

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 20, 2014 AGENDA**

Subject:	Type:	Submitted By:
APPLICATION FOR REZONING, PRELIMINARY PUD & PRELIMINARY PLAT, LOTS 42, 43A, 43B, 44A, 44B & 45, BROOK VALLEY BUSINESS PARK (N OF HARRY WATANABE DR. & W OF 108 TH ST.)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for a rezoning to add the Planned Unit Development (PUD) Overlay District, and resolutions have been prepared to approve the Preliminary PUD Plan and Preliminary Plat for approximately 15.3 acres located north of Harry Watanabe Drive and west of 108th Street.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider a rezoning to add the Planned Unit Development (PUD) Overlay District and the Preliminary PUD Plan application by BV 44, LLC and the H.E.L.P. Foundation of Omaha, Inc., on approximately 15.3 acres currently platted as Lots 42, 43A, 43B, 44A, 44B and 45, Brook Valley Business Park. The applicant has also submitted an application for approval of a preliminary plat (proposed to be replatted as Lots 1 thru 5, Brook Valley Corporate Park), generally located north of Harry Watanabe Drive and west of 108th Street.

The property is currently zoned I-2 Heavy Industrial District. The applicant has requested a rezoning to I-2 PUD (Planned Unit Development) to allow for the development of an additional lot without frontage on a dedicated right-of-way. Approval of the Preliminary PUD Plan and Preliminary Plat will allow for the applicant to proceed with the submittal of the Final PUD Plan and Final Plat (proposed Lots 1 thru 5, Brook Valley Corporate Park). Approval of the rezoning to the PUD will be finalized by ordinance at the time the Final PUD Plan and Final Plat are submitted to City Council.

A detailed staff report is attached.

The Planning Commission held a public hearing on April 17, 2014, and unanimously recommended approval of the rezoning, the Preliminary PUD Plan and Preliminary Plat to the City Council, conditional on the satisfactory resolution of the issues noted in the review letter.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) FOR LOTS 42, 43A, 43B, 44A, 44B AND 45 BROOK VALLEY BUSINESS PARK, SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of final PUD plan for lots 42, 43A, 43B, 44A, 44B & 45, Brook Valley Business Park; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary plat and preliminary PUD plan; and

WHEREAS, on April 17, 2014, the La Vista Planning Commission held a public hearing and reviewed the preliminary PUD plan and recommended approval subject to resolution of items identified by the city engineer and staff.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the preliminary PUD plan for lots 42, 43A, 43B, 44A, 44B & 45, Brook Valley Business Park, Sarpy County, Nebraska, be, and hereby is, approved.

PASSED AND APPROVED THIS 20TH DAY OF MAY 2014.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE PRELIMINARY PLAT FOR LOTS 42, 43A, 43B, 44A, 44B, & 45, BROOK VALLEY BUSINESS PARK SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a Preliminary Plat for Lots 42, 43A, 43B, 44A, 44B, & 45, Brook Valley Business Park, Sarpy County, Nebraska; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary plat; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval conditional on the satisfactory resolution of the issues noted in the review letter; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that a Preliminary Plat for Lots 42, 43A, 43B, 44A, 44B, & 45, Brook Valley Business Park, Sarpy County, Nebraska, generally located north of Harry Watanabe Drive & west of 108th Street be, and hereby is, approved.

PASSED AND APPROVED THIS 20TH DAY OF MAY 2014.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2014-PUD-02; 2014-SUB-02 FOR HEARING OF: May 20, 2014

Report Prepared on: May 8, 2014

I. GENERAL INFORMATION

A. APPLICANT:

BV 44, LLC, and the H.E.L.P. Foundation of Omaha, Inc.
105 N. 31st Avenue, 2nd Floor
Omaha, NE 68131

B. PROPERTY OWNER:

BV 44, LLC, and the H.E.L.P. Foundation of Omaha, Inc.
105 N. 31st Avenue, 2nd Floor
Omaha, NE 68131

C. LOCATION: North of Harry Watanabe Drive, West of 108th Street

D. LEGAL DESCRIPTION: Lots 42, 43A, 43B, 44A, 44B, and 45
Brook Valley Business Park

E. REQUESTED ACTION(S): Approval of Preliminary PUD Plan and
Preliminary Plat for Lots 42, 43A, 43B, 44A, 44B, and 45 Brook
Valley Business Park.

