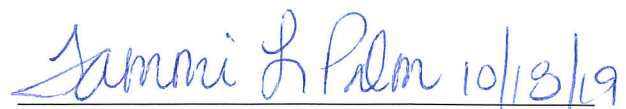
Under Review

VI. ATTACHMENTS TO REPORT

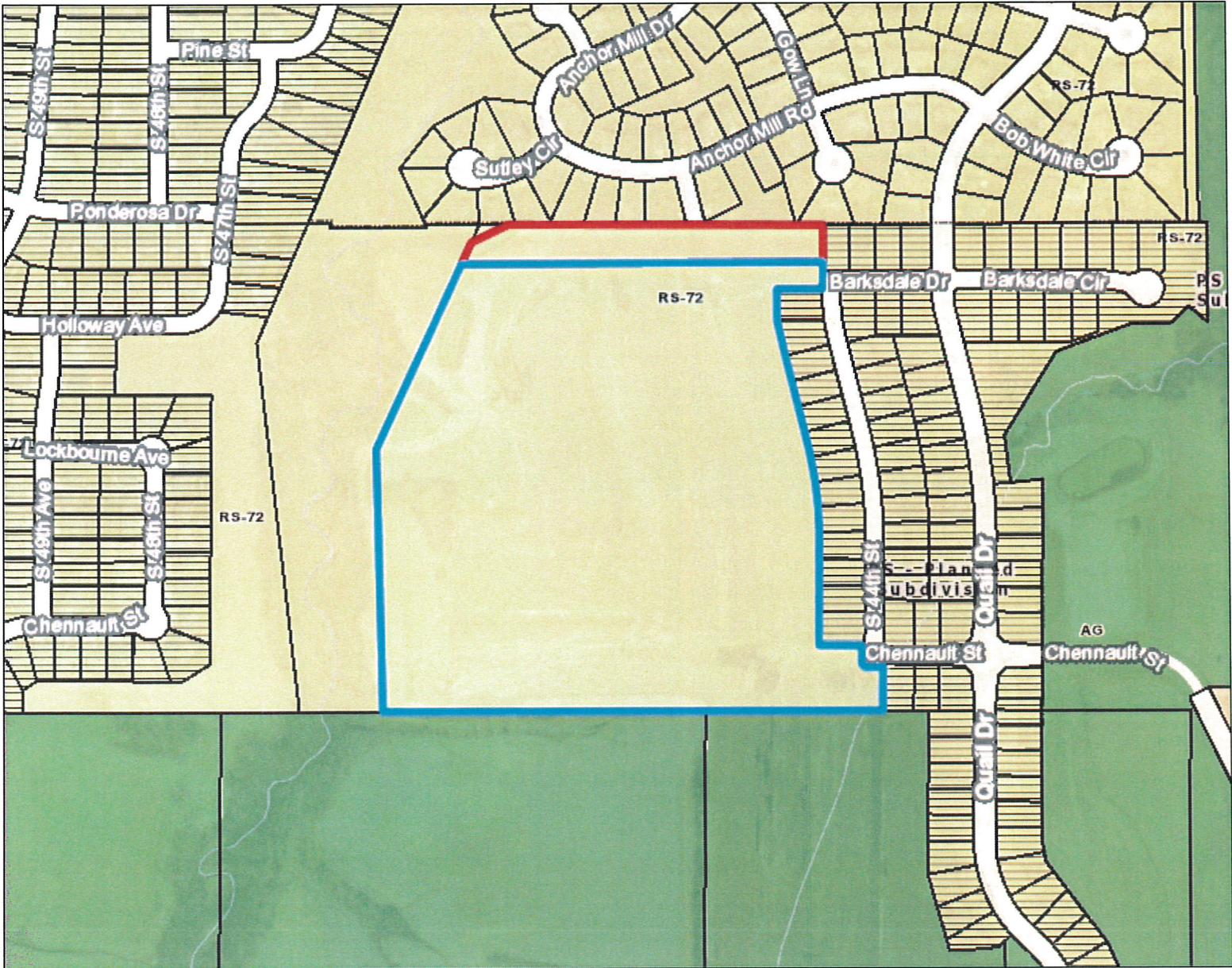
1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Map showing Liberty Phase One and Phase Two
4. Final plat received October 10, 2019

