



**CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343**

**PLANNING COMMISSION AGENDA
NOVEMBER 17, 2022 – 6:30 P.M.**

1. *Call to Order*
2. *Approval of Meeting Minutes – September 1, 2022*
3. *Old Business*
4. *New Business*
 - A. **Replat – Centech Business Park Replat Six – Susan D. L'Heureux Trust**
 - i. Staff Report — Cale Brodersen, Assistant City Planner
 - ii. Recommendation
5. *Comments from the Floor*
6. *Comments from the Planning Commission*
7. *Comments from Staff*
8. *Adjournment*

The public is welcome and encouraged to attend all meetings. If special accommodations are required, please contact City Hall prior to the meeting at (402) 331-4343. A copy of the Open Meeting Act is posted in the Council Chamber. Citizens may address the Planning Commission about items not on the agenda under "comments from the floor". Comments should be limited to three minutes. We ask for your cooperation in order to provide for an organized meeting.



MEETING MINUTES
CITY OF LA VISTA PLANNING COMMISSION
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128
P: (402) 593-6400

THURSDAY, SEPTEMBER 1, AT 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, September 1, 2022, in the Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Boulevard. Legal notice of the public meeting and hearing were posted, distributed, and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public. The following Planning Commission members were present and absent:

PRESENT: Mike Krzywicki, Gayle Malmquist, Jason Dale, Kathleen Alexander, Patrick Coghlan, Austin Partridge, and Kevin Wetuski

ABSENT: John Gahan, Harold Sargus, and Mike Circo

STAFF PRESENT: Bruce Fountain, Community Development Director; Christopher Solberg, Deputy Community Development Director; Meghan Engberg, Permit Technician; and Pat Dowse, City Engineer.

1. Call to Order

The meeting was called to order by Vice-Chair Alexander at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes From May 19, 2022

Motion: Krzywicki moved, seconded by Wetuski, to **approve** the May 19th, 2022, minutes.

| | |
|---------------------|---|
| RESULT: | Motion carried 6-1 |
| MOTION BY: | Krzywicki |
| SECONDED BY: | Wetuski |
| AYES: | Coghlan, Dale, Krzywicki, Alexander, Malmquist, Wetuski |
| NAYS: | None |
| ABSTAINED: | Partridge |
| ABSENT: | Sargus, Circo, Gahan |

3. Old Business

None.

4. New Business

Vote to Switch Agenda Items

i. Recommendation:

Motion: Krzywicki moved, seconded by Wetuski, to switch agenda items.

| | |
|---------------------|--|
| RESULT: | Motion carried 7-0 |
| MOTION BY: | Krzywicki |
| SECONDED BY: | Wetuski |
| AYES: | Coglan, Dale, Krzywicki, Alexander, Malmquist, Wetuski, Partridge |
| NAYS: | None |
| ABSTAINED: | None |
| ABSENT: | Sargus, Circo, Gahan |

A. Conditional Use Permit – Multiple Family Dwellings – Lot 2 Cimarron Woods Replat Three (southeast of the intersection of S. 99th Street and Josephine Street)

i. Staff Report – Chris Solberg, Deputy Community Development Director: Solberg said the applicant, Pedcor LLC, is requesting a conditional use permit for Phase 3 of the Cimarron Terrace Apartments to allow for the construction of 7 additional multi-family apartment buildings with a total of 138 units. The location of the project is southeast of the roundabout at the intersection of S 99th Street, Josephine Ave., and Josephine Street, generally southwest of the intersection of S 96th Street and Harrison Street.

Solberg mentioned that in 2010, the applicant came forward with PUD and conditional use permit applications to start construction of this overall apartment complex. The PUD set forth a site plan that called for all 3 of these phases, the construction of these buildings, and accounted for the traffic generated by the development. In 2011, the applicant obtained the conditional use permit for phase 2 of the apartment complex.

Staff's recommendation is for approval of the Conditional Use Permit for the Cimarron Terrace Apartments Phase 3, subject to satisfaction of all applicable requirements, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

ii. Public Hearing: Co-Chair Alexander opened the Public Hearing.

Turner Lesnick delivered a presentation to the Commission and members of the public about Pedcor's operation and the Cimarron Terrace project. Lesnick discussed the history of the Cimarron Terrace project. He spoke about the shared detention pond, parking lot, amenities, and clubhouse over all 3 phases. Lesnick mentioned that phase 3 has 6 fewer units than what was originally approved and that like the other phases, is 100% income-qualified. Lesnick showed renderings of the units.

Brooke Schrock spoke about her concerns dealing with sound, lighting, sight barriers, as well as landscaping, traffic, and environmental concerns. She also requested that a barrier fence be put up between the apartment complex and trail.

Steve Schrade, president of Cimarron Woods Villas, said that the biggest concerns that have been brought up to him are the safety and security of the residents as well as the additional number of people that will be using the trail and splash pad once the apartments are built.

Jay Ferris brought up a letter that was sent to Chris Solberg from Brett Conyers referencing that traffic study that was done in 2008 and 2009 and spoke about the fact the traffic has increased since then. He asked for an updated traffic study to be done. He also asked for additional landscaping or a decorative fence to be placed along the back of the development.

Vicki Quaites-Ferris spoke about her concerns regarding the safety, home value, livability of the existing neighborhood. In reviewing the documents, she felt that the City was only concerned about the plans fitting in with the Comprehensive Plan and not with how the development would affect the existing residents of the Subdivision.

Dale Rozmiarek said that he is concerned about the additional concrete, and the impact of the stormwater runoff back to the creek, and how it will affect the wetlands.

