

**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:** Ron Smith, RS Land, Inc.
- B. PROPERTY OWNERS:** Ron Smith Lot 1 and 3;
Roger and Carol Bargstadt, Lot 2
- C. LOCATION:** No address assigned
- D. LEGAL DESCRIPTION:** Lots 1-3 Southport East Replat VII, generally located at the corner of Eastport Pkwy. and Giles Rd.
- E. REQUESTED ACTION(S):** Replat and Zoning Map 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 Lots 1-3 of Southport East Replat VII to Lots 1-3 and Outlot A of Southport East Replat XI.
- H. SIZE OF SITE:** 5.5 acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** Vacant
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** C-3, Southport East Replat II
 - 2. **East:** TA
 - 3. **South:** C-3, Papio Valley Business Park
 - 4. **West:** C-3, Intersection of Eastport Parkway and Giles Road
- C. RELEVANT CASE HISTORY:** Southport East Replat VII
- 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 to Eastport Parkway. Access to Lots 1-3 would be served by an access easement (see Plat note #5). A private street will serve all three lots and Lots 2 and 3 will be connected by a vehicular access.
 2. No direct vehicular access will be allowed to Giles Road.
 3. Pedestrian accesses to each lot in the subdivision should be integrated into the design of the PUD plan.
 4. Pedestrian access can also be obtained from sidewalk that will be required along the frontage of Eastport Pkwy.
- D. UTILITIES:** All utilities are available to the site.

IV. REVIEW COMMENTS:

1. The Replat adds approximately 6 feet of land along the east side of Southport East Replat VII and creates an outlot of equal area (0.08 acres)
2. "Corner Streetscapes" will be installed on the southwest corner of Lot 2. A landscape easement needs to be included on the plat to help accommodate this.
3. The proposed zoning map amendment is simply a housekeeping situation to adjust the zoning boundary a few feet to the East. This will insure that the properties are completely within the C-3 zone.

- V. STAFF RECOMMENDATION:** Approval of Southport East Replat XI 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 XI Final Plat
3. Southport East Replat XI PUD Plan

VII. COPIES OF REPORT TO:

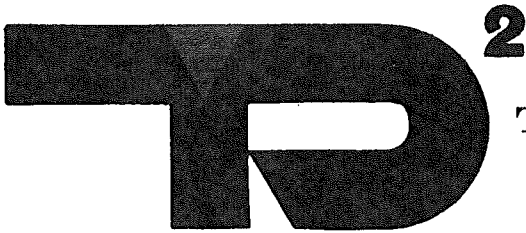
1. Ron Smith, Applicant
2. Jeff Elliott, E&A Consulting Group

Prepared by:

Community Development Director

Date

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THOMPSON, DREESSEN & DORNER, INC.

Consulting Engineers & Land Surveyors

May 30, 2007

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

RE: Southport East Replat Eleven
Replatting of Part of Replat Seven
Initial Review of Revised Submittal
TD² File No. 171-333.3

ROBERT E. DREESSEN, P.E.
NELSON J. HYMANS, P.E.
JAMES D. WARNER, L.S.
CHARLES E. RIGGS, P.E.
KA "KIP" P. SQUIRE III, P.E., S.E.
JOHN M. KOTTMANN, P.E.
ARTHUR D. BECCARD, P.E.
JOSEPH G. KOSINOVSKY, P.E.
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JEFFREY L. THOMPSON, P.E.
DAREN A. KONDA, P.E.
MICHAEL T. CANIGLIA, L.S.
JEREMY T. STEENHOEK, P.E.
JOSHUA J. STORM, P.E.