F. EXISTING ZONING AND LAND USE: I-2 – Heavy Industrial;
abandoned golf range on Lots 43B and 44B Brook Valley Business
Park; Lots 42, 43A, 44A, and 45 Brook Valley Business Park are
vacant.

G. PURPOSE OF REQUEST: Proposed rezoning to add the PUD
Overlay District, approval of a Preliminary PUD Plan and
Preliminary Plat.

H. SIZE OF SITE: 15.369 Acres

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property is relatively flat
with a steep incline along the north and east sides. An abandoned
golf range exists on Lots 43B and 44B Brook Valley Business Park.
The remaining property has a mix of trees and overgrowth.

- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
1. **North:** Mixed Industrial Uses, I-2 Heavy Industrial; Lot 2 Brook Valley Business Park Replat Four and Tax Lot 1A2 17-14-12
 2. **East:** Brentwood Park Multi-Family Apartment Complex, R-3 Multi-Family Residential; Lot 233 Val Vista
 3. **South:** Yahoo Inc., I-2 Heavy Industrial; Lot 1 Brook Valley Business Park Replat Three
 4. **West:** Vacant/Agricultural, TA Transitional Agriculture; Tax Lot 1A1A1A & Tax Lot 2B2 17-14-12
- C. RELEVANT CASE HISTORY:**
1. Not Applicable
- D. APPLICABLE REGULATIONS:**
1. Section 5.14 of the Zoning Regulations – I-2 Heavy Industrial District
 2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development (Overlay District)
 3. Section 3.02 of the Subdivision Regulations – Preliminary Plats

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates the area for industrial uses.
- B. OTHER PLANS:** Not applicable.
- C. TRAFFIC AND ACCESS:**
1. The main access points for the properties will be via common access drive connections to Harry Watanabe Drive.
 2. It was determined by the City Engineer that the existing traffic study would not have to be amended for the proposed actions.
- D. UTILITIES:**
1. The properties have access to water, sanitary sewer, gas, power and communication utilities along Harry Watanabe Drive.

IV. REVIEW COMMENTS:

1. With approval of the Preliminary PUD Plan and Preliminary Plat, the applicant will also need to have the rezoning ordinance, Final PUD Plan and Final Plat approved in order to commence the development process.
2. Chapter 154 of the City Municipal Code requires a Post Construction Storm Water Management Plan (PCWSMP) for any development in the subject area. A permit will be required through the Permix website that is utilized by all Papillion Creek Watershed Partnership communities. A PCSWMP and a draft Maintenance Agreement has been provided in the draft Subdivision Agreement. The PCSWMP will be reviewed in detail as part of the review process through the Permix web site, but the concept of using an extended detention basin to serve both lots is acceptable.

V. STAFF RECOMMENDATION - Preliminary PUD Plan:

Approval of Rezoning from I-2 to I-2 PUD and Preliminary PUD Plan for Lots 42, 43A, 43B, 44A, 44B, and 45 Brook Valley Business Park.

VI. PLANNING COMMISSION RECOMMENDATION – Preliminary PUD Plan:

The Planning Commission held a public hearing on April 17, 2014 and unanimously recommended approval of the Preliminary PUD Plan to City Council, conditional on the satisfactory resolution of the issues noted in the review letter.

VII. STAFF RECOMMENDATION – Preliminary Plat:

Approval of Brook Valley Corporate Park Preliminary Plat.