Phil Secan inquired about the possibility of additional access to ease some of the traffic concerns pertaining to the roundabout.

Karen Beard said she is concerned about the influx of people that will be using the trail once the new development is built, and her concern about people who are speeding through the roundabout.

Dan Balis talked about how the additional concrete will add more water runoff and contribute to the flooding of the lower part of the Subdivision that is by the creek.

Jay Ferris came back to the podium to speak about his concerns about the roundabout traffic, and flooding due to runoff.

Vicki Quaites-Ferris came back to the podium and spoke about her concern with the narrowness between her property, the road, and the proposed development.

Dan Balis came back to the podium and mentioned that Pedcor owned the land that the flooding occurred on and would not let the SID come and clean up the clog that was causing the area to flood.

Turner Lesnick addressed the concerns of the residents.

Krzywicki inquired about the landscaping plan and if there was a fence being shown on the southwest corner of the interior road.

Lesnick said it's a 4-5' retaining wall that will have a fence on top of it.

Krzywicki mentioned the concern brought up about putting a fence on the interior road to protect a pedestrian on the walking trail from oncoming traffic and asked if there was any possibility of one being put in.

Lesnick said that hasn't been discussed but mentioned that they had a conversation with City staff on the importance of their site being connected via ADA access points to the trail, and not being cut off by a barrier.

Todd Hinku, talked about the limited space between the street and the walking trail and his concern for the safety of pedestrians.

Larry Jobeun, attorney for the developer, mentioned that the trail is a public trail and is there for the public in its entirety, including the residents of the apartment complex. He spoke about the proximity of the trail and the private road and said that there should be no safety concerns. He also talked about the fact that this development has already been approved through the PUD and the only thing that has changed are the number of units, which have decreased.

Tom Belt spoke about how he feels the proposed development looks like it's too much for the area, and he feels that another apartment complex is unnecessary.

Karen Beard spoke about the need for a landscaping buffer between the complex and subdivision.

Steve Schrade discussed his concerns regarding the public walking trail, the proximity of the public road, and motorized vehicles going on the trail.

Vice-Chair Alexander closed the Public Hearing.

Dale asked if the applicant could explain the stormwater runoff and what is going to be done in the new development to contain the runoff from the concrete that is being added.

Brett Conyers, the project's engineer, said that in the center of the development is a stormwater retention basin that was sized to handle the runoff from the fully developed apartments. It does not handle the stormwater treatment, so they will be installing mechanical devices to treat the stormwater.

Krzywicki mentioned that the landscaping plan is in the packet and that there are a significant number of trees that will be planted along the development.

Coghlan brought up the walking trail and the request to have a fence put up to keep pedestrians safe from street traffic and asked if there was a compromise that could be reached so that people are safe and residents living at the complex could still access the trail.

Larry Jobeun said that his understanding is that the trail has been in a public easement for a long time and the proposed private drive for the phase 3 apartments has always been in that location, so it's tough to move it. He said that it's not any different than a sidewalk along a public street, but would be willing to look at anything that may be done regarding safety.

Partridge asked what the construction timeline looked like.

Conyers said that they are contemplating construction starting in the summer of 2023 and being finished in the summer of 2024. He also mentioned that the plans for the private drive show speed bumps and a 6" curb.

Coghlan said that a lot of concerns have been brought up, and he suggested tabling the item so the HOA and developer could meet and talk about the concerns.

Conyers said that there was public discussion held for the first 2 phases, and there were no major concerns brought up then.

Fountain mentioned that this is not the final vote for this item, that it is a recommendation to the City Council and there will be a public hearing there as well.

iii. Recommendation:

Motion: Malmquist moved, seconded by Krzywicki, for **approval** of the Conditional Use Permit for the Cimarron Terrace Apartments Phase 3, subject to satisfaction of all applicable requirements, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

| | |
|---------------------|---|
| RESULT: | Motion carried 5-2 |
| MOTION BY: | Malmquist |
| SECONDED BY: | Krzywicki |
| AYES: | Dale, Krzywicki, Malmquist, Alexander, Partridge |
| NAYS: | Coghlan, Wetuski |
| ABSTAINED: | None |
| ABSENT: | Sargus, Circo, Gahan |

B. 2022 Ballot Referendums Discussion – Brenda Gunn, City Administrator

Brenda spoke to the Planning Commission about the two sales tax initiatives that will be on the ballot this upcoming election.

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Krzywicki said that he went on the City website to see if there was any place for road project updates and couldn't find anything. He asked if there was a way to put something on the website so that people could easily see what was going on.

Dowse said that it's something they can look into doing.

Solberg said that they may be able to create a map showing major road projects.

Krzywicki asked if the Nebraska Multi-Sports Complex was still looking at hosting a tournament this fall.

Fountain said that they are wanting to host a tournament at the end of September, and staff are trying to get more information in their bi-weekly meetings.

Krzywicki asked if it was the creek or railroad that cuts through that property and asked if there was any way to put something there for pedestrian access.

Fountain said there is a plan to put pedestrian access under the railroad bridge.

7. Comments from Staff

Solberg mentioned the NPZA Conference and encouraged those wanting to attend to reach out to get signed up to attend.

Solberg said the next meeting will be October 6th.