VII. COPIES OF REPORT TO:

1. Liberty Land, LLC
2. Thompson, Dreesen, & Dorner, Inc.
3. Croker, Huck, Kasher, DeWitt, Anderson, and Gonderinger, LLC
4. Public Upon Request


Prepared by:

Zoning Map

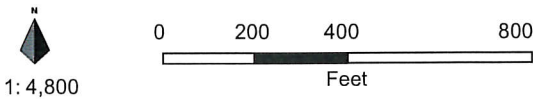


Location



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

Pt of Lot 1 & Pt of Outlot B Daniell's Farm Addition



Location



Legend

Road Centerlines

2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3

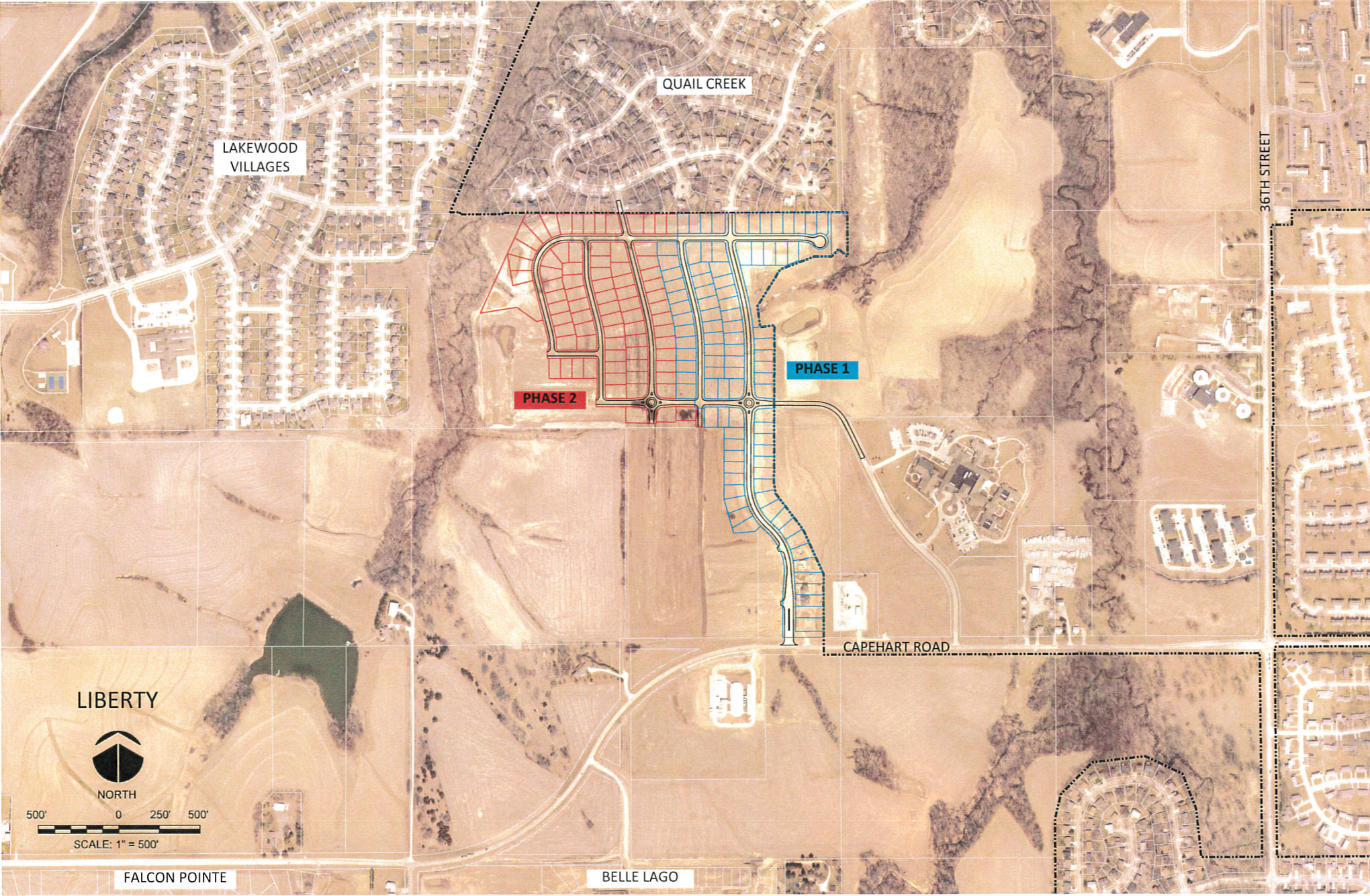


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Sarpy County GIS



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



BEING A REPLATTING OF PART OF OUTLOT "B" AND PART OF LOT 1, DANIELL'S FARM ADDITION, A SUBDIVISION LOCATED IN SECTION 5, T13N, R13E OF THE 6th P.M. IN SARPY COUNTY, NEBRASKA.

APPROVAL OF BELLEVUE CITY COUNCIL **BELLEVUE PLANNING COMMISSIONER**
THIS PLAT OF LIBERTY WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL
ON THIS _____ DAY OF _____, 2019. APPROVAL OF THIS PLAT BECOMES
NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

TREASURER'S SEAL

SARPY COUNTY TREASURER

thompson, dreessen & dorner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com

PLATT, KERRY, COUNTY OF NEBRASKA, AND THAT THE SUBDIVISION DESCRIBED HEREIN LIES WHOLLY WITHIN SAID SECTION 5 AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID SECTION 5 AND THAT A BOND WILL BE POSTED WITH THE CITY OF BETHLEHEM TO INSURE THAT PERMANENT MARKERS WILL SET AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS LIBERTY, LOTS 84 THRU 170, INCLUSIVE, AND OUTLOT "B", BEING A REPLATING OF PART OF OUTLOT "B" AND PART OF LOT 1, DANIEL'S FARM ADDITION, A SUBDIVISION IN SAID COUNTY OF NEBRASKA, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF LOT 69, LIBERTY (LOTS 1 THRU 93), A SUBDIVISION IN SAID SAPPY COUNTY;

THENCE N20°31'34"W (ASSUMED BEARING) 116.50 FEET ON THE WEST LINE OF SAID LOT 69 TO THE NW CORNER THEREOF;

THENCE NORTHERLY ON THE WEST LINE OF SAID LIBERTY (LOTS 1 THRU 93) ON THE FOLLOWING FIFTEEN DESCRIBED COURSES:

THENCE N20°31'34"W 116.50 FEET; THENCE N47°03'48"W 12.02 FEET; THENCE N02°03'48"W 50.00 FEET; THENCE S87°50'12"W 116.50 FEET; THENCE N47°07'08"W 37.68 FEET; THENCE N05°16'54"W 67.90 FEET; THENCE N08°59'15"W 67.90 FEET; THENCE N12°41'30"W 97.90 FEET; THENCE N10°59'18"W 70.60 FEET; THENCE N16°04'04"W 213.00 FEET; THENCE N19°28'00"W 90.00 FEET; THENCE N20°31'34"W 116.50 FEET; THENCE N87°58'21"W 125.00 FEET; THENCE N00°03'31" 50.03 FEET; THENCE N20°31'35"W 123.55 FEET TO THE NORTH LINE OF SAID OUTLOT "B";

THENCE S87°50'53"W 73.90 FEET ON THE NORTH LINE OF SAID OUTLOT "B";

THENCE S87°34'32"W 787.13 FEET ON THE NORTH LINE OF SAID OUTLOT "B" TO THE SOUTH LINE OF SAID CREEK BEARING 71°26'00" E, A SUBDIVISION IN SAID SAPPY COUNTY;

THENCE S62°24'18"W 114.37 FEET ON THE SOUTH LINE OF SAID LOT 1 TO THE WEST LINE OF SAID OUTLOT "B";

THENCE S22°23'22"W 620.45 FEET ON THE WEST LINE OF SAID OUTLOT "B" AND SAID LOT 1 TO AN EXTENSION OF THE WEST LINE OF SAID LOT 1;

