City of Bennington
Planning Commission Meeting Agenda
Wednesday, April 30, 2025; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

1. Call to Order – Open Meeting Act – Roll Call

2. Approval of March 26, 2025 Meeting Minutes

3. Consideration of two Freestanding Monument Identification Signs in a Medium Density Residential (R-3) Zoning District both located west of 156th Street with one being south of Kempten Creek Drive and one being north of Bennington Boulevard
    A. Presentation
    B. Motion

4. Consideration of a Freestanding Monument Identification Sign in a Medium Density Residential (R-3) Zoning District located east of 168th Street and north of Abigail St. Lot 49 Water's Edge 168.
    A. Presentation
    B. Public Hearing
    C. Motion

5. Proposed Redevelopment Project pursuant to the Nebraska Community Development Law which involves partial funding known as Tax Increment Financing, by Bennington Capital Growth, LLC/JEH Enterprises, LLC, on Lots 18, 19, and 20, Block 6, Town of Bennington, Douglas County, Nebraska, generally located between 15408 and 15416 South Second Street, Bennington, Nebraska.
    A. Presentation, Staff and Applicant
    B. Public Hearing
    C. Motion

6. Future Land Use Map Discussions

7. Adjourn

City of Bennington
Planning Commission Meeting Minutes
Wednesday, March 26, 2025; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

Call to Order – Open Meeting Act – Roll Call
Planning Commission Chair James Bartles called the meeting to order at 6:00 p.m. The following members were present: James Bartles, Karen Hohman Anita Ortiz, Jeff Ryan, Mike Valasek and Bob Zaruba. Member Haime Dias was absent. City Clerk Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of February 26, 2025 Meeting Minutes
Motion by Valasek, second by Ortiz to approve the minutes as presented. With Hohman and Zaruba abstaining, all voted in favor and the motion carried.

Consideration of two Freestanding Monument Identification Signs in a Medium Density Residential (R-3) Zoning District both located west of 156th Street with one being south of Kempten Creek Drive and one being north of Bennington Boulevard
City Engineer Julie Ogden presented the signs that meet standards. Pending approval are the Landscaping Plan and the HOA Maintenance and Operation Plan.

Bartles opened a public hearing and there were no comments.

Motion by Zaruba, second by Ortiz to table the Conditional Use Permits until the April 2025 meeting. All voted in favor and the motion carried.

Consideration of a Church in a Downtown Commercial (C-3) Zoning District located at 15416 South Second Street
Member Jeff Ryan stated that he had a conflict of interest and would not be participating in the discussions or vote on this matter.

City Engineer Julie Ogden presented the application that includes worship, youth activities, rehearsals, bible study and worship teams. Calculated on-street parking requirements are suitable.

The applicant via Van Wren addressed the Commission on the Church's history in the community.

Bartels opened a public hearing and there were no comments.

Motion by Bartels, second by Zaruba to approve the Conditional Use Permit as presented subject to compliance with the City Engineer's letter requirements and building codes for restrooms. Roll call vote: Bartels – yes, Hohman – yes, Ortiz – yes, Ryan – not participating due to conflict of interest, Valasek – yes, Zaruba – yes. Motion carried.

Review and Discussion of Current Future Land Use Map
City Engineer presented discussions regarding a Commercial, Business or Mixed-Use development along Military Road between 168th and 180th Streets and near a future Bennington Public High School.

Adjourn
Motion by Hohman, second by Zaruba to adjourn the meeting at 7:00 p.m.

April 18, 2025

Bennington Planning Commission & City Council
c/o Mindi Laaker, Clerk
15505 Warehouse Street
Bennington, NE 68007

RE: Morgan Ridge Monument Sign – Conditional Use Permit
Bennington, NE
JEO Project No. 090034

Dear Mindi:

JEO Consulting Group has received the updated and missing documents for the proposed monument signs for the above referenced development as discussed at the PC meeting from March. We have reviewed these documents and would offer the following comments, questions and observations for the Planning Commission's scheduled meeting on April 30th.

Site & Operation Plan Comments

1. The sign locations have been updated to where the sign at Kempten Creek Drive will be perpendicular to 156th Street and the Bennington Boulevard will be angled and set slightly back from 156th Street to meet requirements. The zoning for the site is R-3 at Kempten Creek Dr. and C-1 at Bennington Blvd. The lot set back requirements for the sign is 15 feet as per Section 8.02.01.B.ix.
2. The proposed sign is considered a Free-Standing (Monument) sign as per section 8.01.07 of the zoning regulations and the signs are:

	Regulation	Kempten Creek Dr. Site	Bennington Blvd. Site
Sign Area	32 sf	24 sf	15 sf
Height	10 ft	6' -8"	6'-0"
Number	1*	156th Street	Bennington Blvd (with angled layout)

* Per public street frontage.

3. The sign and landscaping plan showing the sign location is showing the proposed Kempten Creek Drive sign to be located about 10 feet west of the property line of Outlot A along 156th Street and 63 feet south of the property line along Kempten Creek Drive. It will be oriented to be perpendicular to the 156th Steet right of way. Outlot A includes a stormwater detention basin for the site.
    a. Staking or flagging of the proposed sign location is recommended prior to the public hearing for review by the planning commission/council and public.
4. The sketch showing the sign location is showing the proposed Bennington Boulevard sign to be located about 20 feet west of the property line of Lot 1 along 156th Street and 10 feet north of the property line along Bennington Boulevard. The sign will be oriented at a 45 degree angle to 156th Street so that it is visible from Bennington Boulevard. Lot 1 is a commercially zoned lot and an easement will be required for sign installation and maintenance.
    a. Staking or flagging of the proposed sign location is recommended prior to the public hearing for review by the planning commission/council and public.
5. Landscaping as required around the base of Free-Standing signs as per section 8.02.01.B v.(6) is provided as noted on the landscaping plans.
6. An operation and maintenance items are shown on the first landscape plan sheet.

Conditional Use Permit (per section 6.06)

The review provided in the March review letter remains unchanged and was not repeated in this letter.

If you have any questions, comments, or concerns with any of the statements, please feel free to contact me at 402.443.7483.

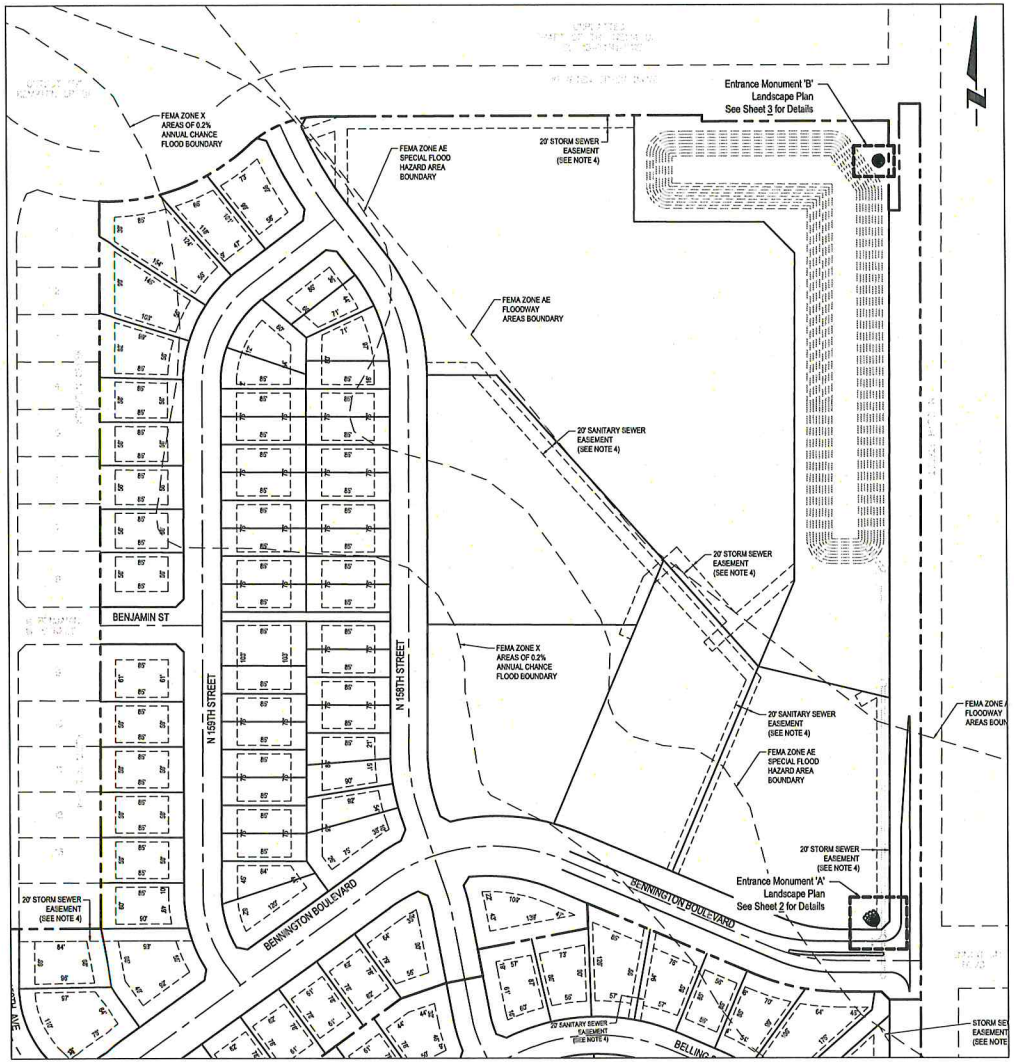
Sincerely,

Julie Ogden, PE
jogden@jeo.com

Jeff Ray, AICP
jray@jeo.com

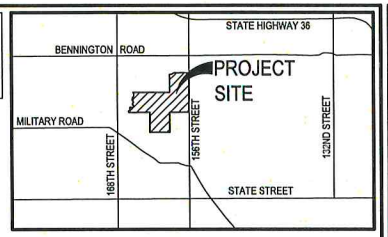
JAO:jao

cc: Jeff Miller (city attorney)
HRC Morgan Ridge (applicant)
Fast Signs (sign provider)
Caleb Beasley, E&A (Engineer)



OVERALL PLAN
SCALE: 1" = 100'

ne1call.com
Nebraska811
know what's below.
Call before you dig.
Dial: 811



VICINITY MAP

OVERALL PLANT SCHEDULE

SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
A	4	Pinus strobus 'Fastigiata'	Columnar White Pine	7'-8'	B&B
B	11	Rosa 'Knock Out'	Knock Out Rose	5 Gal.	Cont.
C	15	Schizachyrium scoparium	Little Bluestem	3 Gal.	Cont.
D	26	Pennisetum alopecuroides 'Little Bunny'	Little Bunny Dwarf Fountain Grass	2 Gal.	Cont.
E	12	Juniperus horizontalis	Blue Rug Juniper	2 Gal.	Cont.
F	33	Hemerocallis 'Eenie Weenie'	Eenie Weenie Daylily	2 Gal.	Cont.
G	46	Nepeta x faassenii 'Walker's Low'	Walker's Low Catmint	2 Gal.	Cont.
H	35	Phlox subulata 'Purple Beauty'	Purple Beauty Creeping Phlox	2 Gal.	Cont.

NOTE:
1. Landscape contractor shall coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree and shrub planting locations on the project site.

INSTALLATION NOTES:
1. Compacted soil in shrub beds shall be amended & tilled with 2" compost.
2. Mulch beds shall be covered with minimum 3" hardwood mulch.
3. Dry Creek Bed shall be covered with minimum of 3" of river rock with weed barrier fabric.
4. Dry Creek Bed shall also include River Jack. Contractor to coordinate with Nick Young.
3. All trees to be staked with mulch ring.

MAINTENANCE TASKS AND SCHEDULE
(HOA Responsibility)

Task	Schedule
Water vegetation a minimum weekly for first three months. Watering may be required more frequently during summer months during first year.	Weekly for 3 months, then as needed.
Eliminate weeds manually or spot herbicide	Monthly
Mowing once vegetation established	Monthly, and as needed
Inspect vegetation. Replace dead plants and remove invasive plant species	Semi-annually, and as needed

E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services
10050 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.4700 • Fax: 402.895.3599
www.eacg.com
State of NE Certificate of Authorization #CA0008

E & A CONSULTING GROUP, INC.
Engineering Answers

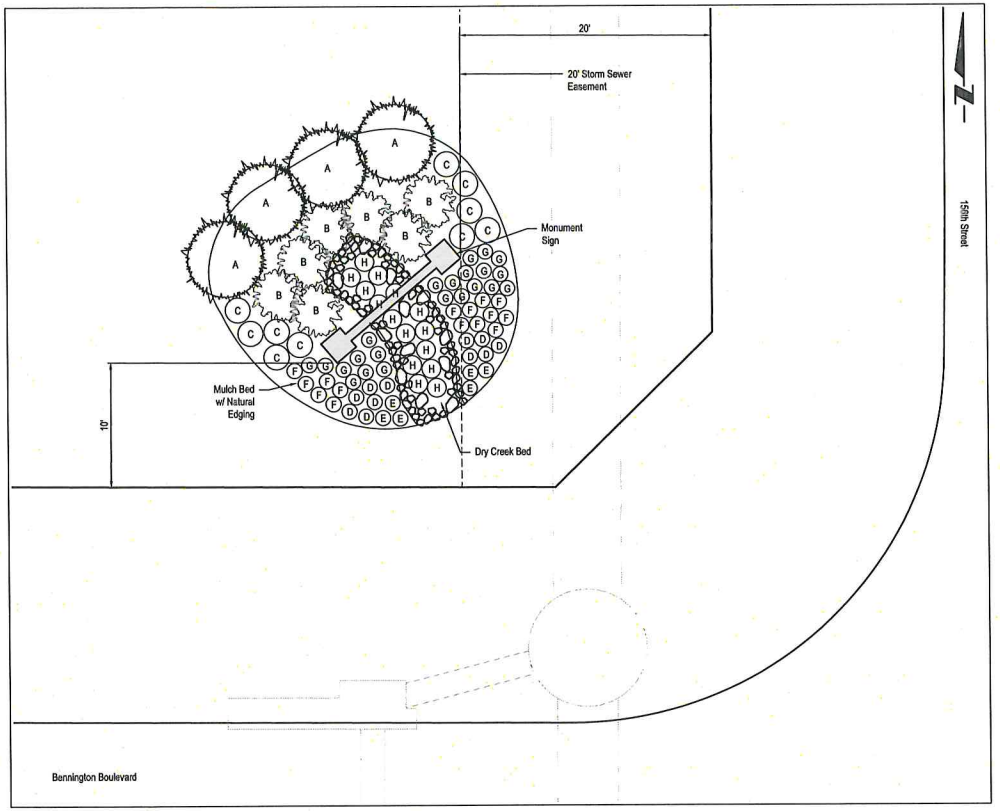
MORGAN RIDGE
BENNINGTON, NEBRASKA

COVER SHEET

Revisions		
No.	Date	Description
1	3/11/2025	

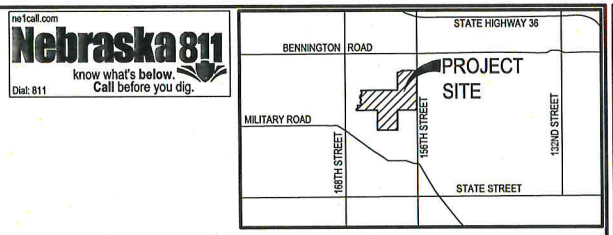
Proj No: P2021.321.000
Date: 3/11/2025
Designed By: MAT
Drawn By: MAT
Scale: AS SHOWN
Sheet: 1 of 3

Matthew Parks 4/10/2025 5:39 PM C:\Projects\2021\321000\Civil\Landscape Plans\Morgan Ridge Landscape Plan.dwg



ENTRANCE MONUMENT 'A' LANDSCAPE PLAN

SCALE: 1" = 5'



VICINITY MAP

MONUMENT 'A' - PLANT SCHEDULE

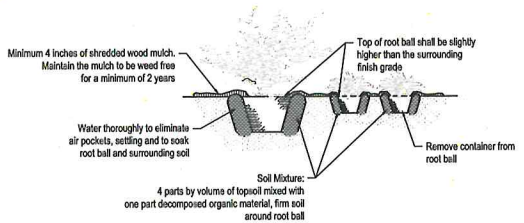
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
A	4	Pinus strobus 'Fastigiata'	Columnar White Pine	7'-8'	B&B
B	7	Rosa 'Knock Out'	Knock Out Rose	5 Gal.	Cont.
C	10	Schizachyrium scoparium	Little Bluestem	3 Gal.	Cont.
D	11	Pennisetum alopecuroides 'Little Bunny'	Little Bunny Dwarf Fountain Grass	2 Gal.	Cont.
E	6	Juniperus horizontalis	Blue Rug Juniper	2 Gal.	Cont.
F	15	Hemerocallis 'Eenie Weenie'	Eenie Weenie Daylily	2 Gal.	Cont.
G	22	Nepeta x faassenii 'Walker's Low'	Walker's Low Catmint	2 Gal.	Cont.
H	15	Phlox subulata 'Purple Beauty'	Purple Beauty Creeping Phlox	2 Gal.	Cont.