VIII. PLANNING COMMISSION RECOMMENDATION – Preliminary Plat:

The Planning Commission held a public hearing on April 17, 2014 and unanimously recommended approval of the Preliminary Plat to City Council, conditional on the satisfactory resolution of the issues noted in the review letter.


IX. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Review reports from City Planner
3. Preliminary PUD Plan Maps
4. Preliminary Plat Map

X. COPIES OF REPORT SENT TO:

1. Dave Petrocchi, EAD Engineering
2. Neeraj Agarwal, White Lotus Group
3. Public Upon Request

 5/2/14
Prepared by:

 5-12-14
Community Development Director Date

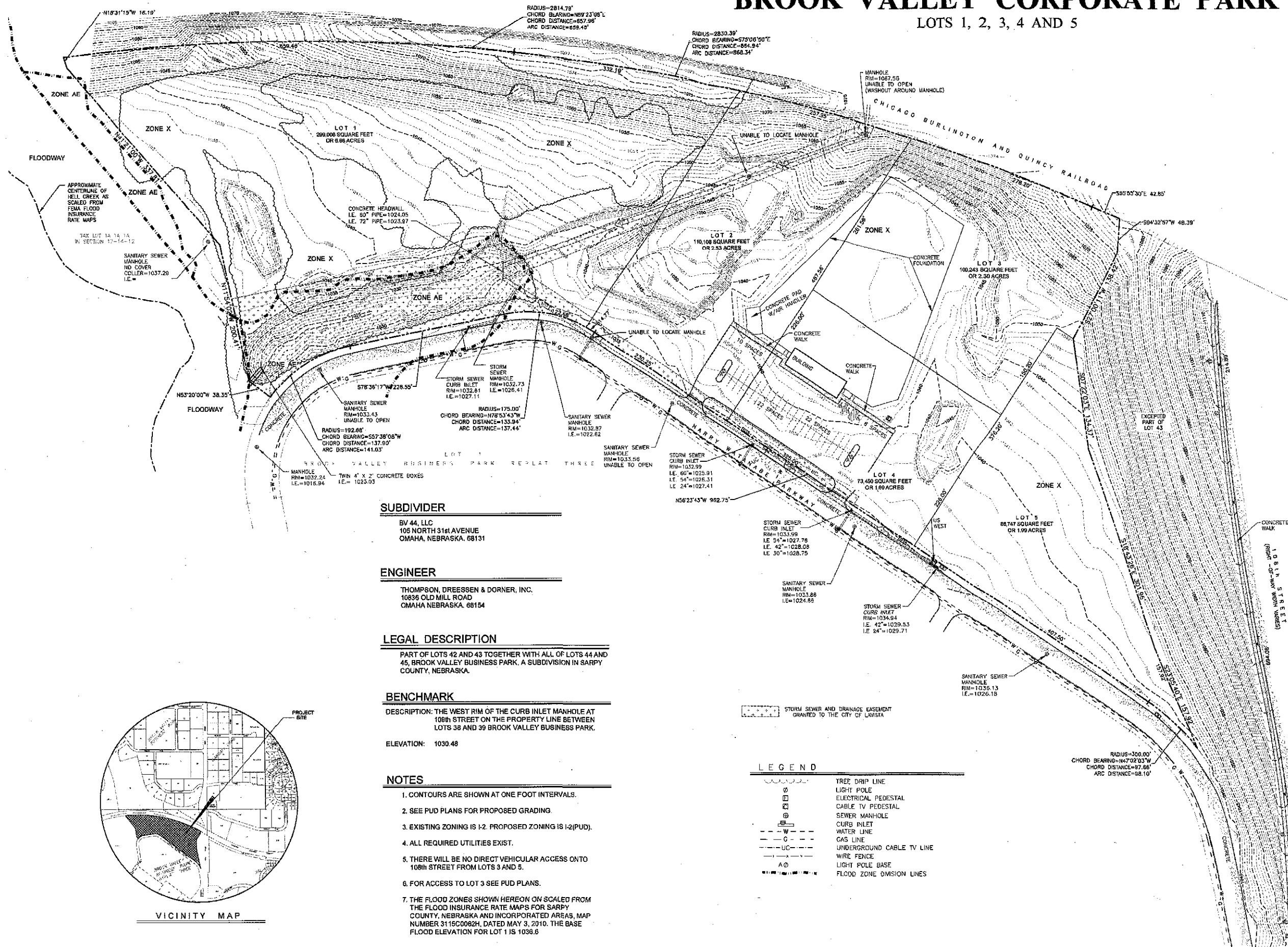
BROOK VALLEY CORPORATE PARK

LOTS 1, 2, 3, 4 AND 5

engineering
& surveying

thompson, dressen & dörner, inc.
10838 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 f.402.330.5886
td2co.com

BROOK VALLEY CORPORATE PARK LOTS 1, 2, 3, 4 AND 5



SUBDIVIDER

BV 44, LLC
105 NORTH 31st AVENUE
OMAHA, NEBRASKA. 68131

ENGINEER

THOMPSON, DREESSEN & DÖRNER, INC.
10838 OLD MILL ROAD
OMAHA, NEBRASKA. 68154