8. Adjournment

Alexander adjourned the meeting at 8:16 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

AGENDA ITEM 4A

Replat—Centech Business Park Replat Six—

Susan D. L'Heureux Trust



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

CASE NUMBERS: PRP22-0002;

FOR HEARING ON: NOVEMBER 17, 2022
REPORT PREPARED ON: NOVEMBER 8, 2022

I. GENERAL INFORMATION

A. APPLICANT(S):

Susan D. L'Heureux Trust
Attn: Travis O'Gorman
21511 E Circle
Elkhorn, NE 68022

B. PROPERTY OWNERS:

Susan D. L'Heureux Trust
Attn: Travis O'Gorman
21511 E Circle
Elkhorn, NE 68022

C. LOCATION: 13314 Centech Road, generally located northwest of the intersection of S. 133rd Street and Centech Road.

D. LEGAL DESCRIPTION: Lot 51A Centech Business Park.

E. REQUESTED ACTION(S): Approval of a replat to split Lot 51A Centech Business Park into Lots 1 and 2 Centech Business Park Replat Six.

F. EXISTING ZONING AND LAND USE: I-1 Light Industrial Zoning District. A building housing La Rue Coffee Roasterie is located on the southern half of this property, while the northern half (proposed to be split off) is currently vacant.

G. PURPOSE OF REQUEST: Applicant is seeking to split the existing property into two lots so that the northern lot can be sold for future development. There is no specific development proposal at this time.

H. SIZE OF SITE: Approximately 3.985 acres.

II. BACKGROUND INFORMATION

A. 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 | Industrial | I-1 Light Industrial | Industrial Spec/Strip Center |
| East | Industrial | I-1 Light Industrial | Dr. Pepper Snapple Group |
| South | Industrial | I-1 Light Industrial | Quality Brands of Omaha |
| West | Industrial | I-1 Light Industrial | Abante Marketing |

B. RELEVANT CASE HISTORY:

1. On February 12, 2003, Lots 7, 8, and 51 Centech Business Park were combined through an administrative plat as Lot 51A Centech Business Park. Per Section 3.08.01 of La Vista's Subdivision Regulations, properties previously created through an administrative plat must be subsequently subdivided or combined through a formal replat process.
2. The La Rue Coffee Roasterie building was constructed on the southern portion of Lot 51A Centech Business Park in 2007.

C. APPLICABLE REGULATIONS:

1. Section 5.13 of the City of La Vista Zoning Ordinance – I-1 Light Industrial Zoning District
2. La Vista Subdivision Regulations

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the La Vista Comprehensive Plan designates this property for industrial development.

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. Access to this site will be maintained through a shared driveway off S. 133rd Street to the east.
2. A reciprocal permanent access easement document has been provided by the applicant, reviewed by the City Engineer, and shall be recorded along with the Final Plat to ensure ingress and egress from the site.

D. UTILITIES:

1. The property has access to all necessary utilities.

E. PARKING REQUIREMENTS:

1. The minimum off-street parking stall requirements for the potential future development that would occur on proposed Lot 1 Centech Business Park Replat Six will be determined at the time of building permit submittal. The off-street parking requirements, per Section 7.06 of the La Vista Zoning Ordinance, are dependent upon use, and the use for this site has yet to be determined.

IV. REVIEW COMMENTS

- A. As the applicant is preparing to sell the portion of property being split off and they do not yet have a development proposal, conformance with all applicable regulations and requirements including zoning and building codes, stormwater and drainage requirements, subdivision regulation requirements etc. will be reviewed as part of the building permit process, and the responsibility for compliance with such requirements will be on the owner and developer.

V. STAFF RECOMMENDATION – REPLAT:

Staff recommends approval of the replat for Lot 51A Centech Business Park, being replatted as Lots 1 and 2 Centech Business Park Replat Six, as the replat is consistent with La Vista's Subdivision Regulations.

VI. ATTACHMENTS TO REPORT:

- A. Vicinity Map
- B. Review and response letters
- C. Preliminary Plat
- D. Final Plat

VII. COPIES OF REPORT SENT TO:

- A. Travis O'Gorman, Susan D. L'Heureux Trust
- B. Jim Warner, Thompson, Dreessen & Dorner, Inc.
- C. Trevor Veskrna, Thompson, Dreessen & Dorner, Inc.
- D. Public Upon Request