Mr. Baker:

I have reviewed the proposed final plat that you provided me under your transmittal dated May 22, 2007. The submittal included:

- Final Plat with revision date May 21, 2007

I offer the following comments:

TRAFFIC & ACCESS

1. This replat adds a 6 feet wide strip of land along the east side of the plat and creates an outlot of equal area. Therefore, there is no increase in the developable area and no need for a revised traffic impact study.
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. A 15 feet wide sidewalk easement was granted along Eastport Parkway with Replat Seven and has been illustrated on this plat. Provide additional sidewalk easement to encompass the sidewalk circle at the southwest corner of Lot 2.
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 Lots 2 & 3, which do not have permitted access points to 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 was provided in the previous PUD process for Replat Seven.
4. The plat needs to notate the location of a full vehicular ingress/egress location in Outlot A located opposite of the location of the existing access location on the opposite side of Eastport Parkway in Replat Six. The amendment to subdivision agreement for this replatting should provide for the relocation of the existing farm drive approach to this location when there is any change in use in Tax Lot 3 in the SW ¼ of Section 17-14-12 or proposed Lot 1 utilizes the access point in Outlot A.

UTILITIES & DRAINAGE

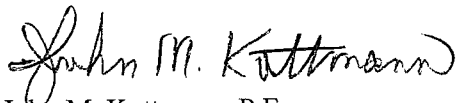
5. The proposed lots will be able to individually access all utilities in Eastport Parkway or the common area improvements addressed in the previous Replat Seven subdivision agreement.
6. Article 3.08.05 of the Subdivision Regulations requires the submittal of a drainage plan as part of the replatting process. While this plan is likely to be much the same as the plan submitted for Replat Seven, it still needs to be submitted to meet the requirements and will be helpful to keep records complete for future reference.

MISCELLANEOUS

7. 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. The guidelines of Article 3.09.03 do not apply and therefore it is my opinion that a preliminary plat does not need to be submitted.
8. An amendment to subdivision agreement is needed to restate the tract sewer connection fees for the revised lot sizes, address re-allocation of common area improvement costs, sharing in the reconstruction of Eastport Parkway, and address relocation of the existing farmhouse drive approach as noted above.
9. The applicant should identify that the balance of Tax Lot 3 in the SW ¼ of Section 17-14-12, from which the 6 feet is being taken, exceeds 10 acres in size. If it does not, then it would need to be included in the platting.
10. 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.
11. The applicant should be aware that Outlot A, by definition, is unbuildable and no building permits will be issued on this parcel.

I recommend that the final plat of Southport East Replat Eleven be approved contingent upon the applicant addressing the items in this letter, which require responses and any other issues that you may identify. The City Attorney should prepare an amendment to the Subdivision Agreement as he determines necessary, prior to this case moving forward to City Council.

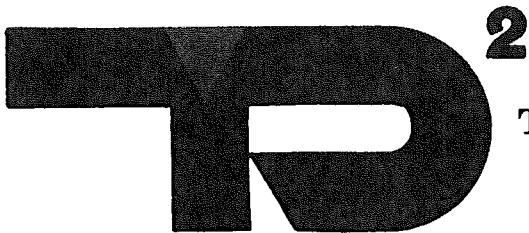
Prepared by,



John M. Kottmann, P.E.
THOMPSON, DREESSEN & DORNER, INC.

JMK/jlf

cc: File



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

May 30, 2007

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

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JOSHUA J. STORM, P.E.

RE: Southport East Replat Eleven
Proposed PUD Plan
Initial Review
TD² File No. 171-333.2

Mr. Baker:

I have reviewed the proposed PUD plan that you provided me under your transmittal dated May 22, 2007.
The submittal included:

- PUD Plan dated May 18, 2007

I offer the following comments:

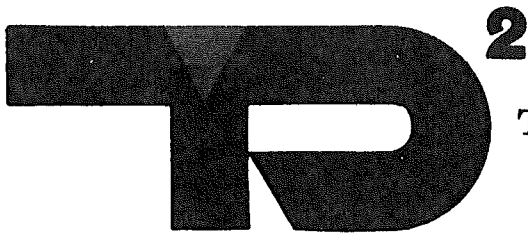
1. The previously approved written PUD Plan will need to be amended to include this revised exhibit.
2. An updated drainage plan showing drainage areas and a storm sewer system layout needs to be provided. This is needed to establish how the runoff from each lot will reach the public storm sewer system so that regardless of which lot develops first, the buyer and developer of that lot will have an indication of what is needed to serve the lot. The extent of common area storm sewer is shown on the revised PUD plan.
3. When development plans for Lots 1 and 2 are prepared, they will need to include a sidewalk roughly parallel to the common area road so that Lot 3 will have pedestrian access to the public sidewalk system.

