



**CITY OF LA VISTA  
8116 PARK VIEW BOULEVARD  
LA VISTA, NE 68128  
P: (402) 331-4343**

**PLANNING COMMISSION AGENDA  
OCTOBER 1, 2020 – 6:30 P.M.**

1. *Call to Order*
2. *Approval of Meeting Minutes – September 3, 2020*
3. *Old Business*
4. *New Business*
  - A. **Annexation of Lots 1, 2 and 3 and Outlots B and C, Oriental Trading Company Business Park, a subdivision in Sarpy County, Nebraska.**
    - i. Staff Report – Christopher Solberg, AICP
    - ii. Public Hearing
    - iii. Recommendation
5. *Comments from the Floor*
6. *Comments from the Planning Commission*
7. *Comments from Staff*
8. *Adjournment*

*The public is welcome and encouraged to attend all meetings. If special accommodations are required please contact City Hall prior to the meeting at (402) 331-4343. A copy of the Open Meeting Act is posted in the Council Chamber. Citizens may address the Planning Commission about items not on the agenda under “comments from the floor”. Comments should be limited to five minutes. We ask for your cooperation in order to provide for an organized meeting.*



**CITY OF LA VISTA**  
**8116 PARK VIEW BOULEVARD**  
**LA VISTA, NE 68128**  
**P: (402) 331-4343**

**PLANNING COMMISSION MINUTES**  
**SEPTEMBER 3RD, 2020 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, September 3rd, 2020 in the La Vista Community Center Gymnasium. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, Josh Frey, Harold Sargus, Jason Dale, and Patrick Coghlan. Members absent were: Mike Circo. Also, in attendance were Bruce Fountain, Community Development Director; Chris Solberg, Deputy Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician; and Pat Dowse, City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

**1. Call to Order**

The meeting was called to order by Chairman Wetuski 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – August 6, 2020**

*Malmquist* moved, seconded by *Krzywicki*, to approve the August 6th minutes. **Ayes: Krzywicki, Gahan, Wetuski, Coghlan, Dale, Alexander, Frey, and Malmquist. Nays: None. Abstain: Sargus. Absent: Circo. Motion Carried, (8-0-1)**

**3. Old Business**

None.

**4. New Business**

**A. Planned Unit Development Amendment-Lots 1 through 4 Echo Hills Replat Four – West Management, LLC**

- i. Staff Report – Cale Brodersen:** Brodersen stated that applicant, West Management, LLC, is looking for an amendment to an existing planned unit development site plan for Lots 1 through 4 Echo Hills Replat Four. He mentioned that earlier in the year, the Planning Commission reviewed several items for the Echo Hills Development, and that the current planned unit development site plan was approved by Council on February 4, 2020. However, in the last couple of months, as the design of the buildings on Lots 1 and 2 have progressed, they have run into some architectural constraints that bring them back today with this request to amend the site plan

specifically as it relates to the provided off-street parking. This request is for a small reduction in the number of parking stalls on several of the lots, which still meet the city's minimum requirements through the Zoning Ordinance, and for a change in the configuration and dimensions of the parking stalls in the underground parking garage in apartment building number three. Staff recommends approval of the Planned Unit Development Site Plan Amendment, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

ii. **Public Hearing: Wetuski opened the Public Hearing.**

**Wetuski closed the Public Hearing as no members of the public came forward.**

Malmquist brought up that the dimensions for the compact stalls weren't included in La Vista's Zoning Ordinance and asked if this is something that will be amended into the Zoning Ordinance in the future with specifications for space size.

Solberg said there will be a full-scale update to the Zoning Ordinance in the future, depending on funding, and this is an area that would likely get reviewed in that process.

iii. **Recommendation:** Gahan moved, seconded by Dale, to recommend approval of the Planned Unit Development Site Plan Amendment, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance. **Ayes: Krzywicki, Gahan, Wetuski, Coghlan, Dale, Sargus, Alexander, Frey, and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)**

**B. Conditional Use Permit Amendment – 8802 S 121<sup>st</sup> St. – The Waldinger Corporation**

i. **Staff Report-Cale Brodersen:** Brodersen stated that the applicant, The Waldinger Corporation, is looking for an amendment to an existing Conditional Use Permit for Lot 2 Papio Valley 2 Business Park Replat 1. Their original existing Conditional Use Permit was issued in 2015 and allows for outdoor storage in the I-2 Heavy Industrial district. It's the only district where outdoor storage may be permitted, but it does require a Conditional Use Permit and there has been a request from the applicant to increase the area where outdoor storage is permitted on their site. Brodersen said that the applicant has worked with city staff to identify some additional site improvements to help screen the outdoor storage from the road. These improvements include a screened fence along the eastern edge of the property, and some additional evergreen trees. Staff recommends approval of the Conditional Use Permit Amendment for Lot 2 Papio Valley 2 Business Park Replat 1, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

ii. **Public Hearing: Wetuski opened Public Hearing.**

**Wetuski closed the Public Hearing as no members of the public came forward.**

Krzywicki asked what the percentage increase for outdoor storage was going to be.

Brodersen said that he didn't believe that had been calculated.

Solberg said though it had not been calculated yet, he thought it was about one-third.

