

AGENDA ITEM 4A

**Final Plat—Lot 1 I-80 Business Park 2nd Addition
Replat 1—Dorwill, LLC**



**CITY OF LA VISTA
PLANNING DIVISION
RECOMMENDATION REPORT**

CASE NUMBERS: PSFP20-0002;

FOR HEARING OF: JANUARY 7, 2021
REPORT PREPARED ON: DECEMBER 21, 2020

I. GENERAL INFORMATION

A. APPLICANT:

Dorwill, LLC
Attn: Richard Essi
8231 S. 107th Street
La Vista, NE 68128

B. PROPERTY OWNER:

Dorwill, LLC
8231 S. 107th Street
La Vista, NE 68128

C. LOCATION: Northwest of the intersection of S. 118th Street and Harry Anderson Avenue;

D. LEGAL DESCRIPTION: Lot 1 I-80 Business Park 2nd Addition, Pt Harry Andersen Ave Adj To Lot 1-80 Business Park 2nd Addition, and Pt State Row Adj To Lot 1 I-80 Business Park 2nd Addition.

E. REQUESTED ACTION(S): Approval of a Final Plat to combine Lot 1 I-80 Business Park 2nd Addition with two small pieces of former right-of-way sold by the State of Nebraska in 2019 to create Lot 1 I-80 Business Park 2nd Addition Replat 1.

F. EXISTING ZONING AND LAND USE: I-1 Light Industrial, Gateway Corridor District (Overlay District), and FF/FW Flood Plain District (Overlay District).

G. PURPOSE OF REQUEST: Create a larger parcel to allow for the potential development of a 2,800 square foot industrial building with two tenant bays. One bay would be used by the owner and one would be leased out.

H. SIZE OF SITE: 29,564 square feet (0.68 acres).

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property slopes downward to the south and to the west.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	NA; Interstate 80 Right of Way	NA; Interstate 80 Right of Way	Interstate-80
East	Industrial	I-1 Light Industrial, Gateway Corridor District (Overlay District)	Vacant land
South	Industrial	I-1 Light Industrial, Gateway Corridor District (Overlay District), and FF/FW Flood Plain District (Overlay District)	Progressive Casualty Insurance Company Building
West	Industrial	I-1 Light Industrial, Gateway Corridor District (Overlay District), and FF/FW Flood Plain District (Overlay District)	Interstate-80

C. RELEVANT CASE HISTORY:

1. Dorwill, LLC submitted an application on August 4, 2020 to the La Vista Board of Adjustment for three variances from setback requirements in the La Vista Zoning Ordinance, noting the hardships associated with the small buildable area on the lots in question and a utility easement that runs through them. The La Vista Board of Adjustment granted the following three variances from Section 5.13.05 of the La Vista Zoning Ordinance to Dorwill, LLC on September 2, 2020:
 - i. Front yard setback along S. 118th Street reduced from 35 feet to 30 feet;
 - ii. Removal of the 60 foot setback requirement for front yards with parking in the front of the property; and
 - iii. Reduction in the side yard setback along the west lot line from 30 feet to 15 feet.

D. APPLICABLE REGULATIONS:

1. Section 5.13 of the Zoning Regulations – I-1 Light Industrial
2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
3. Section 5.18 of the Zoning Regulations – FF/FW Flood Plain District (Overlay District)
4. Section 7.17 of the Zoning Regulations – Landscaping Requirements
5. Article 8 of the Zoning Regulations – Board of Adjustment

III. ANALYSIS

A. **COMPREHENSIVE PLAN:** The Comprehensive Plan Future Land Use Map designates this property for industrial development. This proposal is consistent with the comprehensive plan.

B. **OTHER PLANS:** N/A.

C. **TRAFFIC AND ACCESS:**

1. The property will have driveway access off of S 118th Street.
2. No future direct access shall be permitted onto Harry Anderson Avenue.
3. Vehicle traffic to the site will be very limited. The owner intends to use one of the two bays to store equipment and supplies for his construction business, RE Contracting. The owner also anticipates leasing the adjacent bay for a similar, low traffic generating use.
4. The minimum distance between the edge of a sidewalk and the curb shall be six (6) feet, per Section 4.2 of La Vista's Subdivision Regulations. The applicant has requested a waiver from Section 4.2 of the Subdivision Regulations to allow for a reduction in this distance for a section of the sidewalk on the northeast corner of the property due to site and elevation constraints. Section 8.01 of La Vista's Subdivision Regulations authorizes the Planning Commission to recommend and the City Council to grant waivers from the subdivision regulations after determining the following:
 - i. There are unique circumstances or conditions affecting the property that are not merely for the convenience or profit of the Subdivider;
 - ii. The waivers are necessary for the reasonable and acceptable development of the property in question; and
 - iii. The granting of the waivers will not be detrimental to the public or injurious to adjacent and nearby properties.