NOTE:
1. Landscape contractor shall coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree and shrub planting locations on the project site.

INSTALLATION NOTES:
1. Compacted soil in shrub beds shall be amended & tilled with 2" compost.
2. Mulch beds shall be covered with minimum 3" hardwood mulch.
3. Dry Creek Bed shall be covered with minimum of 3" of river rock with weed barrier fabric.
4. Dry Creek Bed shall also include River Jack. Contractor to coordinate with Nick Young.
3. All trees to be staked with mulch ring.

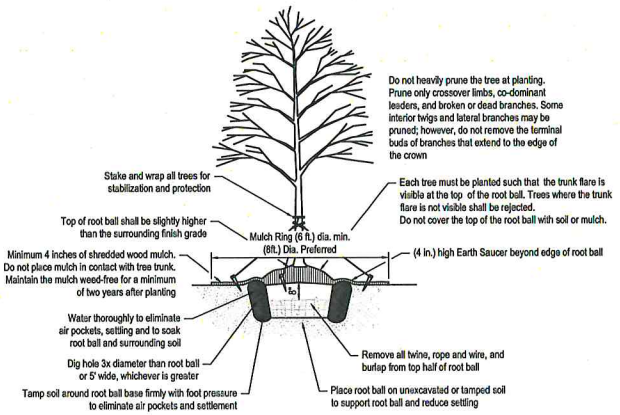
LANDSCAPE NOTES:

1. Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
2. All plant material shall be of good quality and sizes shall meet required size specifications.
3. All plants are to be watered in immediately after planting and then watered and maintained once a week for a period of one month from time of planting.
4. All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
5. Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
6. The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
7. Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
8. Contractor to coordinate all work with E & A Consulting Group, Inc.



SHRUB & PERENNIAL PLANTING DETAIL

NOT TO SCALE



TREE PLANTING DETAIL - B & B TREE

NOT TO SCALE

E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services
10909 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.4700 • Fax: 402.895.3599
www.eacg.com
State of NE Certificate of Authorization #CA0018

E & A CONSULTING GROUP, INC.
Engineering Answers

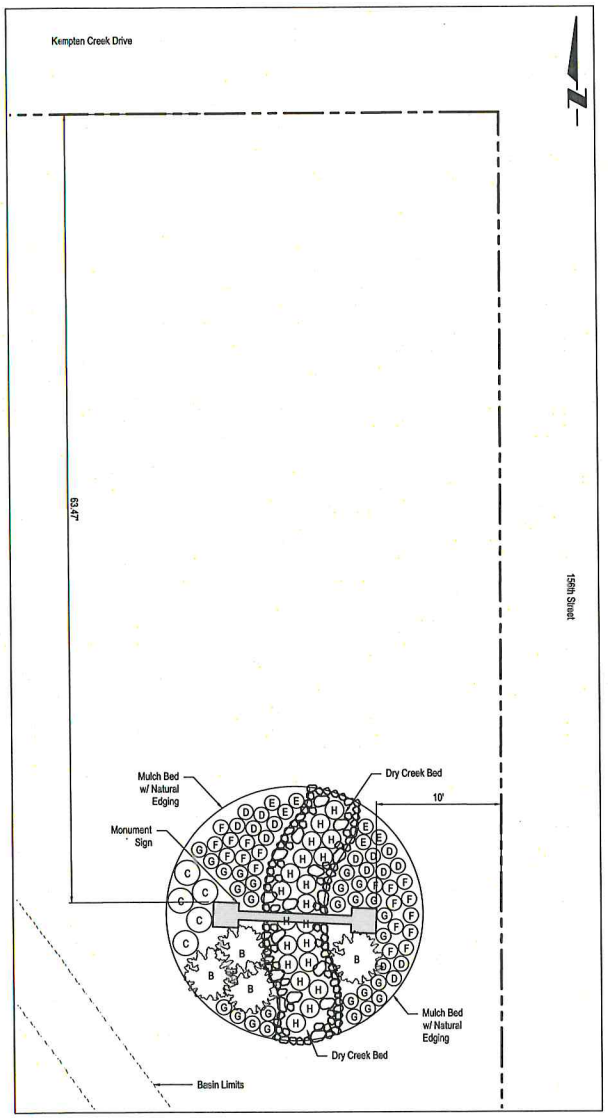
MORGAN RIDGE
BENNINGTON, NEBRASKA

ENTRANCE MONUMENT 'A' LANDSCAPE PLAN

Revisions		
Description	Date	

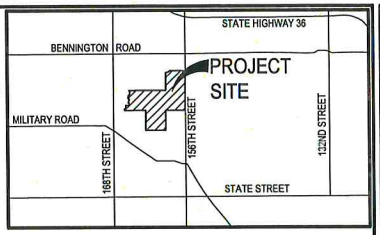
Proj No: P2021.257.000
Date: 3/31/2022
Designed By: MAT
Drawn By: MAT
Scale: AS SHOWN
Sheet: 2 of 3

K:\Projects\2021\257.000\Engineering\Landscape Plans\Monument Sign Landscape Plan.dwg
Matthew Tlatka 4/19/2022 3:30 PM



ENTRANCE MONUMENT 'B'
LANDSCAPE PLAN
SCALE: 1" = 5'

ne1call.com
Nebraska 811
know what's below. Call before you dig.
Dial: 811



VICINITY MAP

MONUMENT 'B' - PLANT SCHEDULE

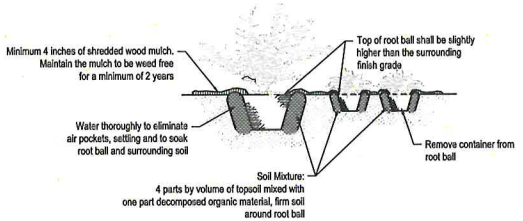
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
A	-	Pinus strobus 'Fastigiata'	Columnar White Pine	7'-8'	B&B
B	4	Rosa 'Knock Out'	Knock Out Rose	5 Gal.	Cont.
C	5	Schizachyrium scoparium	Little Bluestem	3 Gal.	Cont.
D	15	Pennisetum alopecuroides 'Little Bunny'	Little Bunny Dwarf Fountain Grass	2 Gal.	Cont.
E	6	Juniperus horizontalis	Blue Rug Juniper	2 Gal.	Cont.
F	18	Hemerocallis 'Eenie Weenie'	Eenie Weenie Daylily	2 Gal.	Cont.
G	24	Nepeta x faassenii 'Walker's Low'	Walker's Low Catmint	2 Gal.	Cont.
H	20	Phlox subulata 'Purple Beauty'	Purple Beauty Creeping Phlox	2 Gal.	Cont.

NOTE:
1. Landscape contractor shall coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree and shrub planting locations on the project site.

INSTALLATION NOTES:
1. Compacted soil in shrub beds shall be amended & tilled with 2" compost.
2. Mulch beds shall be covered with minimum 3" hardwood mulch.
3. Dry Creek Bed shall be covered with minimum of 3" of river rock with weed barrier fabric.
4. Dry Creek Bed shall also include River Jack. Contractor to coordinate with Nick Young.
3. All trees to be staked with mulch ring.

LANDSCAPE NOTES:

1. Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
2. All plant material shall be of good quality and sizes shall meet required size specifications.
3. All plants are to be watered in immediately after planting and then watered and maintained once a week for a period of one month from time of planting.
4. All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
5. Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
6. The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
7. Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
8. Contractor to coordinate all work with E & A Consulting Group, Inc.



SHRUB & PERENNIAL PLANTING DETAIL
NOT TO SCALE

E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services
10909 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.4700 • Fax: 402.895.3599
www.eacg.com
State of NE Certificate of Authorization #CA0018

E & A CONSULTING GROUP, INC.
Engineering Answers

MORGAN RIDGE
BENNINGTON, NEBRASKA

ENTRANCE MONUMENT 'B'
LANDSCAPE PLAN

No.	Date	Revisions / Description
1	3/31/2022	

Proj No: P2021.321.000
Date: 3/31/2022
Designed By: MAT
Drawn By: MAT
Scale: AS SHOWN
Sheet: 3 of 3

K:\Projects\2021\321.000\Civil\Landscape\Plans\Monument Landscape Plan.dwg
4/18/2022 2:31 PM
Matthew Tlatta

March 20, 2025

Bennington Planning Commission & City Council
c/o Mindi Laaker, Clerk
15505 Warehouse Street
Bennington, NE 68007

RE: Morgan Ridge Monument Sign – Conditional Use Permit
Bennington, NE
JEO Project No. 090034

Dear Mindi:

JEO Consulting Group has received a copy of the Conditional Use Permit application and documents for the proposed monument signs for the above referenced development. We have reviewed these documents and would offer the following comments, questions and observations for the Planning Commission's scheduled meeting on March 26, 2025. Based on a review of the submitted documents, all specifications as outlined in Article 6, of the zoning regulations have been met in regard to the submittal documents. Below are our review comments on these documents related to both Article 6 and Section 8.01-8.02 (Sign Regulations).

Site & Operation Plan Comments

1. There are two sign locations proposed along 156th Street, one at the Kempten Creek Drive (SW quadrant) and one at Bennington Boulevard (NW quadrant). The zoning for the site is R-3 at Kempten Creek Dr. and C-1 at Bennington Blvd. The lot set back requirements for the lot and sign are as follows:

	R-3	C-1	
Front Yard (Street Side Yard)	25 feet	25 feet	
Side Yard	7 feet	10 feet	
Rear Yard	25 feet	25 feet	
Sign Setback (Free Standing)	*15 feet*	*15 feet*	*from the property line*

(as per Section 8.02.01.B.ix)

2. The proposed sign is considered a Free-Standing (Monument) sign as per section 8.01.07 of the zoning regulations and the signs are:

	Regulation	Kempten Creek Dr. Site	Bennington Blvd. Site
Sign Area	32 sf	24 sf	15 sf
Height	10 ft	6' -8"	6'-0"
Number	1*	156th Street **	156th Street**

* Per public street frontage.

** Orientation and adjustment of one of these two locations to be more along either Kempten Creek Drive or Bennington Boulevard would make these signs in compliance with the one per street frontage.

   a. As per section 8.01.08, since the two-sided sign is proposed to be identical on both sides and are not more than 42 inches apart, the sign area is computed based on one side only.

3. The sketch showing the sign location is showing the proposed Kempten Creek Drive sign to be located about 15 feet west of the property line of Outlot A along 156th Street and 10 feet south of the property line along Kempten Creek Drive. Outlot A includes a stormwater detention basin for the site.
   a. Staking or flagging of the proposed sign location is recommended prior to the public hearing for review by the planning commission/council and public.
   b. An accurately drawn site plan to scale shall be provided with the building permit application.
4. The sketch showing the sign location is showing the proposed Bennington Boulevard sign to be located about 15 feet west of the property line of Lot 1 along 156th Street

and 15 feet north of the property line along Bennington Boulevard. Lot 1 is a commercially zoned lot and an easement will be required for sign installation and maintenance.
   a. Staking or flagging of the proposed sign location is recommended prior to the public hearing for review by the planning commission/council and public.
   b. An accurately drawn site plan to scale shall be provided with the building permit application.
5. Landscaping is required around the base of Free-Standing signs as per section 8.02.01.B v.(6). Please provide details on how this requirement will be met for this sign.
6. An operation and maintenance plan is needed for these signs. The plan should note who would be responsible for the upkeep of the signs and what would be done. The operation plan should note if irrigation of the landscaping is provided or lighting of the signs is included (sign plan calls for non-illuminated signs), etc.

Conditional Use Permit (per section 6.06)
The following items must be found to be addressed to issue the conditional use permit.

1. *That the establishment, maintenance, or operation of the use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.*
   a. Engineer's Comment: The proposed use should not endanger public health, safety, or general welfare of the community.
2. *That the use will not be injurious to the use and enjoyments of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impair property values within the neighborhood.*
   a. Engineer's Comment: The signs are fronted along 156th Street and should not impact adjacent property use.
3. *That the establishment of the use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.*
   a. Engineer's Comment: Not applicable.
4. *That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
   a. Engineer's Comment: Not applicable.
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
   a. Engineer's Comment: Not applicable.
6. *The use shall not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.*
   a. Engineer's Comment: Not applicable.
7. *The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.*
   a. Engineer's Comment: Not applicable
8. *The use shall not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.*
   a. Engineer's Comment: Not applicable
9. *The use shall not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.*
   a. Engineer's Comment: Not applicable.
10. *The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.*
   a. Engineer's Comment: Not applicable.

11. *The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.*
    a. Engineer's Comment: Not applicable.

If you have any questions, comments, or concerns with any of the statements, please feel free to contact me at 402.443.7483.

Sincerely,

Julie Ogden, PE
jogden@jeo.com

Jeff Ray, AICP
jray@jeo.com

JAO:jao

cc: Jeff Miller (city attorney)
HRC Morgan Ridge (applicant)
Fast Signs (sign provider)
Caleb Beasley, E&A (Engineer)

APPLICATION FOR A CONDITIONAL USE PERMIT

City of Bennington, NE

NOTE: Form must be filled out completely before the City will accept this application for processing, please print or type. The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. All fees are non-refundable.

Date: 2/26/2025 E-mail address: joe@d8signgroup.com

Property Owner's Name: HRC MORGAN RIDGE LLC Phone Number: _____

Property Address: 15603 Kempten Creek Drive

Pursuant to the Bennington Zoning Ordinance, application is herby made for the following proposed use of property or structure: Allow the use of a Freestanding monument sign on the property not otherwise allowed in the R-3 Zoning District. Monument sign will only identify the neighborhood development.

Legal Description of Property Requested:
MORGAN RIDGE LOT OLA BLOCK 0 OUT LOT A 4.281 AC

Area of Property (square feet or acres): 4.21 acres Current Zoning: R-3

Will use in all other respects conform to the applicable regulations of the district in which it is located?
Yes ☒ No ☐
Will use conform to all other applicable regulations and laws of any governmental jurisdiction?
Yes ☒ No ☐
Will use have adequate water, sewer and drainage facilities? Yes ☒ No ☐
Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?
Yes ☒ No ☐
Estimated Cost of Structure? $25,000

The following exhibits are required with this application.

- site plan
- Easements (if applicable)
- Operation and maintenance plan

Signature of Owner: _____

Mailing Address of Owner: 9719 Liles Rd, La Vista, NE 68128

OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 100.00 Check No. 5199

Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Chair, Bennington Planning Commission

Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Mayor, City of Bennington

ATTEST: _____ Dated this _____ day of _____, 20___
City Clerk

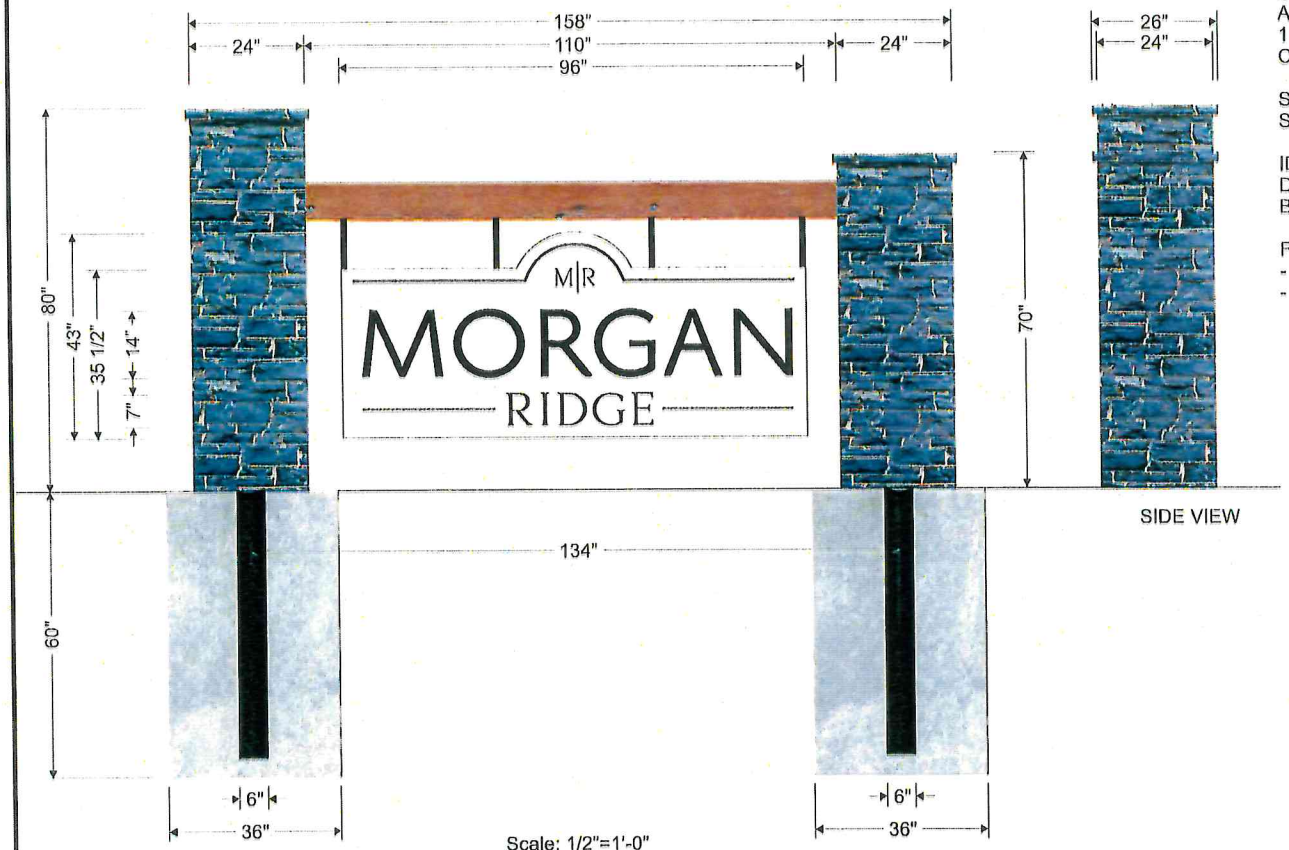
FABRICATE AND INSTALL (1) ONE NEW DOUBLE SIDED NON-ILLUMINATED MONUMENT SIGN.