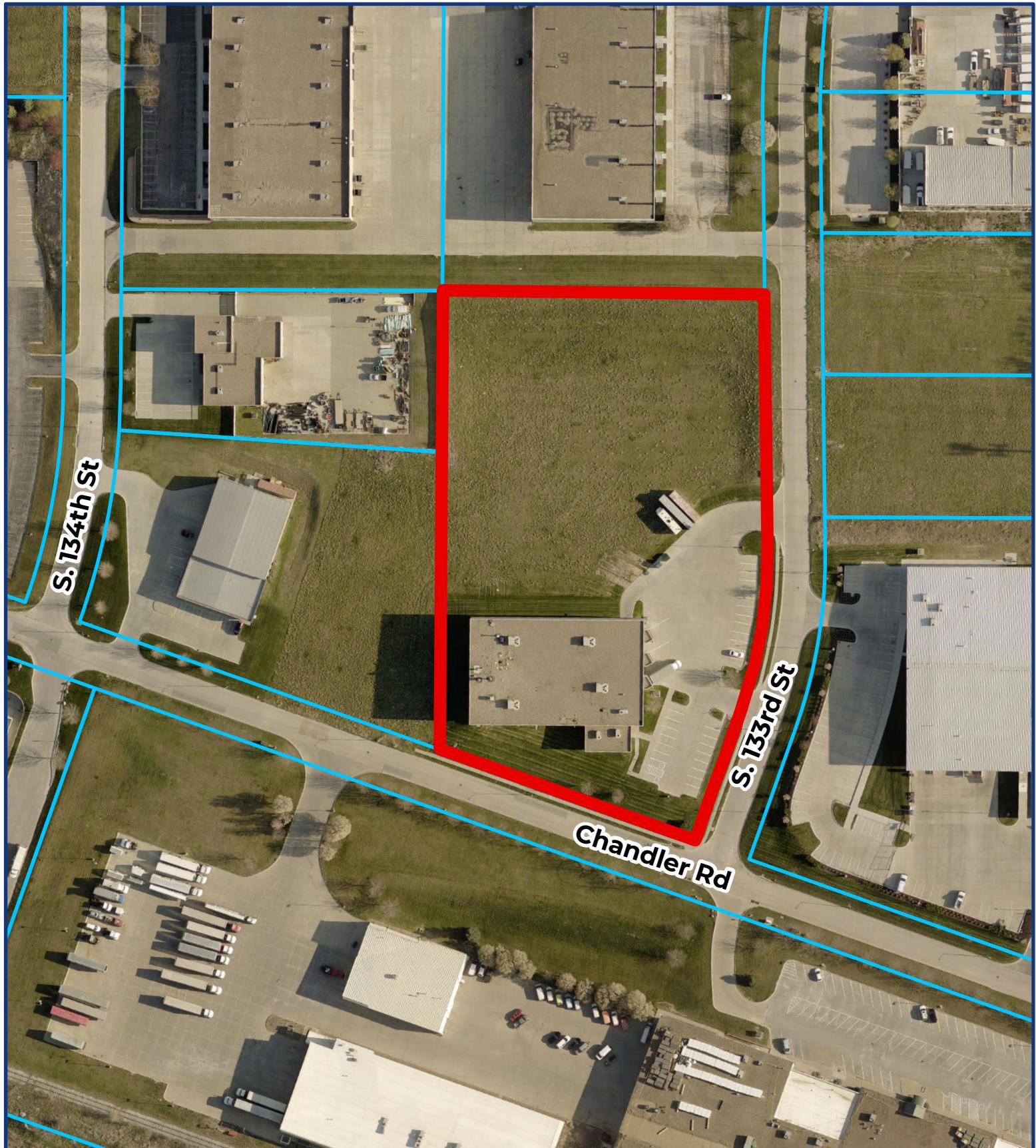
Prepared by: Assistant Planner



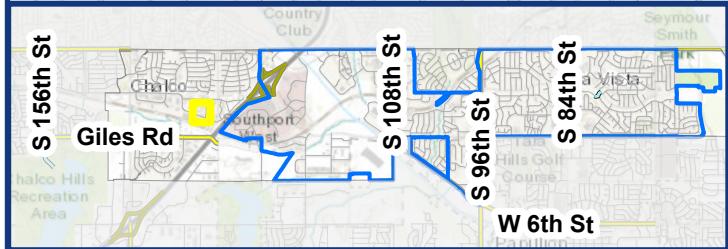
Bob Johnson

11/11/22
Date

Community Development Director



Replat Vicinity Map: Centech Business Park Replat Six



Legend

- La Vista Parcels (blue line)
- Replat Site (red box)





September 9, 2022

Trevor Veskrna
TD2
10836 Old Mill Rd
Omaha, NE 68154

RE: Replat – Centech Business Park Replat 6 – Initial Review Letter

Mr. Veskrna,

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

1. Per Section 3.02.02, the subdivider shall be responsible for conformance with the provisions of the Subdivision Regulations as well as the Comprehensive Development Plan and Zoning Ordinance. If development of proposed Lot 1 is not completed by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit any items necessary or required by the City to demonstrate conformance with the Subdivision Regulations, Comprehensive Development Plan, and Zoning Ordinance prior to building permit issuance.
2. Per Section 3.03.02, please include the existing and proposed grades on the preliminary plat, with contours at intervals of five feet or less. If the proposed grades are not submitted by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit them for approval prior to building permit issuance.

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**

3. Per Section 3.03.03, if the project is to be developed in phases, phasing lines need to be delineated along with a phasing schedule. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit the phasing plan prior to building permit issuance.
4. Per Section 3.03.07, please include on the preliminary plat the locations of all culverts, present structures and features, all utilities, and their sizes, as well as flow lines and elevations for existing sanitary and storm sewers consistent with this requirement.
5. Per Section 3.03.10, please include on the preliminary plat the locations of all easements and all proposed improvements including sanitary sewers, water mains, stormwater drainage, and any other improvements required.
6. Per Section 3.03.12, please include on the preliminary plat all easements for public utilities and rights of way, if applicable.
7. Per Section 3.03.14, please include on the preliminary plat the existing zoning classification, building setback lines, and proposed uses of land with the proposed subdivision.
8. Per Section 3.03.16, please submit an erosion control plan consistent with this requirement. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit an erosion control plan for approval prior to building permit issuance.
9. Per Section 3.03.20, please submit a sanitary sewer plan consistent with this requirement. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit a sanitary sewer plan prior to building permit.
10. Per Section 3.03.20, please submit copies of a surface storm drainage plan and Post Construction Storm Water Management plan, including provisions for water quality improvements consistent with this requirement. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit these items prior to building permit issuance.
11. Per Section 3.05.11, with the final plat, please include a notarized dedication signed and acknowledged by all parties having any titled interest in or lien upon the land to be subdivided consenting to the final plat including the dedication of parts of the land for streets, easements, and other purposes as per Section 10.01, if applicable.
12. Per Section 3.05.13, please include a title block in the final plat for approval by the Planning Commission in form and content as per Section 10.03.
13. Per Section 3.05.18, please include a title block (Section 10.10) in the final plat for approval of the lending institution, if applicable.