Brodersen said that he didn't think it was even that much, but that the original area was all fenced in as shown on the site plan, and that there are some areas by the loading docks where some materials were starting to pile up, so this amendment is a result from staff reaching out requiring them to come into compliance.

Malmquist mentioned that the staff report showed that the applicant had applied for the Conditional Use Permit in February of 2020 and asked why it has taken so long for this to be brought forward.

Brodersen said that there were some lags because there was some back and forth from city staff about trees and if more could be added to the area. He said that there was a delay in communication, due to COVID-19 issues. He said that coming up with an agreement on the additional screening also caused delays.

iii. **Recommendation-** Sargus moved, seconded by Frey, to recommend approval of the Conditional Use Permit Amendment for Lot 2 Papio Valley 2 Business Park Replat 1, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance. **Ayes: Krzywicki, Gahan, Wetuski, Coghlan, Dale, Alexander, Frey, Sargus and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)**

**C. Conditional Use Permit – 7303 S 85<sup>th</sup> Street – Giandonoto, LLC**

i. **Staff Report – Cale Brodersen:** Brodersen state that the applicant, Giandinoto, LLC, is requesting a Conditional Use Permit for a private carwash on lot 16A3B Park View Heights. He said that the intention for this use is to wash cars in preparation for their sale off-site. He said that the applicant owns La Vista Auto Plex, adjacent to this lot, which is a legally non-confirming use because they were there before the Zoning Amendment took place which does not allow for auto sales in that area. He said that many of the conditions in the Conditional Use Permit ensure that the auto sales use is not expanded onto this lot. Staff recommends approval of the

Conditional Use Permit for Lot 16A3B Park View Heights, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

ii. **Public Hearing: Wetuski opened the Public Hearing.**

**Wetuski closed the Public Hearing as no members of the public came forward.**

Krzywicki mentioned that when a normal carwash is approved for a permit, they must ensure that wastewater is not allowed to flow off of the site onto other properties. Does the same apply to this private carwash?

Solberg said it will go through the sanitary sewer system.

Dowse said that staff asked a lot of questions of the applicant regarding the treatment of waste from the site and confirmed that water will go into the sanitary sewer and will not be allowed to flow off-site.

Brodersen said that the applicant estimates washing only 4 cars per day, so it would be a small amount of water that would be treated on-site and will go through the floor drains, which were included in the building permits for the improvements.

iii. **Recommendation:** Gahan moved, seconded by Alexander, to recommend for approval the Conditional Use Permit for Lot 16A3B Park View Heights, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

**Ayes: Krzywicki, Gahan, Wetuski, Coghlan, Dale, Alexander, Sargus, Frey, and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)**

## 5. Comments from the Floor

No members of the public were present.

## 6. Comments from the Planning Commission

None

## 7. Comments from the Staff

Fountain thanked the commission for wading through this process of getting back together for in-person meetings. He said that there has been some discussion about moving back to the [council] chambers. He said that they will be asking commissioners to definitely wear masks during the meetings, and that Solberg may move to the front so that the commissioners will have more space. He said that the October 1<sup>st</sup> meeting will be in the Rec Center and if there is a

second meeting in October, that will hopefully be in the chambers. Fountain said that council is supposed to be having more discussion at their September 15<sup>th</sup> meeting.

**8. Adjournment**

Wetuski adjourned the meeting at 6:48 p.m.

Reviewed by Planning Commission:

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Planning Commission Secretary

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Planning Commission Chair

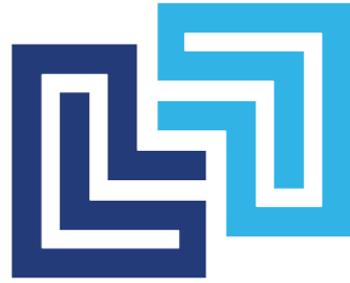
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Date

## **AGENDA ITEM 4A**

**Annexation of Lots 1, 2 and 3 and Outlots B and C,  
Oriental Trading Company Business Park, a  
subdivision in Sarpy County, Nebraska**

# MEMO



**TO:** Planning Commission Members

**FROM:** Christopher Solberg, Deputy Community Development Director

**CC:** City Council Members and applicable City Staff

**DATE:** 9/22/2020

**RE:** Annexation of Oriental Trading Company Business Park

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## **Agenda Item 4A: Annexation of Lots 1-3 and Outlots B & C of Oriental Trading Company Business Park**

City staff has provided a packet describing the annexation schedule, as required by State Statute; also provided are maps, legal descriptions, statistics, improvements, and other analysis of the subdivision that is proposed for annexation into the City of La Vista. In addition, the packet has a plan for extending city services to the proposed land for annexation.

This annexation includes properties which would in-fill or be contiguous with existing city boundaries. The proposed annexation would be consistent with the adopted Annexation Plan within the Comprehensive Plan.

**Staff Recommendation Item 4A:** Staff recommends approval of the proposed annexation of Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park to City Council as it is consistent with La Vista's Comprehensive Plan.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (LOTS 1, 2, AND 3, AND OUTLOTS B AND C, ORIENTAL TRADING COMPANY BUSINESS PARK, AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NE), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land titled "Annexation Plan Oriental Trading Company Business Park (Lots 1-3, Outlots B & C)", including without limitation any Exhibits, ("Plan to Extend Services" or "Plan"), and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and Plan to Extend Services, and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska.

