



CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2014-SUB-02

FOR HEARING OF: June 19, 2014

Report Prepared on: June 4, 2014

**I. GENERAL INFORMATION**

**A. APPLICANT:**

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

**B. PROPERTY OWNER:**

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

**C. LOCATION:** North of Harry Watanabe Drive, West of 108<sup>th</sup> Street

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

**E. REQUESTED ACTION(S):** Final 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:** Final 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. The applicant has previously applied for a Preliminary Plat and Preliminary PUD Plan for this development. Both were approved by the City Council at their meeting on May 20, 2014.

**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 – Final 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. The applicant needs to clarify property ownership; Sarpy County records indicate ownership as listed on the report however other documents have deleted HELP Foundation of Omaha, Inc.
2. The Planning Commission previously reviewed and recommended approval of the Preliminary Plat and Preliminary PUD Plan for this development. Both were approved by the City Council at their meeting on May 20, 2014.
3. This request is for approval of the Final Plat. If the Planning Commission recommends approval, the request will be forwarded to the City Council for final approval of the rezoning to I-2 PUD, the Final PUD Plan, and the Final Plat.

4. 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.
5. Storm water management fees will be collected and remitted to the Papillion Creek Watershed Partnership at the time of building permits in accordance with the Interlocal Agreement with the Papillion Creek Watershed Partnership.

V. **STAFF RECOMMENDATION – Final Plat:**  
Approval of Brook Valley Corporate Park Final Plat.

VII. **ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Final Plat Map

VIII. **COPIES OF REPORT SENT TO:**

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

*CHRIS SOLBERG*

Prepared by:

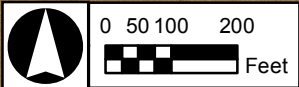
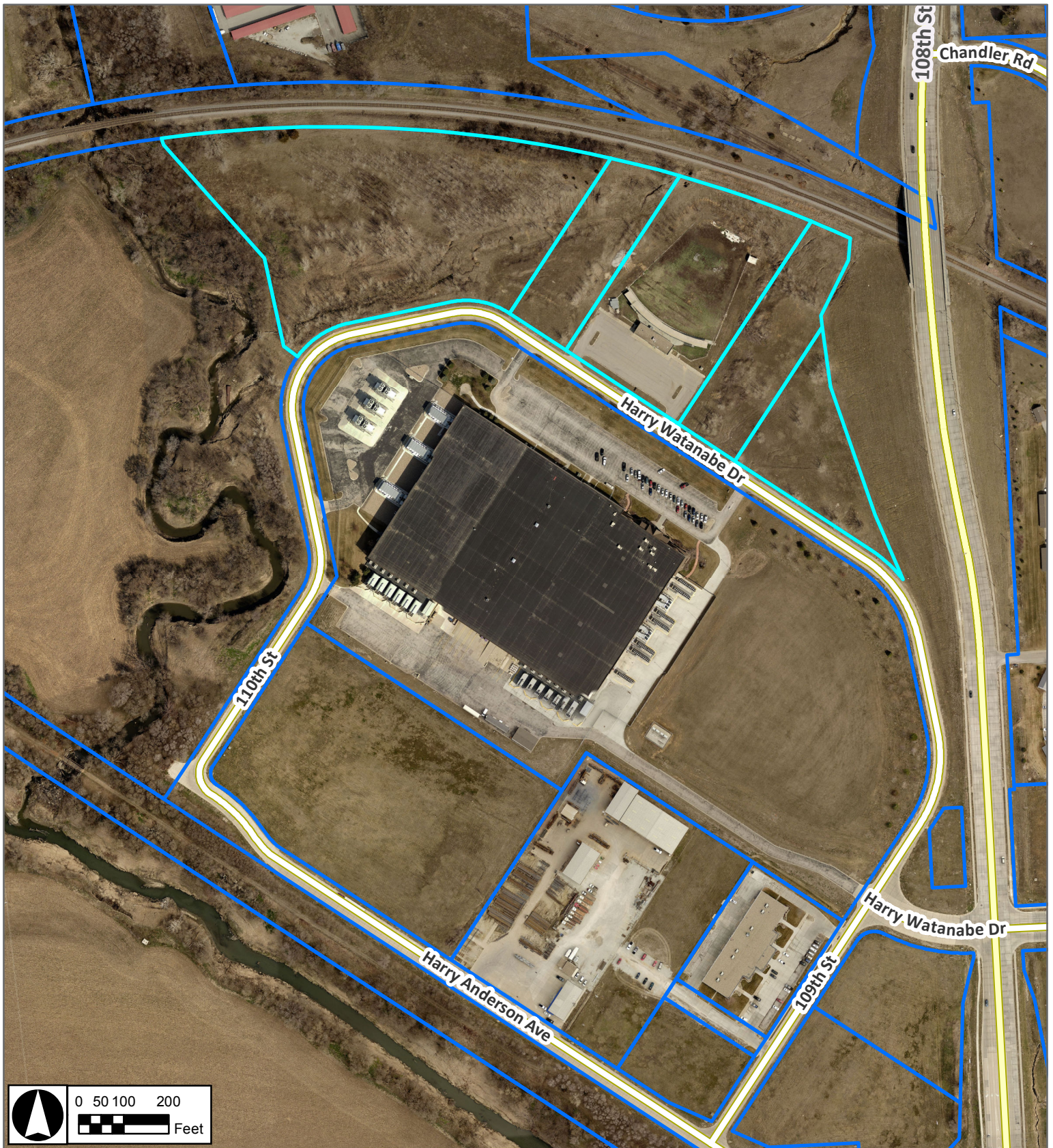
*Ann Fomit*

