

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 16, 2017 AGENDA**

Subject:	Type:	Submitted By:
APPLICATION FOR FLUM AMENDMENT AND REZONING, LOT 1, HARRISON HILLS (SE OF 118 TH & EMILINE STREET)	◆ RESOLUTION (1) ◆ ORDINANCE (1) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled to consider an amendment to the Future Land Use Map of the Comprehensive Plan and a rezoning for approximately 26.22 acres located southeast of 118th Street and Emiline Street.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an amendment to the Future Land Use Map of the Comprehensive Plan and a rezoning application by CBRE/MEGA, on behalf of the property owner, Harrison I-80, LLC, on approximately 26.22 acres currently described as Lot 1, Harrison Hills. The property is generally located southeast of 118th Street and Emiline Street.

The purpose of the request is to allow for the lot to be re-designated to an industrial land use and zoning. A detailed staff report is attached.

The Planning Commission held a public hearing on April 20, 2017, and unanimously recommended approval of the amendment to the Future Land Use Map of the Comprehensive Plan and the rezoning as the request is consistent with the Comprehensive Plan and Zoning Ordinance.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING THE FUTURE LAND USE MAP PORTION OF THE COMPREHENSIVE PLAN.

WHEREAS, the Future Land Use map contains an area of approximately 26 acres located southeast of 118th Street and Emiline Street designated as "Commercial"; and

WHEREAS, the Planning Commission has recommended approval of a request to amend the Future Land Use Map of the Comprehensive Plan for approximately 26 acres from "Commercial" to "Industrial" land use; and

WHEREAS, the requested amendment is compatible with the surrounding land uses;

WHEREAS, an amendment to the Future Land Use Map is appropriate and consistent with the land use policies of the Comprehensive Plan; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to prepare the necessary amendment to the Future Land Use Map of the Comprehensive Plan southeast of 118th Street and Emiline Street for approximately 26 acres from "Commercial" to "Industrial" land use as identified in the attached Exhibit A.

PASSED AND APPROVED THIS 16TH DAY OF MAY, 2017.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Mandy Garrod, CMC
Deputy City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Rezoning. On April 20, 2017, the La Vista Planning Commission conducted a public hearing on the matter of rezoning the tract of land set forth in Section 2 of this ordinance and reported to the City Council that it recommended approval of the zoning of said tract be changed from "C-3" Highway Commercial / Office Park District, Gateway Corridor District (Overlay District) to "I-1" Light Industrial District, Gateway Corridor District (Overlay District) and PUD Planned Unit Development District (Overlay District). On May 16, 2017, the City Council held a public hearing on said proposed change in zoning and found and determined that said proposed changes in zoning are advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices, including published notice, written notice to adjacent property owners and notice posted at the properties, were duly given pursuant to Section 9.01 of the Zoning Ordinance. The City Council hereby approves said proposed changes in zoning as set forth in Section 2 of this ordinance.

Section 2. Amendment of the Official Zoning Map. Pursuant to Article 3 of the Zoning Ordinance, the following described tract of land is hereby rezoned from "C-3" Highway Commercial / Office Park District, Gateway Corridor District (Overlay District) to "I-1" Light Industrial District, Gateway Corridor District (Overlay District) and PUD Planned Unit Development District (Overlay District), and the Official Zoning Map of the City of La Vista is hereby amended to reflect the changes in zoning of the following described tracts of land from "C-3" Highway Commercial / Office Park District, Gateway Corridor District (Overlay District) to "I-1" Light Industrial District, Gateway Corridor District (Overlay District) and PUD Planned Unit Development District (Overlay District):

Lot 1, Harrison Hills, located in the NW ¼ of Section 17, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska.

The amended version of the official zoning map of the City of La Vista is hereby adopted and shall be signed by the Mayor, attested to by the City Clerk and shall bear the seal of the City under the following words:

"This is to certify that this is the official zoning map referred to in Article 3 Section 3.02 of Ordinance No. 848 of the City of La Vista, Nebraska"

and shall show the date of the adoption of that ordinance and this amendment.