COLUMNS TO BE CONSTRUCTED OF AN INTERIOR ALUMINUM ANGLE FRAME SKINNED WITH ALUMINUM. STACKED STONE 1 1/2" THIN SET TO BE **SOLAR ECLIPSE 50/50 GRAY.** TOP OF COLUMNS TO HAVE SAME THIN SET STONE APPLIED.

SUPPORT BEAM TO BE CONSTRUCTED OF 6" X 6" STEEL, SKINNED WITH MITER CUT 1" DEEP COMPOSITE DECK PLANKS.

IDENTITY SIGN TO BE CONSTRUCTED OF 1" BLACK PVC WITH DIGITALLY PRINTED ACM FACES. BORDER AND COPY TO BE 1/2" BLACK PVC WITH 3MM BLACK ACM FACES.

FOOTING DETAIL
- 6" X 12'-6" & 6" X 11'-6" SCHEDULE 40 STEAL ROUND PIPES
- 5'-0" X 3'-0" DIRECT BURIAL CIRCULAR CONCRETE FOUNDATIONS



SIDE VIEW

Scale: 1/2"=1'-0"



PROPOSED SIGN |156th Street & Kempton Creek Dr. | Not to Scale

FASTSIGNS Make Your Statement™ 751 N. 114th St. • Omaha, NE 68154 • 402-493-7960 • fastsigns.com/47	**CLIENT:** Morgan Ridge	**ADDRESS:** 156th & Kempton Creek Drive Bennington, NE	**SCALE:** 1/2" = 1'-0"	**REVISION #:**	**DATE:** 2/25/2025

APPLICATION FOR A CONDITIONAL USE PERMIT

City of Bennington, NE

NOTE: Form must be filled out completely before the City will accept this application for processing, please print or type. The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. All fees are non-refundable.

Date: 2/26/2025 E-mail address: joe@d8signgroup.com

Property Owner's Name: HRC MORGAN RIDGE LLC Phone Number: _____

Property Address: 15602 Bennington Blvd

Pursuant to the Bennington Zoning Ordinance, application is herby made for the following proposed use of property or structure: Allow the use of a Freestanding monument sign on the property not otherwise allowed in the R-3 Zoning District. Monument sign will only identify the neighborhood development.

Legal Description of Property Requested:
MORGAN RIDGE LOT 1 BLOCK 0 LOT 1 2.504 AC

Area of Property (square feet or acres): 2.504 acres Current Zoning: R-3

Will use in all other respects conform to the applicable regulations of the district in which it is located?
Yes ■ No ☐
Will use conform to all other applicable regulations and laws of any governmental jurisdiction?
Yes ■ No ☐
Will use have adequate water, sewer and drainage facilities? Yes ■ No ☐
Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?
Yes ■ No ☐
Estimated Cost of Structure? $15,000

The following exhibits are required with this application.

- site plan
- Easements (if applicable)
- Operation and maintenance plan

Signature of Owner: _____

Mailing Address of Owner: 9719 Giles Rd, La Vista, NE 68128

OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 100.00 Check No. 5199

Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Chair, Bennington Planning Commission

Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Mayor, City of Bennington

ATTEST: _____ Dated this _____ day of _____, 20___
City Clerk



Scale: 1/2"=1'-0"

SIDE VIEW

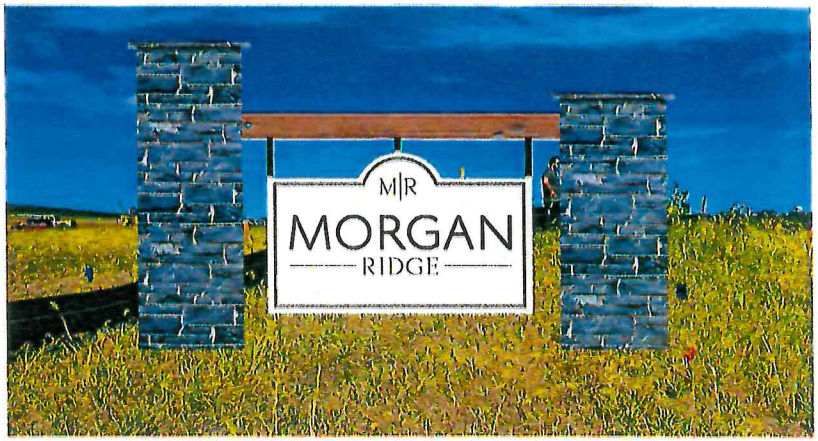
FABRICATE AND INSTALL (1) ONE NEW SINGLE SIDED NON-ILLUMINATED MONUMENT SIGN.

COLUMNS TO BE CONSTRUCTED OF AN INTERIOR ALUMINUM ANGLE FRAME SKINNED WITH ALUMINUM. STACKED STONE 1 1/2" THIN SET TO BE **SOLAR ECLIPSE 50/50 GRAY.** TOP OF COLUMNS TO HAVE SAME THIN SET STONE APPLIED.

SUPPORT BEAM TO BE CONSTRUCTED OF 4" X 4" STEEL, SKINNED WITH MITER CUT 1" DEEP COMPOSITE DECK PLANKS.

IDENTITY SIGN TO BE CONSTRUCTED OF BACK TO BACK 1" BLACK PVC WITH DIGITALLY PRINTED ACM FACES. BORDER AND COPY TO BE 1/2" BLACK PVC WITH 3MM BLACK ACM FACES.

FOOTING DETAIL
- 6" X 10'-8" & 6" X 9'-6" SCHEDULE 40 STEAL ROUND PIPES
- 5'-0" X 3'-0" DIRECT BURIAL CIRCULAR CONCRETE FOUNDATIONS



PROPOSED SIGN |156th Street & Bennington Blvd. | Not to Scale

FASTSIGNS
Make Your Statement™
751 N. 114th St. • Omaha, NE 68154 • 402-493-7960 • fastsigns.com/47

CLIENT:	ADDRESS:	SCALE:	REVISION #:	DATE:
Morgan Ridge	156th & Bennington Blvd Bennington, NE	1/2" = 1'-0"	N/A	9/27/2024

April 18, 2025

Bennington Planning Commission & City Council
c/o Mindi Laaker, Clerk
15505 Warehouse Street
Bennington, NE 68007

RE: Waters Edge Monument Sign – Conditional Use Permit
Bennington, NE
JEO Project No. 090034

Dear Mindi:

JEO Consulting Group has received a copy of the Conditional Use Permit application and documents for the proposed monument signs for the above referenced development. We have reviewed these documents and would offer the following comments, questions and observations for the Planning Commission's scheduled meeting on April 30, 2025. Based on a review of the submitted documents, all specifications as outlined in Article 6, of the zoning regulations have been met in regard to the submittal documents. Below are our review comments on these documents related to both Article 6 and Section 8.01-8.02 (Sign Regulations).

Site & Operation Plan Comments

1. There is one sign location proposed near 168th Street on Abigail Street. The zoning for the site is R-4 and the sign is located on an easement with Lot 49. The lot set back requirements for the lot and sign are as follows:

Front Yard (Street Side Yard)	25 feet
Side Yard	7 feet
Rear Yard	25 feet
Sign Setback (Free Standing)	*10 feet from property line (Section 8.02.01.B.ix)*

2. The proposed sign is considered a Free-Standing (Monument) sign as per section 8.01.07 of the zoning regulations and the signs are:

	Regulation	Abigal Street Site
Sign Area	32 sf	20 sf
Height	10 ft	8' - 2"
Number	1*	1

* Per public street frontage.

3. The sketch showing the sign location along Abigail Street to be located 10 feet west of the property line of Outlot D and Lot 49 and 10 feet north of the property line along Abigail Street. An easement has been obtained to locate the sign on Lot 49.
   a. The sign construction has started as the City provided a sign permit prior to notifying the applicant of the Conditional Use Permit requirement.
   b. Copies of the easements are included with the application.
4. The sign will include lighting as shown on the proposed site plan. There are nine (9) lights focused upwards on the sign (called wall wash lights) and five (5) spotlights on the northside and fifteen (15) on the southside, highlighting the landscaping. None appear to be directed toward future structures or the street.
5. Landscaping is required around the base of Free-Standing signs as per section 8.02.01.B v.(6). The plans and location appear appropriate and extend into Outlot D (drainage paths and sanitary sewer mains are located on this lot). Landscaping is also provided on the southside of the street in an easement on Lot 1.
6. An operation and maintenance plan has been provided for these signs. The HOA will operate and maintain the property in conformance with the development covenants.

Conditional Use Permit (per section 6.06)
The following items must be found to be addressed to issue the conditional use permit.

1. *That the establishment, maintenance, or operation of the use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.*
   a. Engineer's Comment: The proposed use should not endanger public health, safety, or general welfare of the community.
2. *That the use will not be injurious to the use and enjoyments of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impair property values within the neighborhood.*
   a. Engineer's Comment: The signs are visible from 168th Street and should not impact adjacent property use.
3. *That the establishment of the use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.*
   a. Engineer's Comment: The sign and landscaping easement locations should not impact the development or use of the adjacent residential lots.
4. *That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
   a. Engineer's Comment: Not applicable.
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
   a. Engineer's Comment: Not applicable.
6. *The use shall not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.*
   a. Engineer's Comment: Not applicable.
7. *The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.*
   a. Engineer's Comment: Not applicable
8. *The use shall not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.*
   a. Engineer's Comment: Not applicable
9. *The use shall not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.*
   a. Engineer's Comment: Not applicable.
10. *The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.*
    a. Engineer's Comment: Not applicable.
11. *The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.*
    a. Engineer's Comment: Not applicable.

If you have any questions, comments, or concerns with any of the statements, please feel free to contact me at 402.443.7483.

Sincerely,

Julie Ogden, PE

Jeff Ray, AICP

JAO:jao

cc: Jeff Miller (city attorney), Woodsonia (applicant), Matt Maly, TD2 (Engineer)

APPLICATION FOR A CONDITIONAL USE PERMIT

City of Bennington, NE

NOTE: Form must be filled out completely before the City will accept this application for processing, please print or type. The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. All fees are non-refundable.

Date: 04-02-2025 E-mail address: drew@woodsonia.net

Property Owner's Name: Woodsonia 168-Bennington LLC Phone Number: 402-513-9003

Property Address: 10902 N 167th Street, Bennington NE, 68007

Pursuant to the Bennington Zoning Ordinance, application is herby made for the following proposed use of property or structure: Waters Edge 168 monument sign.

Legal Description of Property Requested:
Lot 49 Waters Edge 168

Area of Property (square feet or acres): 0.2639 Acres Current Zoning: R3

Will use in all other respects conform to the applicable regulations of the district in which it is located?
Yes ■ No ☐
Will use conform to all other applicable regulations and laws of any governmental jurisdiction?
Yes ■ No ☐
Will use have adequate water, sewer and drainage facilities? Yes ■ No ☐
Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?
Yes ■ No ☐
Estimated Cost of Structure? N/A

The following exhibits are required with this application.

- site plan
- Operation and maintenance plan
- Easements (if applicable)

Signature of Owner: _____

Mailing Address of Owner: 20010 Manderson Street, Suite 101, Elkhorn, NE 68022

OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 100.00 Check No. 56644

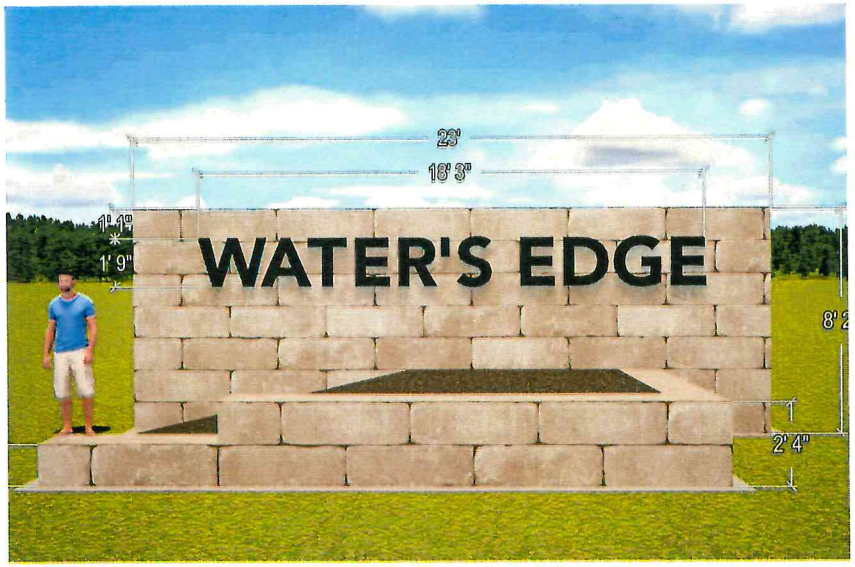
Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Chair, Bennington Planning Commission

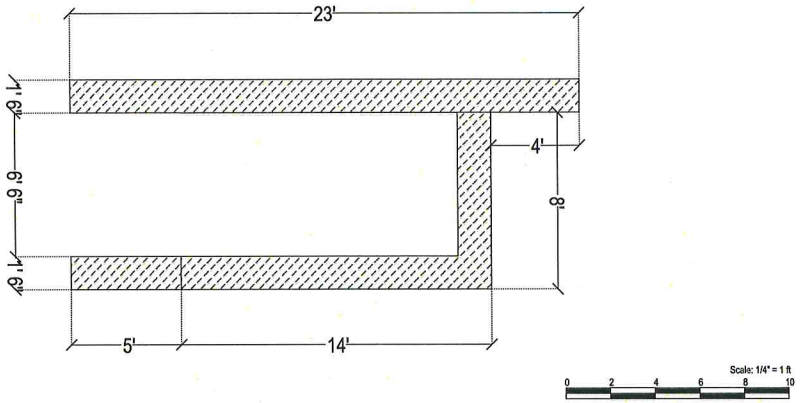
Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Mayor, City of Bennington

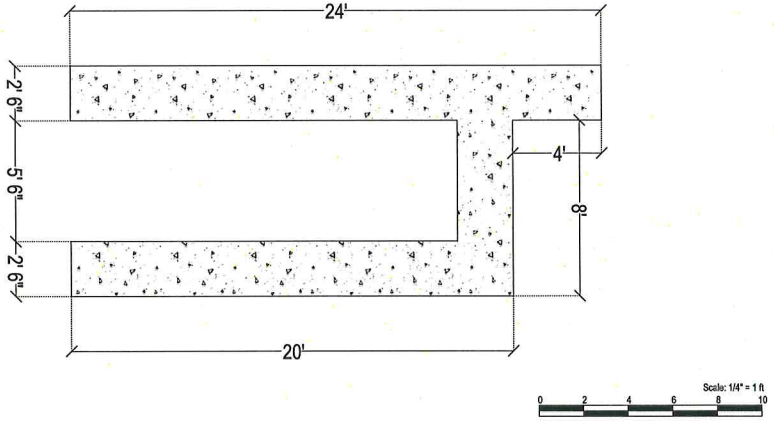
ATTEST: _____ Dated this _____ day of _____, 20___
City Clerk