14. Please revise the City approval block (Section 10.04) and the Sarpy County Public Works approval block, as this is no longer an administrative plat.
15. Per Section 3.05.20, please include three copies of any private restrictions or covenants affecting the subdivision, if applicable.
16. The final plat notes that the access easement for the shared drive between proposed Lots 1 and 2 will be recorded by a separate document. Please provide this separate document to the City for review.
17. The name "Centech Business Park Replat Four" has already been used on a recorded administrative plat. The name "Centech Business Park Replat Five" is also already being used in an existing administrative plat application which is set to be approved prior to your application. Please use the name "Centech Business Park Replat Six."
18. Please find attached a redlined version of the plat from Sarpy County Public Works noting an error in the bearing on the west property line. Please ensure that the bearing and legal description match.

Please resubmit 2 paper copies of the revised preliminary and final plats (along with an electronic copy) and any other supporting documentation to the City for further review. Dates for Planning Commission and City Council meetings will be determined based upon your resubmittal. If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,



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

cc:

Travis O'Gorman, Susan D. L'Heureux Trust
Jim Warner, TD2
Bruce Fountain, Community Development Director – City of La Vista
Christopher Solberg, Deputy Community Development Director – City of La Vista
Pat Dowse, City Engineer – City of La Vista

Enclosure

CENTECH BUSINESS PARK REPLAT FOUR

LOTS 1 AND 2

BEING A REPLATTING OF LOT 51A, CENTECH BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.

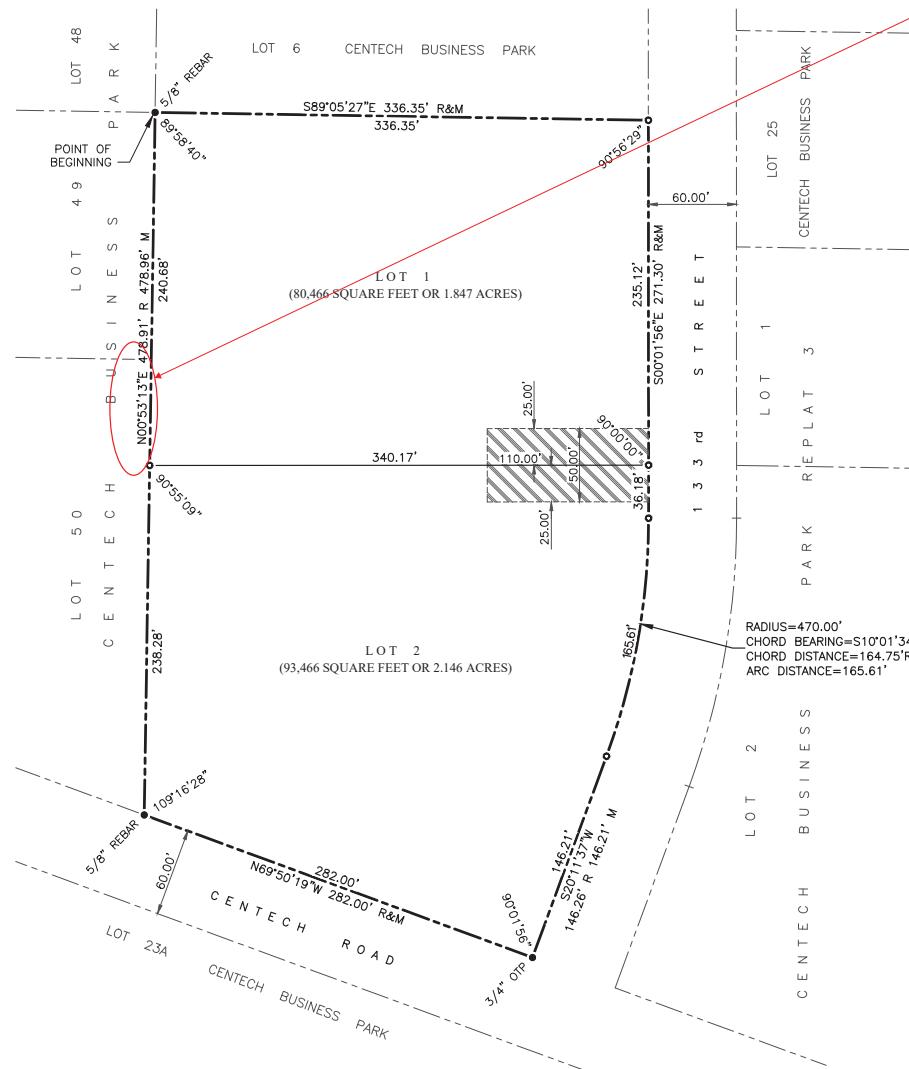


thompson, dressen & dorner, inc.
10380 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5866
td2co.com

LEGEND

- CORNERS FOUND
- CORNERS SET
- (5/8" REBAR W/CAP #308)
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OTP OPEN TOP PIPE

ACCESS EASEMENT FOR SHARED DRIVE TO BE RECORDED BY SEPARATE DOCUMENT.