Section 3. Effective Date. This ordinance shall be in full force and effect upon the date passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 16TH DAY OF MAY, 2017.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Mandy Garrod, CMC
Deputy City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: CPA-17-0001
PRZ-17-0002

For Hearing of:
Report Prepared on:

May 16, 2017
May 1, 2017

I. **GENERAL INFORMATION**

A. **APPLICANT:**

CBRE|MEGA
11213 Davenport Street, Suite 300
Omaha, NE 68154

B. **PROPERTY OWNER:**

Harrison I-80, LLC
10855 West Dodge Road, Suite 270
Omaha, NE 68154

C. **LOCATION:** East of the intersection of S 118th Street and Emiline Street.

D. **LEGAL DESCRIPTION:** Lot 1 Harrison Hills

E. **REQUESTED ACTION(S):**

1. Comprehensive Plan Amendment – Amend Future Land Use Map from Commercial with a Gateway Corridor District (Overlay District) to Industrial with a Gateway Corridor District (Overlay District)
2. Zoning Map Amendment (Rezoning) from C-3 with a Gateway Corridor District (Overlay District) to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and PUD – Planned Unit Development District (Overlay District)

F. **EXISTING ZONING AND LAND USE:**

C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District); the property is currently vacant.

G. **PURPOSE OF REQUEST:**

1. Future Land Use Map amendment to allow for the re-designation of Lot 1 Harrison Hills to an Industrial land use.
2. Zoning Map Amendment to allow for the rezoning of Lot 1 Harrison Hills to I-1 PUD, Light Industrial Planned Unit Development and Gateway Corridor District, for the purpose of industrial development

H. **SIZE OF SITE:** 26.22 Acres

3. The current Gateway Corridor District (Overlay District), combined with a Planned Unit Development (PUD) Overlay District would aid in providing a transition from the Industrial uses south of the subject property to the commercial and multi-family zoning to the north and east of the subject property.

V. STAFF RECOMMENDATION – Amendment to the Comprehensive Plan – Future Land Use Map:

Staff recommends approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.

VI. PLANNING COMMISSION RECOMMENDATION – Amendment to the Comprehensive Plan – Future Land Use Map:

The Planning Commission held a public hearing on April 20, 2017 and unanimously voted to recommend approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.

VII. STAFF RECOMMENDATION – Amendment to the Zoning Map (Rezoning):

Staff recommends approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District), to I-1 Light Industrial District with a Gateway Corridor District (Overlay District) and a Planned Unit Development (PUD) Overlay District, as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

VIII. PLANNING COMMISSION RECOMMENDATION – Amendment to the Zoning Map (Rezoning):

The Planning Commission held a public hearing on April 20, 2017 and unanimously voted to recommend approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District), to I-1 Light Industrial District with a Gateway Corridor District (Overlay District) and a Planned Unit Development (PUD) Overlay District, as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

IX. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Staff Review Letters
3. Applicant Response Letter
4. Zoning Map Amendment Exhibit
5. Future Land Use Map Amendment Exhibit