LEGAL DESCRIPTION

PART OF LOTS 42 AND 43 TOGETHER WITH ALL OF LOTS 44 AND 45, BROOK VALLEY BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.

BENCHMARK

DESCRIPTION: THE WEST RIM OF THE CURB INLET MANHOLE AT 108th STREET ON THE PROPERTY LINE BETWEEN LOTS 38 AND 39 BROOK VALLEY BUSINESS PARK.

ELEVATION: 1030.48

NOTES

1. CONTOURS ARE SHOWN AT ONE FOOT INTERVALS.
2. SEE PUD PLANS FOR PROPOSED GRADING.
3. EXISTING ZONING IS I-2. PROPOSED ZONING IS I-2(PUD).
4. ALL REQUIRED UTILITIES EXIST.
5. THERE WILL BE NO DIRECT VEHICULAR ACCESS ONTO 108th STREET FROM LOTS 3 AND 5.
6. FOR ACCESS TO LOT 3 SEE PUD PLANS.
7. THE FLOOD ZONES SHOWN HEREON ON SCALED FROM THE FLOOD INSURANCE RATE MAPS FOR SARPY COUNTY, NEBRASKA AND INCORPORATED AREAS, MAP NUMBER 3115C0062H, DATED MAY 3, 2010. THE BASE FLOOD ELEVATION FOR LOT 1 IS 1036.6

LEGEND

- TREE DRIP LINE
- LIGHT POLE
- ELECTRICAL PEDESTAL
- CABLE TV PEDESTAL
- SEWER MANHOLE
- CURB INLET
- WATER LINE
- GAS LINE
- UNDERGROUND CABLE TV LINE
- WIRE FENCE
- LIGHT POLE BASE
- FLOOD ZONE DIVISION LINES