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

SECTION 1.

- A. The foregoing recitals shall be incorporated into this ordinance by reference and are hereby ratified, affirmed and approved.
- B. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1, 2 AND 3 AND OUTLOTS B AND C, ORIENTAL TRADING COMPANY BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID LOT 2, SAID CORNER BEING ON THE EAST LINE OF 114<sup>TH</sup> STREET;

THENCE S84°44'30"E (ASSUMED BEARING) 1918.19 FEET ON THE NORTH LINE OF SAID LOT 2 AND SAID OUTLOTS B AND C;

THENCE SOUTHEASTERLY ON THE NORTH LINES OF SAID OUTLOTS B AND C ON A 2241.50 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S79°10'42"E, CHORD DISTANCE 434.61 FEET, AN ARC DISTANCE OF 435.29 FEET;

THENCE S73°37'02"E 158.22 FEET ON THE NORTH LINE OF SAID OUTLOT B;

THENCE S54°07'02"E 94.50 FEET ON THE NORTH LINE OF SAID OUTLOT B TO THE NE CORNER THEREOF;

THENCE S00°24'53"E 2232.04 FEET ON THE EAST LINES OF SAID LOTS 1 AND 3 AND OUTLOTS B AND C TO THE SE CORNER OF SAID LOT 3;

THENCE S89°42'31"W 1438.14 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE N00°02'09"E 412.07 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE S89°42'07"W 1030.54 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE S00°00'33"W 33.94 FEET ON THE SOUTH LINE OF SAID LOT 3;

THENCE S89°42'26"W 138.70 FEET ON THE SOUTH LINE OF SAID LOT 3 TO THE SW CORNER THEREOF;

THENCE N00°00'33"E 1719.00 FEET ON THE WEST LINES OF SAID LOTS 2 AND 3;

THENCE N05°04'17"E 238.00 FEET ON THE WEST LINE OF SAID LOT 2;

THENCE N00°00'33"E 226.00 FEET ON THE WEST LINE OF SAID LOT 2;

THENCE N05°39'53"E 42.79 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to such territory, which Plan, as amended and submitted to the City Council, is incorporated by this reference and hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

SECTION 3. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



## **ANNEXATION PLAN**

**ORIENTAL TRADING COMPANY BUSINESS PARK  
(Lots 1-3, Outlots B & C)**

**August 25, 2020**

## ANNEXATION SCHEDULE\*

(Per R.S. 1943, § 16-117, Annexation; powers\*\*; procedure; hearing; and LB 495)

(1) Prepare a plan for extending city services\*\*\* to the land proposed for annexation that contains sufficient detail to provide a reasonable person with a full and complete understanding of the proposal for extending city services to such land. The plan shall:

- a. State the estimated cost impact of providing the services to such land;
- b. State the method by which the city plans to finance the extension of services to the land and how any services already provided to the land will be maintained;
- c. Include a timetable for extending the services to such land;
- d. Include a map drawn to scale clearly delineating the land proposed for annexation, the current boundaries of the city, the proposed boundaries of the city after the annexation, and the general land-use pattern in the land proposed for annexation.

**\_packets to depts.**

**10/2/2019**

**Info. due back**

**11/1/2019**

**Draft study 7/9-7/20**

**Depts. review draft 8/3**

**Revisions due back 8/17**

**Prepare final draft 8/18**

**Final Plan 9/1**

(2) The City Council adopts the resolution stating that the city is considering the annexation of the land and the plan for extending services to the land. The resolution shall state:

- a. The time, date and location of the public hearing (#10 below);
- b. A description of the boundaries of the land proposed for annexation; and
- c. That the plan of the city for the extension of city services to the land proposed for annexation is available for inspection during regular business hours in the office of the City Clerk.

**CC Resolution 9/15**

**PC Public Hearing 10/1**

**CC Public Hearing 10/20**

### Update City website and social media sites.

(3) Not later than **14 days** prior to the Planning Commission public hearing in #6, the City Clerk must send notice of the proposed annexation by **certified mail, return receipt requested** to any of the following entities serving customers in the City or area proposed for annexation (Section 16-130(6)):

- a. Natural gas public utility defined in Section 66-1802
- b. Natural gas utility owned or operated by the city
- c. Metropolitan utilities district
- d. Any municipality
- e. Public power district
- f. Public power and irrigation district
- g. Electric cooperative
- h. Any other governmental entity providing electric service

This notice must include:

- a. Copy of proposed annexation ordinance,
- b. The date, time and place of public hearing before Planning Commission on proposed annexation ordinance, and
- c. A map showing the boundaries of the area proposed for annexation

**Mail 9/16**

(4) The City must send written notice of the proposed annexation to the owners of property within the area proposed for annexation by **regular U.S. mail**, postage prepaid, to the address of each owner of such property<sup>i</sup> as it appears in the records of the office of the register of deeds, **postmarked** at least **10 working days** prior to the Planning Commission's public hearing on the proposed change with a **certified letter** to the SID Clerk if the annexation includes property located within the boundaries of such SID. The notice must include:

- a. Description of the area proposed to be annexed, including a map showing the boundaries of the area proposed for annexation, and
- b. The date, time, and location of Planning Commission hearing and