Community Development Director

*6-12-14*

Date





**Vicinity Map**

**Brook Valley Corporate Park**

6/12/2014  
CSB

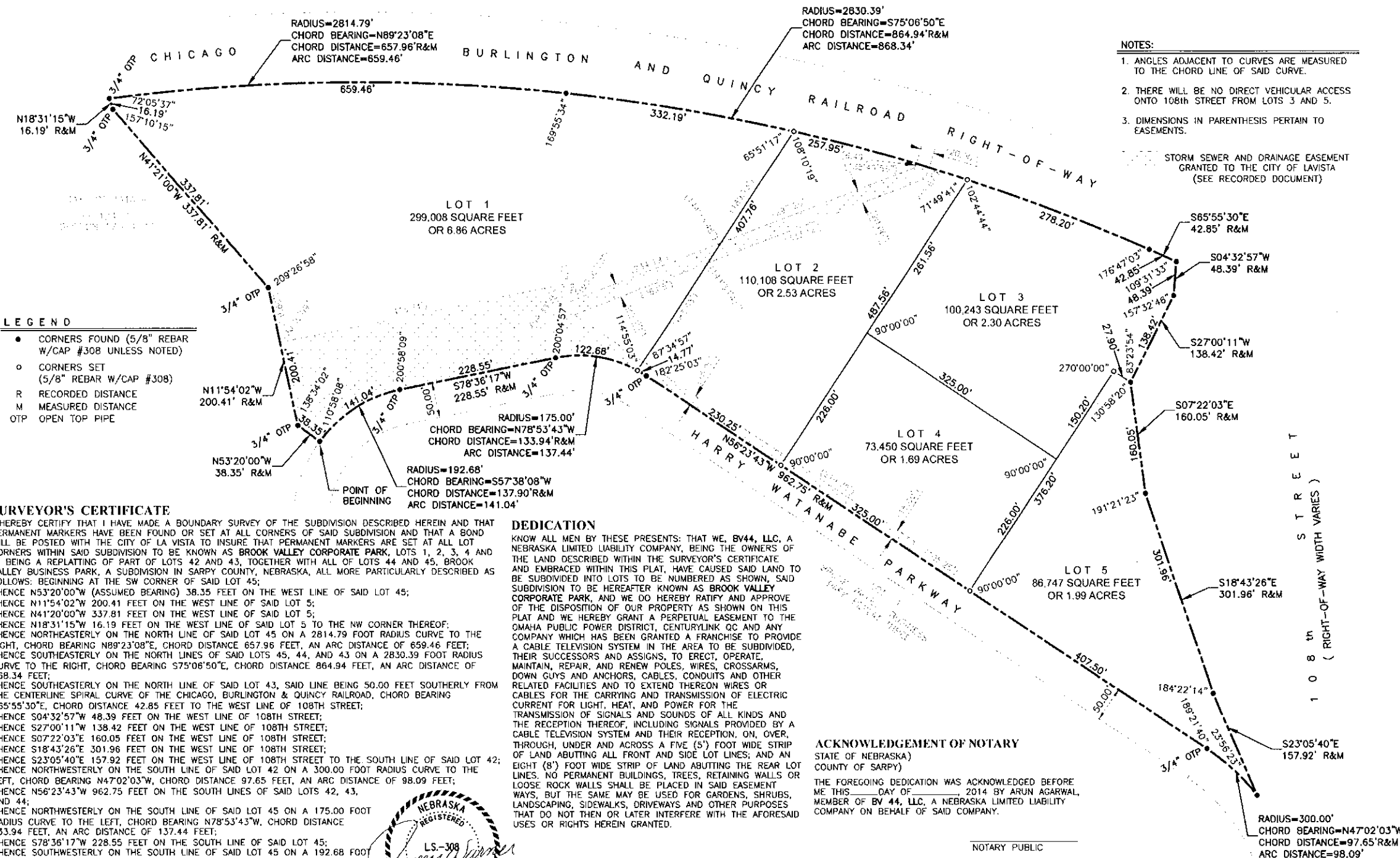




# BROOK VALLEY CORPORATE PARK

## LOTS 1, 2, 3, 4 AND 5

PLAN A PLATTING OF A TO LOTS 42 AND 43 TO THE CITY OF LA VISTA, NEBRASKA, AND ALL THE S.S.A. AS DESCRIBED ON NSA NO. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.