THENCE N87°04'35"S 242.63 FEET; THENCE S50°59'04"E 157.60 FEET; THENCE N73°19'19"E 37.63 FEET; THENCE S01°40'11"E 69.67 FEET;

THENCE SOUTHEASTERLY ALONG A 325.00 FOOT RADIAL COURSE TO THE RIGHT, CHORD BEARING S41°10'E, CHORD DISTANCE 79.13 FEET, AN ARC DISTANCE OF 79.32 FEET;

THENCE S02°41'37"E 11.78 FEET; THENCE S42°18'23"W 12.02 FEET;

THENCE S02°41'37"E 50.00 FEET; THENCE N87°18'23"E 10.50 FEET;

THENCE S02°41'37"E 125.00 FEET; THENCE N87°18'23"E 288.00 FEET;

THENCE S02°41'37"E 116.50 FEET; THENCE S42°18'23"W 12.02 FEET;

THENCE S02°41'37"E 50.00 FEET; THENCE N87°18'23"E 183.94 FEET;

THENCE S02°41'37"E 100.00 FEET; THENCE N87°58'12"E 135.08 FEET;

THENCE S08°10'58"E 3.24 FEET;

THENCE N87°58'12"E 50.00 FEET;

THENCE N02°23'32"E 10.03 FEET;

THENCE N87°58'12"E 124.22 FEET;

THENCE N02°03'48"W 100.00 FEET;

THENCE N87°58'12"E 125.00 FEET;

THENCE S02°03'48"E 40.00 FEET;

THENCE N87°58'12"E 50.00 FEET TO THE POINT OF BEGINNING.

TOTAL 110.00 ACRES SQUARE FEET OR 24.797 ACRES MORE OR LESS

NEBRASKA
REGISTERED
LS-308
SURVEY
1103

A circular professional seal for James D. Warner. The outer ring contains the text "NEBRASKA REGISTERED" at the top and "LAND SURVEYOR" at the bottom. Inside this ring, the name "JAMES D. WARNER" is written in a larger font. In the center of the seal, the text "L.S.-308" is displayed.

JAMES D. WARNER
NEBRASKA RLS 308

KNOW ALL MEN BY THESE PRESENTS: THAT WE, LIBERTY LAND, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS, AND ACCESS BANK, 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 LOT ONE, STRIP OF LAND AND LOT TWO, STRIP OF LAND, HEREINAFTER TO BE REFERRED TO AS "STRIPS".

WE HEREAFTER KNOWN AS LIBERTY, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE DO HEREBY DECREE TO THE PUBLIC, FOR PUBLIC USE, THE STRIPS AS CHOSEN BY US.

WE HEREBY GRANT, SELL, CONVEY, TRANSFER, ASSIGN, VEST, DEVISE, DEMISE, CONFIRM, CONFIRMATION, 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 LINE OF ALL EXTERIOR LOTS. THE EXTERIOR LOTS ARE 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 AND THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE INCREASED TO TWENTY (20) FEET.

THESE PROPERTIES ARE LOCATED IN THE CITY OF OMAHA, NEBRASKA, COUNTY OF SARASOTA HILLS. ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPESLINES, HYDRANTS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, UNDER, OVER OR ADJACENT TO ANY OF THE FOREGOING LOTS.

PERMANENT BUILDINGS OR RETAINING 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 RIGHTS OF THE PUBLIC.