**(Ownership list no earlier than 9/1)**

**Mail 9/16**

c.	How further information regarding the annexation can be obtained, including the phone number of the pertinent city official and electronic mail or internet address if available.	
(5)	A copy of the resolution in #2 providing for the public hearing shall be sent by first-class mail following its passage to the school board of any school district in the land proposed for annexation. Also notify Fire District.	Mail 9/16 to PLVSD
(6)	The Planning Commission conducts a public hearing on the proposed annexation and forwards a recommendation to the City Council.	PC 10/1 (PC 10/15 if continued)
(7)	A copy of the resolution in #2 providing for the public hearing shall be published in a legal newspaper in or of general circulation in the city at least once <u>not less than 10 days</u> preceding the date of the public hearing. A map drawn to <b>scale</b> delineating the land proposed for annexation shall be published with the resolution.	Publish 10/7 (Email resolution and map 10/1)
(8)	The City must send a second notice of the proposed annexation to the same owners of property who were provided with notice in #4 above by <b>regular U.S. mail</b> , postage prepaid, to the owner's address as it appears in the records of the office of the register of deeds, <b>postmarked</b> at least <b>10 working days</b> prior to the public hearing of the City Council on the proposed annexation. The notice must include:	
a.	Description of the area proposed to be annexed, including a map showing the boundaries of the area proposed for annexation, and	Mail 10/1
b.	The date, time, and location of the City Council hearing and	
c.	How further information regarding the annexation can be obtained, including the phone number of the pertinent city official and an electronic mail or internet address if available.	
(9)	The City Council introduces the annexation ordinance (first reading).	CC 10/20 (1 <sup>st</sup> Reading)
(10)	The City Council holds the public hearing on the proposed annexation <u>within 60 days</u> following the adoption of the resolution in # 2 above to allow City Council to receive testimony from interested persons (the City Council may recess the hearing, for good cause, to a time and date specified at the hearing).	CC 10/20 (Public Hearing)
(11)	The City Council considers the second reading of the annexation ordinance.	CC 11/3 (2 <sup>nd</sup> Reading)
(12)	Prior to the final adoption of the annexation ordinance, the minutes of the City Council meeting at which the final adoption was considered shall reflect formal compliance with #3 above. <i>[For example, when the agenda item for final adoption comes up and prior to any vote, the Mayor or City Clerk should state for the record that the minutes will reflect formal compliance with the requirements of subsection 16-130(6) of Nebraska Statutes.]</i>	CC 11/17
(13)	The City Council considers the third and final reading of the annexation ordinance.	CC 11/17 (3 <sup>rd</sup> Reading)
(14)	The City Clerk publishes the annexation ordinance and it becomes effective 15 days after passage*. <i>*Specify effective date of 12/3/2020</i>	Publish 11/25 <i>*Effective 12/3</i>
(15)	The City Clerk notifies:	
a.	SID Chairman – request information on contracts, outstanding bills, name/contact information for auditor, an audit up to the date of annexation, and accounting per Section 31-764. <i>[if applicable, i.e. when the annexed area is in an SID]</i>	
b.	Reporting of annexation pursuant to various statutes, such as:	
	i. (Section ?) – notice to Postmaster General of Nebraska	
	ii. Section 13-509(3) – taxable valuation - Mayor and City Council shall file and record a certified copy of the annexation ordinance, petition, or resolution in the office of the register of deeds or, if none, the county clerk and the county assessor of the county in which the annexed property is located. The annexation ordinance, petition, or resolution shall include a full legal description of the annexed property. If the register of deeds or county clerk receives and records such ordinance, petition, or resolution prior to <b>July 1</b> or, for annexations by a city of the metropolitan class, prior to August 1, the valuation of the real and personal property annexed shall be considered in the taxable valuation of the annexing political subdivision for the current year	11/26

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iii. Section 18-1753 – if annexation adds additional population to the city, city must report additional population to tax commissioner and include a copy of the ordinance and other information specified in Section 18-1753

iv. Section 77-27,143 – sales and use tax administration - local jurisdiction boundary changes apply only on the first day of a calendar quarter after a minimum of one hundred twenty days' notice to the Tax Commissioner and sixty days' notice to sellers

c. Determination if redistricting is required pursuant to Section 19-3052 (within 180 days). No municipality which proposes to annex territory and thereby bring new residents into the municipality shall annex such territory unless the redistricting will be accomplished at least eighty days prior to the next primary election in which candidates for the city council or village board of trustees are nominated. No city of the first class shall annex any territory during the period from eighty days prior to any primary election in which candidates for the city council are nominated until the date of the general election of the same year if such annexation would bring sufficient new residents into such city so as to require that election districts be redrawn to maintain substantial population equality between districts.

d. **County Offices, utility companies, others?**

e. **911 notification – request change to who is dispatched in annexed areas.**

**(16) DATE TO PROVIDE SERVICES**

Note: Dates may be revised during preparation of final report, see item (1) above, but prior to (2) above.