Sign Font: Avenir LT Pro 95 Black



1 SIGN LAYOUT
Scale: 1/4" = 1'-0"



2 FOOTING LAYOUT
Scale: 1/4" = 1'-0"

GROUNDSCAPES
DESIGN · BUILD · MAINTAIN
6065 N 261st Cir.
Valley, NE 68064

Waters Edge

165th Street & Bennington Road
Bennington, NE 68007

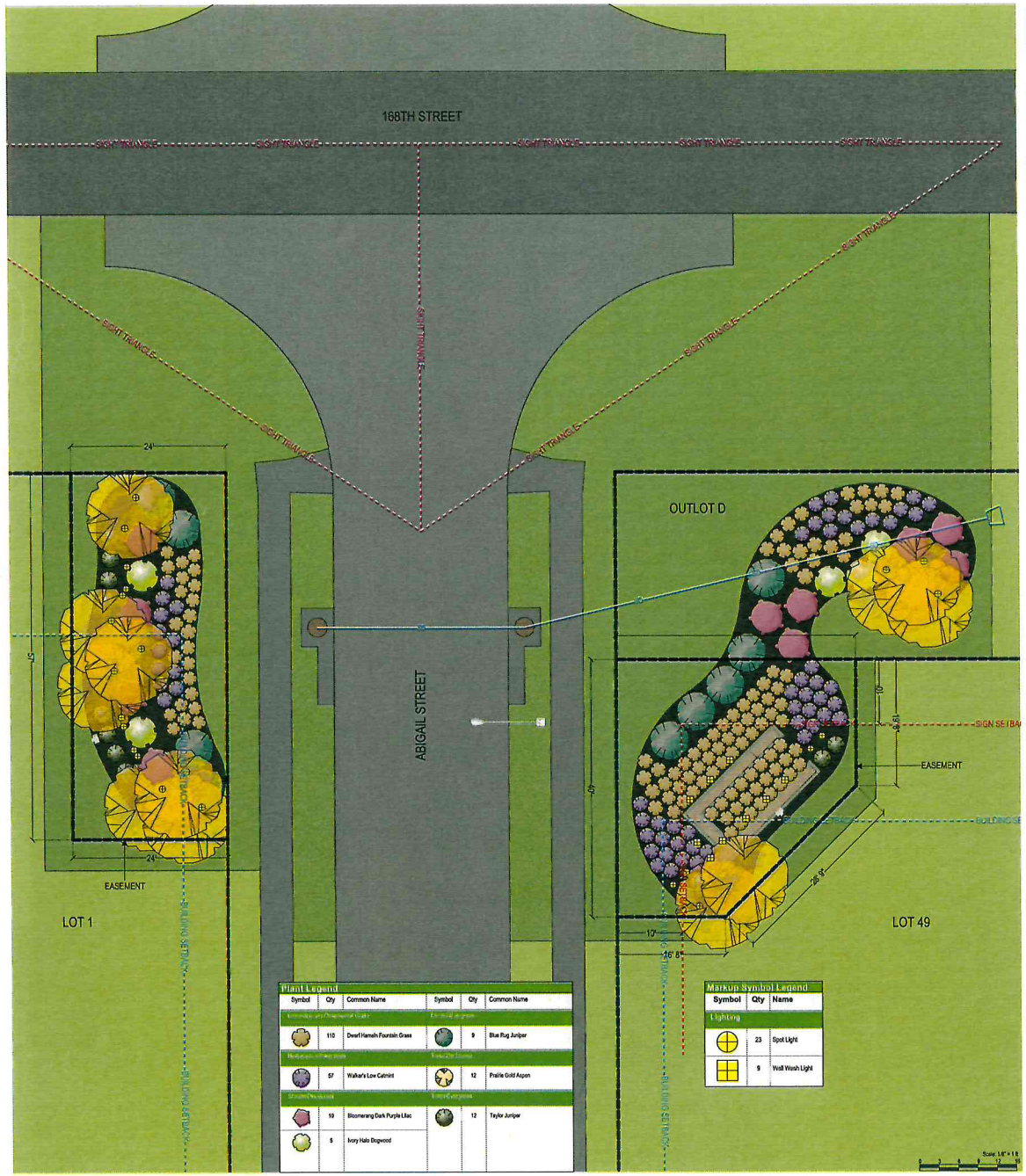
#	Date	Description
V1	06/24/2024	Sign Options
V2	07/18/2024	Sign Options
V3	08/15/2024	Sign Options
V6	09/27/2024	Sign Edits and Layout
V7	10/16/2024	Letter Edits

This document is specifically designed for construction by Groundscapes Inc. and permission to use/copy this document in part or whole without written consent of Groundscapes Inc. is prohibited and will result in a $10,000 fine.

X
Client Signature Date

Scale: NTS

L1









GROUNDSCAPES
DESIGN . BUILD . MAINTAIN

6065 N 261st Cir.
Valley, NE 68064

Water's Edge

168th Street & Abigail Street
Bennington, NE 68007

#	Date	Description
V4	09/24/2024	Original Plan
V5	09/30/2024	Landscape Edits
V6	10/03/2024	Sign Letter Color
V7	10/16/2024	Sight Triangle

This document is specifically designed for construction by Groundscapes Inc. and permission to use/copy this document in part or whole without written consent of Groundscapes Inc. is prohibited and will result in a $10,000 fine.

X
Client Signature Dat

Scale: 1/8" =1'-0"

L2

Operation and Maintenance Plan for
Water's Edge Monument Sign and Landscaping

The Water's Edge Homeowners Association will be responsible for the operation and maintenance of the subdivision's common areas. Per Section 3.01(a)(v) of the Water's Edge Covenants, the HOA shall:

> "Permanently and continuously own the Association Property and be a party to the Maintenance Agreement with the City and timely and properly comply with all of the duties and obligations thereof, including, but not limited to, the proper and continuous maintenance and upkeep of the Association Property and any other Common Area, including all storm water basins (temporary and permanent), subdivision signs, entrance signs, fencing and related fixtures, and all landscaping and related fixtures, within the Property, which permanent and continuous ownership and maintenance obligations shall survive and shall continue after annexation by the City."

In accordance with the above requirements, the HOA shall operate and maintain the Water's Edge Monument Sign and related landscaping within the easements in Lot 1, Lot 49 and Outlot D of the subdivision.

WHEN RECORDED RETURN TO:

Woodsonia Real Estate, Inc.
20010 Manderson Street, Suite 101
Elkhorn, Nebraska 68022

PERMANENT SIGNAGE AND LANDSCAPING EASEMENT AGREEMENT

(Lots 1 and 49 and Outlot D, Water's Edge 168)

IN CONSIDERATION of One Dollar ($1.00) and other valuable consideration, WOODSONIA 168 - BENNINGTON, LLC, a Nebraska limited liability company ("**Grantor**"), hereby creates, establishes, grants, and conveys to WATER'S EDGE HOMEOWNERS ASSOCIATION, INC., a Nebraska non-profit corporation ("**Grantee**"), a non-exclusive, permanent easement in gross for the benefit of Grantee and its members for purposes of maintaining, repairing, and replacing subdivision identification signage and landscaping (including any necessary utilities and irrigation equipment servicing the signage and landscaping) (collectively, the "**Subdivision Signage**") in, over, through, and across a portion of certain real property owned by Grantor, as depicted and legally described on **Exhibit A** attached hereto (the "**Easement Area**"), subject to the terms and provisions set forth below.

Grantor shall have the duty to initially construct the Subdivision Signage within the Easement Area, and Grantee shall thereafter have the responsibility to maintain, repair, and replace, or cause to be maintained, repaired, or replaced, the Subdivision Signage and the Easement Area, during reasonable hours and at Grantee's own cost and expense with no responsibility therefore accruing to Grantor.

Grantor may, and reserves the right to, use the surface and subsurface of the Easement Area for other purposes, subject to the right of Grantee to use the same for the purposes described herein.

No party to this instrument shall restrict or impede the other party's reasonable use of the Easement Area for the purposes described herein.

Grantee agrees to indemnify and hold harmless Grantor, and Grantor's employees, contractors, invitees, visitors, and agents, from and against any and all liability, causes of action, claims, losses, damages, and expenses of any nature arising out of, relating to, or occasioned by (i) Grantee's use of the Easement Area, (ii) Grantee's rights and obligations hereunder, and (iii) the negligence and/or willful misconduct, in whole or in part, of Grantee.

This instrument sets forth the entire agreement of the parties hereto with respect to the subject matter hereof and supersedes all prior negotiations, understandings, and agreements, whether written or oral. No amendment, modification, or termination of this instrument shall be effective unless made by written instrument duly executed by Grantor and Grantee and recorded in the Register of Deeds Office of Douglas County, Nebraska.

This instrument and the rights and obligations described herein shall run with the land and shall be binding upon and inure to the benefit and burden of the parties hereto and their respective successors and assigns.

[Signatures on following pages.]

IN WITNESS WHEREOF, Grantor and Grantee have executed this Permanent Signage and Landscaping Easement Agreement as of this 9th day of April, 2025.

GRANTOR:

WOODSONIA 168 – BENNINGTON, LLC,
a Nebraska limited liability company

By: March 13, 2013, LLC,
a Nebraska limited liability company
Its: Manager

By: _____
Drew Snyder, Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 9 day of April, 2025, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Drew Snyder, Manager of March 13, 2013, LLC, a Nebraska limited liability company, Manager of Woodsonia 168 – Bennington, LLC, a Nebraska limited liability company, who is personally known to me to be the same person who executed in such capacity the within instrument on behalf of said entities and who duly acknowledged the execution of the same to be the act and deed of said entities.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal: State of Nebraska – General Notary
TANYA K MAINELLI
My Commission Expires
March 21, 2027

_____
NOTARY PUBLIC

GRANTEE:

WATER'S EDGE HOMEOWNERS ASSOCIATION, INC.,
a Nebraska non-profit corporation

By: _____
Michael Kisielewski, President

By: _____
Grace Thompson, Secretary

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 9 day of April, 2025, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Michael Kisielewski and Grace Thompson, known to me to be the President and Secretary, respectively, of Water's Edge Homeowners Association, Inc., a Nebraska non-profit corporation, to me personally known to be the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be his/her respective voluntary act and deed and the voluntary act and deed of the Association.

WITNESS my hand and Notarial Seal the day and year last above written.

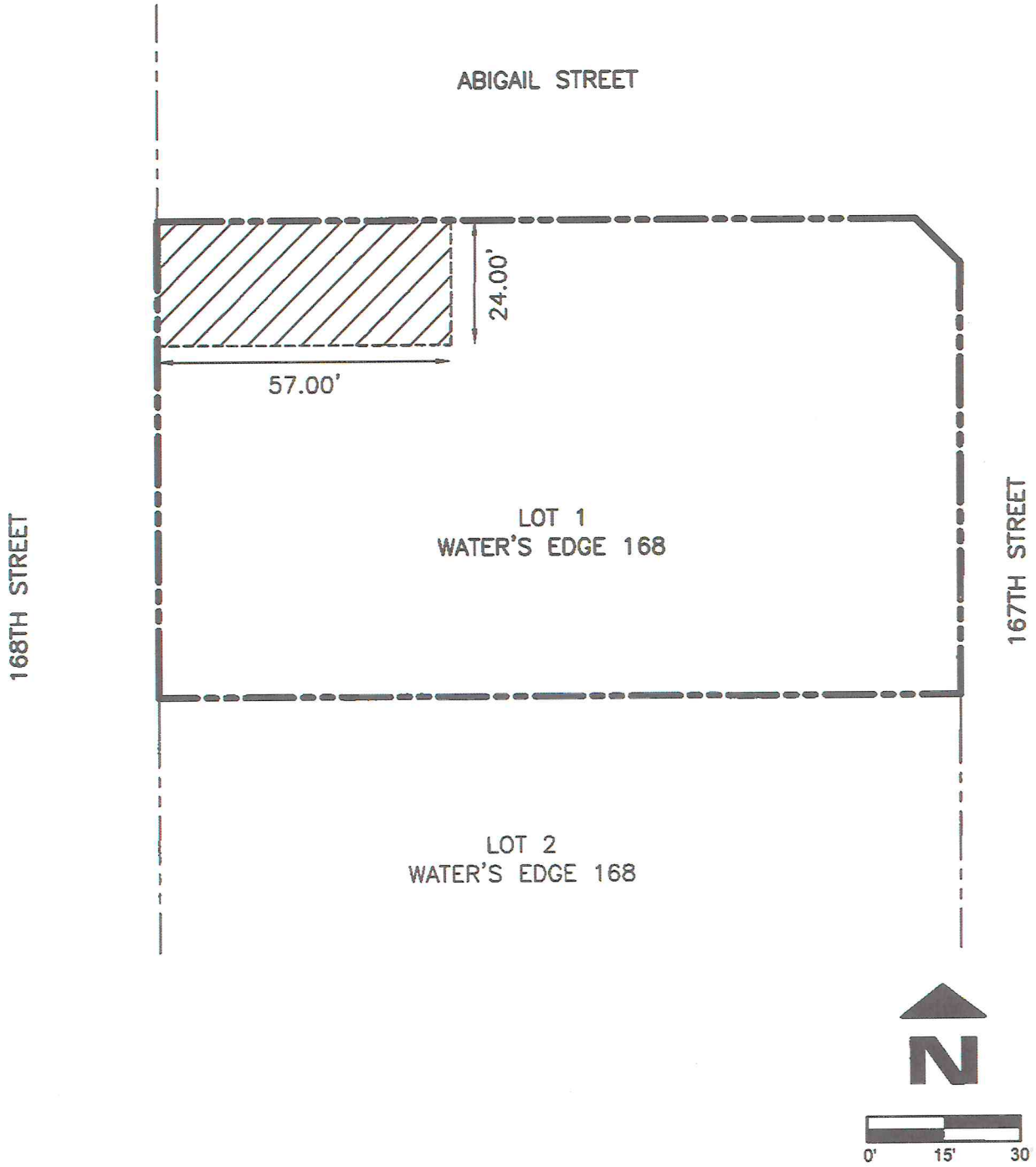
Notary Seal: State of Nebraska – General Notary
TANYA K MAINELLI
My Commission Expires
March 21, 2027

_____
NOTARY PUBLIC

EXHIBIT A

Legal Description and Depiction of Easement Area

[SEE ATTACHED]



LEGAL DESCRIPTION

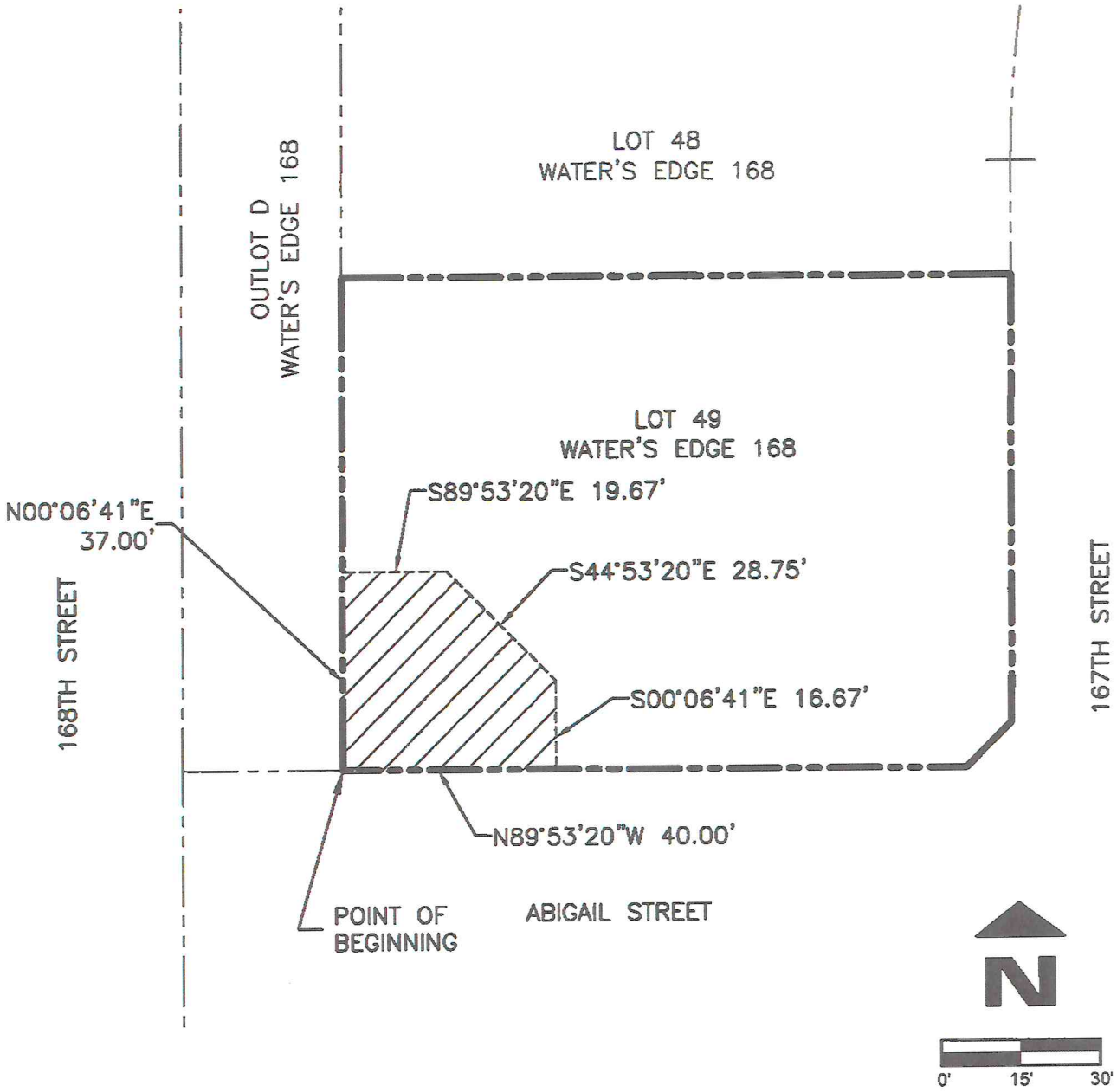
THE NORTH 24.00 FEET OF THE WEST 57.00 FEET OF LOT 1, WATER'S EDGE 168, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA.

