

**CITY OF LA VISTA
PLANNING DIVISION**

CASE NUMBER:

FOR HEARING OF: June 21, 2007

Report Prepared on June 11, 2007

I. GENERAL INFORMATION

- A. APPLICANT:** Brad Underwood, Real Estate Brokerage Co.
- B. PROPERTY OWNER:** Southport Investors, LLC
- C. LOCATION:** No address assigned
- D. LEGAL DESCRIPTION:** Lot 10b, Southport East
- E. REQUESTED ACTION(S):** Replat and Zoning Text Amendment
- F. EXISTING ZONING AND LAND USE:**
C-3, Highway Commercial / Office Park District; PUD-1, Planned Unit Development; and Gateway Corridor District.
- G. PURPOSE OF REQUEST:** The proposal is to replat Lot 10b of Southport East to Lots 1 and 2 of Southport East Replat X.
- H. SIZE OF SITE:** 5.2 acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** Vacant
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. North:** Harrison Street, C-3, Southport East
 - 2. East:** TA
 - 3. South:** C-3, Southport East Replat V
 - 4. West:** C-3, Southport East Replat IV
- C. RELEVANT CASE HISTORY:** Southport East
- D. APPLICABLE REGULATIONS:**
 - 1.** Section 3.08, Subdivision Ordinance, regarding Replats.
 - 2.** PUD Plan for Southport
 - 3.** Section 5.12, Zoning Ordinance, regarding C-3 Zoning District
 - 4.** Section 5.17, Zoning Ordinance, regarding Gateway Corridor Dist.

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates this property for commercial uses in the gateway corridor.
- B. OTHER PLANS:** Southport PUD Plan.
- C. TRAFFIC AND ACCESS:**
 - 1. Vehicular access is proposed from Eastport Parkway. Access to Lot 1 shall be served by an access easement (see Plat note #5). A waiver is needed to Section 4.15 to allow access by easement only. A condition of this waiver will be that both Port Grace and Eastport Parkway shall be utilized for vehicular access points.
 - 2. No direct vehicular access will be allowed from either lot to Harrison Street.
 - 3. Direct vehicular and pedestrian access to Southport East Replat IV shall be provided for in the design of any future development.
 - 4. Pedestrian access shall also be obtained via sidewalks that will be required on the two frontages of Eastport Pkwy. and Port Grace Blvd.
- D. UTILITIES:** All utilities are available to the site.

IV. REVIEW COMMENTS:

- 1. "Corner Streetscapes" will be installed on the southeast corner of Lot 2. An existing landscape easement exists on this corner to help accommodate this.
- 2. The proposed zoning text amendment requests childcare centers to be added to the C-3 Zoning District as a permitted use. If this use is added, then staff recommends it should be added as a conditional use.
- 3. No plans have been submitted for the proposed development of these two lots.

- V. STAFF RECOMMENDATION:** Approval of Southport East Replat X subject to addressing the items noted above and the items noted in the City Engineer's report.

VI. ATTACHMENTS TO REPORT:

- 1. City Engineer's comments
- 2. Southport East Replat X Final Plat

VII. COPIES OF REPORT TO:

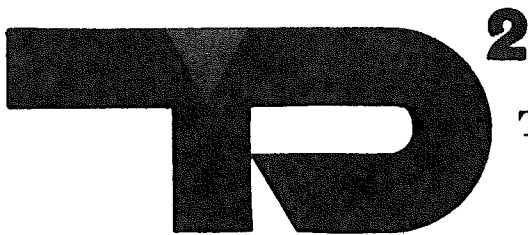
1. Brad Underwood, Applicant
2. Brad Weckerlin, E&A Consulting Group

Prepared by:

Community Development Director

Date

\\Lvdcfp01\users\MBaker\plancomm\staff reports\SP East Rep IX.doc



THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

June 4, 2007

Mr. Marcus Baker
City Planner
City of La Vista
8116 Park View Boulevard
La Vista, Nebraska 68128

ROBERT E. DREESSEN, P.E.
NELSON J. HYMANS, P.E.
JAMES D. WARNER, L.S.
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MICHAEL T. CANIGLIA, L.S.
JEREMY T. STEENHOEK, P.E.
JOSHUA J. STORM, P.E.