I recommend that the PUD plan be approved subject to addressing Item 2 in this letter prior to consideration by the City Council. Please contact the undersigned with questions about this review.

Prepared by,

John M. Kottmann, P.E.
THOMPSON, DREESSEN & DORNER, INC.

JMK/jlf



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

May 15, 2007

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

RE: Southport East Replat Eleven
Replatting of Part of Replat Seven
Review of Initial Submittal
TD² File No. 171-333.1

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

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 April 23, 2007
- Application Form received by the City May 1, 2007

I offer the following comments:

TRAFFIC & ACCESS

1. This replat adds a 6 feet wide strip of land along the east side of the plat and creates an outlot of equal area. Therefore, there is no increase in the developable area and no need for a revised traffic impact study.
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. A 15 feet wide sidewalk easement was granted along Eastport Parkway with Replat Seven and has been illustrated on this plat.
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 2, which does not have a permitted access point to 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 was provided in the previous PUD process for Replat Seven.

4. The plat needs to notate the location of a full vehicular ingress/egress location in Outlot A located opposite of the location of the existing access location on the opposite side of Eastport Parkway in Replat Six. The amendment to subdivision agreement for this replatting should provide for the relocation of the existing farm drive approach to this location when there is any change in use in Tax Lot 3 in the SW ¼ of Section 17-14-12 or proposed Lot 1 utilizes the access point in Outlot A.
5. Note No. 4 on the final plat needs to be revised to read, "Direct vehicular access will not be allowed to Eastport Parkway or Giles Road from any lots abutting said streets except as noted and shown." This same language appeared on Replat Seven.

UTILITIES & DRAINAGE

6. The proposed lots will be able to individually access all utilities in Eastport Parkway or the common area improvements addressed in the previous Replat Seven subdivision agreement.
7. The final plat needs to illustrate the existing easements to OPPD and Aquila on Lot 2. These were granted in the platting of Replat Seven.
8. Article 3.08.05 of the Subdivision Regulations requires the submittal of a drainage plan as part of the replatting process. While this plan is likely to be much the same as the plan submitted for Replat Seven, it still needs to be submitted to meet the requirements and will be helpful to keep records complete for future reference.

MISCELLANEOUS

9. 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. The guidelines of Article 3.09.03 do not apply and therefore it is my opinion that a preliminary plat does not need to be submitted.
10. An amendment to subdivision agreement is needed to restate the tract sewer connection fees for the revised lot sizes, address re-allocation of common area improvement costs, sharing in the reconstruction of Eastport Parkway, and address relocation of the existing farmhouse drive approach as noted above.
11. The applicant should identify that the balance of Tax Lot 3 in the SW ¼ of Section 17-14-12, from which the 6 feet is being taken, exceeds 10 acres in size. If it does not, then it would need to be included in the platting.
12. 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.

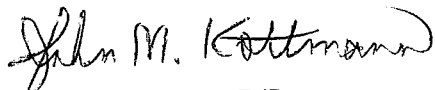
Mr. Marcus Baker
May 15, 2007
Page 3

13. The applicant should be aware that Outlot A, by definition, is unbuildable and no building permits will be issued on this parcel.

I recommend that the final plat of Southport East Replat Ten be approved contingent upon the applicant addressing the items in this letter, which require responses and any other issues that you may identify. 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, appearing to read "John M. Kottmann". The signature is fluid and cursive, with the first name "John" and last name "Kottmann" clearly distinguishable.