**POLICE:** 12/3/2020

**FIRE:** 10/1/2021

**LIBRARY:** 12/3/2020

**RECREATION:** 12/3/2020

**PUB WORKS:** 12/3/2020

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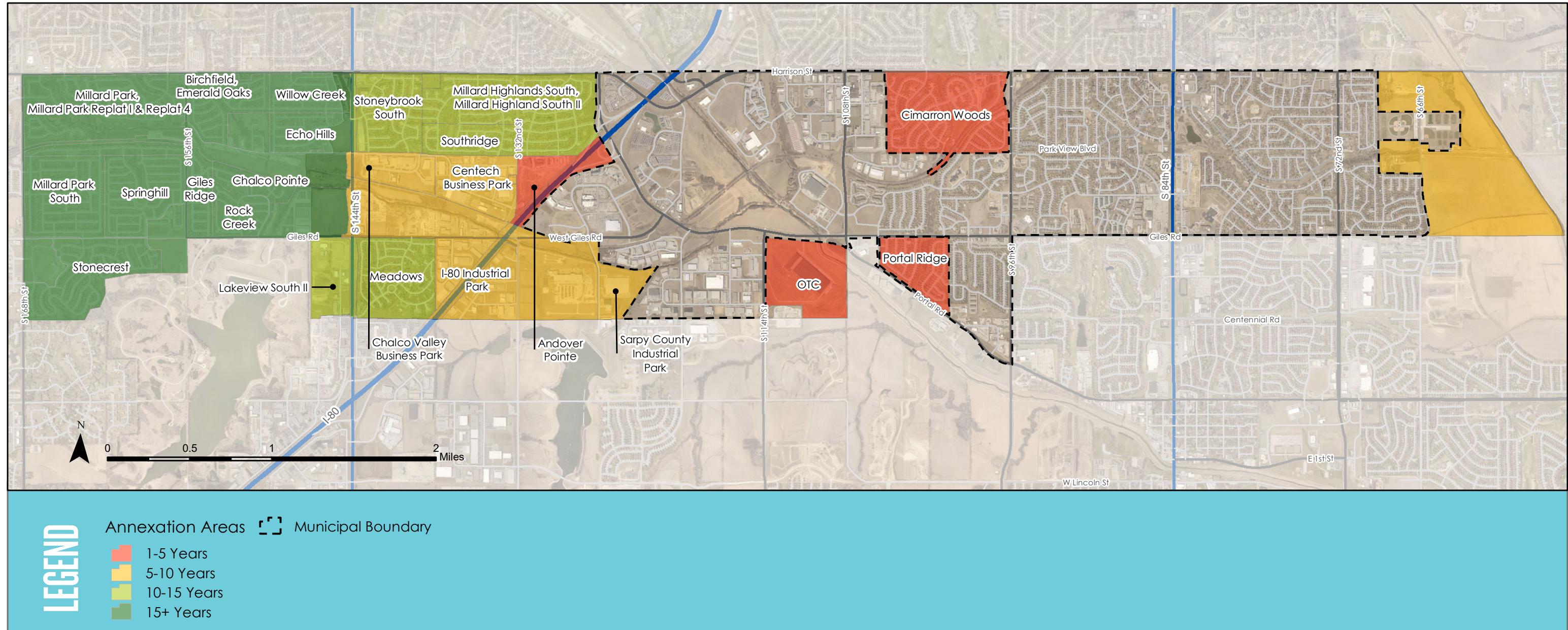
**Denotes special meeting.**