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND THAT PERMANENT MARKERS WILL BE SET AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS CENTECH BUSINESS PARK REPLAT FOUR, LOTS 1 AND 2, BEING A REPLATTING OF LOT 51A, CENTECH BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 51A;

THENCE S89°05'27"E 336.35 FEET ON THE NORTH LINE OF SAID LOT 51A TO THE NE CORNER THEREOF;

THENCE S00°01'56"E 271.30 FEET ON THE EAST LINE OF SAID LOT 51A;

THENCE S20°11'37"W 146.21 FEET ON THE EAST LINE OF SAID LOT 51A TO THE SE CORNER THEREOF;

THENCE N69°50'19"W 282.00 FEET ON THE SOUTH LINE OF SAID LOT 51A TO THE SW CORNER THEREOF;

THENCE N00°31'13"E 478.96 FEET ON THE WEST LINE OF SAID LOT 51A TO THE POINT OF BEGINNING.

CONTAINING 173,932 SQUARE FEET OR 3.993 ACRES MORE OR LESS



JAMES D. WARNER
NEBRASKA RLS #308

JULY 8, 2022
DATE:

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE SUSAN D. L'HEUREUX REVOCABLE TRUST, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND ENBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS CENTECH BUSINESS PARK REPLAT FOUR, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OWN PROPERTY AND SHARE THE PLAT, THE GOVERNMENT OF THE EASEMENT AND THE PUBLIC RIGHT-OF-WAY DISTRICT, AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSIONS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND 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.

PERPETUAL EASEMENTS SHALL BE GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA, AND ANY NATURAL GAS PROVIDER, AND 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-FOOT-WIDE STRIP OF LAND ABUTTING ALL CUL-DE-SAC STREETS AND ALONG ALL STREET FRONTOGNS OF ALL LOTS.

NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS THEREIN GRANTED.

THE SUSAN D. L'HEUREUX REVOCABLE TRUST

BY:
TRAVIS O'GORMAN, TRUSTEE

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA
COUNTY OF DOUGLAS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____, 2022 BY TRAVIS O'GORMAN, TRUSTEE OF THE SUSAN D. L'HEUREUX REVOCABLE TRUST ON BEHALF OF SAID TRUST.

NOTARY PUBLIC

TREASURER'S SEAL

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 ENBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS ____ DAY OF ____, 2022.

SARPY COUNTY TREASURER

APPROVAL OF THE CITY OF LA VISTA CITY

THIS ADMINISTRATIVE REPLAT WAS APPROVED BY THE CITY OF LA VISTA THIS ____ DAY OF ____, 2022.

PAM BURTHE, CITY CLERK

DOUGLAS KINDIG, MAYOR

CHRIS SOLBERG, CITY PLANNER

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS ADMINISTRATIVE REPLAT WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS ____ DAY OF ____, 2022.

COUNTY SURVEYOR/ENGINEER

CENTECH BUSINESS PARK REPLAT FOUR
LOTS 1 AND 2



| Revision Dates |
|----------------|
| |
| |
| |
| |

Job No.: A1436-22-20A
Drawn By: RJR
Reviewed By: JDW
Date: JULY 8, 2022
Book: 22/05
Pages: 50&51

Sheet Title

CITY OF LA VISTA
FINAL PLAT

Sheet Number

SHEET 1 OF 1

October 21, 2022

Mr. Cale Brodersen
City of La Vista
8116 Park View Blvd.
La Vista, NE 68128

RE: Replat – Centech Business Park Replat 6 – Initial Review Letter Response

Mr. Brodersen,

Enclosed please find the following for the above referenced project.

1. Two copies of the preliminary plat
2. Two copies of the final plat
3. One copy of the draft shared access easement.

Below are responses to the comments from the Centech Business Park Replat 6 – Initial Review Letter dated September 9, 2022. The City comments are listed below followed by our response in bold.

1. Per Section 3.02.02, the subdivider shall be responsible for conformance with the provisions of the Subdivision Regulations as well as the Comprehensive Development Plan and Zoning Ordinance. If development of proposed Lot 1 is not completed by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit any items necessary or required by the City to demonstrate conformance with the Subdivision Regulations, Comprehensive Development Plan, and Zoning Ordinance prior to building permit issuance.
The subdivider will not be developing said Lot 1. The purchaser/developer of proposed Lot 1 shall be responsible for conformance with the provisions of the Subdivision Regulations, Comprehensive Development Plan, and Zoning Ordinance.
2. Per Section 3.03.02, please include the existing and proposed grades on the preliminary plat, with contours at intervals of five feet or less. If the proposed grades are not submitted by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit them for approval prior to building permit issuance.
Existing grades have been added to the preliminary plat. The purchaser/developer of said proposed Lot 1 shall submit proposed grades prior to building permit issuance.
3. Per Section 3.03.03, if the project is to be developed in phases, phasing lines need to be delineated along with a phasing schedule. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit the phasing plan prior to building permit issuance.
The subdivider will not be developing said Lot 1. The purchaser/developer of Lot 1 shall indicate if phasing is proposed.