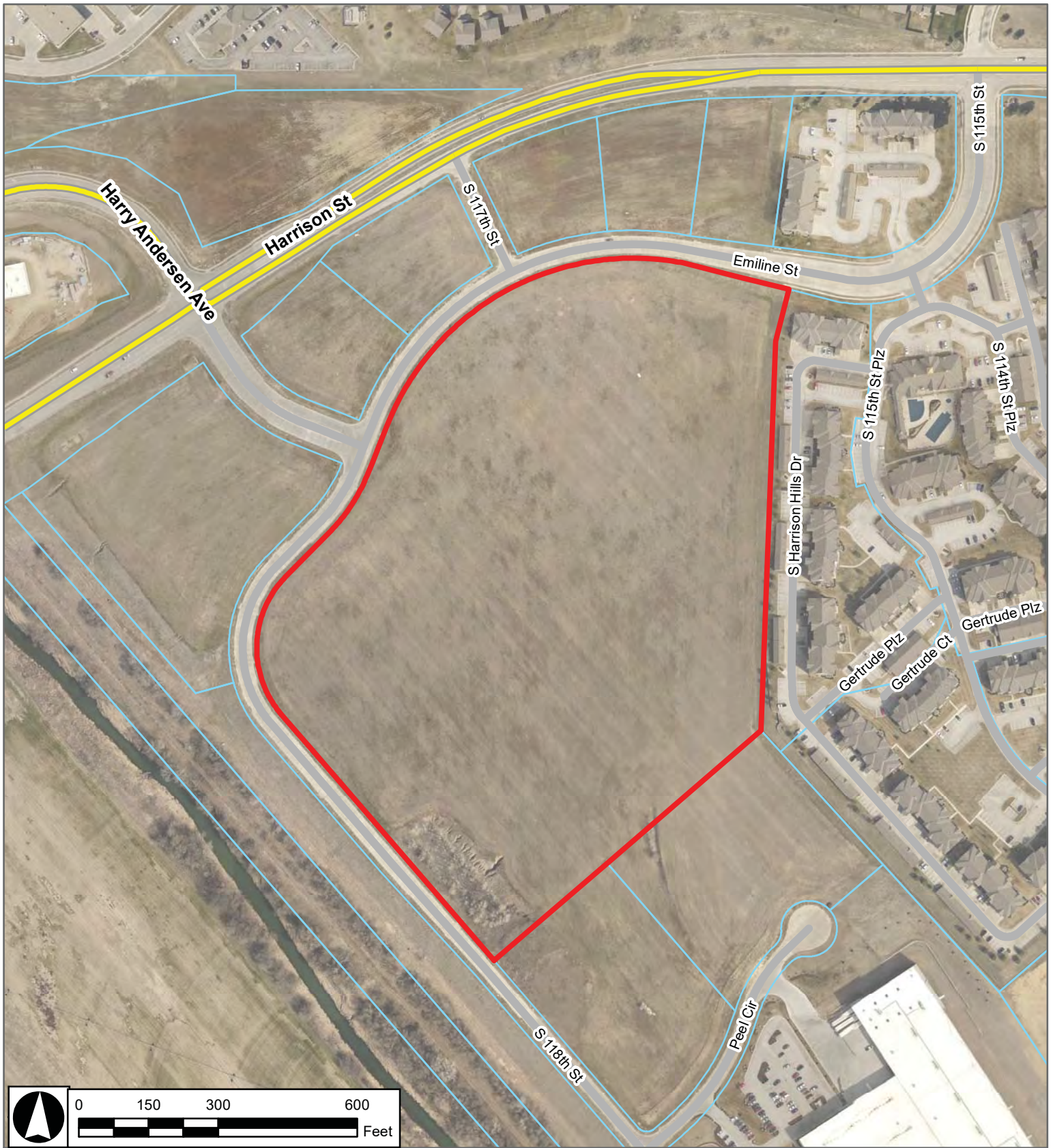
VII. COPIES OF REPORT SENT TO:

1. Sam Garden, CBRE|MEGA
2. Sal Carta, Harrison I-80 LLC
3. Dawn Danley, DLR Group
4. Public Upon Request

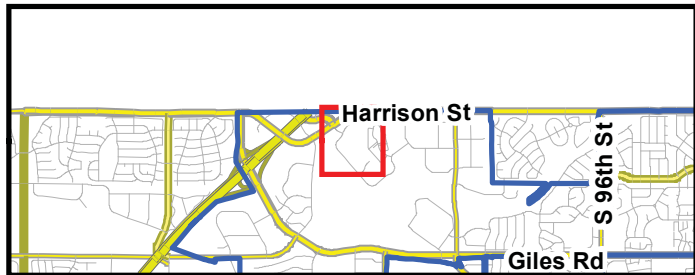

Prepared by: _____


Community Development Director


Date



Project Vicinity Map



Lot 1 - Harrison Hills

4/12/2017
JMC





March 27, 2017

Sam Garden
CBRE-MEGA
11213 Davenport Street
Omaha, NE 68154

RE: Future Land Use Map Amendment, Zoning Map Amendment
Lot 1 Harrison Hills

Mr. Garden,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Comprehensive Plan and the Zoning Ordinance the City has the following comments:

Future Land Use Map Amendment

1. City staff will prepare the necessary documentation regarding the request to amend the Future Land Use Map to designate Lot 1 Harrison Hills as Industrial.

Zoning Map Amendment

2. The application lists the proposed rezoning from C-3 Highway Commercial/Office Park District to I-1 Light Industrial District. However the current zoning includes a Gateway Corridor District (Building Design Review Overlay District) in addition to the base C-3 zoning. This overlay district would need to be added to your rezoning request of the new base zoning of I-1.
3. Due to the possible impacts of industrial development upon adjoining commercial and residential properties, the City will only be in favor of an I-1 zoning designation with the Gateway Corridor District and with the addition of a Planned Unit Development (PUD) overlay district.

This requires the development and approval of site plan prior to construction.

4. The zoning regulations would require a 30 foot buffer with screening where the proposed I-1 zoning abuts residential (R-3) zoning. The proposed site driveway with a 25 foot setback notation does not comply.
5. A traffic study based on the proposed development needs to be provided for consideration of the rezoning request. A copy of the recent Restaurant Depot traffic study on Lot 2 Harrison Hills can be provided for the application's reference.

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

www.cityoflavista.org
info@cityoflavista.org

The study should address the intersections of 118th and Harrison (changes to existing signalization and adequate turn bays), 118th and Emiline (for any changes to stop controls), and 115th and Harrison (examination of signal warrants and adequate turn bays).

6. Existing sewer utilities are adequate for either zoning classification.

Please submit revised documentation by March 30, 2017 as our internal publication deadline for the April 20, 2017 Planning Commission meeting is March 31, 2017. Resubmittals should be comprised of 4 full size copies (along with electronic copies) of the revised documents.

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

Thank you,



Christopher Solberg, AICP
City Planner

Attachment

cc: Ann Birch, Community Development Director
John Kottmann, City Engineer
Dawn Danley, DLR Group



March 30, 2017

Mr. Christopher Solberg
City Planner
City of La Vista
La Vista, NE

RE Future Land Use Map Amendment, Zoning Map Amendment, Lot 1 Harrison Hills

Dear Mr. Solberg,

The letter is in response to your letter dated March 27, 2017 regarding our rezoning application. The following is our response to each of the comments and requests included in your letter.

Future Land Use Map Amendment

1. Acknowledged.

Zoning Map Amendment

2. A revised application is enclosed which includes the revisions to include the Gateway Corridor District.
3. A revised application is enclosed which includes the revisions to include the Planned Unit Development overlay district.
4. A revised site plan is enclosed which addresses the revised buffer requested.
5. As confirmed in our phone conversation on March 29, 2017 and via the attached email, we acknowledge that a traffic study will be a requirement of the PUD site plan application process and that nothing is required at this time to complete the rezoning application approval process.
6. Acknowledged.

Please contact me at 402-321-1007 or sgarden@cbre-mega.com if you have any questions.

