

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 19, 2016 AGENDA

Subject:	Type:	Submitted By:
APPLICATION FOR FINAL PLAT, LOTS 1-7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT No. 1, LOTS 8A1, 8A2, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT No. 2, AND PORTIONS OF TAX LOT 12, 14-14-12 (SE OF 84 TH & SUMMER DR.)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared to approve the Final Plat for approximately 34.93 acres to be known as La Vista City Centre, generally located southeast of 84th Street and Summer Drive.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A resolution has been prepared to approve the application for the Final Plat of proposed Lots 1 – 17 and Outlots A – C, La Vista City Centre, submitted by La Vista City Centre, LLC, on behalf of the property owners, Brentwood Crossing Associates, Brentwood Crossing Associates II, and Brentwood Crossing Associates III, generally located southeast of 84th Street and Summer Drive.

The property is currently platted as Brentwood Crossing, site of the former Walmart, Hobby Lobby, Summer Kitchen Café, and various tenant bays. The property also contains lots for First National Bank, Chili's, the former Kinko's/FedEx store, McDonald's, and the former Brentwood Car Wash. Additionally, the replat contains portions of the golf course property abutting the development which are proposed to be sold to the developer. The proposed replatting will allow for the development of a mixed use city center as identified in *A Vision Plan for 84th Street*.

A detailed staff report is attached

The Planning Commission held a meeting on June 16, 2016, and unanimously recommended approval of the La Vista City Centre Final Plat, with contingencies, as the request is consistent with the Comprehensive Plan and the Subdivision Regulations.

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The Planning Commission held a meeting on June 16, 2016, and unanimously recommended approval of the La Vista City Centre Final Plat, with contingencies, as the request is consistent with the Comprehensive Plan and the Subdivision Regulations.

RESOLUTION NO. 16 - ____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE FINAL PLAT FOR LOTS 1 THRU 7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT NO.1, LOTS 8A1, 8A2, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT NO. 2, AND PORTIONS OF TAX LOT 12, 14-14-12, TO BE REPLATTED AS LOTS 1 THRU 17 AND OUTLOTS A THRU C, LA VISTA CITY CENTRE, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, La Vista City Centre LLC, on behalf of the owners of the above described piece of property, have made application for approval of a final plat for Lots 1 thru 7, Brentwood Crossing, Lots 8B and 8C, Brentwood Crossing Replat No. 1, Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, and portions of Tax Lot 12, 14-14-12; and

WHEREAS, the City Engineer has reviewed the preliminary plat; and

WHEREAS, on June 16, 2016, the La Vista Planning Commission reviewed the final plat and recommended approval subject to the following conditions:

1. Approval of the waiver of Section 4.24 of the Subdivision Regulations;
2. City Council approval of the conditional rezoning; and
3. All items noted in the staff report under Review Comments.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the final plat for Lots 1 thru 7, Brentwood Crossing, Lots 8B & 8C, Brentwood Crossing Replat No. 1, Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, and portions of Tax Lot 12, 14-14-12, to be replatted as Lots 1 thru 17 and Outlots A thru C, La Vista City Centre, a subdivision located in the southwest quarter of Section 14, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southeast of 84th Street and Summer Drive, be, and hereby is, approved, subject to completion of all items noted in the staff report under Review Comments.

PASSED AND APPROVED THIS 19TH DAY OF JULY, 2016.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2016-SUB-05

FOR HEARING OF: July 19, 2016
Report Prepared on: July 12, 2016

I. GENERAL INFORMATION

A. APPLICANT:

La Vista City Centre LLC
P.O. Box 428
Boys Town, NE 68010

B. PROPERTY OWNERS:

Lots 2-7 Brentwood Crossing, 8A1, 8A3 Brentwood Crossing

Replat No 2:

Brentwood Crossing Associates
211 North Stadium Blvd, Ste 201
Columbia, MO 65203

Lot 1 Brentwood Crossing:

Brentwood Crossing Associates II
211 North Stadium Blvd, Ste 201
Columbia, MO 65203

Lots 8B and 8C Brentwood Crossing Replat No 1; Lots 8A2, 8A4

Brentwood Crossing Replat No 2:

Brentwood Crossing Associates III
211 North Stadium Blvd, Ste 201
Columbia, MO 65203

Portions of Tax Lot 12 14-14-12:

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

C. LOCATION: Southeast of the intersection of 84th Street and Summer Drive.

D. LEGAL DESCRIPTION: Lots 1-7 Brentwood Crossing, Lots 8B, and 8C Brentwood Crossing Replat No 1, Lots 8A1, 8A2, 8A3, and 8A4 Brentwood Crossing Replat No 2, and portions of Tax Lot 12 14-14-12

E. REQUESTED ACTION(S): Final Plat for proposed Lots 1-17 and Outlots A-C of La Vista City Centre.

F. EXISTING ZONING AND LAND USE:

C-1 Shopping Center Commercial with a Gateway Corridor Overlay

(Overlay District); various commercial uses. (proposed to be rezoned to MU-CC, Mixed Use City Centre District).