RE: 2007 Minor & Administrative Plat Reviews
Southport East Replat Ten
Review of Revised Submittal
TD² File No. 171-344.6

Mr. Baker:

I have reviewed the revised final plat that you provided me on June 1, 2007, which bears a revision date of May 30, 2007. This revised plat addressed Comment No. 9 in my May 14, 2007 letter. The revised plat also contains an additional full access point onto Eastport Parkway which is a change proposed by the applicant. I received via e-mail a drawing from John Meng-Frecker showing adequate sight distance for this revised location, however, it will require a sight distance easement to ensure that landscaping or other site improvements do not obstruct this sight line. The plat now shows two full access points onto Eastport Parkway, but only one can be used. Therefore, I recommend that a note be added to the plat as follows:

6. One vehicular access onto Eastport Parkway will be allowed to serve Lots 1 and 2 at one of the two locations shown.

Based on our discussions at the Community Development staff meeting on June 1, 2007, I recommend that the development plans for these lots contain two vehicular access points. The applicant should consider connecting to the access road in Southport East Replat Four or utilizing the access point to Port Grace Boulevard.

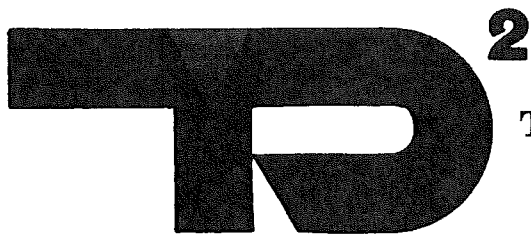
Prepared by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

cc: File



THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

May 14, 2007

Mr. Marcus Baker
City Planner
City of La Vista
8116 Park View Boulevard
La Vista, Nebraska 68128

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RE: Proposed Zoning Text Amendment
Childcare Centers in C-3
2007 Rezoning & Use Permit Reviews
City of La Vista
TD² File No. 171-345.6

Mr. Baker:

I have reviewed the request to allow Childcare Centers in the C-3 zoning district. I do not have an objection to this revision, but I recommend that it be a conditional use. The reason for this recommendation is to take into consideration the types of adjacent uses that might exist, to evaluate where play areas should be located, and what types of screening should be included in view of the adjacent uses.

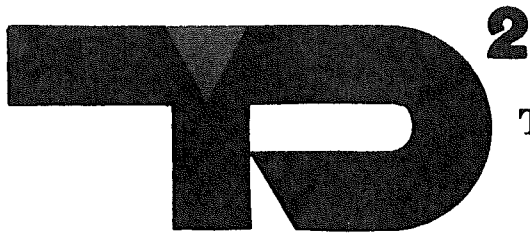
Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

cc: File



THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

May 14, 2007

Mr. Marcus Baker
City Planner
City of La Vista
8116 Park View Boulevard
La Vista, Nebraska 68128

RE: 2007 Minor & Administrative Plat Reviews
Southport East Replat Ten
Review of Initial Submittal
TD² File No. 171-344.4

Mr. Baker:

I have reviewed the proposed final plat that you provided me under your transmittal dated May 7, 2007. The submittal included:

- Final Plat dated March 27, 2007
- Application Form received by the City of May 3, 2007

I offer the following comments:

TRAFFIC & ACCESS

1. A traffic impact study was prepared for the Southport East subdivision in 2000 and updated in 2003, which included the subject property. These prior studies assumed that what became Lot 10, Southport East would contain 193,300 square feet of office use. To date about one-half of Lot 10 has been developed, with two office buildings having about 50,000 square feet. The subject application pertains to the remaining approximate one-half of Lot 10. While no specific development plans have been presented, other than to request an amendment to allow for a childcare center, it is unlikely that development on this remaining portion will come close to 140,000 of office or its equivalent traffic generation. Therefore, I do not see a need to revise the traffic impact study in conjunction with this replatting submittal.
2. Perimeter sidewalks will be required as the lots are built upon. Sidewalks along Eastport Parkway will need to be 6 inches thick, at least 4 feet wide, and located with a minimum distance of 6 feet between back of curb and edge of walk. The Southport East design guidelines will also apply to the design of the public sidewalks and sidewalk feature at the intersection of Eastport Parkway and Port Grace Blvd.

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3. A blanket ingress/egress easement is proposed over all of the proposed lots except for those portions occupied by buildings. This will provide access to proposed Lot 1, which does not have a permitted access point to Eastport Parkway in the original platting of Southport East. An access point onto Eastport Parkway is not desirable within the proposed frontage of Lot 1 due to sight limitations as Eastport Parkway continues to the northwest under I-80 and since Eastport Parkway narrows down to two lanes wide as it goes under I-80 thereby eliminating the ability to create a left-turn bay on Eastport Parkway. Section 4.15 of the Subdivision Regulations requires each proposed lot to have vehicular access by means of a public street or approved private street. An approved private street requires the application of the PUD process. An alternative would be for the applicant to request a waiver of Section 4.15. In this case, given the limited number of property owners involved I would support a waiver request in lieu of creating a private street.
4. The access points noted on the proposed plat are consistent with what was previously approved.