CONTAINING 1,368 SQUARE FEET OR 0.03 ACRES MORE OR LESS

TD2 engineering & surveying
Job Number: 2338-101EX
thompson, dreessen & dorner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com
dba: TD2 Engineering & Surveying
NE CA-0199

Date: 04/08/2025
Drawn By: MRS
Reviewed By: MJS
Revision Date:

Book
Page



LEGAL DESCRIPTION

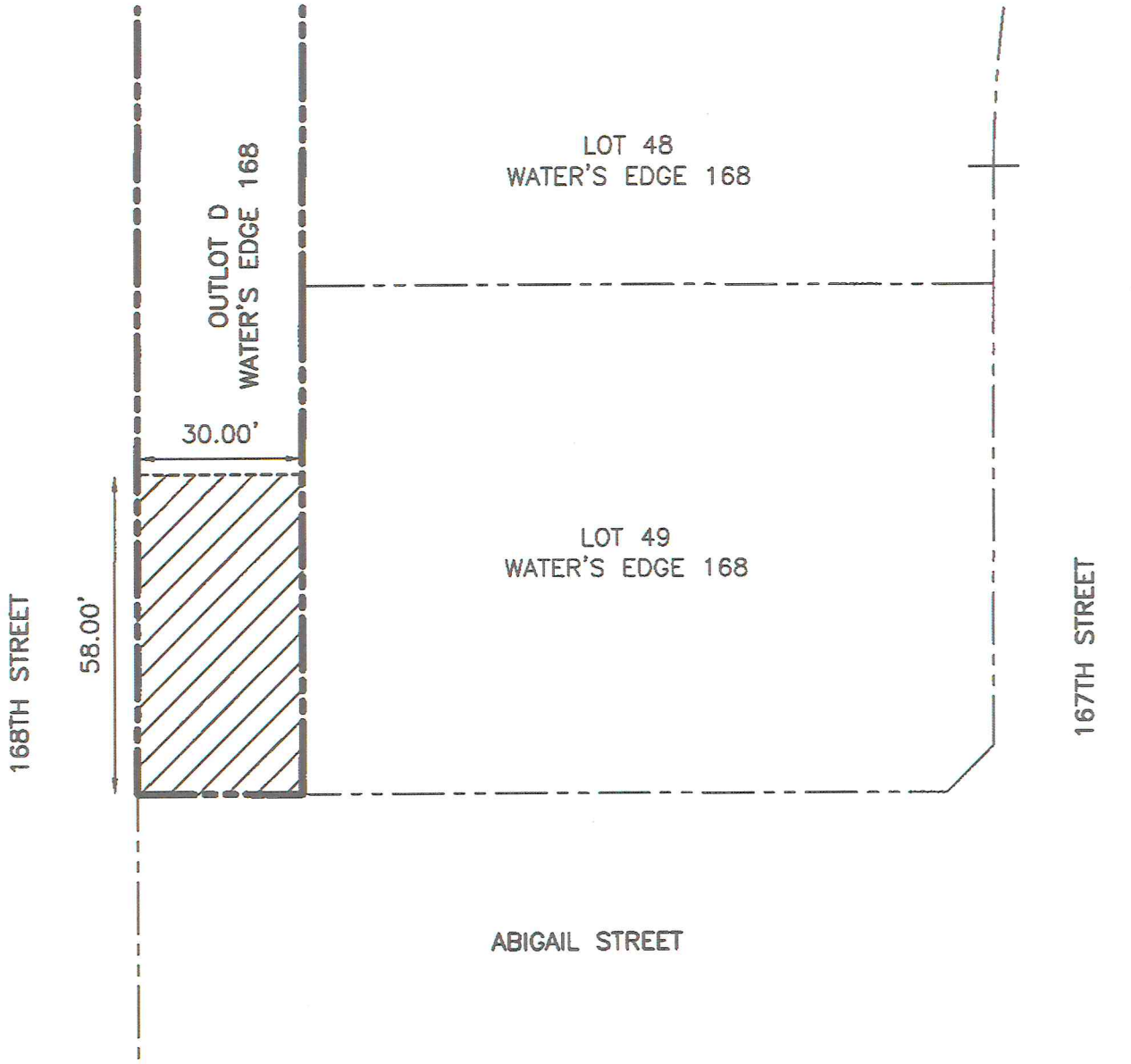
THAT PART OF LOT 49, WATER'S EDGE, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 49, THENCE N00°06'41"E 37.00 FEET ON THE WEST LINE OF SAID LOT 49; THENCE S89°53'20"E 19.67 FEET ON A LINE 37.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 49; THENCE S44°53'20"E 28.75 FEET; THENCE S00°06'41"E 16.67 FEET ON A LINE 40.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 49 TO THE SOUTH LINE OF SAID LOT 49; THENCE N89°53'20"W 40.00 FEET ON THE SOUTH LINE OF SAID LOT 49 TO THE POINT OF BEGINNING.

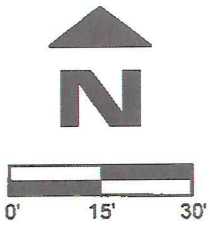
CONTAINING 1,273 SQUARE FEET OR 0.03 ACRES MORE OR LESS

TD2 engineering & surveying
Job Number: 2338-101EX
thompson dreessen & dorner inc
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402 330 5866
td2co.com
dba TD2 Engineering & Surveying
NE CA-0199

Date: 04/08/2025
Drawn By: MRS
Reviewed By: MJS
Revision Date

Book
Page





LEGAL DESCRIPTION

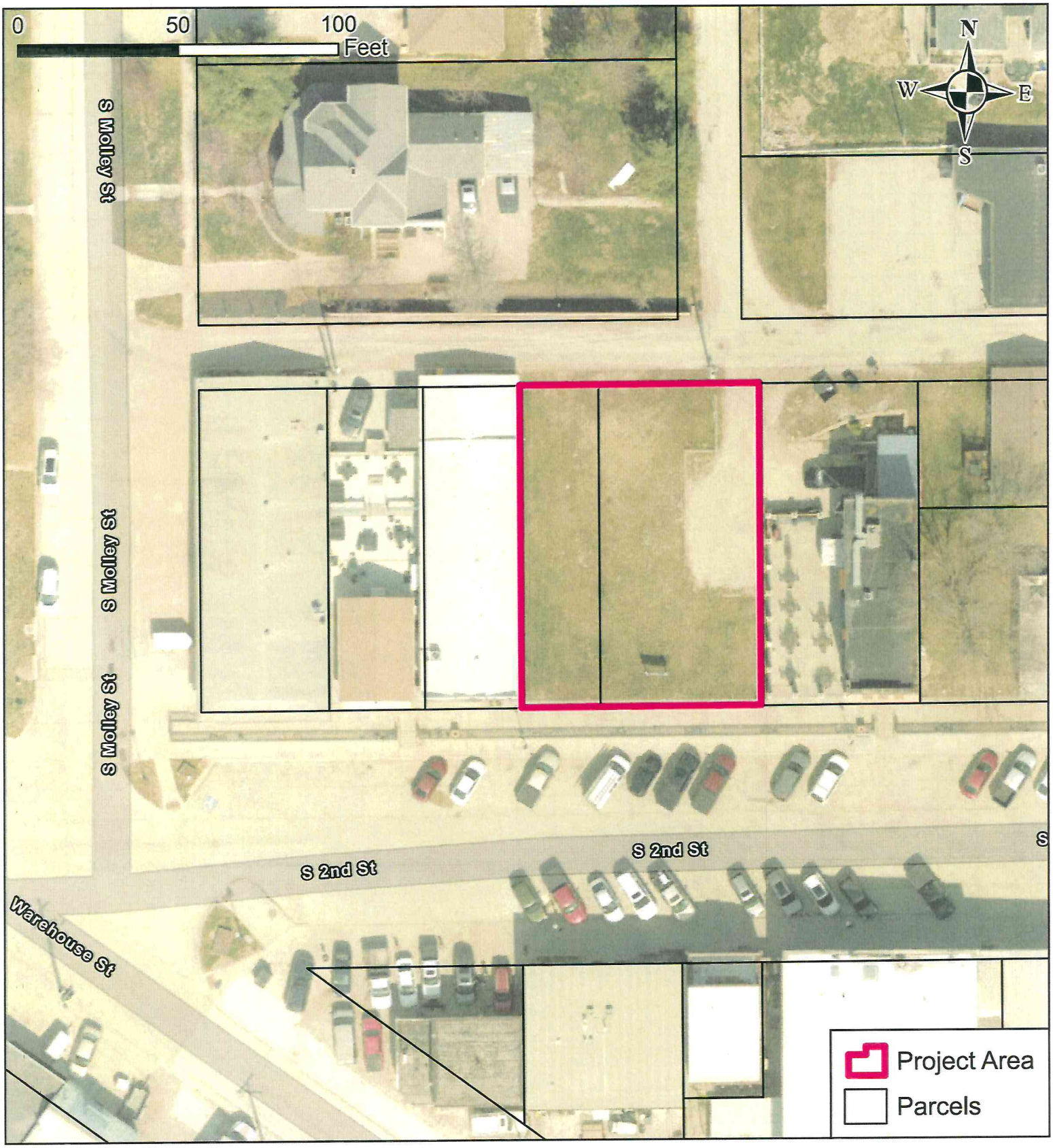
THE SOUTH 58.00 FEET OF OUTLOT D, WATER'S EDGE 168, A SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA.

CONTAINING 1,740 SQUARE FEET OR 0.04 ACRES MORE OR LESS

TD2 engineering & surveying
Job Number. 2338-101EX
thompson, dreessen & dorner inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com
dba: TD2 Engineering & Surveying
NE CA-0199

Date: 04/08/2025
Drawn By: MRS
Reviewed By: MJS
Revision Date

Book
Page



City of Bennington, NE

JaRu Redevelopment Project

JEO CONSULTING GROUP

Created By: M. Woodrum
Date: March 2025

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plat.

JaRU Redevelopment Project Plan, Tax Increment Financing Application, and Cost Benefit Analysis

March 31, 2025

Project Legal Description: Lot 18, 19, and 20, Block 6, Town of Bennington, a Subdivision, as surveyed, plated and recorded in Douglas County, Nebraska.

Developer/Project Lead:

- **Name:** Joshuwa Hannum
- **Developer:** JEH Enterprises, LLC
  1410 N Saddle Creek Road
  Omaha, NE 68132
  402-672-0177

Legal Counsel:

- **Name:** Jessica Thomas and McKinley Wilson
- **Firm:** Pansing Hogan Ernst & Buser LLP
  10250 Regency Circle, Ste. 300
  Omaha, Nebraska 68114
  402-397-5500
  jthomas@pheblaw.com
  mwilson@pheblaw.com

Architect:

- **Name:** Andrew Conzett
- **Firm:** Conzett Architecture
  15522 Pine Street
  Omaha, Nebraska 68114
  402-676-8355

Engineer:

- **Name:** Justin Insinger
- **Firm:** Insinger Engineering
  16934 Browne ST
  Omaha, NE 68116
  402-332-8222
  jinsinger@insingerengineering.com

Property Owner:

- **Name**: Bennington Capital Growth, LLC
  1410 N Saddle Creek Road
  Omaha, Nebraska 68132

REDEVELOPMENT PLAN

BENNINGTON CAPITAL GROWTH, LLC

I. Part I of the TIF Application (Non-Confidential Section).

a. Project Summary Page.
b. Project Development Team.
c. Project Narrative Section.
d. Development Financing Plan (Sources and Uses Table).
e. Final Valuation – Estimation and Justification.
f. Construction Budget, Itemized Public Improvement Costs, and TIF Eligible Costs
    i. Itemized Construction Budget;
    ii. Itemized Public Improvements Costs; and
    iii. TIF Eligible Costs.
g. Development Timeline.
h. Three-Year Proforma.
i. Statement of Need – ROI Analysis.
j. Evaluation Criteria -- Mandatory Criteria.
k. Cost-Benefit Analysis (Community Development Law §18-2113(2)).
l. Site Plan(s) and Elevations.
m. ALTA Survey or Topographical Survey with the Legal Description.

II. Part II of the TIF Application (Confidential Section).

a. Preliminary Bank Commitment Letter.
b. Documentation of Ownership or Site Control.
c. Organization Documentation.
    i. Certificate of Good Standing for Bennington Capital Growth, LLC dated February 21, 2025;
    ii. Certificate of Organization Limited Liability Company for Bennington Capital Growth, LLC filed September 6, 2024; and
    iii. Operating Agreement of Bennington Capital Growth, LLC dated July 5, 2024.

I. **Part 1 of the TIF Application (Non-Confidential Section).**

a. **Project Summary Page**

- **Project Title**: JaRu Mixed Use Building
- **Project Legal Description:** Lot 18, 19, and 20, Block 6, Town of Bennington, a Subdivision, as surveyed, plated and recorded in Douglas County, Nebraska.
- **Property Owner**: Bennington Capital Growth, LLC
- **Owner Address**: 1410 N Saddle Creek Road, Omaha, Nebraska 68132
- **Project Owner**: JEH Enterprises, LLC
- **Estimated Total Project Cost**: $5,579,395
- **Requested TIF Incentive**: $620,000
- **New Construction**: Yes
- **Rehabilitation**: No
- **Zoning- Current/Proposed**: C-3 Downtown Commercial District

Current Annual Real Estate Taxes (Year): 2024
Current Assessed Tax Valuation (Year): 2024

Land: $ 71,500
Improvements: $ 0
Total: $ 71,500

Are Real Estate Taxes Current? Yes
Requested Base Year: 2025
Requested Division Year: 2027

- **Does the applicant entity or do the members comprising the applicant entity have any delinquent taxes due and owing?** No
- **Is the project within an extremely blighted area?** No
- **Does the project need 20 years?** No
- **Project Description**: The project is located on vacant land in the Bennington Downtown district. We propose to build a 4-story mixed use building with 7,775 square feet of retail space split between the bottom and top floor and 12 apartment units in the middle. This project proposes to kick off a new era of building for the downtown area that is attempting to modernize the district but maintain the culture. It will bring retail usage as a destination to the area while also creating density for urban living.
- **Project Goals and Benefits**: The project goal is to construct a mixed-use building in 18 or less months. This will fill an empty void in the district and bring destination businesses and modern urban living to the area. Positive impacts from the project will include: (1) increased economic activity through the new retail space; (2) job creation; (3) improved aesthetics to downtown Bennington; (4) expanded tax base; (5) enhanced quality of life for those residents of the project; and (6) additional housing options.
- **Project Feasibility**: The project will not be economically feasible without the use of Tax Increment Financing due to the limited cash flow/debt service ratio and increased additional expenses for the construction of the building. It would result in a negative or reduced cash flow situation that would otherwise not allow for the project to happen. Please see the Developer's ROI Analysis in Section I(i) of this application.

b. Project Development Team

1. Developer/Project Lead:

- **Name:** Joshuwa Hannum
- **Developer:** JEH Enterprises, LLC
  1410 N Saddle Creek Road
  Omaha, NE 68132
  402-672-0177
- **Experience:** I have been in the construction field for over 25 years and have been a part of 100's of projects in one capacity or another. As a developer I have recently completed the Hazelnut Grove at 8001 N 157th Street and I am working at The Grove at Pine Creek to the north. In terms of TIF projects, I have a TIF project under construction at 1215 Fort Street and the Skylark Project on 38th Avenue and Dodge in the Blackstone District.

2. Legal Counsel:

- **Name:** Jessica Thomas and McKinley Wilson
- **Firm:** Pansing Hogan Ernst & Buser LLP
  10250 Regency Circle, Ste. 300
  Omaha, Nebraska 68114
  402-397-5500
  jthomas@pheblaw.com
  mwilson@pheblaw.com

3. Architect:

- **Name:** Andrew Conzett
- **Firm:** Conzett Architecture
  15522 Pine Street
  Omaha, Nebraska 68114
  402-676-8355

4. Engineer:

- **Name:** Justin Insinger
- **Firm:** Insinger Engineering
  16934 Browne ST
  Omaha, NE 68116
  402-332-8222
  jinsinger@insingerengineering.com

5. Property Owner:

- **Name**: Bennington Capital Growth, LLC
  1410 N Saddle Creek Road
  Omaha, Nebraska 68132

c. Project Narrative Section

- **Existing Land Use and Conditions:** The project site is currently a vacant parcel of land located at Lot 18, 19, 20 of Block 6 in the Downtown District of Bennington. The site is rectangle 75 feet by 100 feet. It is currently undeveloped and covered with grass and some gravel. The site is zoned C-3 Downtown Commercial District, with a

conditional use permit for multifamily over principal use, and all other necessary zoning changes for the proposed project have been approved. The vacant nature of the site presents an opportunity for redevelopment that will contribute to the vibrancy and economic vitality of downtown Bennington.

