

AGENDA ITEM 4 A

**BROOK VALLEY REPLAT 4
PLANNING COMMISSION MEETING
AUGUST 19, 2010**



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER:

FOR HEARING OF: August 19, 2010

Report Prepared on: August 2, 2010

I. GENERAL INFORMATION

A. APPLICANT:

Zych Drywall, Inc.
7102 S. 109th Ave.
La Vista, NE 68128

B. PROPERTY OWNER:

Zych Drywall, Inc.
7102 S. 109th Ave.
La Vista, NE 68128

Store It Now, LLC
11109 Olive St,
La Vista, NE, 68128

C. LOCATION: South 109th Avenue and Olive Street

D. LEGAL DESCRIPTION: PART OF LOT 33A, BROOK VALLEY
BUSSINESS PARK, AND ALSO LOT 55A, BROOK VALLEY
BUSINESS PARK

E. REQUESTED ACTION(S): Replatting of the lots. Dedicating 0.544
acres to lot 55A.

F. EXISTING ZONING AND LAND USE: I-2, Heavy Industrial

G. PURPOSE OF REQUEST: Replat of the two properties, providing
additional land to the existing Lot 55A, in exchange for a utility easement from
Olive Street to the existing Lot 33C.

H. SIZE OF SITE: Lot 55A - 1.167 Acres; Lot 33C - 13.831 Acres;

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: Existing Lot 55A is flat. The
portion of Lot 33C that is proposed to be dedicated is moderate to steeply
sloping downward towards the remainder of the relatively flat Lot 33C.
Lot 55A contains Zych Drywall's business offices. Lot 33C contains All
About Storage, a self storage facility.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. North: I-2 Industrial
2. East: I-2 Industrial
3. South: I-2 Industrial
4. West: I-2 Industrial

C. RELEVANT CASE HISTORY: Previous administrative plats have required the applicant to proceed through the replat process.

D. APPLICABLE REGULATIONS:

1. Section 5.14 of the Zoning Regulations - I-2 Heavy Industrial
2. Section 3.08 of the Subdivision Regulations – Replats

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Plan of the Comprehensive Plan designates the area for Industrial development.

B. OTHER PLANS: Not applicable.

C. TRAFFIC AND ACCESS:

1. An ingress/egress easement across proposed Lot 2 is needed for the city to have vehicular access for maintenance of an existing public sanitary sewer that exists across the south end of Lot 2. The route and granting of this easement needs to be agreed upon prior to this plat considered by the City Council.

D. UTILITIES: All utilities exist on the site. As discussed in III(C), an access easement needs for the existing public sanitary sewer needs to be agreed upon prior to plat consideration by the City Council.

IV. REVIEW COMMENTS:

1. One of the reasons for this replatting is that an easement will be provided over proposed Lot 1 to provide for a gas service to the existing facility on proposed Lot 2. The applicant needs to provide a letter from the utility company that they are agreeable to the proposed easement arrangement to provide gas service across Lot 1 to reach Lot 2. This needs to be provided prior to the City Council consideration.
2. Any development on these lots that meet the definition of Significant Redevelopment as set forth in Chapter 154 of the City Municipal Code will be required to provide Post Construction Storm Water Management facilities.
3. The proposed development on Lot 1 may impact existing storm and sanitary sewers and may impact existing drainage paths. Prior to the issuance of any building permit on Lot 1, a drainage study addressing drainage paths for all storms up to 100-year events will be required.

4. The applicant for Lot 55A needs to submit a letter stating that he understands that if the BNSF does not release the spur track easement, he may not be able to utilize the additional property being added to Lot 55A in the manner that he desires. This letter should be submitted prior to Planning Commission consideration.

V. PLANNING COMMISSION RECOMMENDATION: Approval of the replat with the following conditions:

1. The route and granting of an ingress/egress easement across proposed Lot 2 for the city to have vehicular access for maintenance of an existing public sanitary sewer that exists across the south end of Lot 2 easement needs to be agreed upon prior to this plat considered by the City Council.
2. The applicant needs to provide a letter from the utility company that they are agreeable to the proposed easement arrangement to provide gas service across Lot 1 to reach Lot 2. This needs to be provided prior to the City Council consideration.
3. The applicant for Lot 55A needs to submit a letter stating that he understands that if the BNSF does not release the spur track easement.