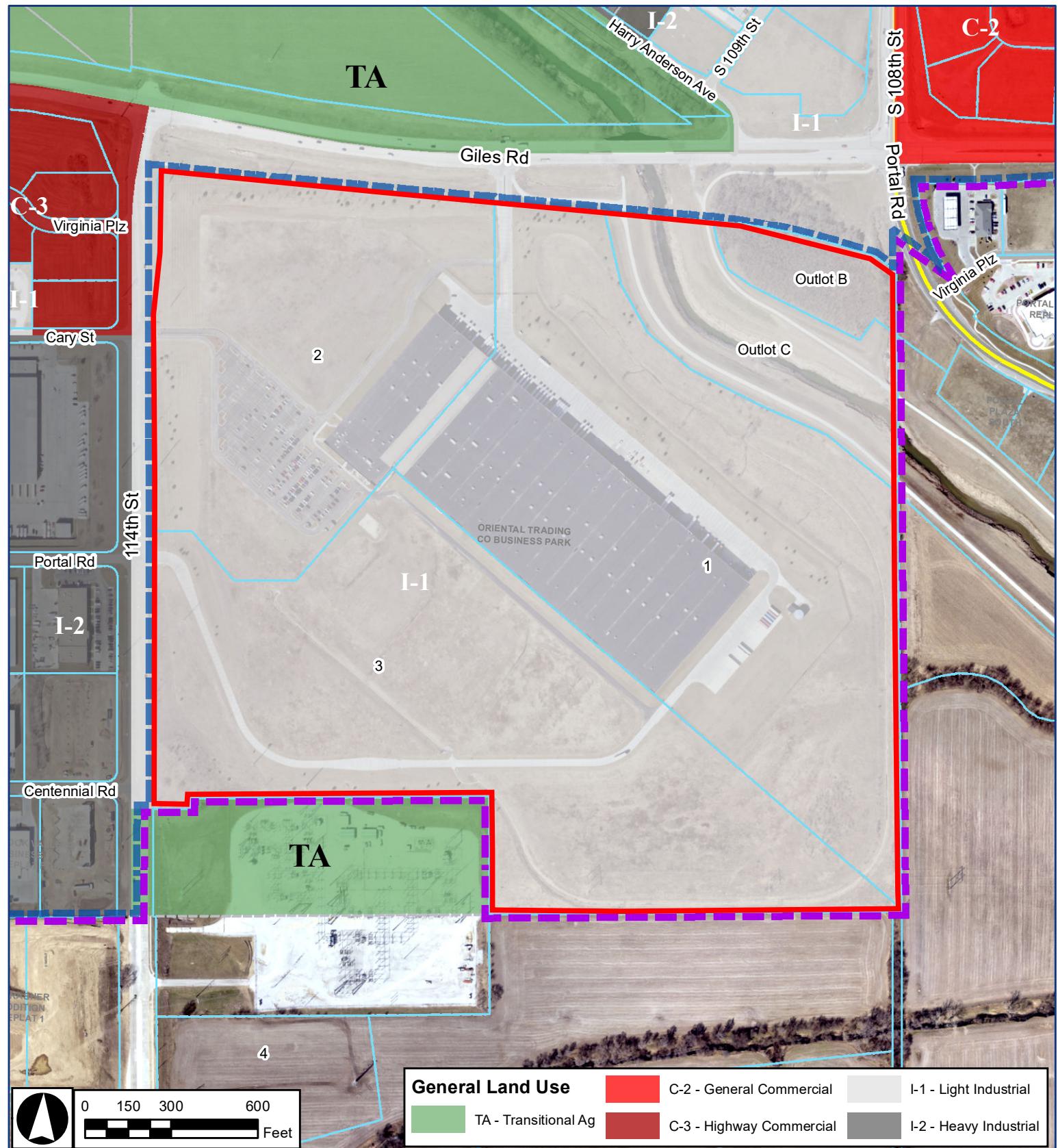
**Denotes not required by statute.**

Revised 9-15-20

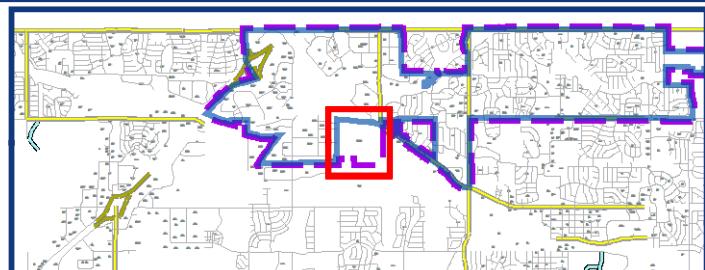
<sup>i</sup> Owner means owner of a piece of property as indicated on the records of the office of the register of deeds as provided to or made available to the city no earlier than the last business day before the 25<sup>th</sup> day preceding the public hearing by the planning commission on the annexation proposed for the subject property (Section 19-5001(7)).

# Annexation





## Annexation Vicinity Map - Oriental Trading Company Business Park



### Legend

- Proposed Annexation Area
- City Limits - Current
- City Limits - Post Annexation

7/29/2020  
CB

LEGAL DESCRIPTION

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THENCE S84°44'30"E (ASSUMED BEARING) 1918.19 FEET ON THE NORTH LINE OF SAID LOT 2 AND SAID OUTLOTS B AND C;

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THENCE N05°39'53"E 42.79 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

**LOTS 1-3 & OUTLOTS B & C  
ORIENTAL TRADING COMPANY BUSINESS PARK**

**I. Statistics**

- A. 2020 Valuation = \$34,715,846
- B. SID Tax Levy (per \$100 valuation) = N/A
- C. Estimated Population of Subject Area (as of 8/17/2020)\* = 0  
\*Population estimated from 2010 Census, persons per household multiplied by housing unit count.
- D. Land Area (acres) = 136.22
- E. Land Use
  - 1. Single Family Units = 0
  - 2. Multi-Family Units = 0
  - 3. Public Property = 2 Outlots
  - 4. Developed Commercial Lots = 0
  - 5. Developed Industrial Lots = 2  
(Oriental Trading Company)
  - 5. Number of Vacant Lots = 1
- F. School District = Papillion/La Vista
- G. Fire District = Papillion Rural Fire Protection District

**II. Improvements**

- A. Streets
  - Total Lane Miles = 0.00
  - Street Rating = NA
  - 1. New Lane Miles: Giles Road and 114<sup>th</sup> Street are both currently within the La Vista City Limits. No additional lane miles will be added as a result of this annexation.
  - 2. Street Lights: The City will incur no additional street lights.
  - 3. Traffic Signals: The City will incur no additional signals as part of this annexation.
  - 4. Right-of-Way: The City will acquire no additional right-of-way as a result of this annexation.

5. **Street Maintenance & Snow Removal:** No additional streets will be added as a result of this annexation. All adjoining streets are within the La Vista City Limits and are currently maintained by the La Vista Public Works Department. The overall condition of the streets adjoining proposed annexation area is good.
6. **Street Signs:** All required signage in the area is in place. The proposed annexation area is small enough that routine maintenance can be absorbed into the current budget.
7. **Sidewalks:** There no sidewalks in the annexation area. The West Papio Trail traverses Outlot C along the West Papillion Creek. Outlot C is owned by the Papio-Missouri NRD who maintains the trail.