- **Proposed Use and Project Details:** This project proposes the construction of a new 24,000 square-foot mixed-use building on the vacant site. The building will consist of four stories and will be designed to complement the existing architectural character of the downtown district. The proposed uses are as follows:

    - **First Floor:** 1,775 square feet of retail space suitable for retail [suggest potential retail types - e.g., shops, restaurants, or offices], designed to activate the street frontage and enhance pedestrian activity. The rent for the commercial space will be approximately $1,775 per month. The first floor will also include 12 covered parking stalls for residents of the building.
    - **Second and Third Floors:** A total of 12 apartments (6 per floor) offering high-end finishes and modern amenities. There will be 10 studio apartment units with rents ranging from $1,500 to $1,725 per month, and there will be 2-bedroom apartment units (total of 2 units) with the rent being approximately $2,050 per month. These residential units will provide much-needed housing options in the downtown core and attract residents who desire a walkable lifestyle.
    - **Top (Fourth) Floor:** 6,000 square feet of retail space with potential for a high-end lounge and/or event space. The rent for the top floor commercial space will be approximately $6,000 per month. This unique space will capitalize on the building's prominent location and offer attractive amenities to tenants.

    The proposed mixed-use development will bring new life to the vacant site and contribute to a more dynamic and thriving downtown Bennington.

- **Parking Plan:** The project will provide 12 covered parking spaces on the first floor for residents of the apartments. Retail patrons will utilize the existing public parking available throughout the downtown district. The City of Bennington has ample on-street parking and public parking lots within easy walking distance of the project site. This strategy is consistent with the City's goal of promoting walkability and reducing reliance on private vehicles in the downtown core.

- **Market Demand:** There is strong market demand for both the residential and retail components of this project. The vacancy rate for apartments in downtown Bennington is currently very low, indicating a need for additional housing options. Similarly, the demand for retail space in the downtown area remains high, with limited vacancies available. The project's prime location and high-quality design will attract both residents and businesses seeking to be part of a vibrant downtown community.

- **Residential Information:** The project will create 12 apartments featuring high-end finishes and amenities typically found in single-family homes, such as in-unit laundry, stainless steel appliances, granite countertops, and private balconies. Residents will also enjoy attractive common areas and stunning views of the surrounding downtown area. These apartments will cater to professionals, empty nesters, and others seeking a luxurious and convenient lifestyle in the heart of Bennington.

- **Employment Information:** The proposed retail spaces are expected to generate approximately 8 to 15 new jobs, depending on the specific businesses that occupy the space. These jobs will contribute to the local economy and provide employment opportunities for Bennington residents.

- **Zoning Changes:** All necessary zoning changes for the proposed project have been reviewed and approved by the City of Bennington. The project is in compliance with all applicable zoning regulations.

- **Public Improvements:** The project will include several public improvements that will benefit the downtown district:

  - **Alley Improvements:** The alley adjacent to the project site will be improved to allow better traffic flow and to enhance accessibility and aesthetics.
  - **Trash Receptacles:** New trash receptacles will be installed along Second Street to encourage pedestrian use and maintain cleanliness.
  - **Sidewalks:** Replace damaged and uneven sidewalks in front of the proposed building.
  - **Sewer Connection:** New storm water and sewer connection in the right of way.

  The project is not expected to generate significant traffic impacts. The increase in traffic associated with the new development will be minimal and easily accommodated by the existing street network. Furthermore, the project's emphasis on walkability and the availability of public parking will mitigate any potential traffic concerns.

- **Historical Status:** The project site has no historical designations.

d. Development Financing Plan – (Sources and Uses Table)

Sources and Uses of Funds			
Use of Funds		Amount	
	Land Acquisition	$ 242,000.00	
	Public Improvements	$ 44,000.00	
	Grading and Site Preparation	$ 327,000.00	
	Hard Costs (less Public Improvements & Grading/Site Preparations)	$ 3,901,995.00	
	Architecture & Engineering	$ 173,500.00	
	Soft Costs (less A&E)	$ 584,900.00	
	Financing Cost	$ 306,000.00	
	Total Uses of Funds	$ 5,579,395.00	
Sources of Equity			
	Owner Equity	$ 1,050,568.00	
	TIF Funds	$ 620,000.00	
	Constructions Loan	$ 3,908,827.00	
	Total Sources of Funds	$ 5,579,395.00	

e. Final Valuation – Estimation and Justification

Currently the property has an assessed value of $71,500. After construction of the project, the

property will be valued at $4,538,710. Final valuation is based on a comparable and project cost analysis for the residential and commercial units. Based on a market analysis, we believe that the valuation is a fair and reasonable assessment.

f. Construction Budget, Itemized Public Improvement Costs, and TIF Eligible Costs

Itemized Construction Budget

Construction Budget Item	**Estimate**
General Requirements	$262,714
Site Work	$159,097
Concrete	$652,887
Masonry	$203,070
Metals	$182,225
Wood & Plastics	$465,184
Thermal and Moisture	$384,507
Doors and Windows	$288,690
Finishes	$366,000
Specialties	$18,011
Equipment	$53,691
Furnishings	$51,987
Conveying Systems	$122,000
Mechanical	$478,500
Electrical	$419,605
TOTAL	**$4,108,168**

Itemized Public Improvement Costs

Public Improvement Type	**Estimate**
Paving and Sidewalk Improvements (within ROW)	$21,500
Extensions – Water, Sanitary Sewer, Storm Sewer (within ROW)	$5,000
Row Grading (outside of the "Site Prep and Grading")	$10,000
Landscaping	$5,000
Lighting	$2,500
TOTAL	**$44,000**

TIF Eligible Costs

TIF Eligible Costs	**Cost**
Land Acquisition	$242,000
Architecture and Engineering (including environmental reports and studies)	$173,500
Site Preparation (including Environmental and Demo)	$15,000
Grading	$30,000
Storm Drainage	$54,275
Concrete Reinforcement	$69,030
Public Improvements	$44,000

Erosion Control	$23,545
Contingency for TIF Eligible Improvements (3-5, 7-8)	$6,891
Studies	$6,000
Appraisal	$6,000
TIF Fees	$15,000
TOTAL	**$685,241**

g. Development Timeline

Project Timeline	
Task	**Period**
City Approvals/ Building Permits/ Preconstruction	05/01/2025-07/01/2025
Site Prep/ Construction Prep	06/01/2025/-7/15/2025
Certificate of Occupancy	7/15/2026

h. Three Year Proforma

Revenue	**Year 1**	**Year 2**	**Year 3**
Effective Rent	$237,015.00	$244,126.00	$251,450.00
Other Income	$272,489.00	$276,216.00	$280,001.00
Total Revenues	**$509,504.00**	**$520,342.00**	**$531,451.00**
Expenses			
Repairs and Maintenance	$10,302.00	$10,508.00	$10,718.00
General and Administrative	$18,433.00	$18,682.00	$18,935.00
Utilities and Trash	$7,109.00	$7,252.00	$7,397.00
Labor	$16,072.00	$16,394.00	$16,722.00
Insurance	$15,267.00	$15,573.00	$15,884.00
Real Estate Taxes (Increment)	$76,908.00	$76,908.00	$76,908.00
Real Estate Taxes (Base)	$1,518.66	$1,518.66	$1,518.66
Marketing	$2,500.00	$2,500.00	$2,500.00
Miscellaneous Expenses (1%)	$762.00	$774.00	$786.00
Replacement Reserve	$2,963.00	$3,052.00	$3,143.00
Expenses	**$151,834.66**	**$153,161.66**	**$154,511.66**
Net Operating Income	$357,669.34	$367,180.34	$376,939.34
Other Income -- TIF Rebate	$76,908	$76,908.00	$76,908.00
Total Income Available	**$434,577.34**	**$444,088.34**	**$453,847.34**
Debt Service			
Debt Service (TIF)	$76,908.00	$76,908.00	$76,908.00
Debt Service (Perm)	$287,774.40	$287,774.40	$287,774.40
Total Debt Service	**$364,682.40**	**$364,682.40**	**$364,682.40**
NET CASH FLOW	**$69,894.94**	**$79,405.94**	**$89,164.94**

i. Statement of Need – ROI Analysis

	With TIF	Without TIF
Owners' Equity	$1,050,568.00	$1,670,568.00
Revenue	$531,451.00	$531,451.00
Expenses	$154,511.66	$154,511.66
NOI	**$376,939.34**	**$376,939.34**
TIF Rebate	$76,908.00	0
NOI + TIF Rebate	**$453,847.34**	**$376,939.34**
Debt Services	$364,682.40	$287,774.40
NCF (net cash flow)	$89,164.94	$89164.94
Return on Owner Investment (ROI) %	**8.49%**	**5.34%**

j. Evaluation Criteria – Mandatory Criteria

1. **The project must be located within a community redevelopment area or an area eligible for the designation of community redevelopment area as required and set forth by State Statute. The project must be located within a community redevelopment area prior to the preparation of a Redevelopment Plan.**

   The project is located within a community redevelopment area. On October 9, 2023, the project area was designated as substandard and blighted pursuant to the City Council's motion to approve the 2023 City of Bennington Downtown Blight Study and Declaration of the Blight Study Area within the Bennington Corporate Limits as Substandard and Blighted pursuant to the Nebraska Community Development Law.

2. **The use of TIF for the project will not result in a loss of pre-existing tax revenues to the City and other taxing jurisdictions.**

   This use of Tax Increment Financing will not result in tax shifts. The project is intended to increase the tax base of the surrounding area.

3. **The developer is able to demonstrate that the project would not be economically feasible without the use of TIF. In addition, when the project has site alternatives, the proposal must demonstrate that it would not occur in the area without TIF. Return on investment assists in determining the economic feasibility of the project.**

   The project will not be economically feasible without the use of Tax Increment Financing due to the limited cash flow/ debt service ratio and increased additional expenses of the construction of the building. It would result in a negative or reduced cash flow situation that would otherwise not allow for the project to happen. See Developer's ROI Analysis included under Section I(i) of this application.

4. **The project must further the objectives of the City's Comprehensive Plan. This may include job creation, application/implementation of Urban Design elements of the project and related/adjacent public areas,**

preservation of historic sites and structures, revitalization of older neighborhood communities, business start-ups, business growth and expansion, and the densification of the urban core.

This project furthers the objectives of the Comprehensive Plan by:

(a) Supporting the City's goals by creating a development that facilitates walkability and reducing reliance on private vehicles in the downtown core;

(b) Allowing more residents to live in downtown Bennington along with easy access to work and life amenities in the downtown district and within the development itself;

(c) Creating several employment opportunities by redeveloping the property into a mixed-use development with commercial space in addition to the residential space; and

(d) Building an urban infill project, which will include a number of upgrades to the site.

k. Cost Benefit Analysis (Community Development Law §18-2113(2))

1. Tax shifts resulting from the division of taxes as provided in section 18-2147:

This use of Tax Increment Financing will not result in tax shifts. The current level of taxes will continue to flow to taxing entities and only add value revenues resulting from the improvements.

2. Public infrastructure and community public service need impacts and local tax impacts arising from the approval of the redevelopment project:

The public improvements within this project will include sidewalk improvements, landscaping, additional lighting, alley improvements, and trash receptacles. The proposed TIF will be used to offset site acquisition, site development, and public improvement costs, all of which are eligible expenses. The building is adequately serviced with streets and utilities.

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project:

This project will generate several non-existent jobs before this redevelopment as well as support many construction jobs during the redevelopment phase. The success of this development will have a positive impact on the surrounding retail and business community. The employees and residents of the building will patronize nearby establishments and increase sales for such businesses.

4. Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project:

The project will provide additional downtown Bennington housing or employers throughout Bennington and assist in the growing trend and demand of people wanting to live within communities that have live, work, and play options. This project will offer its

residents access to the amenities of downtown Bennington and offer walkable access to businesses within the immediate area.

5. **Impacts on the student populations of school districts within the city or village; and the immediate area that are located outside of the boundaries of the area of the redevelopment project:**

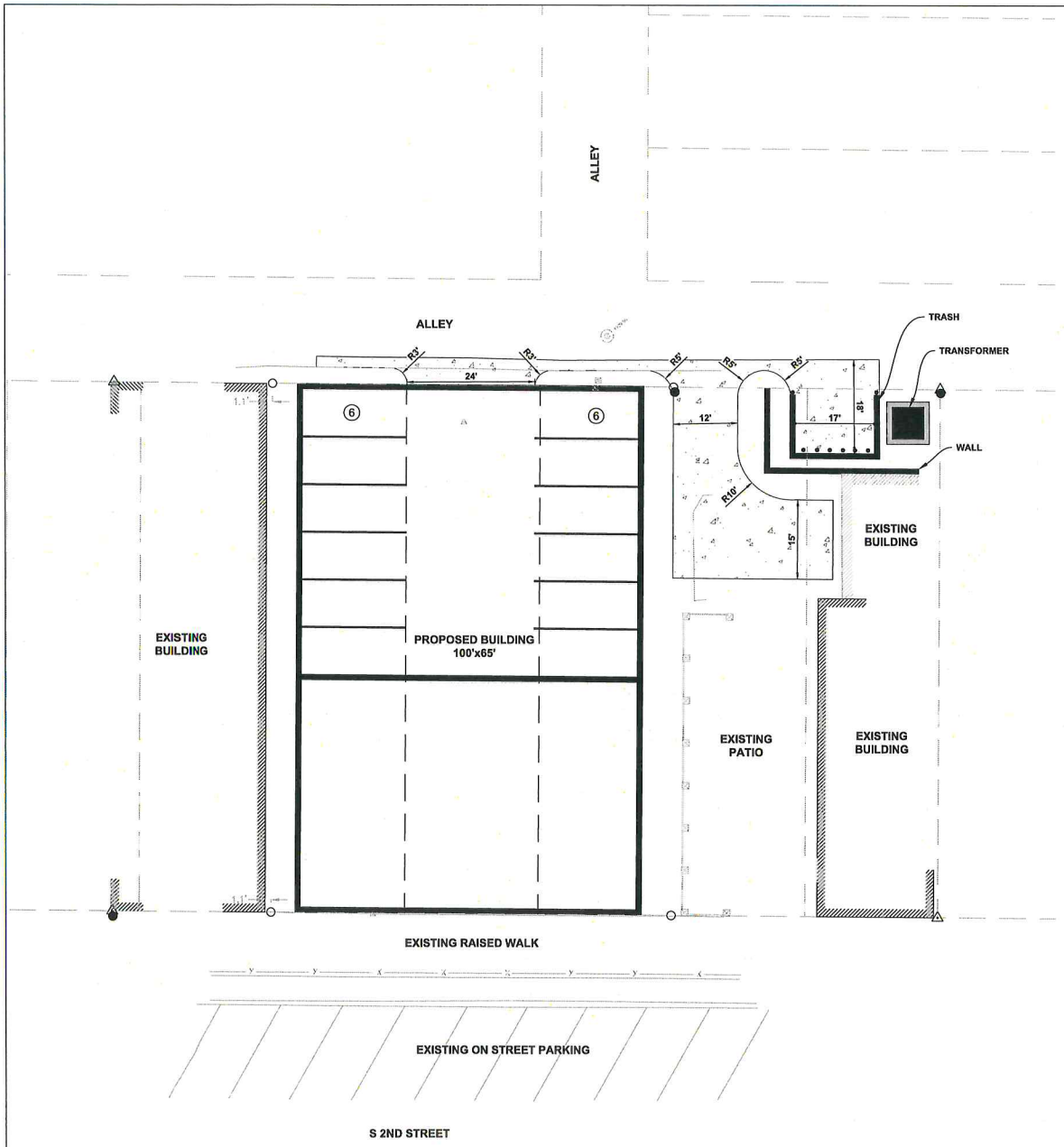
   The development will have minimal to no impact on student populations. It is anticipated that many of the residents of this development will consist of young professionals, empty nesters, and others seeking a luxurious and convenient lifestyle in the heart of Bennington.

6. **Any other impacts determined by the authority to be relevant to the consideration of costs and burdens arising from the redevelopment project:**

   This project assists in providing housing units in a market that is in high demand and has a great need for housing. Also, this project assists in providing more commercial space which increases the number of opportunities available to businesses to come to the downtown area of Bennington. The project continues the desired growth and development in the downtown area of Bennington.

l. **Site Plan(s) and Elevations (*Attached*)**

m. **ALTA Survey or Topographical Survey with the Legal Description (*Attached*)**



SITE PLAN LEGEND

PROPOSED 7" CONCRETE (OPW 4000)

PROPOSED 5" SIDEWALK (OPW 4000)

CONCRETE INTEGRAL CURB (TYPE "A")

BUILDING SETBACKS:

C-3 ZONING
0' SETBACKS ON ALL SIDES TYP.