ACCESS BANK

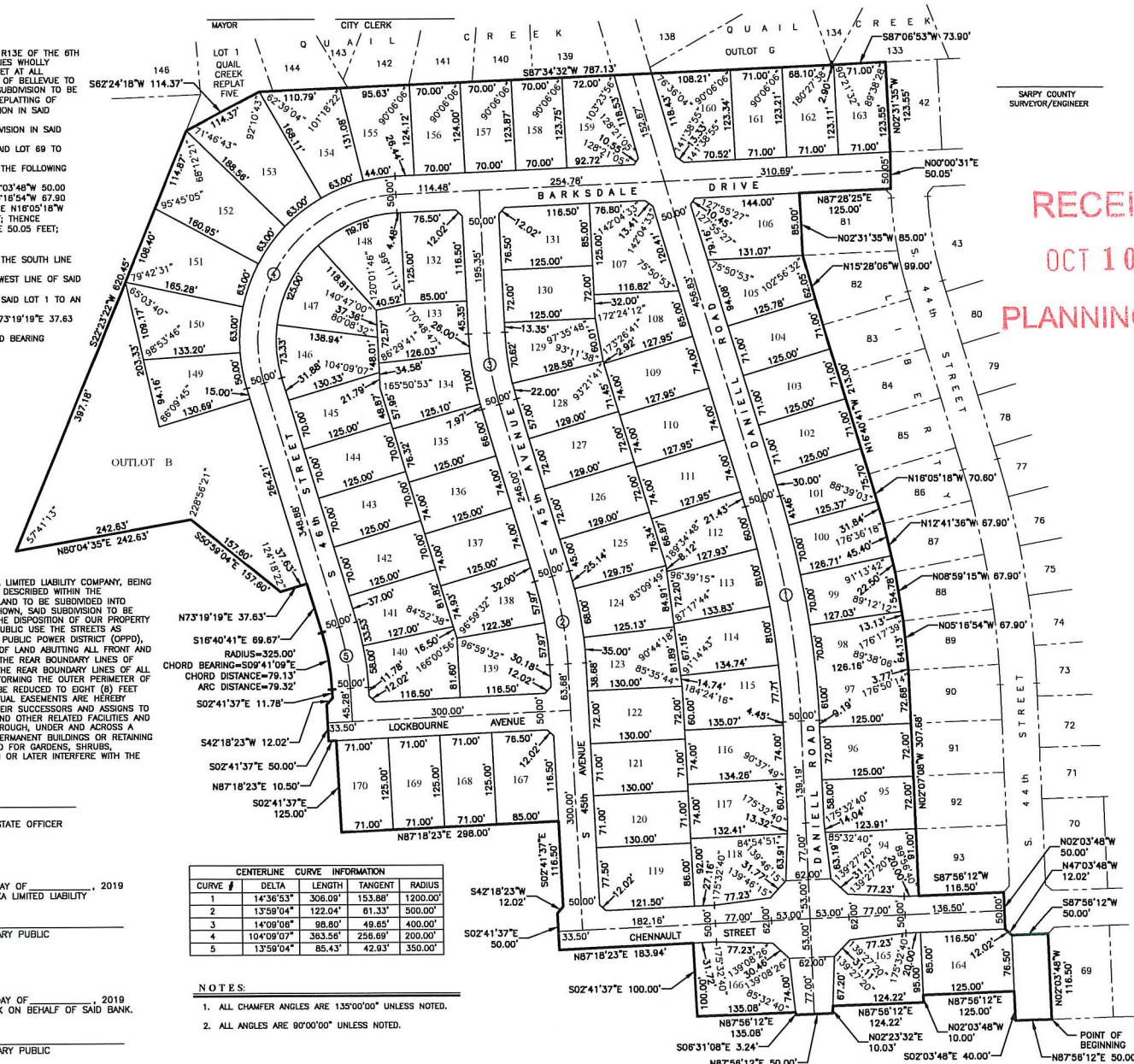
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019
BY DENNY VAN MOORLEGHEM, MANAGER OF LIBERTY LAND, LLC, A NEBRASKA LIMITED LIABILITY
COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

CENTERLINE CURVE INFORMATION				
CURVE #	DELTA	LENGTH	TANGENT	RADIUS
1	14°36'53"	306.09'	153.88'	1200.00'
2	13°59'04"	122.04'	61.33'	500.00'
3	14°09'08"	98.80'	49.65'	400.00'
4	13°09'07"	363.56'	256.69'	200.00'
5	13°59'04"	85.43'	42.93'	350.00'

1. ALL CHAMFER ANGLES ARE 135°00'00" UNLESS NOTED

2. ALL ANGLES ARE 90°00'00" UNLESS NOTED.



RECEIVED
OCT 10 2019
PLANNING DEPT.