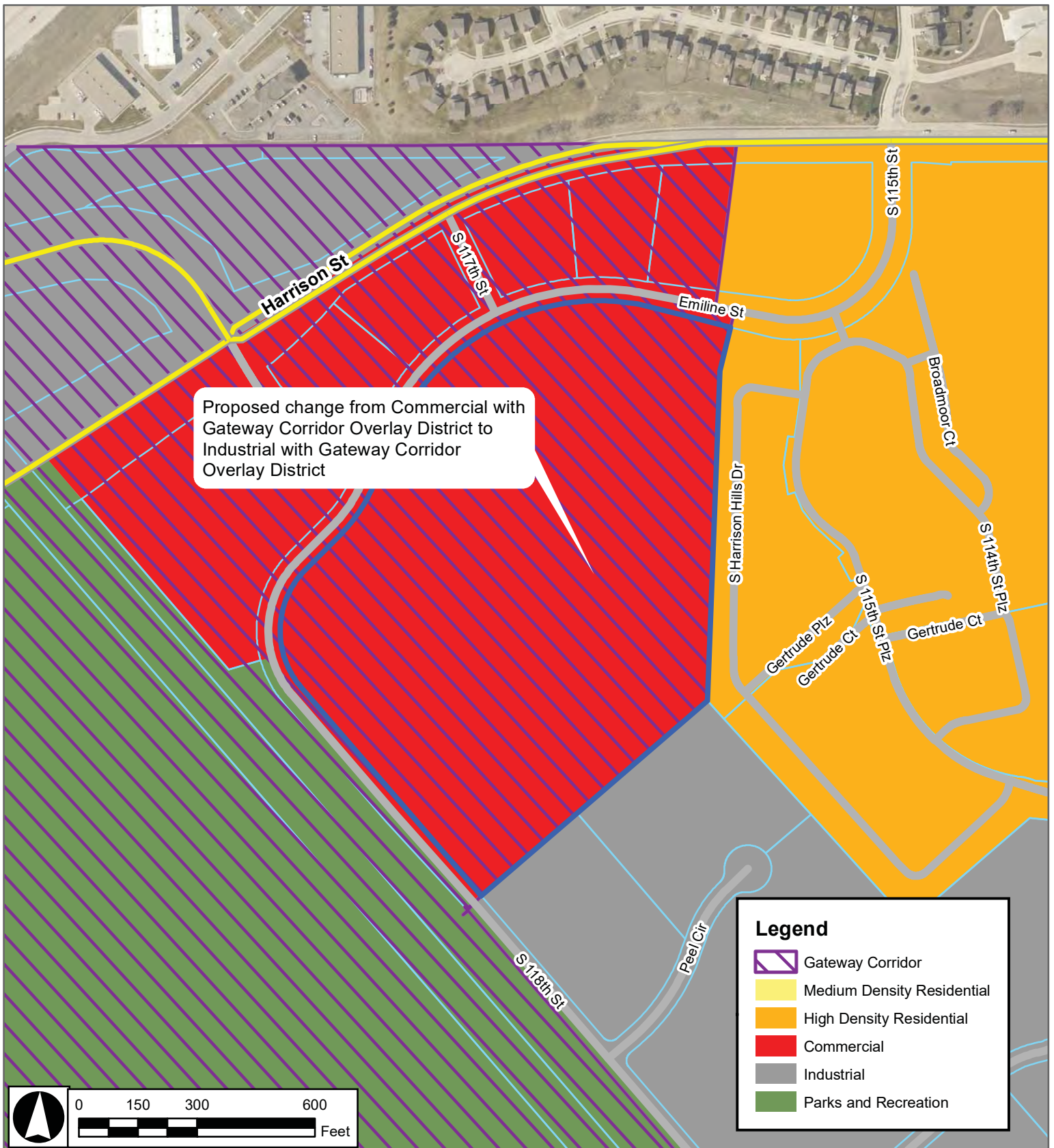
Sincerely,

A handwritten signature in black ink, appearing to read "Sam Garden".