UTILITIES & DRAINAGE

5. The proposed lots will be able to individually access all utilities in Eastport Parkway or Port Grace Blvd.

MISCELLANEOUS

6. This proposed replat qualifies as a replat that allows for a waiver of separate submittal of a final and preliminary plat Article 3.08.04 of the Subdivision Regulations requires a concurrent preliminary plat. However, Article 3.08.08 implies that a preliminary plat is not required if the guidelines of Article 3.09.03 do not apply. Item 3.09.03.06 is applicable since proposed Lot 1 will not have direct access to a street. However, if the applicant requests a waiver of Section 4.15 of the Subdivision Regulations, it is my opinion that this article would not apply and a preliminary plat would not be required.
7. The City Attorney should review the replat and provide an amendment to the subdivision agreement as appropriate.
8. A staking bond or certification that all lot corners have been pinned should be provided prior to the Mayor signing the final plat, if it is approved.
9. The labeling of the property to the south on the final plat should be changed from Lot 11, Southport East to Lot 11A, Southport East Replat Five.

Mr. Marcus Baker

May 14, 2007

Page 3

I recommend that the final plat of Southport East Replat Ten be approved contingent upon the applicant requesting a waiver of Section 4.15 of the Subdivision Regulations and changing the reference to Lot 11, Southport East on the final plat mylars as noted above. The City Attorney should prepare an amendment to the Subdivision Agreement as he determines necessary, prior to this case moving forward to City Council.

Prepared by,

THOMPSON, DREESSEN & DORNER, INC.

A handwritten signature in black ink, reading "John M. Kottmann". The signature is written in a cursive, flowing style.

John M. Kottmann, P.E.

JMK/jlf

cc: File



PLANNING & ZONING APPLICATION

CITY OF LA VISTA

8116 PARK VIEW BLVD., LA VISTA, NE 68128

402-331-4343

Check Application/s Submitted:

- | | | |
|--|---|---|
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Administrative Plat | <input type="checkbox"/> Preliminary P. U. D. |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Preliminary Plat* | <input type="checkbox"/> Final P.U.D. |
| <input checked="" type="checkbox"/> Zoning/Subdivision Amendment | <input type="checkbox"/> Revised Preliminary Plat | <input type="checkbox"/> Building Design Review |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Final Plat | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use Permit Amendment | <input type="checkbox"/> Replat or Small Tract Sub. | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Tower Development Permit | <input type="checkbox"/> Vacation of Plat | _____ |

*A pre-application meeting is required prior to submittal.

A. General Information

1. APPLICANT SOUTHPORT INVESTORS, LLC

Name: 9% REAL ESTATE BROKERAGE CO. Contact: BRAD UNDERWOOD

Address: 11717 BURT ST.

City/State/Zip: OMAHA, NE. 68154

Phone/Fax: 333 - 3333 / 493-5992

2. PROPERTY OWNER (If not the same as applicant above):

Name: SAME AS APPLICANT Contact: _____

Address: _____

City/State/Zip: _____

Phone/Fax: _____

3. ENGINEER/SURVEYOR OR ARCHITECT:

Name: E&A CONSULTING GROUP Contact: BRAD WECKERLIN

Address: 330 N. 117TH ST.

City/State/Zip: OMAHA, NE. 68154

Phone/Fax: 895-4700 / 895-3599

4. PRIMARY PROJECT CONTACT (applicant, representative, or other):

Name: SAME AS APPLICANT Contact: _____

Address: _____

City/State/Zip: _____

Phone/Fax: _____

- If more than one property owner or developer is involved, please attach additional names and addresses to this application.
- The contact person will receive all staff correspondence.

Twelve additional, pre-folded (8.5 x 11) copies of each site plan/plat is required with your submittal.

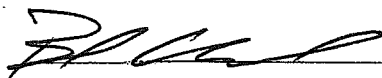
Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please remember to submit the appropriate submittal requirements, i.e., signed application, fees, exhibits and/or site plans, special studies if applicable and signed checklist. If you have any questions regarding this application or required materials, please contact the Community Development Department at (402) 331-4343 between 8:00 a.m. and 4:30 p.m., Monday through Thursday, and on Friday, 8:00 a.m. to Noon.

5. Certification:

An application may be filed only by the owner(s) of the property or by a person with the power of attorney from the owner authorizing the application, or by the attorney-at-law representing the owner.

Indicate your authority.

- ☒ I (We) (am) (are) the sole owner(s) of the property.
- ☐ I have the power of attorney from the property owner(s) authorizing the application and a copy of the authorization is attached.
- ☐ I am the attorney at law representing the owner(s) and a copy of the authorization is attached.