LIBERTY
LOTS 94 THRU 170, INCLUSIVE AND OUTLOT B



No.	Description	MM-DD-YY

Job No.: A245-190A
 Drawn By: RJR
 Reviewed By: JDW
 Date: SEPT. 12, 2019
 Book:
 Page:

Sheet Title

CITY OF BELLEVUE
FINAL PLAT

Sheet Number

SHEET 1 OF 1

LIBERTY

LOTS 94 THRU 170, INCLUSIVE AND OUTLOT "B"

BEING A REPLATTING OF PART OF OUTLOT "B" AND PART OF LOT 1, DANIELL'S FARM ADDITION, A SUBDIVISION LOCATED IN SECTION 5, T13N, R13E OF THE 6th P.M. IN SARPY COUNTY, NEBRASKA.

APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF LIBERTY WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION ON THIS _____ DAY OF _____, 2019.
THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF LIBERTY WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL ON THIS _____ DAY OF _____, 2019. APPROVAL OF THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

BELLEVUE PLANNING COMMISSIONER

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 _____, 2019.

SARPY COUNTY TREASURER

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF LIBERTY WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS _____ DAY OF _____, 2019.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF SECTION 5, T13N R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND THAT THE SUBDIVISION DESCRIBED HEREIN LIES WHOLLY WITHIN SAID SECTION 5 AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND THAT A BOND WILL BE POSTED WITH THE CITY OF BELLEVUE TO INSURE THAT PERMANENT MARKERS WILL SET AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS LIBERTY, LOTS 94 THRU 170, INCLUSIVE, AND OUTLOT "B", BEING A REPLATTING OF PART OF OUTLOT "B" AND PART OF LOT 1, DANIELL'S FARM ADDITION, A SUBDIVISION IN SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SW CORNER OF LOT 69, LIBERTY (LOTS 1 THRU 93), A SUBDIVISION IN SAID SARPY COUNTY;
THENCE N02°03'48"W (ASSUMED BEARING) 116.50 FEET ON THE WEST LINE OF SAID LOT 69 TO THE NW CORNER THEREOF;
THENCE NORTHERLY ON THE WEST LINE OF SAID LIBERTY (LOTS 1 THRU 93) ON THE FOLLOWING FIFTEEN DESCRIBED COURSES:
THENCE S87°56'12"W 50.00 FEET; THENCE N47°03'48"W 12.02 FEET; THENCE N02°03'48"W 50.00 FEET; THENCE S87°56'12"W 116.50 FEET; THENCE N02°07'08"W 307.68 FEET; THENCE N05°16'54"W 67.90 FEET; THENCE N08°59'15"W 67.90 FEET; THENCE N12°41'36"W 67.90 FEET; THENCE N16°05'18"W 70.60 FEET; THENCE N16°40'41"W 213.00 FEET; THENCE N15°28'06"W 99.00 FEET; THENCE N02°31'35"W 85.00 FEET; THENCE N87°28'25"E 125.00 FEET; THENCE N00°00'31"E 50.05 FEET; THENCE N02°31'35"W 123.55 FEET TO THE NORTH LINE OF SAID OUTLOT "B";
THENCE S87°06'53"W 73.90 FEET ON THE NORTH LINE OF SAID OUTLOT "B";
THENCE S87°34'32"W 787.13 FEET ON THE NORTH LINE OF SAID OUTLOT "B" TO THE SOUTH LINE OF LOT 1, QUAIL CREEK REPLAT FIVE, A SUBDIVISION IN SAID SARPY COUNTY;
THENCE S62°24'18"W 114.37 FEET ON THE SOUTH LINE OF SAID LOT 1 TO THE WEST LINE OF SAID OUTLOT "B";