Staff find the waiver request reasonable as setting the sidewalk to the minimum 6' offset from the back of the curb would be difficult due to the existing terrain and topography. The City Engineer is working with the applicant to determine an appropriate distance for the sidewalk offset in the event that the waiver request is granted.

D. UTILITIES:

1. The property will have access to water, sanitary sewer, gas, power and communication utilities.

E. PARKING REQUIREMENTS:

1. Any future development on Lot 1 I-80 Business Park 2nd Addition Replat 1 will be required to meet La Vista's parking requirements.

IV. REVIEW COMMENTS:

- A. The building design for the proposed 2,800 square foot industrial flex building is currently under review through the City's design review process as required for developments within the Gateway Corridor Overlay District. The applicant has received initial comments from the City's third-party design review architect.
- B. Prior to issuance of final building permits, the applicant will need to submit a full drainage study for review by the City Engineer. The applicant will also need to gain approval of the FAA due to the proximity of the site to the Millard Airport.
- C. Stormwater management fees and sewer connection fees will be paid with permit fees when the building permits are issued.

V. STAFF RECOMMENDATION – FINAL PLAT:

Staff recommends approval of the Final Plat for Lot 1 I-80 Industrial Park 2nd Addition Replat 1, as the request is consistent with La Vista's Comprehensive Plan, Subdivision Regulations, and Zoning Ordinance.

VI. STAFF RECOMMENDATION – WAIVER FROM SECTION 4.2 OF LA VISTA'S SUBDIVISION REGULATIONS:

Staff recommends approval of the waiver from Section 4.2 of the Subdivision Regulations to allow for a reduction in the six-foot sidewalk offset requirement for the northeast corner of Lot 1 I-80 Industrial Park 2nd Addition Replat 1.

VII. ATTACHMENTS TO REPORT:

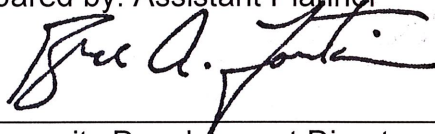
- A. Vicinity Map
- B. Review Letters
- C. Final Plat