4. Per Section 3.03.07, please include on the preliminary plat the locations of all culverts, present structures and features, all utilities, and their sizes, as well as flow lines and elevations for existing sanitary and storm sewers consistent with this requirement.
Invert elevations and rim elevations for both existing storm and sanitary sewer have been added to the preliminary plat.
5. Per Section 3.03.10, please include on the preliminary plat the locations of all easements and all proposed improvements including sanitary sewers, water mains, stormwater drainage, and other improvements required.
Utility easements and the proposed access easement have been added to the preliminary plat. There are no proposed improvements associated with this replat.
6. Per Section 3.03.12, please include on the preliminary plat all easements for public utilities and rights of way, if applicable.
N/A.
7. Per Section 3.03.14, please include on the preliminary plat the existing zoning classification, building setback lines, and proposed uses of land within the proposed subdivision.
Zoning classification and building setbacks have been added to the preliminary plat. There is not proposed change to the use-type of the land.
8. Per Section 3.03.16, please submit an erosion control plan consistent with this requirement. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit an erosion control plan for approval prior to building permit issuance.
The purchaser/developer of proposed Lot 1 shall submit an erosion control plan for approval prior to building permit issuance.
9. Per Section 3.03.20, please submit a sanitary sewer plan consistent with this requirement. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit a sanitary sewer plan prior to building permit.
The purchaser/developer of proposed Lot 1 shall submit a sanitary sewer plan prior to building permit issuance.
10. Per Section 3.03.20, please submit copies of a surface storm drainage plan and Post Construction Storm Water Management Plan, including provisions for water quality improvements consistent with this requirement. If this is not done by the subdivider, the purchaser/developer of said proposed Lot 1 shall submit these items prior to building permit issuance.
The purchaser/developer of proposed Lot 1 shall submit a Post Construction Storm Water Management Plan prior to building permit issuance.
11. Per Section 3.05.11, with the final plat, please include a notarized dedication signed and acknowledged by all parties having any titled interest in or lien upon the land to be subdivided consenting to the final plat including the dedication of parts of the land for streets, easements, and other purposes as per Section 10.01, if applicable.
N/A
12. Per Section 3.05.13, please include a title block in the final plat for approval by the Planning Commission in form and content as per Section 10.03.
Added to the final plat.

13. Per Section 3.05.18, please include a title block (Section 10.10) in the final plat for approval of the lending institution, if applicable.

N/A.

14. Please revise the City approval block (Section 10.04) and the Sarpy County Public Works approval block, as this is no longer an administrative plat.

Updated on the final plat.

15. Per Section 3.05.20, please include three copies of any private restrictions or covenants affecting the subdivision, if applicable.

N/A.

16. The final plat notes that the access easement for the shared drive between proposed Lots 1 and 2 will be recorded by a separate document. Please provide this separate document to the City for review.

A draft of the proposed access easement is included with this submittal.

17. The name "Centech Business Park Replat Four" has already been used on a recorded administrative plat. The name "Centech Business Park Replat Five" is also already being used in an existing administrative plat application which is set to be approved prior to your application. Please use the name "Centech Business Park Replat Six."

The preliminary and final plat have been updated to "Centech Business Park Replat Six".

18. Please find attached a redlined version of the plat from Sarpy County Public Works noting an error in the bearing on the west property line. Please ensure that the bearing and legal description match.

This has been updated on the final plat.

If you have any questions or need additional information, please contact our office at (402) 330-8860.

Sincerely,

THOMPSON, DREESSEN & DORNER, INC.