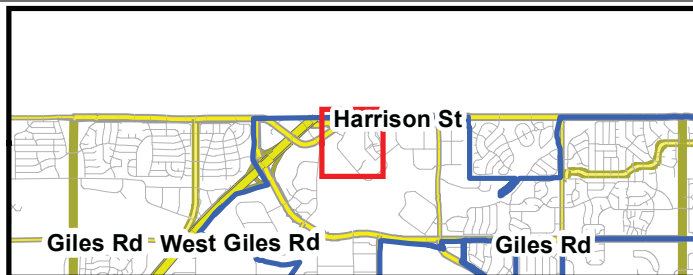
Sam Garden
Director, Project Management

Attachments: Rezoning Application
Revised Site Plan
Email confirmation of traffic study requirements

Cc: Dawn Danley, DLR Group



Future Land Use Map Amendment Exhibit

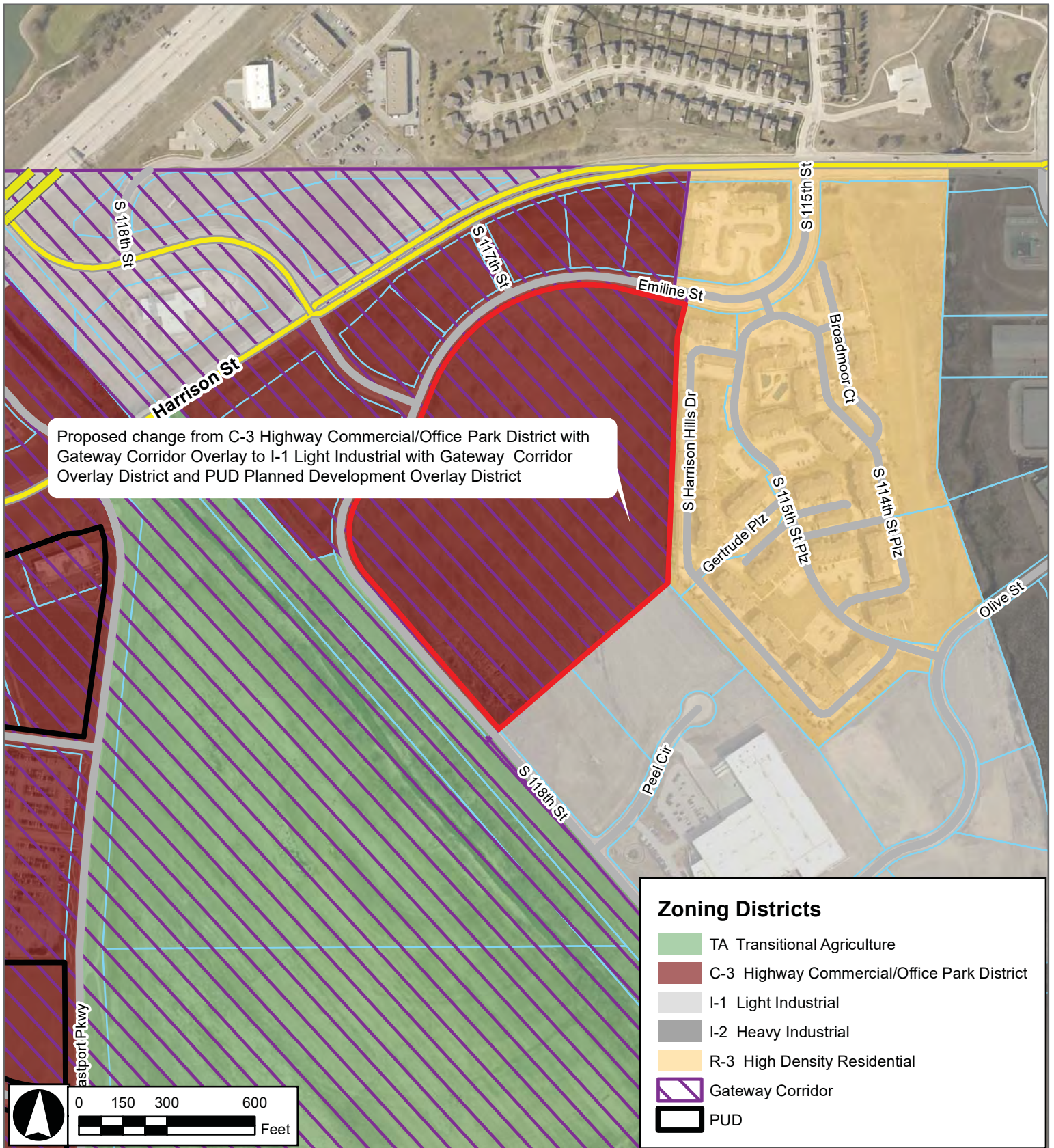


Lot 1 - Harrison Hills

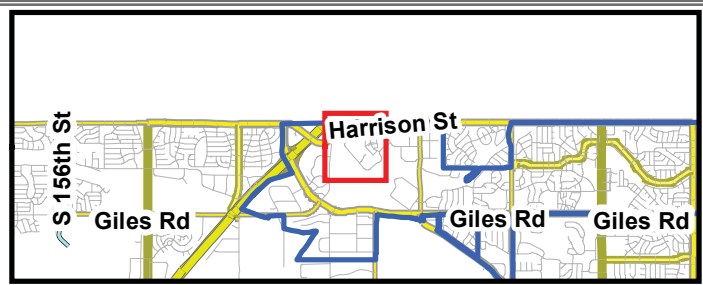
4/12/2017

JMC





Zoning Map Amendment Exhibit



Lot 1 Harrison Hills

4/12/2017
JMC



HARRISON HILLS

LOTS 1 THRU 18, INCLUSIVE AND OUTLOT A,
BEING A PLATTING OF PART OF THE NW 1/4, TOGETHER WITH PART OF THE WEST 1/2 OF THE NE 1/4, PART OF THE NW
1/4 OF THE SE 1/4 AND PART OF THE NE 1/4 OF THE SW 1/4 ALL IN SECTION 12, T14N, R12E OF THE 6th P.M.,
SARPY COUNTY, NEBRASKA.

- 80 FOOT WIDE RIGHT-OF-WAY EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC. BOOK 48 AT PAGE 488 OF THE SARPY COUNTY RECORDS.
- EASEMENT AND RIGHT-OF-WAY GRANTED TO METROPOLITAN UTILITIES DISTRICT RECORDED IN MISC. BOOK 43 AT PAGE 257 OF THE SARPY COUNTY RECORDS.