VIII. COPIES OF REPORT SENT TO:

- A. Rich Essi, Dorwill, LLC
- B. Public Upon Request



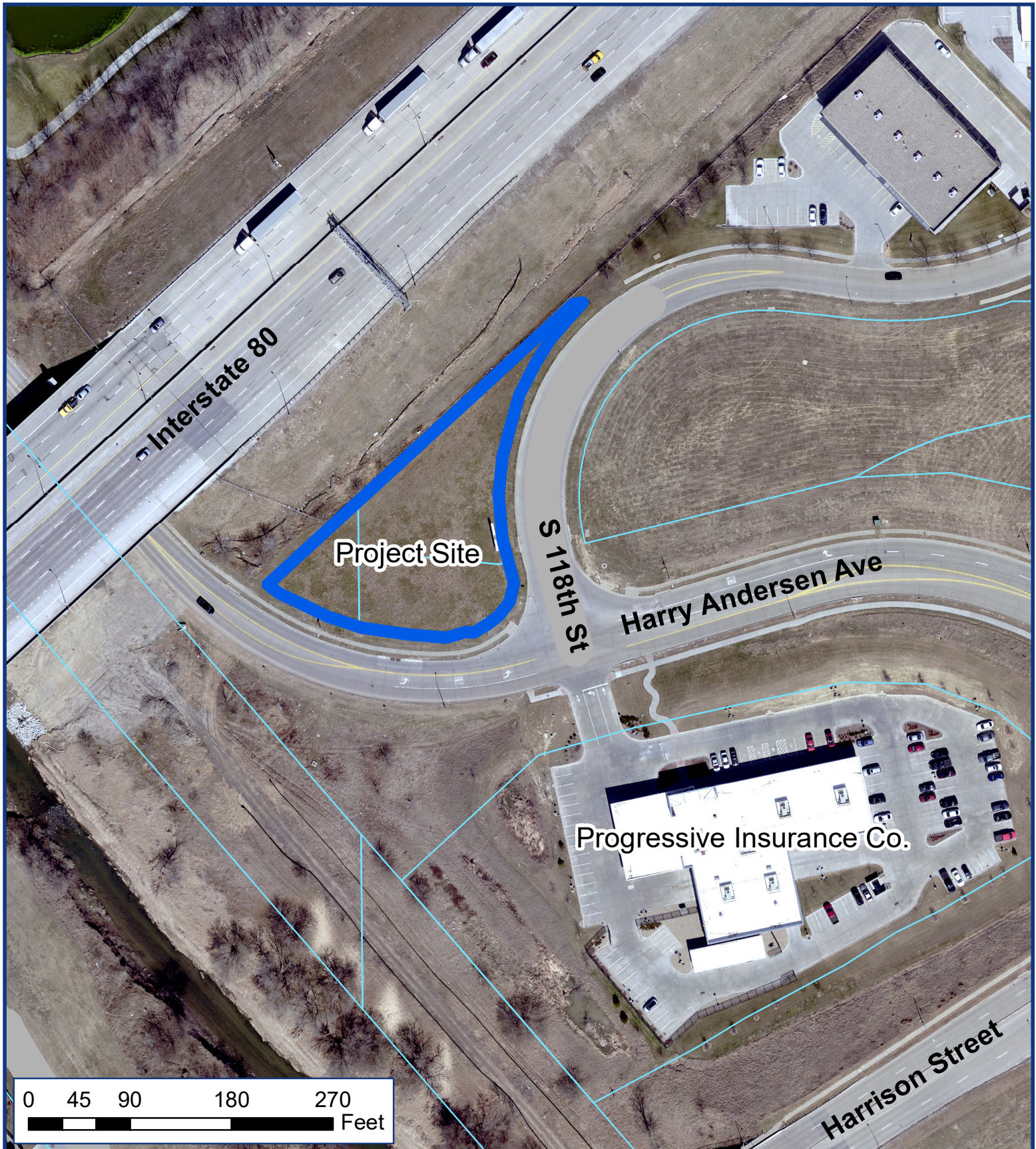
Prepared by: Assistant Planner



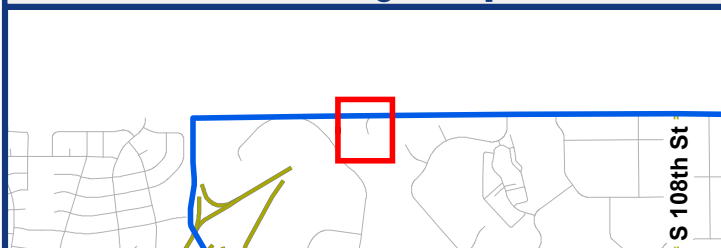
12-29-2020

Community Development Director

Date



Final Plat Vicinity Map



Dorwill, LLC
Lot 1 I-80 Business Park 2nd Add.

12/21/2020 CB





October 14, 2020

Dorwill, LLC
Attn: Rich Essi
8231 S 107th Street
La Vista, NE 68128

RE: Final Plat – Initial Review
I-80 Business Park 2nd Addition Replat 1

Mr. Essi,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Subdivision Regulations, the City has the following comments:

1. Section 3.05.11 – Please revise the dedication block to be consistent with Section 10.01 of La Vista’s Subdivision Regulations.
2. Section 3.05.12 – Please revise the County Treasurer block to be consistent with Section 10.07 of La Vista’s Subdivision Regulations.
3. Section 3.05.14 – Please revise the City Council block to be consistent with Section 10.04 of La Vista’s Subdivision Regulations.
4. Section 3.05.18 – If a lending institution is part of the transaction, an approval block should be provided for the institution as well.
5. General comment – Please remove the City Engineer Title Block. The City Engineer’s signature is not required.