THENCE S22°23'22"W 620.45 FEET ON THE WEST LINE OF SAID OUTLOT "B" AND SAID LOT 1 TO AN ANGLE POINT OF THE WEST LINE OF SAID LOT 1;
THENCE N80°04'35"E 242.63 FEET; THENCE S50°59'04"E 157.60 FEET; THENCE N73°19'19"E 37.63 FEET; THENCE S16°40'41"E 69.67 FEET;
THENCE SOUTHEASTERLY ON A 325.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S09°41'09"E, CHORD DISTANCE 79.13 FEET, AN ARC DISTANCE OF 79.32 FEET;
THENCE S02°41'37"E 11.78 FEET; THENCE S42°18'23"W 12.02 FEET;
THENCE S02°41'37"E 50.00 FEET; THENCE N87°18'23"E 10.50 FEET;
THENCE S02°41'37"E 125.00 FEET; THENCE N87°18'23"E 298.00 FEET;
THENCE S02°41'37"E 116.50 FEET; THENCE S42°18'23"W 12.02 FEET;
THENCE S02°41'37"E 50.00 FEET; THENCE N87°18'23"E 183.94 FEET;
THENCE S02°41'37"E 100.00 FEET; THENCE N87°56'12"E 135.08 FEET;
THENCE S06°31'08"E 3.24 FEET;
THENCE N87°56'12"E 50.00 FEET;
THENCE N02°23'32"E 10.03 FEET;
THENCE N87°56'12"E 124.22 FEET;
THENCE N02°03'48"W 10.00 FEET;
THENCE N87°56'12"E 125.00 FEET;
THENCE S02°03'48"E 40.00 FEET;
THENCE N87°56'12"E 50.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 1080158 SQUARE FEET OR 24.797 ACRES MORE OR LESS



JAMES D. WARNER
NEBRASKA RLS 308

SEPTEMBER 12, 2019

DATE:

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, LIBERTY LAND, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS, AND ACCESS BANK, 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, STREETS AND AN OUTLOT, TO BE NUMBERED, NAMED AND LETTERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS LIBERTY, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE DO HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE THE STREETS AS SHOWN HEREON AND WE DO 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. PERPETUAL EASEMENTS ARE HEREBY GRANTED TO METROPOLITAN UTILITIES DISTRICT AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL CUL-DE-SAC STREETS. NO PERMANENT BUILDINGS OR RETAINING 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 OR RIGHTS HEREBIN GRANTED.

LIBERTY LAND, LLC
A NEBRASKA LIMITED LIABILITY COMPANY

ACCESS BANK

BY: DENNY VAN MOORLEGHEM, MANAGER

BY: MICHAEL KINYOUN, COMMERCIAL REAL ESTATE OFFICER

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SARPY)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019 BY DENNY VAN MOORLEGHEM, MANAGER OF LIBERTY LAND, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SARPY)