Signature

BRAD UNDERWOOD
MEMBER

Print Name

SOUTHPORT INVESTORS, LLC
c/o REAL ESTATE BROKERAGE CO.
11717 BURT ST. OMAHA, NE. 68154

Address

Signature

Print Name

Address

NOTE: ALL APPLICATIONS MUST HAVE THE CURRENT PROPERTY OWNER'S SIGNATURE(S), OR THE PERSON WITH THE PROPER POWER OF ATTORNEY SIGNATURE, NOTRAIZED BY A CERTIFIED NOTARY PUBLIC (ATTACH IF NECESSARY)

6. Affiliated Application:

An applicant may wish to increase the property considered under this application to include surrounding owners. By signing below, an adjoining property owner can state their intent to be party to this application (attach additional sheet if necessary). A legal description must also be attached for each property owner.

Signature

Print Name

Address

Signature

Print Name

Address

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

On this 2ND day of MAY, 2007 before me a Notary Public, duly commissioned and qualified in and for said County, appeared Brad Underwood, manager of Southport Investors, LLC, personally known by me to be the identical person whose name is affixed to the Planning and Zoning application, and acknowledged the execution thereof to be his voluntary act and deed as said officer of said entity.

WITNESS my hand and Notarial Seal the day and year last above written.

Homer R. Hunt
Notary Public

Seal



B. Project Information:

1. Subdivision Name: SOUTHPORT EAST REPLAT TEN
2. Project Location: 1/4 1/4 Section 18, T 14, R 12, Sarpy County, Nebraska
General Location: 126TH & HARRISON ST.
3. Project/Property Address (if known): _____
4. Area: 5.221 (acres)
5. Future Land Use Designation (Comprehensive Plan): OFFICE
6. Proposed Land Use Designation (if applicable): OFFICE
7. Existing Zoning Designation: (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
<u>C3</u>	<u>5.221</u>	<u>1</u>	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total	_____	_____	_____	_____

8. Proposed Zoning Designation: (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
<u>C3</u>	<u>2.087</u>	<u>LOT 1</u>	_____	_____
<u>C3</u>	<u>3.134</u>	<u>LOT 2</u>	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total	<u>5.221</u>	<u>2</u>	_____	_____

9. Present Use of the Land: _____
10. Proposed Request: TO SPLIT LOT 10B, SOUTHPORT EAST AND ALSO A ZONING TEXT AMENDMENT FOR CHILD CARE CENTER AND HEALTH CLUB AS A PERMITTED USE IN C3

11. If commercial/industrial/office or multi-family residential:

- a. Number & Type of units/buildings: _____
- b. Total building coverage (footprint): _____ square feet.
- c. Total Open Space: _____ square feet.
- d. Total paved impervious area: _____ square feet
- e. Total building floor area: _____ gross square feet.
- f. Total number of parking spaces: Provided _____ Covered _____ Uncovered _____
- g. Total number of persons employed or intended to be regularly employed on the site during the maximum working shift _____.

12. Building Height: _____ feet _____ stories.

13. If single family residential:

- a. Number of units/lots: _____
- b. Minimum lot frontage as measured at building setback line: _____
- c. Minimum lot size: _____ square feet
- d. Average lot size: _____ square feet

14. Attach Legal Description of Property and Surveyor's Certificate.

15. Attach list of Property Owners located with 300 feet of proposed project. (Must be prepared by a title company and in label-ready format).

16. Attach site plan and/or other documents that illustrate this request.

17. Include appropriate application fee.

18. For public hearing presentation, overhead transparencies or other approved form of projected illustrations identical to any display boards being used are required.

For Office Use Only

Project Case Number _____ Planning Commission _____

Published _____

Action: _____

Date Complete Application Received 5/3/07 City Council _____

Published: _____

Action: _____

Check Number/Amount 1006 / \$1,260⁰⁰ Posted on Property: _____

Zoning text amendment Notice to School District: _____
+ lot split

Other Comment(s): _____

UTILITIES & IMPROVEMENTS

(Must be Submitted when Public Improvements are Proposed and/or Required)

	FINANCING %						
	Proposed			Private	S.I.D.		
	Existing	Quantity	Cost		Special	G.O.	Reimbursables
Sanitary Sewer							
Storm Sewer							
Paving							
Major							
Collector							
Minor							
Sidewalks							
Parks & Open Space							
Recreation Facilities							
Water							
Gas							
Electricity							
Other							
TOTALS							

Electricity:

Above Ground _____

Below Ground _____

Anticipated Total Taxable Valuation:

Land _____

Improvements _____

Covenants: _____

Filed: _____

Debt Ratio _____

****Attach Itemized Estimate**