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

### 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 SUBDIVISION AND THAT A BOND WILL BE POSTED WITH THE CITY OF LA VISTA TO INSURE THAT PERMANENT MARKERS ARE SET AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS BROOK VALLEY CORPORATE PARK, LOTS 1, 2, 3, 4 AND 5, BEING A REPLATTING OF PART OF LOTS 42 AND 43, TOGETHER WITH ALL OF LOTS 44 AND 45, BROOK VALLEY BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID LOT 45;

THENCE N53°20'00"W (ASSUMED BEARING) 38.35 FEET ON THE WEST LINE OF SAID LOT 45;

THENCE N11°54'02"W 200.41 FEET ON THE WEST LINE OF SAID LOT 5;

THENCE N41°20'00"W 337.81 FEET ON THE WEST LINE OF SAID LOT 5;

THENCE N18°31'15"W 16.19 FEET ON THE WEST LINE OF SAID LOT 5 TO THE NW CORNER THEREOF;

THENCE NORTHEASTERLY ON THE NORTH LINE OF SAID LOT 45 ON A 2814.79 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N89°23'08"E, CHORD DISTANCE 657.96 FEET, AN ARC DISTANCE OF 659.46 FEET;

THENCE SOUTHEASTERLY ON THE NORTH LINES OF SAID LOTS 45, 44, AND 43 ON A 2830.39 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S75°06'50"E, CHORD DISTANCE 864.94 FEET, AN ARC DISTANCE OF 868.34 FEET;

THENCE SOUTHEASTERLY ON THE NORTH LINE OF SAID LOT 43, SAID LINE BEING 50.00 FEET SOUTHERLY FROM THE CENTERLINE SPIRAL CURVE OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD, CHORD BEARING S65°55'30"E, CHORD DISTANCE 42.85 FEET TO THE WEST LINE OF 108TH STREET;

THENCE S04°32'57"W 48.39 FEET ON THE WEST LINE OF 108TH STREET;

THENCE S27°00'11"W 138.42 FEET ON THE WEST LINE OF 108TH STREET;

THENCE S07°22'03"E 160.05 FEET ON THE WEST LINE OF 108TH STREET;

THENCE S18°43'26"E 301.96 FEET ON THE WEST LINE OF 108TH STREET;

THENCE S23°05'40"E 157.92 FEET ON THE WEST LINE OF 108TH STREET TO THE SOUTH LINE OF SAID LOT 42;

THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID LOT 42 ON A 300.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N47°02'03"W, CHORD DISTANCE 97.65 FEET, AN ARC DISTANCE OF 98.09 FEET;

THENCE N56°23'43"W 962.75 FEET ON THE SOUTH LINES OF SAID LOTS 42, 43, AND 44;

THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID LOT 45 ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N78°53'43"W, CHORD DISTANCE 133.94 FEET, AN ARC DISTANCE OF 137.44 FEET;

THENCE S78°36'17"W 228.55 FEET ON THE SOUTH LINE OF SAID LOT 45;

THENCE SOUTHWESTERLY ON THE SOUTH LINE OF SAID LOT 45 ON A 192.68 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S57°38'08"W, CHORD DISTANCE 137.90 FEET, AN ARC DISTANCE OF 141.04 FEET TO THE POINT OF BEGINNING.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, BV44, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS BROOK VALLEY CORPORATE PARK, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, CENTURYLINK QC AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS 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 LOT LINES; AND AN EIGHT (8') FOOT WIDE STRIP OF LAND ABUTTING THE REAR LOT LINES, 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 HEREIN GRANTED.

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
COUNTY OF SARPY)  
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014 BY ARUN AGARWAL, MEMBER OF BV 44, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

### REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF BROOK VALLEY CORPORATE PARK WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

MARCH 17, 2014

DATE:

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 EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

SARPY COUNTY TREASURER

BV 44, LLC,  
A NEBRASKA LIMITED  
LIABILITY COMPANY

BY: ARUN AGARWAL, MEMBER

### APPROVAL BY THE LA VISTA PLANNING COMMISSION

THIS PLAT OF BROOK VALLEY CORPORATE PARK WAS APPROVED BY THE CITY OF LA VISTA PLANNING COMMISSION OF THE CITY OF LA VISTA, NEBRASKA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

CHAIRMAN OF THE PLANNING COMMISSION

### APPROVAL BY THE LA VISTA CITY COUNCIL

THIS PLAT OF BROOK VALLEY CORPORATE PARK WAS APPROVED BY THE CITY OF LA VISTA CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

DOUGLAS KINDIG, MAYOR

PAMELA A. BUETHE, CITY CLERK

SARPY COUNTY SURVEYOR/ENGINEER

engineering  
& surveying

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Omaha, NE 68154  
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BROOK VALLEY CORPORATE PARK  
LOTS 1, 2, 3, 4 AND 5



No.	Description	MM-DD-YY
1	REVISED OWNERS	03/24/2014
2		
3		
4		

Job No.: A1570-103-1A  
Drawn By: RJR  
Reviewed By: JDW  
Date: MARCH 17, 2014  
Book: 08-24  
Pages: 7-15

Sheet Title

CITY OF LA VISTA  
FINAL PLAT

Sheet Number

SHEET 1 OF 1