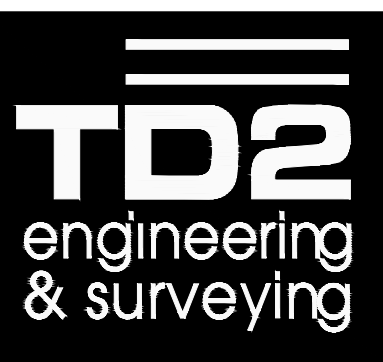
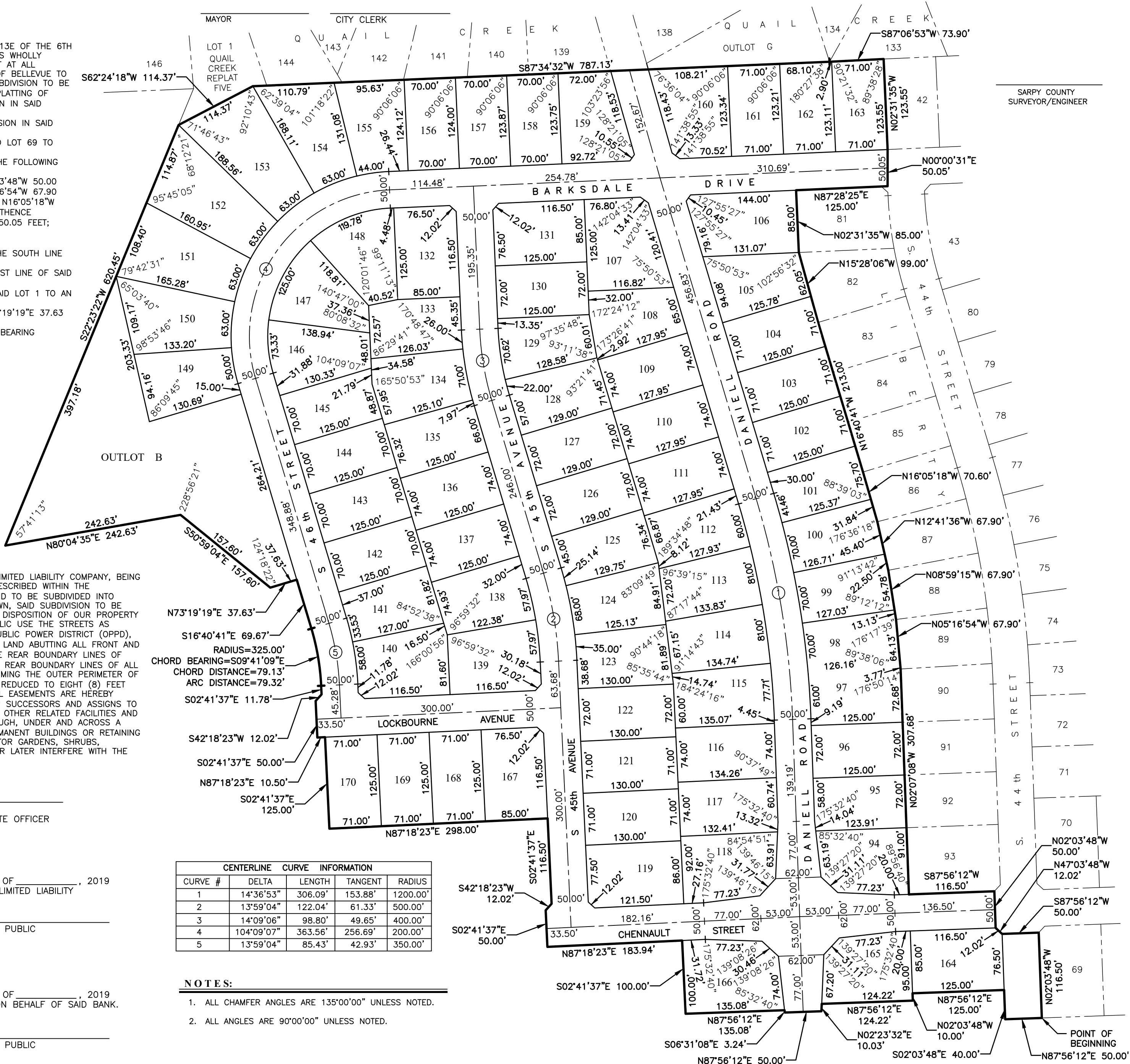
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019 BY MICHAEL KINYOUN, COMMERCIAL REAL ESTATE OFFICER OF ACCESS BANK ON BEHALF OF SAID BANK.

NOTARY PUBLIC

CENTERLINE CURVE INFORMATION				
CURVE #	DELTA	LENGTH	TANGENT	RADIUS
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NOTES:

- ALL CHAMFER ANGLES ARE 135°00'00" UNLESS NOTED.
- ALL ANGLES ARE 90°00'00" UNLESS NOTED.



thompson, dreesen & dörner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com

LIBERTY
LOTS 94 THRU 170, INCLUSIVE AND OUTLOT B



Revision Dates		
No.	Description	MM-DD-YY
1		
2		
3		
4		

Job No.: A245-190A

Drawn By: RJR

Reviewed By: JDW

Date: SEPT. 12, 2019

Book:

Page:

Sheet Title

CITY OF BELLEVUE
FINAL PLAT

Sheet Number

SHEET 1 OF 1



City of Bellevue
Office of the Planning Department

3.a.

MEMORANDUM

TO: Planning Commission
FROM: Tammi Palm, Land Use Planner *HP*
DATE: October 18, 2019
RE: Lot 2, Twin Valley Church Replat 1 Addition rezoning
Agenda Item 3.a.

The applicant is requesting a continuance to the November 21, 2019 Planning Commission meeting for the purpose of allowing more time to work with staff and potentially revise the proposed layout of the development. Staff supports this request for a continuance.