PARKING REQUIREMENTS:

C-3 ZONING
PER CITY ZONING:
1 STALL PER UNIT

BUILDING: 12 UNITS

REQUIRED TOTAL SITE PARKING: 12 STALLS
REQUIRED TOTAL HANDICAP: 1 STALLS

PROPOSED PARKING: 12 STALLS
PROPOSED HANDICAP: 1 STALLS

0 10' 20'

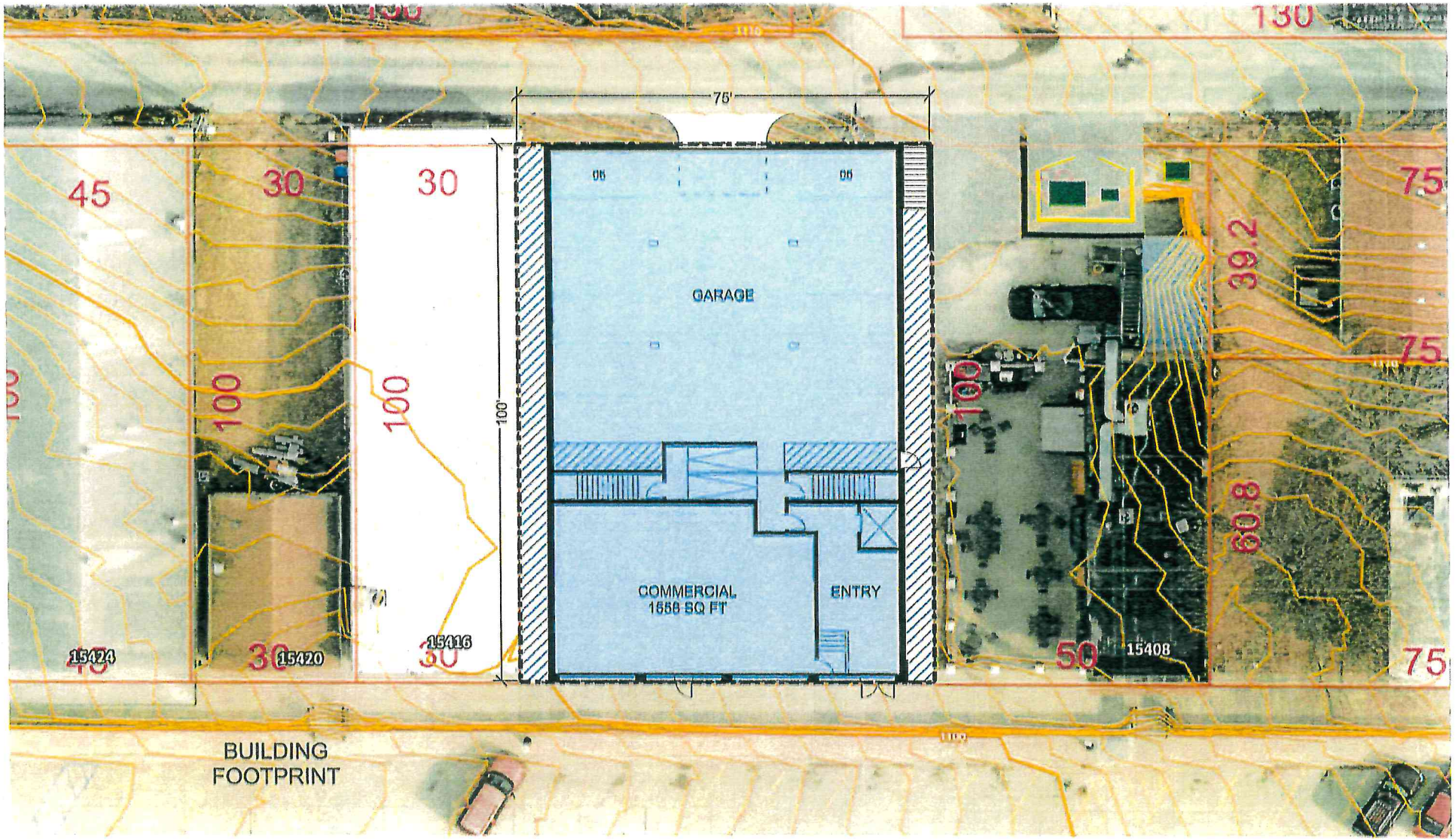
INSINGER ENGINEERING

INSINGER ENGINEERING, LLC
OMAHA, NE 68116
PHONE: (402) 332-8222
JINSINGER@INSINGERENGINEERING.COM
NBEA COA - CA4793

No.	Revision/Issue	Date

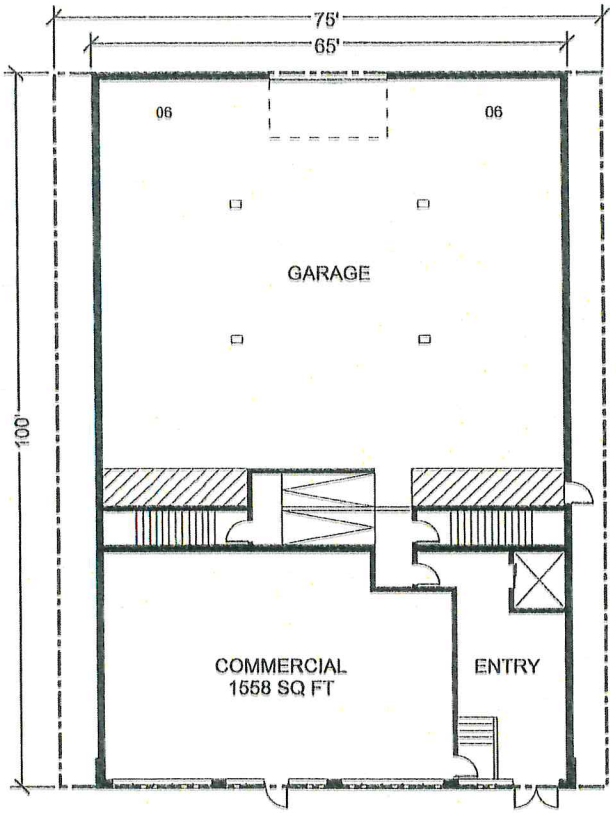
Project Name and Address
JARU DEVELOPMENT
HANNUM DEVELOPMENT
BENNINGTON, NEBRASKA

Sheet Name	Sheet
SITE PLAN	C200
Date: 10/18/2024	
Scale: 1" = 10'	



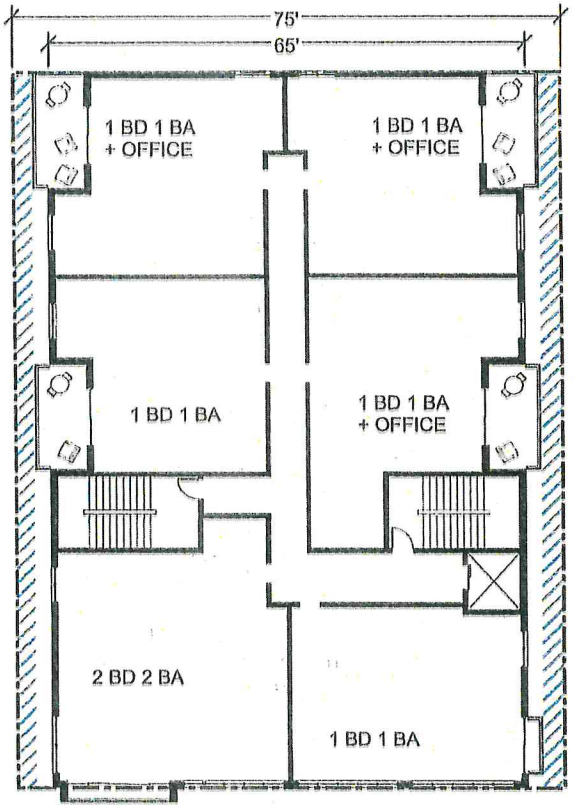
TOWN OF BENNINGTON LOT 19 & LOT 20

MIXED USE REDEVELOPMENT | CONCEPTUAL SITE PLAN



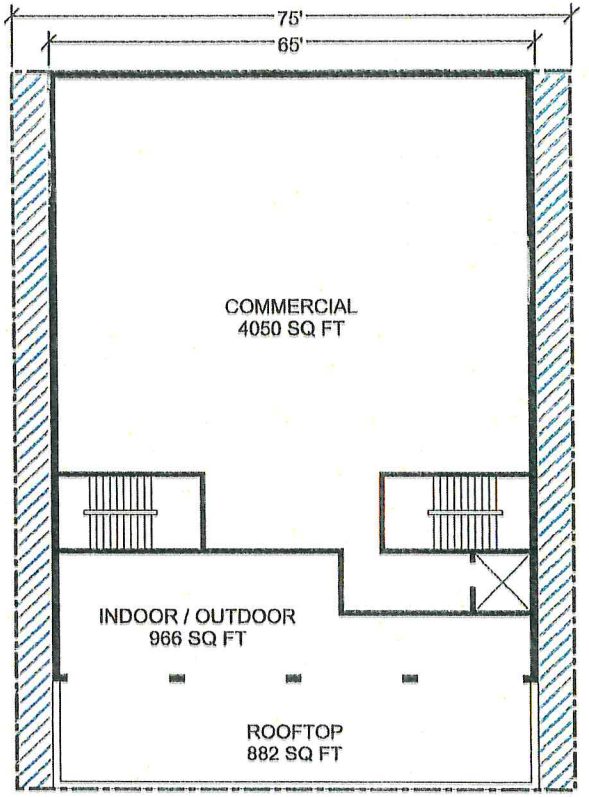
GROUND FLOOR PLAN

6500 SQ FT
TYPE I-A CONSTRUCTION
NFPA 13 SPRINKLER



SECOND AND THIRD FLOOR PLANS

6500 SQ FT
TYPE V-A CONSTRUCTION
NFPA 13 SPRINKLER



FOURTH FLOOR PLAN

6500 SQ FT
TYPE V-A CONSTRUCTION
NFPA 13 SPRINKLER

TOWN OF BENNINGTON LOT 19 & LOT 20

MIXED USE REDEVELOPMENT | CONCEPTUAL FLOOR PLANS



TOWN OF BENNINGTON LOT 19 & LOT 20

MIXED USE REDEVELOPMENT | CONCEPTUAL RENDERING AERIAL VIEW



TOWN OF BENNINGTON LOT 19 & LOT 20

MIXED USE REDEVELOPMENT | CONCEPTUAL RENDERING

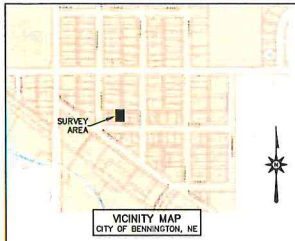


TOWN OF BENNINGTON LOT 19 & LOT 20

MIXED USE REDEVELOPMENT | CONCEPTUAL RENDERING

ALTA/NSPS LAND TITLE SURVEY

LOT 18, LOT 19 & LOT 20, BLOCK 6, TOWN OF BENNINGTON, DOUGLAS COUNTY, NEBRASKA



VICINITY MAP
CITY OF BENNINGTON, NE

SURVEYOR'S NOTE

THERE HAVE BEEN MULTIPLE SURVEYS THAT WERE PREVIOUSLY DONE OVER THE YEARS BY MULTIPLE SURVEYORS IN LOTS 13 THROUGH 24, BLOCK 6 OF BENNINGTON. IT APPEARS TO ME THAT ALL THESE PREVIOUS SURVEYS DISREGARDED THE EXISTING BUILDING WALL CORNERS AND WALL LINES OF THE EXISTING BUILDINGS THROUGHOUT THESE LOTS. IT IS MY BELIEF THAT ALL THESE PREVIOUS SURVEYS FOLLOWED THE WORK OF AN DONALD ERICKSON SURVEY DONE ON MARCH 27, 1959 (OLDEST SURVEY OF RECORD IN THIS BLOCK). ACCORDING TO THIS ERICKSON SURVEY, HE SURVEYED LOTS 13–15 AND LOTS 18–21 USING ONLY THE SECTION CORNERS TO THE NORTH AND WEST AND A CENTER LINE MONUMENT FOUND 2 BLOCKS TO THE EAST. IT IS MY OPINION THAT SOME OF THESE EXISTING BUILDING CORNERS WOULD HAVE BEEN BETTER EVIDENCE AS TO WHERE THE ORIGINAL LOT LINES AND LOT CORNERS SHOULD HAVE BEEN ESTABLISHED. ACCORDING TO DOUGLAS COUNTY, ALL THESE EXISTING BUILDINGS ON THESE LOTS WERE BUILT BETWEEN 1890 UP TO 1962 AND WERE THERE LONG BEFORE THE ERICKSON SURVEY WAS PERFORMED.

THIS SURVEY USES THE EXISTING BUILDING CORNERS AND WALL LINES TO ESTABLISH THE LOT LINES OF LOTS 13 THROUGH 24, BLOCK 6 IN BENNINGTON. I HELD THE EXISTING BUILDING CORNERS ON THE WEST END AND THE EAST END OF THESE LOTS AND LOCATED MULTIPLE BUILDING CORNERS ALONG THE SOUTH SIDE AND NORTH SIDE THROUGHOUT AND THEY ALL APPEAR TO LINE UP WITHIN A REASONABLE TOLERANCE (0.05'+/-). I ALSO LOCATED A FEW EXISTING BUILDING CORNERS ACROSS 2ND STREET TO THE SOUTH AND THE STREET RIGHT-OF-WAY DISTANCES MATCHED CLOSELY TO THE 80.00 RECORD DISTANCE BETWEEN BUILDINGS.

FLOOD ZONE INFORMATION

SURVEYED PROPERTY LIES IN FLOOD ZONE "X" (UNSHADED), AREAS OF MINIMAL FLOOD HAZARD. INFORMATION PROVIDED PER FEMA'S FLOOD PLAIN MAP/PANEL NO. 31055C0181H WITH AN EFFECTIVE DATED OF DECEMBER 2, 2005.

LEGAL DESCRIPTION

PER TITLE COMMITMENT FILE NO. 2415729, DATED: JULY 26, 2024
ISSUED BY WESTCOR LAND TITLE INSURANCE COMPANY

PARCEL 1: LOTS 18 AND 19, BLOCK 6, TOWN OF BENNINGTON, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

PARCEL 2: LOT 20, BLOCK 6, TOWN OF BENNINGTON, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA.

– CONTAINS A TOTAL OF 7,510 SQUARE FEET MORE OR LESS. (0.172 ACRES ±)

SPECIAL EXCEPTIONS – SCHEDULE B–II

PER TITLE COMMITMENT FILE NO. 2415729, DATED: JULY 26, 2024
ISSUED BY WESTCOR LAND TITLE INSURANCE COMPANY

– ITEMS 1–9, 12 & 14 ARE STANDARD EXCEPTIONS AND ARE NOT SURVEY MATTERS. NOTHING SHOWN OR PLOTTED IN DRAWING.

10. PARCELS 1 AND 2: DEED OF TRUST (SECURING FUTURE ADVANCES), DATED APRIL 12, 2016, FILED APRIL 15, 2016, DOCUMENT NO. 2016027157, EXECUTED BY REVERS CONSTRUCTION, INC., A NEBRASKA CORPORATION, TO AMERICAN INTERSTATE BANK, A NEBRASKA CORPORATION, TRUSTEE AND AMERICAN INTERSTATE BANK, BENEFICIARY, STATING THAT IT SECURES A DEBT IN THE PRINCIPAL AMOUNT OF $128,593.53. (NOTE: COVERS ADDITIONAL LANDS)
– NO LAND SURVEYING RELATED MATTERS DEFINED. NOTHING SHOWN OR PLOTTED IN DRAWING.

11. PARCELS 1 AND 2: ASSIGNMENT OF RENTS, DATED APRIL 12, 2016, FILED APRIL 15, 2016, DOCUMENT NO. 2016027178, EXECUTED BY REVERS CONSTRUCTION, INC., A NEBRASKA CORPORATION, TO AMERICAN INTERSTATE BANK. (NOTE: COVERS ADDITIONAL LANDS)
– NO LAND SURVEYING RELATED MATTERS DEFINED. NOTHING SHOWN OR PLOTTED IN DRAWING.

13. EASEMENTS, RESTRICTIONS AND SETBACKS, IF ANY, CONTAINED IN THE PLAT AND DEDICATION OF BENNINGTON, FILED NOVEMBER 22, 1887, BOOK 97, PAGE 220, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION BASED ON INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604 (C).
– IT APPEARS THERE ARE NO EASEMENTS, RESTRICTIONS OR SETBACKS DEFINED IN THE PLAT AND DEDICATION OF BENNINGTON. NOTHING SHOWN OR PLOTTED IN DRAWING.

15. CHAIN OF TITLE:
WARRANTY DEED, DATED 04/11/2016, FILED 04/15/2016, DOCUMENT NO. 2016027156, EXECUTED BY CAMEL PRODCON LLC, A NEBRASKA LIMITED LIABILITY COMPANY, AS GRANTOR(S), IN FAVOR OF REVERS CONSTRUCTION INC., A NEBRASKA CORPORATION, AS GRANTEE(S).
– NO LAND SURVEYING RELATED MATTERS DEFINED. NOTHING SHOWN OR PLOTTED IN DRAWING.