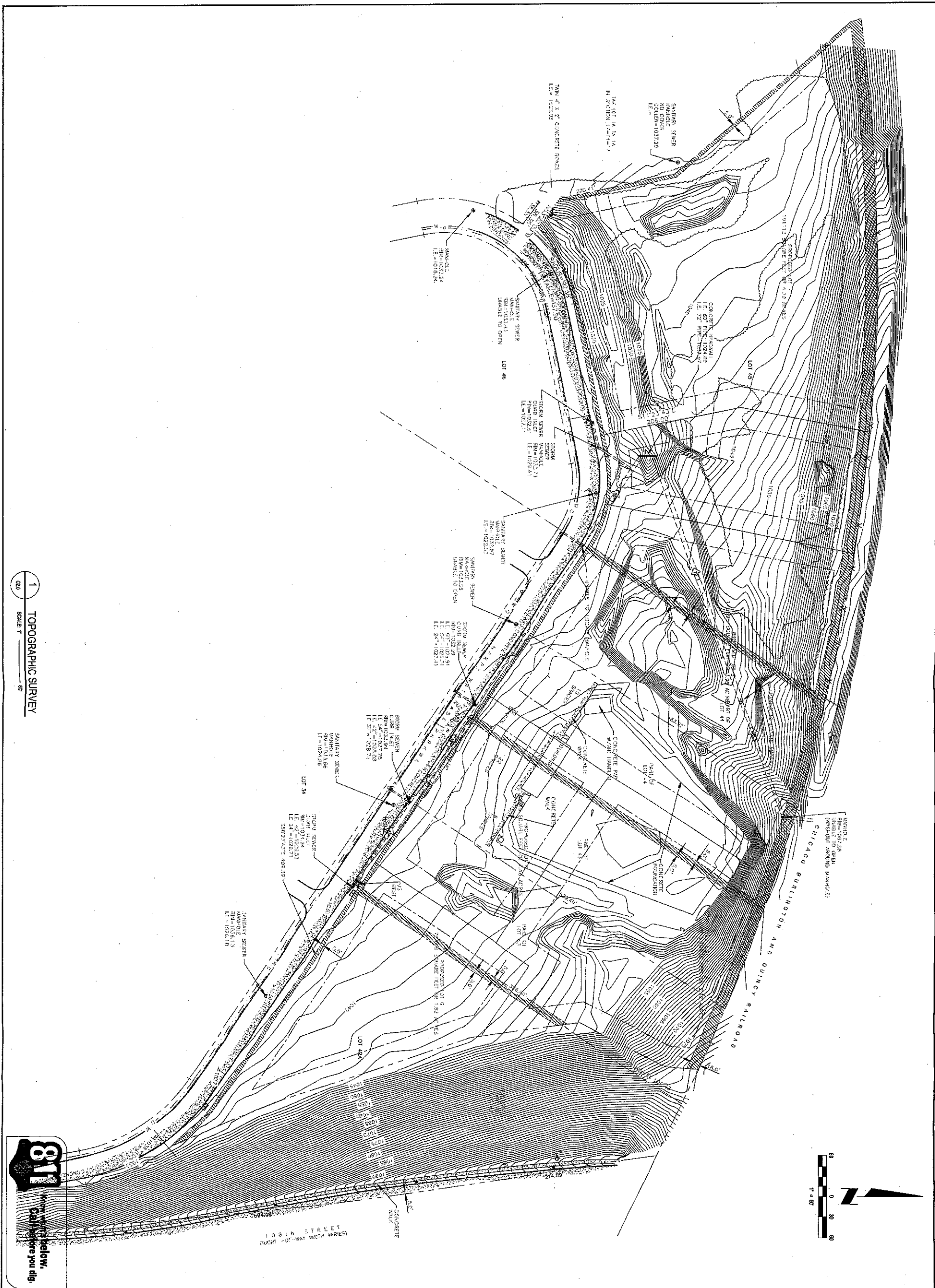


Revision Dates		
No.	Description	MM-DD-YY

Job No.: A1570-103-1P
Drawn By: RJR
Reviewed By: JDW
Date: MARCH 1, 2014
Book: 08-24
Pages: 7-15


CITY OF LAVISTA
PRELIMINARY PLAT

Sheet Number



1 TOPOGRAPHIC SURVEY
SCALE 1" = 60'

811
Know what's below,
Call before you dig.

SHEET # PROJECT # DRAWING #	C5.0	 3635 South 149th Street Omaha, NE 68144 P (402) 884-8850 F (402) 884-8851 www.eadengineering.com	X X X SURVEY FROM TD2 TOPOGRAPHIC SURVEY MANUAL CHANGES TO THIS DRAWING ARE PROHIBITED						REMARKS
				REV. #	DATE	DRAWN BY	CHECKED BY	APPROVED BY	