VI. ATTACHMENTS TO REPORT:

1. Application, Preliminary Plat, Final Plat
2. Vicinity Map
3. City Engineer's Report

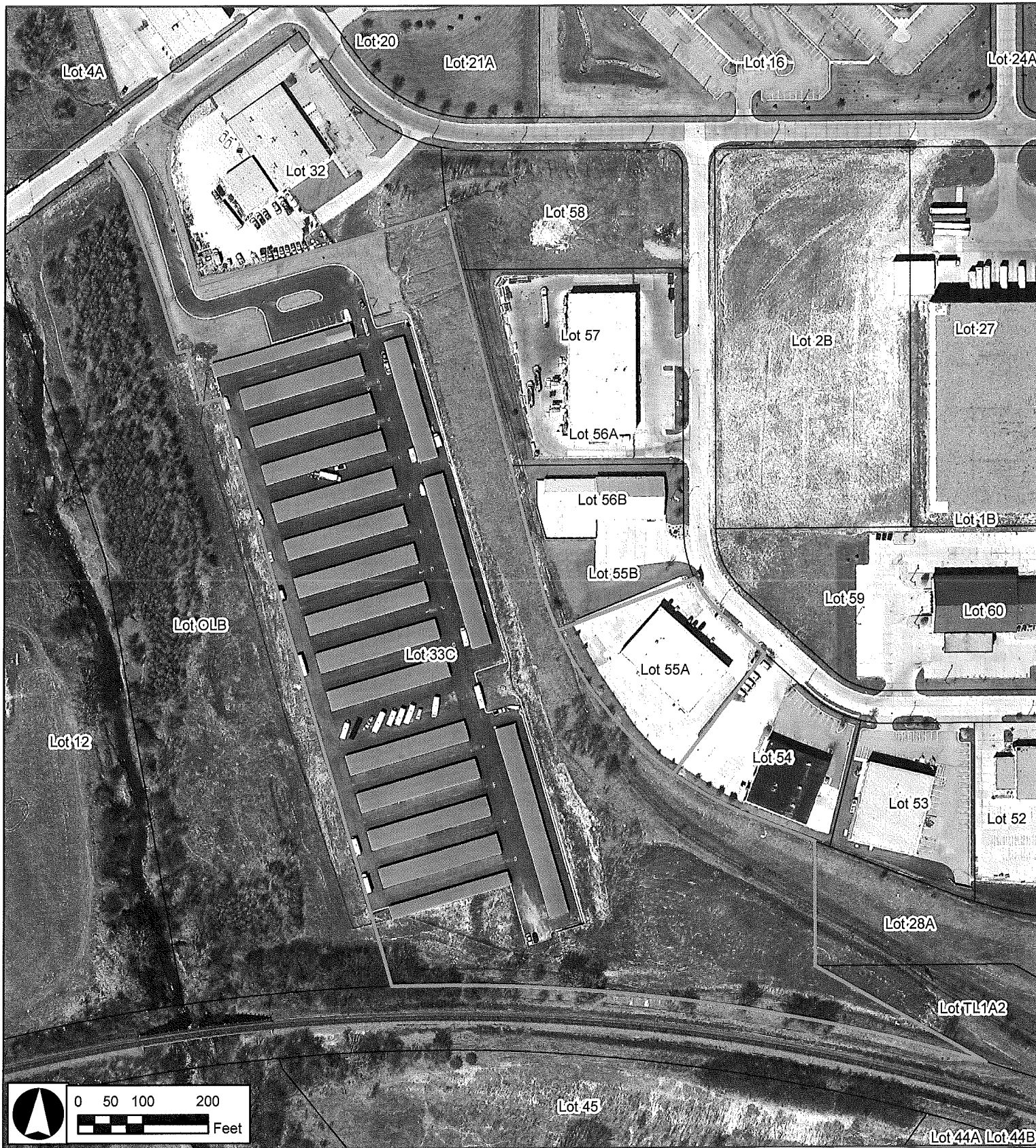
VII. COPIES OF REPORT SENT TO:

1. Ron Zych, Zych Drywall
2. Larry Courtnage, Store It Now, LLC
3. Jason Thiellen, E&A Consulting Group
4. Public Upon Request

Prepared by:

Community Development Director

Date



Vicinity Map

Brook Valley Replat 4

August 4, 2010
CAS



August 9, 2010

City of La Vista
Planning Department
8116 Park View Blvd
La Vista, NE 68128

RE: Brook Valley Business Park
Replat 4

To Whom It May Concern:

I Ron Zych owner of Lot 55A understand that the City of La Vista is not responsible for the release of the Burlington Northern Railroad easement located at the rear of my lot.

I understand that the approval of the above referenced project does not allow me to build a new building over the existing railroad easement until the Burlington Northern Railroad officially releases the easement on my property.

Ron Zych

A handwritten signature in cursive script that reads "Ron Zych". The signature is written in dark ink and is positioned to the right of the printed name "Ron Zych".