B. Storm Sewer

1. There are no public storm sewer facilities within the proposed annexation areas.

C. Sanitary Sewer

1. The OTC building is served by a lift station and approximate 900-foot force main that connects into the Omaha Interceptor Sewer on the easterly side of the West Papio in an outlot owned by the City. The lift station is privately maintained as per the 2004 agreement with Oriental Trading Company. However, the force main is public and is currently maintained by La Vista Public Works.
2. Per our wastewater service agreement with the City of Omaha, La Vista will collect sewer use fees for this area.
3. The sanitary sewers flow into the Omaha Interceptor Sewer.

D. Water

1. All water services are provided by Metropolitan Utilities District.

E. Public Parks/Recreational Facilities

1. The West Papio Trail traverses Outlot C. The trail is maintained by the Papio-Missouri Natural Resources District. There are no other public parks or recreational facilities in this annexation.

F. Miscellaneous Improvements/Property Owned by SID

1. None that staff is aware of.

### **III. City Services**

#### **A. Police**

1. **Calls for Service:** The Police Department has examined the impact of annexing Oriental Trading Company Business Park and has found that for the 2018 calendar year there was 1 call for service to the area, 5 calls in 2017 and 14 in 2016. The Police Department has been responding to calls if officers are in the area when the call comes out.
2. **Fiscal Impact:** The Police Department has staffed an additional patrol district to service areas west of 96<sup>th</sup> Street since the development of the Southport area. No additional fiscal impact is expected.
3. **Staffing Impact:** During planning for the annexation of the Southport area, the Police Department planned and has since staffed an additional patrol district to service areas west of 96<sup>th</sup> Street. The planning at the time also included future service to the residential, industrial and commercial areas west of 96th Street. The areas to be annexed will benefit from faster response times than the County is presently providing.
4. **Overall:** The overall impact to the Police Department will be absorbed easily by the current district police car. The district cruiser currently drives through the vicinity in order to patrol and respond to calls for service in the City areas adjacent to the proposed annexation.

#### **B. Fire**

1. **Calls for Service:** The Papillion Fire Department has examined the impact of annexing Oriental Trading Company Business Park and has found that for the 2018 calendar year there was 6 calls for service to the area, 7 calls in 2017 and 9 in 2016.
2. **Fiscal Impact:** Based on the current contract arrangement between the Cities of La Vista, Papillion and the Papillion Rural Fire District it is hard to ascertain the fiscal impact of the annexation as the agreement is based on overall property valuation within and between the three entities. As the annexation would take place in the middle of FY21, there is no expected impact to the FY21

budget. It has been roughly calculated that the annexation would increase the payments through the contract by approximately \$56,000.

3. Staffing Impact: The Oriental Trading Company Business Park is already covered by the Papillion Fire Department. No staffing impacts are anticipated.
4. Overall: The Papillion Fire Department will continue to respond to calls for service in the area and maintain adequate response times. There appears to be adequate water supply and access roads for fire and EMS response.

C. Library

1. No impact to the La Vista Public Library is anticipated from this annexation.

D. Recreation

1. No impact to the La Vista Recreation Department is anticipated from this annexation.

E. Community Development

1. These lots are contiguous to the City limits.
2. Annexation of this area is consistent with the approved annexation plan within the City's Comprehensive Plan.

**IV. Contractual Obligations of the SID**

A. Contracts

1. None (not a SID).

B. Pending Litigation

1. None (not a SID).

C. Pending Improvement Projects

1. None (not a SID).

## **V. Analysis**

### **A. Annexation Suitability**

1. These lots are bordered by the City limits to the north and west making it a contiguous annexation.
2. From a financial standpoint, total annual income from all funds exceeds total annual expense by \$190,918.
3. The City's debt to assessed valuation ratio would decrease from 2.43% to 2.24%.

### **B. Policy Alternatives**

1. Annex.
2. Postpone annexation.

### **C. Recommendations/Conclusions**

The annexation of Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park will bridge the gap in between the City Limits of Papillion and La Vista in this area. This will reduce confusion regarding which areas are within the City limits and which areas are in Sarpy County's jurisdiction. It is recommended that the City annex Lots 1-3 and Outlots B & C, Oriental Trading Company Business Park as this analysis confirms its suitability for annexation and the annexation is in conformance with the Comprehensive Plan.