- 100 FOOT WIDE WILLIAMS PIPELINE COMPANY EASEMENT.
- 30 FOOT WIDE PERMANENT SANITARY SEWER EASEMENT GRANTED TO THE CITY OF OMAHA RECORDED IN MISC. BOOK 47 AT PAGES 15, 16 AND 17 OF THE SARPY COUNTY RECORDS.
- 20 FOOT WIDE PERPETUAL SANITARY SEWER EASEMENT GRANTED TO SANITARY AND IMPROVEMENT DISTRICT NO. 124 RECORDED IN MISC. BOOK 53 AT PAGES 359, 361 AND 363 AND MISC. BOOK 34 AT PAGE 23 OF THE SARPY COUNTY RECORDS.
- STORM SEWER EASEMENT (SEE RECORDED DOCUMENTS)
- SANITARY SEWER EASEMENT (SEE RECORDED DOCUMENTS)
- CHANNEL EASEMENTS (SEE RECORDED DOCUMENTS)

- NOTES:
- DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.
 - THERE SHALL BE NO DIRECT VEHICULAR ACCESS ONTO HARRISON STREET OVER THE NORTHERLY LINES OF LOTS 2 THRU 7, INCLUSIVE, LOTS 17, 18 AND OUTLOT A.
 - ANGLES SHOWN ON CURVED LOT LINES ARE MEASURED TO THE CHORD LINE.



HARRISON HILLS

SALES PLAT

THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors
10836 OLD MILL ROAD
OMAHA, NE 68154
(402) 330 - 8860



738-120

738120SALES.DWG