G. PURPOSE OF REQUEST:

1. Replat 13 lots listed in the request into 17 lots and 3 outlots for the purpose of redevelopment.
2. Waiver of Section 4.24 of the Subdivision Regulations regarding minimum centerline radius of a local street, from 200 feet to 100 feet.

H. SIZE OF SITE: 34.93 Acres

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property is the former site of the Brentwood Crossing shopping center. Most of the buildings are vacant. The main strip building and much of the parking is in poor condition. The land is generally flat with a gradual downward slope generally east and west of the high point of the Brentwood Drive entrance.

B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:

1. **North:** La Vista Fall Golf Course, R-1 Single-Family Residential with a Gateway Corridor Overlay (Overlay District); Public Golf Course
2. **East:** Briarwood Subdivision and La Vista Junior High; R-1 Single-Family Residential; Single-Family Dwellings and Public School
3. **South:** Witham Place; C-1 Shopping Center Commercial District with a Gateway Corridor Overlay (Overlay District); Various Commercial uses.
4. **West:** Brentwood Square and Brentwood Plaza; C-1 Shopping Center Commercial District with a Gateway Corridor Overlay (Overlay District); Various Commercial uses.

C. RELEVANT CASE HISTORY:

1. The request to conditionally rezone the property to the MU-CC Mixed Use City Centre District was recommended for approval by the Planning Commission on June 2, 2016. City Council consideration of this request is scheduled for the July 19, 2016 City Council meeting.
2. The Preliminary Plat for La Vista City Centre was recommended for approval by the Planning Commission on June 2, 2016. The approval was contingent on the waiver of Section 4.24 of the Subdivision Regulations. The waiver was also recommended for approval by the Planning Commission on the aforementioned date. City Council consideration of these requests is scheduled for the July 19, 2016 City Council meeting.

D. APPLICABLE REGULATIONS:

1. Section 5.19 of the Zoning Regulations – MU-CC Mixed Use City Centre District
2. Section 3.05 of the Subdivision Regulations – Final Plats

III. ANALYSIS

A. **COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates the area for commercial uses.

B. **OTHER PLANS:** This site was identified in *A Vision Plan for 84th Street* as a mixed use city center. This site has also been designated as blighted and substandard and in need of redevelopment, and identified as the initial redevelopment project in the *84th Street Redevelopment Plan*.

C. **TRAFFIC AND ACCESS:**

1. Existing access points are at 84th Street and Summer Drive, 84th Street and Brentwood Drive, and 83rd Avenue. The preliminary plat proposes to move the intersection of 84th Street and Summer Drive approximately 275 feet south of its current location. This plat also proposes a new right-in/right-out access between the relocated Summer Drive intersection and Brentwood Drive. A total of four vehicular access points will be available, including the private 83rd Avenue.

All existing sidewalk connections will remain. Additional sidewalk connections into the proposed park and to Marisu Lane are proposed.

2. As 84th Street is a state highway each new access point along the street needs approval from the Nebraska Department of Roads. The applicant has submitted a copy of their draft plan set to NDOR and has received approval for the access points along the western edge of the development. A copy of this letter, dated May 3, 2016 has been attached for review.
3. The City Engineer has reviewed a traffic study that was performed by Olsson Associates for the applicant. This study was also reviewed by the NDOR. The traffic study indicates that the additional right-in/right-out access point and the relocation of Summer Drive will not significantly affect traffic operations for through movements on 84th Street. The NDOR has indicated that with increased development and traffic growth, signal timings on 84th Street will be adjusted to maintain acceptable conditions on 84th Street during peak hours, but there may be delays on the side streets trying to enter onto 84th Street. This is not unusual as there is emphasis on keeping State Highways at a higher level of service than local streets. The study has

identified that the intersection of 84th and Harrison is expected to experience high levels of delay in 2040. This is not the result of the City Centre project, although it is a contributor. The solutions identified in the report are to add additional through lanes on either Harrison Street or 84th Street, however, that is not the responsibility of this project and may not be feasible given right-of-way constraints.