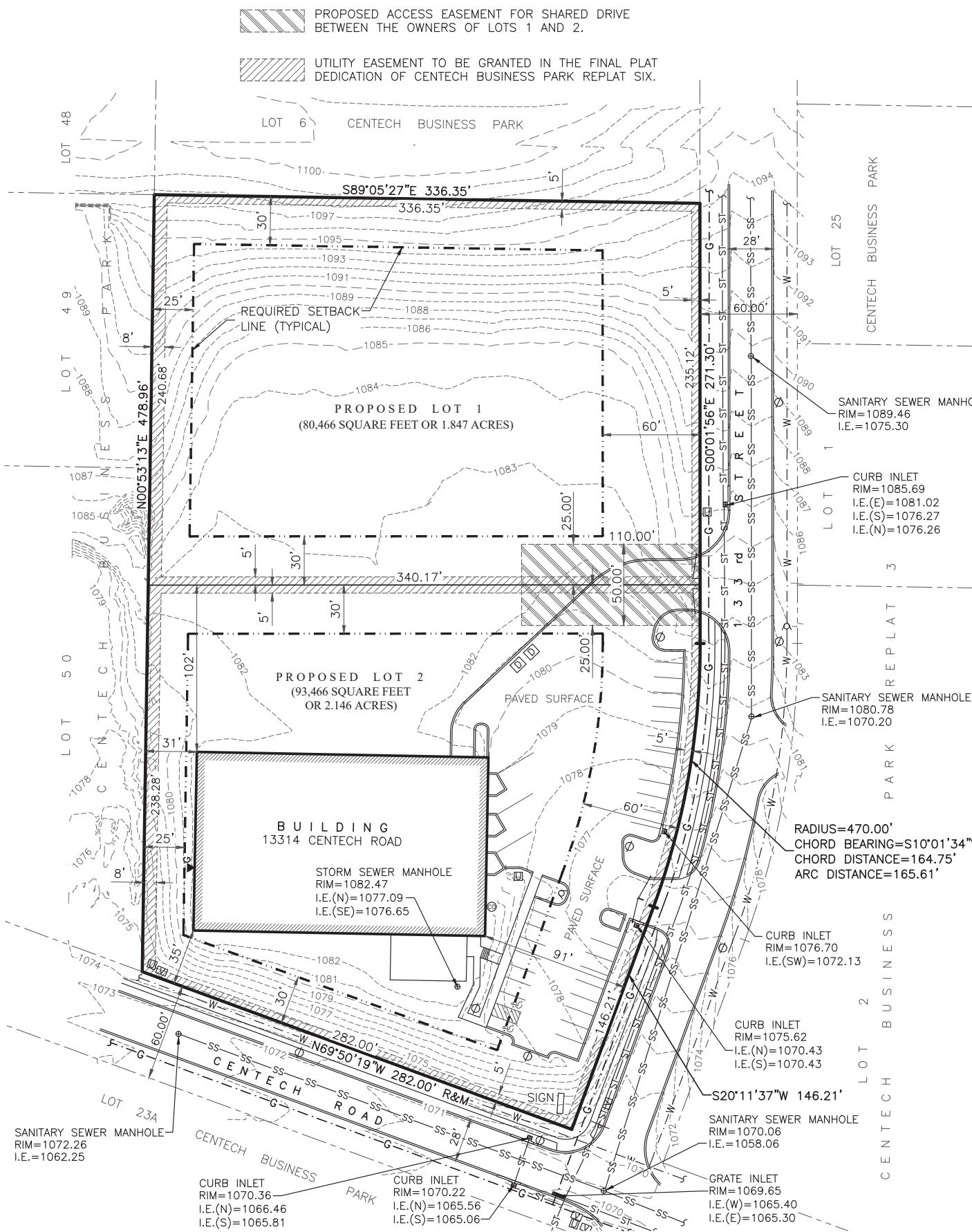


Trevor Veskna, P.E.

CENTECH BUSINESS PARK REPLAT SIX

LOTS 1 AND 2

BEING A REPLATTING OF LOT 51A, CENTECH BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.



DRAFT

RECIPROCAL PERMANENT ACCESS EASEMENT

I, Travis O'Gorman, Trustee of the Susan D. L'Heureux Trust, who is the owner of the real estate described as Lots 1 and 2, Centech Business Park Replat Six, a Subdivision in Sarpy County, Nebraska, (the property) hereby referred to as (GRANTOR) does hereby grant the Reciprocal Permanent Access Easement over that portion of the property as shown and described on the attached Exhibit "A", and by this reference made a part hereof,

WHEREAS, grantor desires to grant for the benefit of all future owners, occupants and mortgagees of the Lots or any part thereof and their respective officers, directors, members, partners, employees, tenants, agents, contractors, customers, invitees, licensees, vendors, subtenants or concessionaires (Permittees), fire, rescue and other emergency vehicles, a right-of-way easement, over and upon that portion of each of the Lots, as shown on said Exhibit "A" for the purpose of providing pedestrian and vehicular ingress and egress to the Lots, and intends that the future owners, occupants and mortgagees and any other persons hereafter acquiring any interest in any of the Lots shall hold said interest subject to certain rights, easements and privileges in, over and upon the Lots or any portion thereof for the purpose of providing pedestrian and vehicular ingress and egress, to and from the foregoing described Lots;

NOW, THEREOF, for and in consideration of Ten dollars (\$10.00) and other good and valuable consideration, including the mutual grants and covenants contained herein, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby GRANT, SELL and CONVEY unto themselves the future owners and mortgagees of the Lots and their respective exclusive Permittees, fire rescue and other emergency vehicles, an easement for the perpetual non-exclusive right for the purpose of providing vehicular and pedestrian ingress and egress (but not parking) over and upon the Private drive now or hereafter located upon the Lots provided, however, that the rights herein granted to any person or entity, or anyone claiming under them, shall terminate and expire at such time as such person or entity ceases to be an owner or mortgagee of the lots or any portion thereof, as the case may be, and such rights shall thereafter be held by the new owner or mortgagee, or anyone claiming under them.

Restrictions. No barricades, signs, fences, or other dividers will be constructed and nothing will be done to prohibit or discourage the free and uninterrupted flow of pedestrian or vehicular traffic through the access easement area.

Maintenance, Repair and Reconstruction. The owner of each Lot shall maintain, repair, and if necessary, reconstruct the Private Drive on such owner's Lot so that the Private Drive is at all times maintained in good repair and condition at the expense of each Lot owner as to the maintenance, repair and/or reconstruction expense on such owner's Lot. The owner of each Lot shall also provide, at its expense, proper snow removal.

DATED this ____ day of _____, 2022.

The Susan D. L'Heureux Revocable Trust

By: _____
Travis O'Gorman, Trustee

ACKNOWLEDGEMENT OF NOTARY

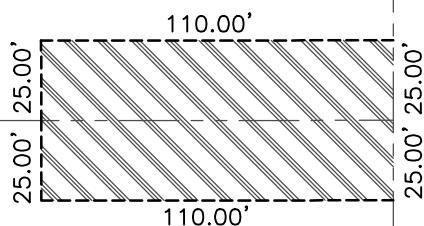
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

The foregoing Reciprocal Permanent Access Easement was acknowledged before me this ____ day of _____, 2022 by Travis O'Gorman, Trustee of the Susan D. L'Heureux Revocable Trust on behalf of said trust.

Notary Public

LOT 1

CENTECH BUSINESS
PARK REPLAT SIX

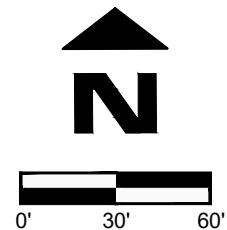


1 3 3 rd STREET

LOT 1
CENTECH BUSINESS
PARK REPLAT 3

LOT 2

CENTECH BUSINESS
PARK REPLAT SIX



LEGAL DESCRIPTION

THE SOUTH 25.00 FEET OF THE EAST 110.00 FEET OF LOT 1 AND THE NORTH 25.00 FEET OF THE EAST 110.00 FEET OF LOT 2, CENTECH BUSINESS PARK REPLAT SIX, A SUBDIVISION IN SARPY COUNTY, NEBRASKA