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 checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Preliminary Plat* | <input type="checkbox"/> Final P.U.D. |
| <input 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**

Name: RS LAND, INC. Contact: RON SMITH
Address: 909 N. 96TH STREET, STE 103
City/State/Zip: OMAHA, NE 68114
Phone/Fax: 933-3680 / 933-3781

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

Name: SEE ATTACHED Contact: _____
Address: _____
City/State/Zip: _____
Phone/Fax: _____

3. ENGINEER/SURVEYOR OR ARCHITECT:

Name: E&A CONSULTING GROUP Contact: JEFF ELLIOTT
Address: 330 N. 117TH STREET
City/State/Zip: OMAHA, NE 68154
Phone/Fax: 895-4700 / 895-3599

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

Name: E&A CONSULTING GROUP Contact: JEFF ELLIOTT
Address: 330 N. 117TH STREET
City/State/Zip: OMAHA, NE 68154
Phone/Fax: 895-4700 / 895-3599

SOUTHPORT EAST REPLAT ELEVEN
PROPERTY OWNERS

RS LAND, INC.

909 N. 96 th Street Ste. 103
Omaha, Ne. 68114
Phone: 933-3680

ADA McDERMOTT REVOCABLE TRUST

9816 "F" Street
Omaha, Ne. 68127
Phone: 331-5262

May 1, 2007
#P2000.030.029

- 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:

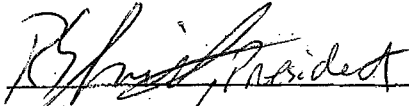
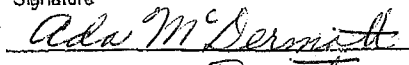
An application may be filed only by the owner(s) of the property or by a person with the power of attorney from the owner authorizing the application, or by the attorney-at-law representing the owner.

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	RONALD E. SMITH Print Name	RS LAND, INC. 909 N. 96TH STREET, STE. 103 OMAHA, NE 68114 Address
*  Signature	ADA MC DERMOTT Print Name	9616 F STREET OMAHA, NE 68127 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
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Signature	Print Name	Address
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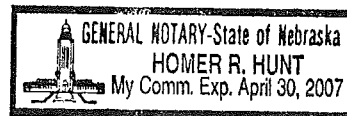
ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA
COUNTY OF DOUGLAS

On this 26TH day of APRIL, 2007, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Ronald E. Smith, president of RS Land, Inc., who is 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 the president of said corporation.

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

Homer R. Hunt
Notary Public



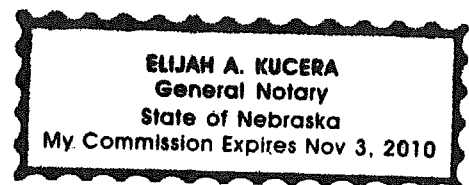
ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA
COUNTY OF DOUGLAS

On this 26th day of April, 2007, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Ada McDermott, Trustee of the Ada McDermott (Grantor) Revocable Trust of 1992, as subsequently amended and restated, who is the identical person whose name is affixed to the Planning and Zoning application, and acknowledged the execution thereof to be her voluntary act and deed as trustee of said trust.

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

Elijah A. Kucera
Notary Public



B. Project Information:

1. Subdivision Name: SOUTHPORT EAST REPLAT ELEVEN
2. Project Location: 1/4 1/4 Section 17 & 18 T 14N R 12E, Sarpy County, Nebraska
General Location: GILES ROAD & EASTPORT PARKWAY
3. Project/Property Address (if known): _____
4. Area: 3.930 (acres)
5. Future Land Use Designation (Comprehensive Plan): _____
6. Proposed Land Use Designation (if applicable): _____
7. Existing Zoning Designation: (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
TA	0.078			
C3	3.852			
Total				

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

Zoning	Acres	Lots	Units	Density
C3	2.687	LOT 1		
C3	0.077	O.L. "A"		
C3	1.166	LOT 2		
Total	3.930	3		

9. Present Use of the Land: VACANT COMMERCIAL & SOD FARM

10. Proposed Request: COMMERCIAL

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 5/1/07 City Council _____

Published: _____

Action: _____

Check Number/Amount 2077 / \$1,265⁰⁰ Posted on Property: _____

Re-zoning + Final Plat Notice to School District: _____

Other Comment(s): _____

UTILITIES & IMPROVEMENTS

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

				FINANCING %			
	Existing	Proposed		Private	S.I.D.		
		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