D. UTILITIES:

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

IV. REVIEW COMMENTS:

1. There will need to be an exchange of deeds as part of the subdivision or redevelopment agreements and that process would need to be completed prior to the Final Plat being recorded.
2. A staking bond will be required in the amount of \$150 per lot prior to recording the plat. (Article 3.05.19)
3. An acceptable subdivision agreement will be required prior to recording of the Final Plat.
4. Existing easements will need to be released. The replatting process does not extinguish existing easement rights. The release of these easements needs to be completed prior to the recording of the Final Plat.
5. Illustrate new easements as indicated on the preliminary plat. The related easement documents will need to be prepared and approved ready for recording at the time the Final Plat is signed by the City. If there are to be blanket cross easements for parking, and vehicular and pedestrian ingress-egress these should be noted on the plat.
6. Lots 1 through 8, inclusive and Lot 11 shall not have direct vehicular access onto 84th Street, which shall be noted on the Final Plat.
7. A revised conceptual Post Construction Storm Water Management plan for addressing water quality was submitted. Discussions with the School District have commenced to explore shared storm water management facilities as well as other aspects such as grading and future street patterns. The design of infrastructure will need to take into account the results of those discussions.
8. The applicant has submitted a request to waive Section 4.24 of the Subdivision Regulations to reduce the minimum horizontal centerline radii for local streets from 200 feet to 100 feet. This waiver request was recommended for approval by the Planning

Commission on June 2, 2016 and submitted to City Council for consideration on July 19, 2016.

VI. STAFF RECOMMENDATION – Final Plat:

Approval of La Vista City Centre Final Plat as the request is consistent with the Comprehensive Plan and the Subdivision Regulations, contingent on the following:

1. City Council approval of the waiver of Section 4.24 of the Subdivision Regulations regarding minimum horizontal centerline radii for local streets from 200 feet to 100 feet;
2. City Council approval of the conditional rezoning; and
3. All items noted above under Review Comments.

VII. PLANNING COMMISSION RECOMMENDATION – Final Plat:

The Planning Commission met on June 16, 2016 and unanimously recommended approval of the La Vista City Centre Final Plat, as the request is consistent with the Comprehensive Plan and the Subdivision Regulations, contingent on the following:

1. City Council approval of the waiver of Section 4.24 of the Subdivision Regulations regarding minimum horizontal centerline radii for local streets from 200 feet to 100 feet;
2. City Council approval of the conditional rezoning; and
3. All items noted above under Review Comments.

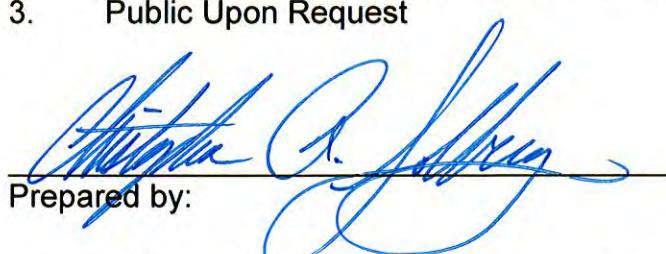
VIII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Staff Review Letter and Applicant Response Letter
3. NDOR Access Control Revision Letter
4. Final Plat Map

IV. COPIES OF REPORT SENT TO:

1. Eric Galley, Olsson Associates Inc.
2. Chris Erickson, La Vista City Centre, LLC
3. Public Upon Request

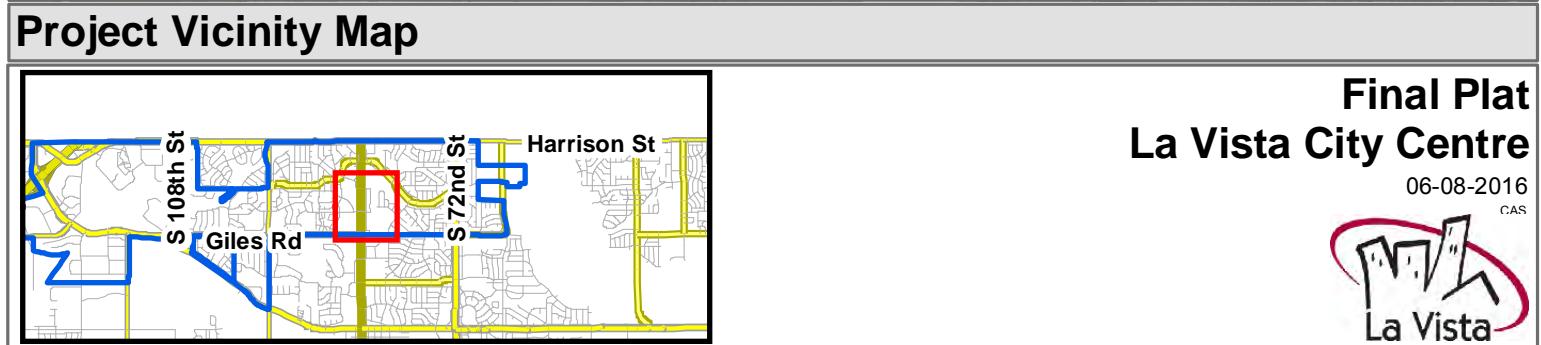
Prepared by:


John P. Murphy

7-12-16

Date

Community Development Director





May 16, 2016

Eric Galley
Olsson Associates
2111 S 67th Street, Suite 200
Omaha, NE 68106

RE: Final Plat – Initial Review
La Vista City Centre

Mr. Galley,

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

Subdivision Regulation Items:

1. Remove the notations about "Land Swaps" from the final plat. These areas need to be incorporated into proposed Lots 11, 12, and 14. The boundary of Lot 11 in the "swap area" needs to follow the existing right of way line of 84th Street. Revise the street names per instructions to be provided by the Community Development staff with approval from Sarpy County. (Article 3.05.03)
2. A few internal angles are missing on the final plat and will need to be added. (Article 3.05.07)
3. The Owner's Certification needs to have the name of the owner inserted in the first line. Please identify if there will be mortgage holders needing to sign the plat or not. The Owner's Certification needs to include dedication of easements to utility companies per Section 4.17 of the Subdivision Regulations or else include an acceptable alternative. (Article 3.05.11)
4. Insert the boundary description in the Surveyor's Certification. (Article 3.05.15)
5. In the Surveyor's Certification delete the words "or have been set" as lot corners will have to be set after infrastructure reconstruction. A staking bond will be required in the amount of \$150 per lot prior to recording the plat. (Article 3.05.19)
6. Financial data for all public improvements needs to be provided. These need to be itemized including all soft costs. (Article 3.05.24)
7. An acceptable subdivision agreement will be required prior to City Council action. (Article 3.05.24)

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Fire
8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course
8305 Park View Blvd.
p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Buildings & Grounds
8112 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Public Works
9900 Portal Rd.
p: 402-331-8927
f: 402-331-1051

Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

8. Waivers for centerline street radii and any other necessary waivers identified by Community Development staff and/or the applicant will need to be approved as part of the plat approval. (Article 3.05.26)

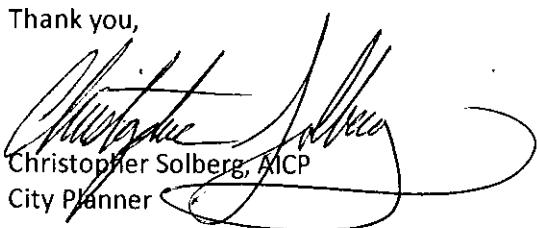
Other Recommendations:

9. Existing easements will need to be released. The replatting process does not extinguish existing easement rights.
10. Illustrate new easements as indicated on the preliminary plat. The related easement documents will need to be prepared and approved ready for recording at the time the final plat is signed by the City. If there are to be blanket cross easements for parking, and vehicular and pedestrian ingress-egress these should be noted on the plat.
11. There needs to be a notation indicating the Lots 1 through 8, inclusive and Lot 11 shall not have direct vehicular access onto 84th Street.
12. The vicinity map does not need to be on the final plat.
13. The final plat should be sent to Todd Wicken, Property Management Supervisor at the Nebraska Department of Roads.

Please submit 4 full size copies (along with electronic copies) of the revised documents for final review by May 24, 2016 to ensure that the Final Plat remains on the June 16, 2016 Planning Commission agenda.

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

Thank you,



Christopher Solberg, AICP
City Planner

cc: Ann Birch, Community Development Director
John Kottmann, City Engineer



May 25, 2016

Christopher Solberg
City of La Vista
8116 Park View Blvd
La Vista, NE 68128

Re: Final Plat – Initial Review La Vista City Centre

Dear Mr. Solberg,

Please find enclosed a resubmittal of the Final Plat which incorporates the revisions requested through the Staff Report dated May 16, 2016.

Submittal documents are as follows:

- o Revised Final Plat Plans (4 copies)

Below you will find comment responses to the staff report.

1. Remove the notations about "Land Swaps" from the final plat. These areas need to be incorporated into proposed Lots 11, 12, and 14. The boundary of Lot 11 in the "swap area" needs to follow the existing right of way line of 84th Street. Revise the street names per instructions to be provided by the Community Development staff with approval from Sarpy County. (Article 3.05.03)

Response: Former "Land Swaps" have been incorporated into Lots 11, 12, and 14. Street names have been revised.