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
402.331.4343 P
402.331.4375 F

Community Development
8116 Park View Blvd.
402.593.6400 P
402.593.6445 F

Library
9110 Giles Rd.
402.537.3900 P
402.537.3902 F

Police
7701 S. 96th St.
402.331.1582 P
402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

6. General Comment – No direct access to Harry Anderson Avenue will be permitted. Please add a statement to plat document.
7. General Comment - Please reference the attached letter from the Sarpy County Surveyor and make the corrections as necessary.
8. General Comment – Please keep in mind that the building design will need to be approved through the City's Design Review process prior to application for building permits.

Please submit 3 full size revised copies of the plat and related documents (along with electronic copies) to the City for further review. A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed.

If you have any questions regarding these comments, please feel free to contact me at any time. Thank you,



Cale Brodersen
Assistant Planner
City of La Vista
cbrodersen@cityoflavista.org
(402) 593-6405

cc: Christopher Solberg, Deputy Community Development Director
Bruce Fountain, Community Development Director
Pat Dowse, City Engineer
Jeff Daharsh, Cornerstone Surveying, LLC
Roger Doehling, LYNC Architecture

Enclosure



November 4, 2020

Dorwill, LLC
Attn: Rich Essi
8231 S 107th Street
La Vista, NE 68128

RE: Final Plat – Second Review
I-80 Business Park 2nd Addition Replat 1

Mr. Essi,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Subdivision Regulations, the City has the following comments:

1. Section 3.05.01 – Please make the name of the subdivision in emboldened text.
2. Section 3.05.11 – If there are no mortgage holders, a statement from the title company is to be provided. Otherwise, if there is a lending institution, please add a lending institution title block per Section 3.05.18.
3. Section 10.04 – The “Acceptance by La Vista City Council” approval block reads “in accordance with the State Statues of Nebraska”, please change the word Statues to Statutes.
4. General Comment: Please also include the variance details that you included in the Preliminary Plat Site Paving Plan in the notes section on the Final Plat.

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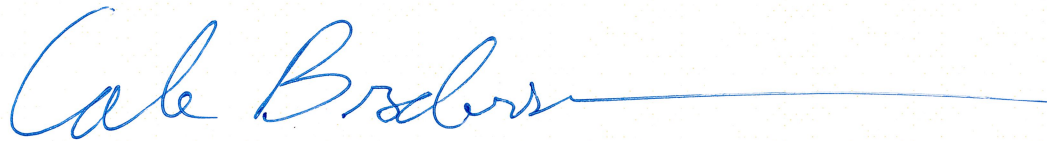
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7701 S. 96th St.
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402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

Please resubmit digitally to the City for further review. If you are able to resubmit by Tuesday, November 10th and adequately address these comments, this item may be placed on the Planning Commission Agenda for the November 19th, 2020 meeting. If this timeline is not feasible or if there are remaining items, the next Planning Commission meeting will be on December 3, 2020.

If you have any questions regarding these comments or the timeline, please feel free to contact me at any time. Thank you,