ALTA/NSPS LAND TITLE CERTIFICATE

TO: ALL PARTIES; LLC, A NEBRASKA LIMITED LIABILITY COMPANY; WESTCOR LAND TITLE INSURANCE COMPANY AND TO THEIR ASSIGNS;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7a, 7b1, 7c, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 11 JUL 2024.

DATE: 8/26/24

NEBRASKA REGISTERED LS-827 PROFESSIONAL SURVEYOR DAVID D. ERICKSON

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A DULY REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA AND THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY AND PLAT ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND THAT THEIR LOCATIONS, SIZES AND MATERIALS ARE CORRECTLY SHOWN AND THAT ALL REQUIREMENTS OF THE LAND SURVEYORS REGULATION ACT AND THE RULES AND REGULATIONS ADOPTED AND PROMULGATED THEREUNDER HAVE BEEN COMPLIED WITH.

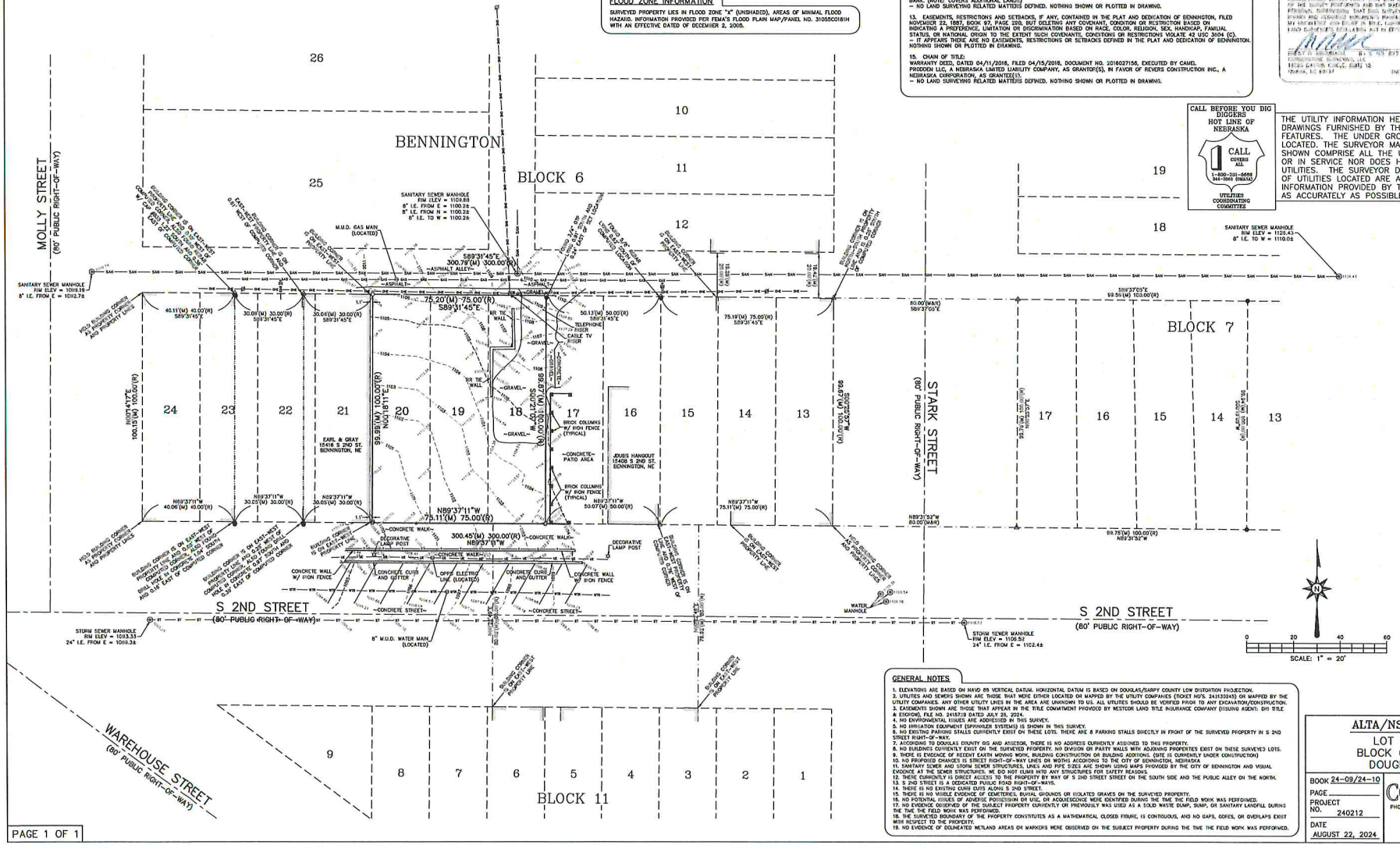
DATE: 8/26/24

NEBRASKA REGISTERED LS-827 PROFESSIONAL SURVEYOR DAVID D. ERICKSON

CALL BEFORE YOU DIG

DIGGERS HOT LINE OF NEBRASKA
CALL COVERS ALL
1-800-331-5666
344-3565 (MAIN)
UTILITIES COORDINATING COMMITTEE

THE UTILITY INFORMATION HEREON WAS LOCATED FROM EXISTING DRAWINGS FURNISHED BY THE UTILITY COMPANIES AND FROM VISIBLE FEATURES. THE UNDER GROUND UTILITIES HAVE NOT BEEN PHYSICALLY LOCATED. THE SURVEYOR MAKES NO WARRANTEE THAT THE UTILITIES SHOWN COMPRISE ALL THE UTILITIES IN THE AREA, EITHER ABANDONED OR IN SERVICE NOR DOES HE WARRANTEE THE LOCATION OF SAID UTILITIES. THE SURVEYOR DOES STATE THAT THE PHYSICAL EVIDENCE OF UTILITIES LOCATED ARE ACCURATELY SHOWN AND THAT THE INFORMATION PROVIDED BY THE UTILITY COMPANIES IS PLACED HEREON AS ACCURATELY AS POSSIBLE.



LEGEND

PROPERTY CORNER FOUND REBAR W/ CAP #525 (UNLESS NOTED)	●
PROPERTY CORNER SET REBAR W/ CAP #827 (UNLESS NOTED)	○
COMPUTED LOCATION, NOT SET	△
PROPERTY LINE	
MEASURED DIMENSION	(M)
RECORD DIMENSION	(R)
MANHOLE	Ⓜ
SEWER CLEANOUT	⊕
GRATE INLET	
LIGHTPOLE	
PUNDIPOLE	
DOWN GUY	
FENCELINE	
UTILITY RISER	
WATER/GAS VALVE	
BOLLARD	
EXISTING 1' INTERVAL CONTOUR	1124
EXISTING 5' INTERVAL CONTOUR	1125
UNDERGROUND WATER LINE	WTR
UNDERGROUND GAS LINE	GAS
UNDERGROUND ELECTRIC LINE	E
UNDERGROUND TELEPHONE LINE	T
UNDERGROUND TRAFFIC SIGNAL LINE	SIG
UNDERGROUND FIBER OPTICS LINE	FO
UNDERGROUND CABLE TV LINE	CTV
OVERHEAD ELECTRIC LINE	OHE
STORM SEWER LINE	ST
SANITARY SEWER LINE	SAN
COMBINATION SEWER LINE	CS

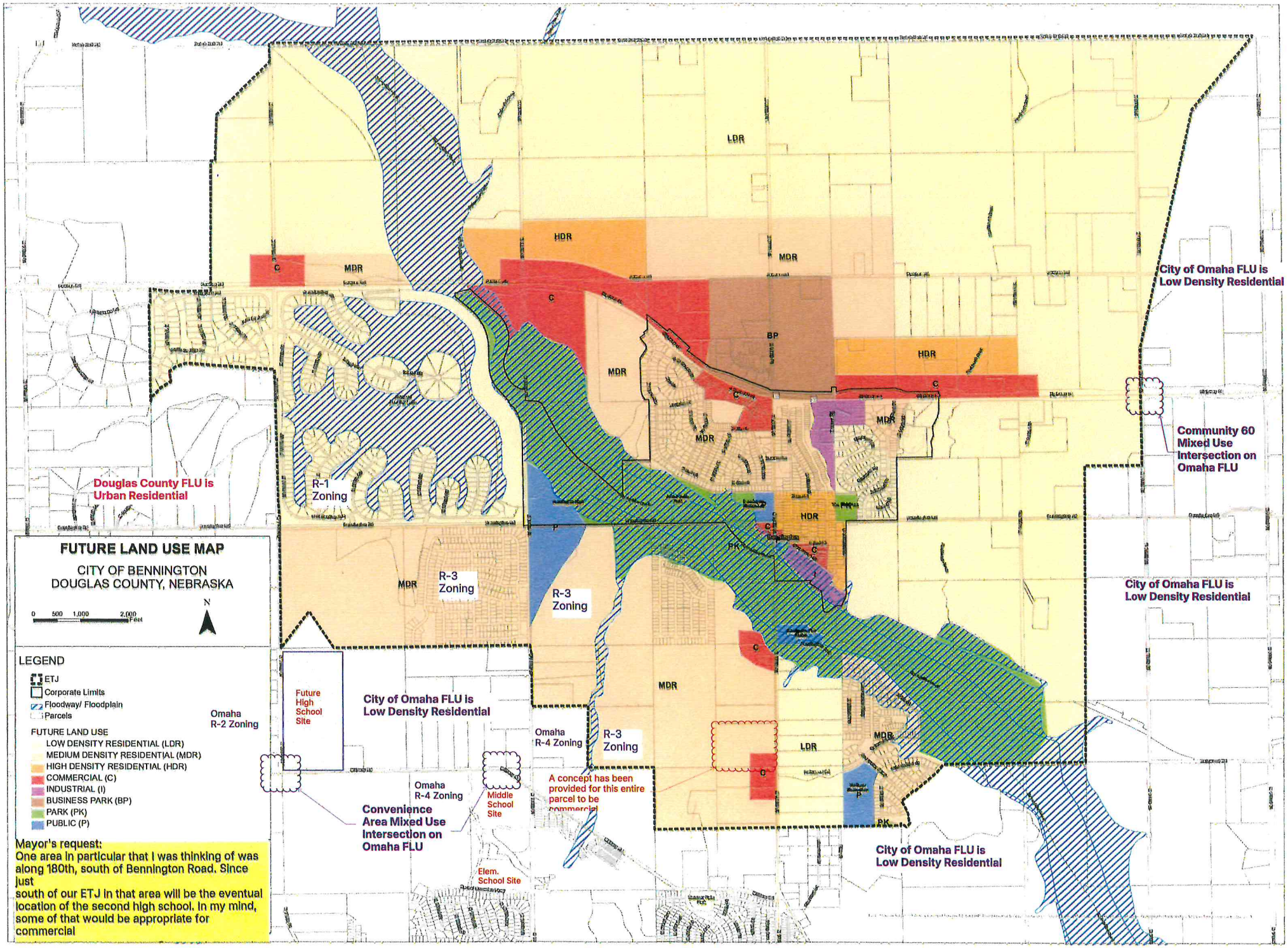
GENERAL NOTES

1. ELEVATIONS ARE BASED ON NAVD 88 VERTICAL DATUM. HORIZONTAL DATUM IS BASED ON DOUGLAS/SARPY COUNTY LOW DISTORTION PROJECTION.
2. UTILITIES AND SEWERS SHOWN ARE THOSE THAT WERE EITHER LOCATED OR MAPPED BY THE UTILITY COMPANIES (TICKET NO'S. 241320345) OR MAPPED BY THE UTILITY COMPANIES. ANY OTHER UTILITY LINES IN THE AREA ARE UNKNOWN TO US. ALL UTILITIES SHOULD BE VERIFIED PRIOR TO ANY EXCAVATION/CONSTRUCTION.
3. EASEMENTS SHOWN ARE THOSE THAT APPEAR IN THE TITLE COMMITMENT PROVIDED BY WESTCOR LAND TITLE INSURANCE COMPANY (ISSUING AGENT) DTD TITLE & ESCROW), FILE NO. 2415729 DATED JULY 29, 2024.
4. NO ENVIRONMENTAL ISSUES ARE ADDRESSED IN THIS SURVEY.
5. NO IRRIGATION EQUIPMENT (SPRINKLER SYSTEMS) IS SHOWN IN THIS SURVEY.
6. NO EXISTING PARKING STALLS CURRENTLY EXIST ON THESE LOTS. THERE ARE 8 PARKING STALLS DIRECTLY IN FRONT OF THE SURVEYED PROPERTY IN S 2ND STREET RIGHT-OF-WAY.
7. ACCORDING TO DOUGLAS COUNTY GIS AND ASSESSOR, THERE IS NO ADDRESS CURRENTLY ASSIGNED TO THIS PROPERTY.
8. NO BUILDINGS CURRENTLY EXIST ON THE SURVEYED PROPERTY. NO DIVISION OR PARTY WALLS WITH ADJOINING PROPERTIES EXIST ON THESE SURVEYED LOTS.
9. THERE IS EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS. (SITE IS CURRENTLY UNDER CONSTRUCTION)
10. NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES OR WIDTHS ACCORDING TO THE CITY OF BENNINGTON, NEBRASKA
11. SANITARY SEWER AND STORM SEWER STRUCTURES, LINES AND PIPE SIZES ARE SHOWN USING MAPS PROVIDED BY THE CITY OF BENNINGTON AND VISUAL EVIDENCE AT THE SEWER STRUCTURES. WE DID NOT CLIMB INTO ANY STRUCTURES FOR SAFETY REASONS.
12. THERE CURRENTLY IS DIRECT ACCESS TO THE PROPERTY BY WAY OF S 2ND STREET STREET ON THE SOUTH SIDE AND THE PUBLIC ALLEY ON THE NORTH.
13. S 2ND STREET IS A DEDICATED PUBLIC ROAD RIGHT-OF-WAYS.
14. THERE IS NO EXISTING CURB CUTS ALONG S 2ND STREET.
15. THERE IS NO VISIBLE EVIDENCE OF CEMETERIES, BURIAL GROUNDS OR ISOLATED GRAVES ON THE SURVEYED PROPERTY.
16. NO POTENTIAL ISSUES OF ADVERSE POSSESSION OR USE, OR ACQUIESCENCE WERE IDENTIFIED DURING THE TIME THE FIELD WORK WAS PERFORMED.
17. NO EVIDENCE OBSERVED OF THE SUBJECT PROPERTY CURRENTLY OR PREVIOUSLY WAS USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL DURING THE TIME THE FIELD WORK WAS PERFORMED.
18. THE SURVEYED BOUNDARY OF THE PROPERTY CONSTITUTES AS A MATHEMATICAL CLOSED FIGURE, IS CONTIGUOUS, AND NO GAPS, GORES, OR OVERLAPS EXIST WITH RESPECT TO THE PROPERTY.
19. NO EVIDENCE OF DELINEATED WETLAND AREAS OR MARKERS WERE OBSERVED ON THE SUBJECT PROPERTY DURING THE TIME THE FIELD WORK WAS PERFORMED.

ALTA/NSPS LAND TITLE SURVEY
LOT 18, LOT 19 & LOT 20, BLOCK 6, TOWN OF BENNINGTON, DOUGLAS COUNTY, NEBRASKA

BOOK 24-09/24-10
PAGE
PROJECT NO. 240212
DATE AUGUST 22, 2024

CORNERSTONE SURVEYING, LLC
PHONE: (402) 451-2058
14225 DAYTON CIRCLE, SUITE 15, OMAHA, NE 68137


FUTURE LAND USE MAP
CITY OF BENNINGTON
DOUGLAS COUNTY, NEBRASKA
0 500 1,000 2,000 Feet
N
LEGEND
ETJ
Corporate Limits
Floodway/ Floodplain
Parcels
FUTURE LAND USE
LOW DENSITY RESIDENTIAL (LDR)
MEDIUM DENSITY RESIDENTIAL (MDR)
HIGH DENSITY RESIDENTIAL (HDR)
COMMERCIAL (C)
INDUSTRIAL (I)
BUSINESS PARK (BP)
PARK (PK)
PUBLIC (P)
Mayor's request:
One area in particular that I was thinking of was along 180th, south of Bennington Road. Since just
south of our ETJ in that area will be the eventual location of the second high school. In my mind, some of that would be appropriate for commercial
Douglas County FLU is Urban Residential
R-1 Zoning
MDR
R-3 Zoning
Omaha R-2 Zoning
Future High School Site
City of Omaha FLU is Low Density Residential
Omaha R-4 Zoning
Convenience Area Mixed Use Intersection on Omaha FLU
Middle School Site
Elem. School Site
A concept has been provided for this entire parcel to be
LDR
HDR
BP
C
P
PK
City of Omaha FLU is Low Density Residential
Community 60 Mixed Use Intersection on Omaha FLU