2. A few internal angles are missing on the final plat and will need to be added. (Article 3.05.07)

Response: Missing angles have been added. See Note #1 regarding 90° angles.

3. The Owner's Certification needs to have the name of the owner inserted in the first line. Please identify if there will be mortgage holders needing to sign the plat or not. The Owner's Certification needs to include dedication of easements to utility companies per Section 4.17 of the Subdivision Regulations or else include an acceptable alternative. (Article 3.05.11)

Response: Owner's name has been added, as well as easement dedications. No mortgage holders have been identified.

4. Insert the boundary description in the Surveyor's Certification. (Article 3.05.15)

Response: Legal boundary description has been added.

5. In the Surveyor's Certification delete the words "or have been set" as lot corners will have to be set after infrastructure reconstruction. A staking bond will be required in the amount of \$150 per lot prior to recording the plat. (Article 3.05.19)

Response: "Or have been set" language has been removed.

6. Financial data for all public improvements needs to be provided. These need to be itemized including all soft costs. (Article 3.05.24)

Response: An Engineer's Opinion of Cost has been prepared and included.

7. An acceptable subdivision agreement will be required prior to City Council action. (Article 3.05.24)

Response: A subdivision agreement will be submitted prior to the needed City Council action.

8. Waivers for centerline street radii and any other necessary waivers identified by Community Development staff and/or the applicant will need to be approved as part of the plat approval. (Article 3.05.26)

Response: Waiver requests have been submitted.

9. Existing easements will need to be released. The replatting process does not extinguish existing easement rights.

Response: Existing easements will be released accordingly.

10. Illustrate new easements as indicated on the preliminary plat. The related easement documents will need to be prepared and approved ready for recording at the time the final plat is signed by the City. If there are to be blanket cross easements for parking, and vehicular and pedestrian ingress-egress these should be noted on the plat.

Response: Proposed easement exhibits have been prepared and will be submitted prior to Final Plat approval.

11. There needs to be a notation indicating the Lots 1 through 8, inclusive and Lot 11 shall not have direct vehicular access onto 84th Street.

Response: Note has been added.

12. The vicinity map does not need to be on the final plat.

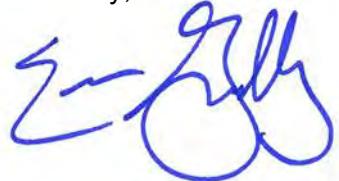
Response: Vicinity map has been removed.

13. The final plat should be sent to Todd Wicken, Property Management Supervisor at the Nebraska Department of Roads.

Response: The approved Final Plat will be sent to Todd Wicken.

Thank you for your consideration. If you have any questions, please contact me at 402-341-1116.

Sincerely,



Eric Galley, PE

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Pete Ricketts
Governor

STATE OF NEBRASKA

DEPARTMENT OF ROADS
Kyle Schneweis, P.E., Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402) 471-4567 • FAX (402) 479-4325 • www.roads.nebraska.gov

May 3, 2016

City of La Vista
9900 Portal Road
John Kottmann
LaVista, NE, 68128

RE: Proposed Access Control Revision on Highway 85

Dear Mr. Kottman :

The Nebraska Department of Roads (NDOR) has reviewed the City of LaVista's permit application and corresponding Traffic Impact Study for the Town Center development along highway N-85 (84th Street) between Brentwood Drive and Summer Drive. The two requests from the City were to relocate the existing Summer Drive approximately 250' south of the current location, as well as adding a new Right-In/Right-Out (RI/RO) drive approximately 515' north of the existing Brentwood Drive. This RI/RO location will serve the property on the east side of N-85 (84th Street). The new Summer Drive location will only serve the development on the east side of N-85 (84th Street); if the City chooses to connect to the west side of N-85 at Summer Drive in the future, a separate permit application will be required.

The state highway mainline progression during peak hours with modifications to the signal timings, will allow for overall acceptable results, but may result in greater delays on the minor approaches. The results of the study were discussed with the City. The upcoming "84th St ASCT, HSIP-5023(18), CN 22695" project will also benefit the highway travel times along this state highway corridor.

Based on our review, NDOR approves of the new access points as proposed by the City, with the understanding that NDOR will receive the final Traffic Impact Study with our comments addressed. Also NDOR should receive all recorded plats, plan details, geometrics, pavement type, erosion control and drainage, at the appropriate time for NDOR review and approval.

If you have any additional questions or need any additional information, please let me know at 402 479-4770.

Sincerely,

Todd Wicken

Property Management Supervisor
Cc: Tim Weander