Revised 8-25-2020

### Financial Information - OTC Business Park

REVENUE	EXPENSES
<b>General Fund</b>	<b>General Fund</b>
<i>Income Sources:</i>	<i>Costs to Service:</i>
Property Tax \$ 173,562	Street Lighting
Highway Allocation	Street Maintenance - Personnel
Sales & Use Tax	Street Maintenance - Operating
Franchise Tax \$ -	Snow Removal
<b>General Fund Income</b> \$ 173,562	Street Signs
	Traffic Signals
	Right-of-Way Maintenance
	Law Enforcement
	Fire Protection
	Community Development
	Administration
	Human Resource
	Library
	<b>General Fund Expenses</b> \$ -
	<b>Equipment - One-Time General Fund</b>
	"No Parking" Signs
	<b>One-Time Expenses</b> \$ -
<b>Total General Fund Income</b> \$ 173,562	<b>Total General Fund Expenses</b> \$ -
<b>Sewer Fund</b>	<b>Sewer Fund</b>
<i>Income Sources:</i>	
Sewer Use Fees * \$ -	Sewer Personnel
<b>Sewer Fund Income</b> \$ -	Sewer Maintenance
	<b>Sewer Fund Expenses</b> \$ -
	<b>Equipment - One-Time Sewer Fund</b>
	<b>One-Time Expenses</b> \$ -
<b>Total Sewer Fund Income</b> \$ -	<b>Total Sewer Fund</b> \$ -
<b>Debt Service (Bond Fund)</b>	<b>Debt Service (Bond Fund)</b>
<i>Income Sources:</i>	
Property Tax \$ 17,356	Annual P&I Payments
Unpaid Special Assessments	Rural Fire Districts - One-Time Expense
Special Assessments to be Levied	
Interest on Unpaid Assessments	
Cash On Hand	<b>Debt Service Fund Expenses</b> \$ -
<b>Total Debt Service Income</b> \$ 17,356	<b>Total Debt Service Fund Expenses</b> \$ -
	<b>Capital Fund - One-Time Expense</b>
	Street Repairs
	<b>Total Construction Fund Expenses</b> \$ -
<b>One-Time Income</b> \$ -	<b>One-Time Expenses</b> \$ -
<b>Annual Income</b> \$ 190,918	<b>Annual Expenses</b> \$ -

\* Already collecting Sewer Use Fees in OTC.

ADDITIONAL INFORMATION		
Current Assessed Valuation of Annexed Area	\$34,712,366	
0 Lane Miles		
<b>Outstanding Debt</b>		
General Obligation		0.5
Special Assessments to be Levied <sup>8</sup>		0.05
Accrued Interest		
<b>Total Outstanding Debt</b>	<b>\$0</b>	<b>0.55</b>
<b>Outstanding Revenue</b>		
Special Assessments to be Levied <sup>8</sup>	\$0	0.0%
	\$0	
<b>SID Net Debt</b>		
Outstanding Debt	\$0	
less Special Assessments to be Levied	\$0	
less Unpaid Specials	\$0	
less Cash on Hand	\$0	
<b>Total Net Debt</b>	<b>\$0</b>	
<b>Net debt to assessed valuation ratio</b>	<b>0.00%</b>	

Annexed Area Fire District Debt Obligation		
<b>Millard Fire District</b>		
Annexed Property <i>within</i>		
Percent of Valuation:	0.0%	
<b>Millard Fire District Debt(net)<sup>9</sup></b>	<b>0</b>	
City of La Vista	0	
<b>Papillion Rural Fire District</b>		2,821,243,244
Annexed Property <i>within</i>		34,712,366
Percent of Valuation:	1.23%	
<b>Papillion Rural Fire District Debt(net)<sup>9</sup></b>	<b>0</b>	
City of La Vista	0	
<b>Total Fire District Debt - One Time</b>	<b>\$</b>	<b>-</b>

City Information - Pre Annexation		City Debt to Assessed Valuation Ratio Post - Annexation	
Outstanding long term debt (10/01/20)	\$42,725,000		
Less Cash reserves:			
Debt Service Fund	(\$2,710,709)		
Lottery Fund			
<b>Net Debt (10/01/20)</b>	<b>\$40,014,291</b>		
Assessed Valuation			
Real Estate	\$1,755,107,309		
Personal Property			
<b>City Total Assessed Valuation</b>	<b>\$1,755,107,309</b>		
Net debt to assessed valuation ratio	2.28%		
<b>Debt to assessed valuation ratio</b>	<b>2.43%</b>		
		<b>Total Combined Valuation</b>	<b>\$1,789,819,675</b>
		City debt (10/01/19)	\$40,014,291
		OTC Debt (10/01/19)	\$0
		<b>Total Combined Debt</b>	<b>\$40,014,291</b>
		<b>City post-annexation debt/assessed valuation ratio</b>	<b>2.24%</b>

## **PLAN FOR EXTENDING CITY SERVICES TO THE LAND PROPOSED FOR ANNEXATION**

Pursuant to Nebraska Revised Statute §16-117, the following plan represents the City of La Vista's intent to serve Lots 1 – 3 and Outlots B & C Oriental Trading Company Business Park.

### **Lots 1-3 Oriental Trading Company Business Park**

The following city services will be extended on or before December 3, 2020:

Community/Recreation Center	Police Protection
Library Services	Street Maintenance
Sewer Maintenance	Park Maintenance

The following city services will be extended on or before October 1, 2021:

Fire and Rescue Services\*

\*Papillion Fire Department already provides services to this area. Annexation will cause a shift from their Rural Fire District to the La Vista Fire District on the aforementioned date.

City of La Vista Nebraska  
9900 Poral Rd.  
La Vista, NE 68128

Toys NE Qrd 15-74 Inc.  
C/O Oriental Trading Company  
4206 S 108<sup>th</sup> St.  
Omaha, NE 68137

Toys NE Qrd 15-74 Inc.  
C/O Oriental Trading Company  
4206 S 108<sup>th</sup> St.  
Omaha, NE 68137

Toys NE Qrd 15-74 Inc.  
C/O Oriental Trading Company  
4206 S 108<sup>th</sup> St.  
Omaha, NE 68137

The Papio-Missouri River  
Natural Resources District  
8901 S 154<sup>th</sup> St.  
Omaha, NE 68138