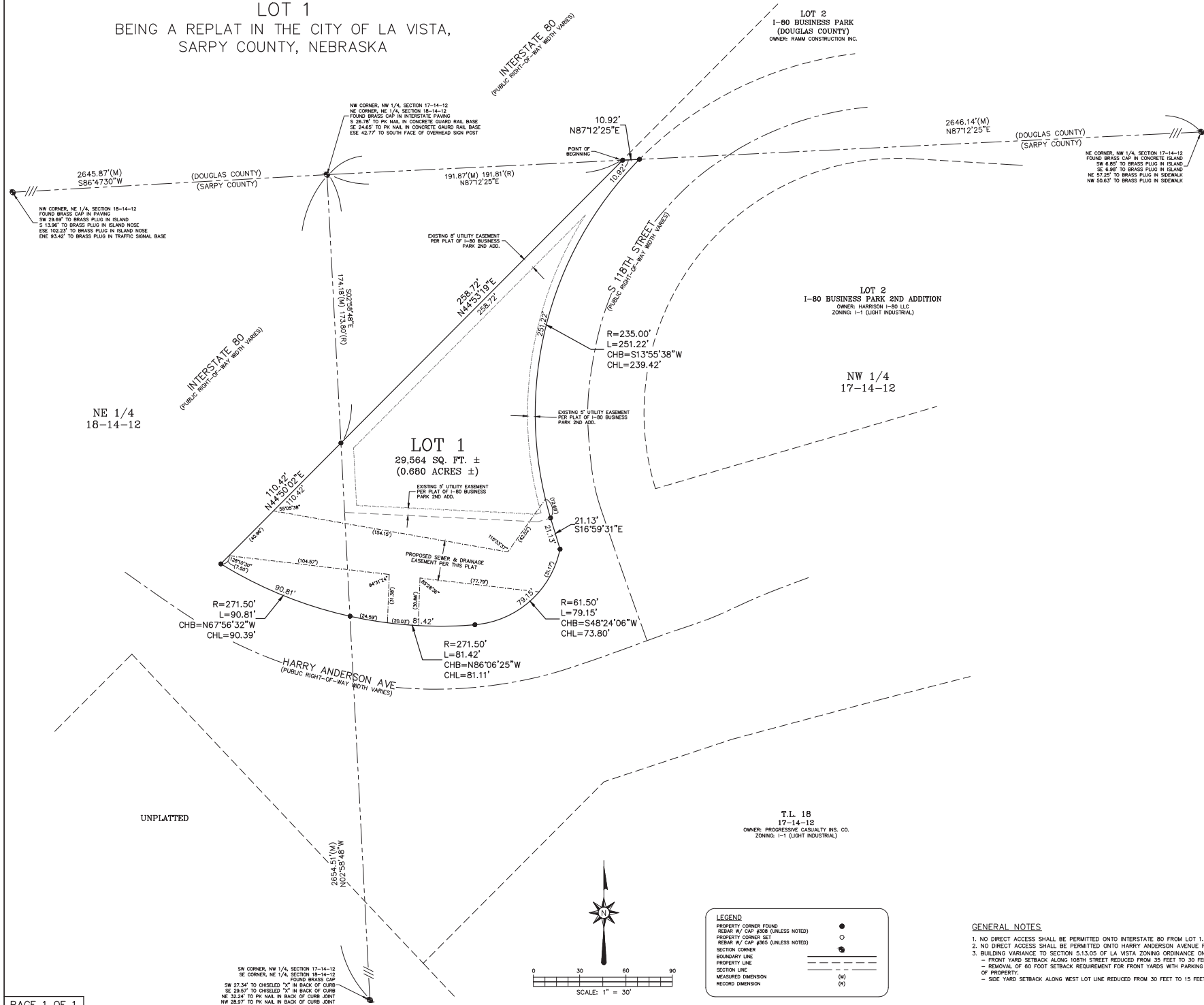
A handwritten signature in blue ink that reads "Cale Brodersen". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Cale Brodersen
Assistant Planner
City of La Vista
cbrodersen@cityoflavista.org
(402) 593-6405

cc: Christopher Solberg, Deputy Community Development Director
Bruce Fountain, Community Development Director
Pat Dowse, City Engineer
Jeff Daharsh, Cornerstone Surveying, LLC
Roger Doehling, LYNC Architecture
Brad Blakeman, Blakeman Engineering

I-80 BUSINESS PARK 2ND ADDITION REPLAT 1
LOT 1

BEING A REPLAT IN THE CITY OF LA VISTA,
SARPY COUNTY, NEBRASKA



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA AND THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR SURVEYS ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. FURTHER, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS WILL BE SET AT ALL CORNERS, ANGLE POINTS AND AT THE ENDS OF ALL CURVES WITHIN THE SUBDIVISION TO BE KNOWN AS "I-80 BUSINESS PARK 2ND ADDITION REPLAT 1" (THE LOTS NUMBERED AS SHOWN), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A REPLAT OF LOT 1, I-80 BUSINESS PARK 2ND ADDITION, AN ADDITION TO THE CITY OF LA VISTA, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 17 AND PART OF THE NORTHEAST QUARTER OF SECTION 18, BOTH IN TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, I-80 BUSINESS 2ND ADDITION; THENCE N87°12'25"E (AN ASSUMED BEARING RELATIVE TO ALL BEARINGS CONTAINED HEREIN) FOR 10.92 FEET ALONG THE NORTH LINE OF SAID LOT 1 (ALSO BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17); THENCE SOUTHWESTERLY ALONG A 235.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARING S13°55'38"W FOR 239.42 FEET) FOR AN ARC LENGTH OF 251.22 FEET ALONG THE EASTERLY LINE OF SAID LOT 1 (ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF S 118TH STREET); THENCE S16°59'31"E FOR 21.13 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF S 118TH STREET; THENCE SOUTHWESTERLY ALONG A 61.50 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARING S48°24'06"W FOR 73.80 FEET) FOR AN ARC LENGTH OF 79.15 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HARRY ANDERSON AVENUE; THENCE NORTHWESTERLY ALONG A 271.50 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CHORD BEARING N86°06'25"W FOR 81.11 FEET) FOR AN ARC LENGTH OF 81.42 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HARRY ANDERSON AVENUE; THENCE NORTHWESTERLY ALONG A 271.50 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CHORD BEARING N67°56'32"W FOR 90.39 FEET) FOR AN ARC LENGTH OF 90.81 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HARRY ANDERSON AVENUE; THENCE N44°50'02"E FOR 110.42 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE N44°53'19"E FOR 258.72 FEET ALONG THE WESTERLY LINE OF SAID LOT 1 (ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80) TO THE POINT OF BEGINNING. TOTAL PARCEL CONTAINS AN AREA OF 29,564 SQUARE FEET MORE OR LESS, (0.680 ACRES ±)

GARY D. TINKHAM R.L.S. NO. 365
CORNERSTONE SURVEYING, LLC
14225 DAYTON CIRCLE, SUITE 15
OMAHA, NEBRASKA 68137 DATE

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I/WE, DORWILL, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, THE OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AND NAMED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS "I-80 BUSINESS PARK 2ND ADDITION REPLAT 1", AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT, AND WE DO HEREBY GRANT EASEMENTS AS SHOWN ON THIS PLAT, WE DO FURTHER GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURYLINK ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO EIGHT (8) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. THE SUBDIVIDER SHALL GRANT PERPETUAL EASEMENTS TO METROPOLITAN UTILITIES DISTRICT (MUD) 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 STREETS, NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREIN GRANTED.

RICHARD P. ESSI, OWNER DATE
DORWILL, LLC

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SARPY)

ON THE ____ DAY, OF ____, 20____, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY AND STATE, PERSONALLY APPEARED RICHARD P. ESSI, OWNER OF DORWILL, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE MENTIONED.

NOTARY PUBLIC

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 IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

SARPY COUNTY TREASURER DATE

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF I-80 BUSINESS PARK 2ND ADDITION REPLAT 1, LOT 1, WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE ON THIS ____ DAY OF ____.

SARPY COUNTY SURVEYOR/ENGINEER

APPROVAL BY LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF I-80 BUSINESS PARK 2ND ADDITION REPLAT 1, LOT 1, WAS APPROVED BY THE CITY OF LA VISTA CITY PLANNING COMMISSION ON THIS ____ DAY OF ____.

CHAIRPERSON, LA VISTA PLANNING COMMISSION

ACCEPTANCE BY LA VISTA CITY COUNCIL

THIS PLAT OF I-80 BUSINESS PARK 2ND ADDITION REPLAT 1, LOT 1, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ON THIS ____ DAY OF ____, 20____, IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

MAYOR, CITY OF LA VISTA

ATTEST: CITY CLERK

GENERAL NOTES

- NO DIRECT ACCESS SHALL BE PERMITTED ONTO INTERSTATE 80 FROM LOT 1.
- NO DIRECT ACCESS SHALL BE PERMITTED ONTO HARRY ANDERSON AVENUE FROM LOT 1.
- BUILDING VARIANCE TO SECTION 5.13.05 OF LA VISTA ZONING ORDINANCE ON 9/02/2020.
 - FRONT YARD SETBACK ALONG 10TH STREET REDUCED FROM 35 FEET TO 30 FEET.
 - REMOVAL OF 60 FOOT SETBACK REQUIREMENT FOR FRONT YARDS WITH PARKING IN FRONT OF PROPERTY.
 - SIDE YARD SETBACK ALONG WEST LOT LINE REDUCED FROM 30 FEET TO 15 FEET.

LEGEND	
PROPERTY CORNER FOUND	●
REAR W/ CAP JOBS (UNLESS NOTED)	○
PROPERTY CORNER SET	○
REAR W/ CAP JOBS (UNLESS NOTED)	○
SECTION CORNER	●
BOUNDARY LINE	---
PROPERTY LINE	---
SECTION LINE	---
MEASURED DIMENSION	(M)
RECORD DIMENSION	(R)

