

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MAY 16, 2023 AGENDA

| Subject: | Type: | Submitted By: |
|--|---|---|
| ZONING MAP AMENDMENT – LOTS 1-3 MAYFAIR 2 ND ADDITION REPLAT SEVEN AND LOT 2 MAYFAIR 2 ND ADDITION REPLAT THREE | ◆ RESOLUTION ◆ ORDINANCE ◆ RECEIVE/FILE | CHRIS SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR |

SYNOPSIS

A public hearing has been scheduled and ordinance prepared to consider applications for the rezoning of Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three from C-1 Shopping Center Commercial with the Gateway Corridor Overlay District to R-3, PUD with the Gateway Corridor Overlay District for the purpose of developing a multifamily project generally located northeast of the intersection of 96th Street and Hillcrest Plaza.

FISCAL IMPACT

None.

RECOMMENDATION

Approval subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of a PUD Site Plan, Conditional Use Permit, and approval and recording of the final replat and subdivision agreement.

BACKGROUND

An application has been submitted by Hubbell Development Services for the rezoning of approximately 15.75 acres currently described as Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three. The properties included in this request would be rezoned from C-1 Shopping Center Commercial with the Gateway Corridor Overlay District (GWC) to R-3 High Density Residential, Planned Unit Development (PUD), GWC to allow for the construction of a multifamily development. The applicant will be required to return after the rezoning approval to acquire approvals for the PUD Site Plan, Conditional Use Permit and replatting of the property.

A detailed staff report is attached.

The Planning Commission held a public hearing on April 20, 2023 and voted 7 to 1 in favor of recommending approval of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of a PUD Site Plan, Conditional Use Permit, and approval and recording of the final replat and subdivision agreement.

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, 2023, the La Vista Planning Commission conducted a public hearing on the matter of rezoning Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three, the tracts 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 tracts be changed from "C-1" Shopping Center Commercial and Gateway Corridor District (Overlay District) to "R-3" High Density Residential, Gateway Corridor District (Overlay District) and Planned Unit Development District (Overlay District) for Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three. On May 16, 2023, 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, a portion of Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three in the SE ¼ of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, is hereby rezoned from "C-1" Shopping Center Commercial and Gateway Corridor District (Overlay District) to "R-3" High Density Residential, 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 as described above and displayed in the attached Zoning Map Exhibit, hereby incorporated into this Ordinance by reference.

The amended version of the official zoning map of the City of La Vista is hereby adopted, contingent on the approval and recording of the Final Plat and related Subdivision Agreement, 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 2023.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION
RECOMMENDATION REPORT**

CASE NUMBERS: PRZ23-0001;

FOR HEARING ON: MAY 16, 2023
REPORT PREPARED ON: MAY 9, 2023

I. GENERAL INFORMATION

A. APPLICANT(S):

Hubbell Development Services
Attn: Josh Vickery
9719 Giles Road
La Vista, NE 68128

B. PROPERTY OWNER:

One Mayfair Place LLC
12408 S 36th Street
Bellevue, NE 68005

Lazlo's La Vista Property Holdings LLC
Attn: Eric Schafer
729 Q Street
Lincoln, NE 68508

C. LOCATION: Generally located northeast of the intersection of 99th Street and Hillcrest Plaza.

D. LEGAL DESCRIPTION: Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three.

E. REQUESTED ACTION(S): Approval of an amendment to the Official Zoning Map to rezone Lots 1-3 Mayfair 2nd Addition Replat Seven and Lot 2 Mayfair 2nd Addition Replat Three from C-1 Shopping Center Commercial and Gateway Corridor Overlay District (GWC) to R-3 High-Density Residential, Planned Unit Development Overlay District (PUD), and Gateway Corridor Overlay District (GWC).

F. EXISTING ZONING AND LAND USE: C-1 Shopping Center Commercial and Gateway Corridor District (Overlay District). This property is currently vacant.

G. PURPOSE OF REQUEST: Applicant is seeking to construct a multifamily development consisting of a mixture of multi-family apartment buildings, multi-plex residential buildings, and townhome-style residential units. The site plan, unit counts, conditions of operation, and other aspects of the proposed development will be

analyzed during the review processes related to the required PUD,CUP, and Replat actions described in Section IV (A) of this report.

H. SIZE OF SITE: Approximately 15.75 acres.

II. BACKGROUND INFORMATION

A. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

| <u>Direction</u> <u>From</u> <u>Subject</u> <u>Property</u> | <u>Future</u> <u>Land Use</u> <u>Designation</u> | <u>Current Zoning</u> <u>Designation</u> | <u>Surrounding</u> <u>Development</u> |
|--|--|--|--|
| North | Urban Medium Intensity Residential | R-1 Single-Family Residential | Mayfair Residential Subdivision |
| East | Urban High Intensity Residential | R-3 High-Density Residential, PUD, and Gateway Corridor District (Overlay District). C-1 Shopping Center Commercial and Gateway Corridor District (Overlay District). | Cedarhurst Senior Living Primrose Childcare |
| South | Urban Commercial | C-1 Shopping Center Commercial and Gateway Corridor District (Overlay District). | Culver's, Kathol P.C. office building, Swimtastic Swim School, Five Points Bank |
| West | Urban Medium Intensity Residential | R-1 Single-Family Residential | Mayfair Residential Subdivision |

B. RELEVANT CASE HISTORY:

1. Mayfair 2nd Addition Replat Three was approved by City Council on September 19, 2006.
2. Mayfair 2nd Addition Replat Seven was approved by City Council on October 18, 2016.
3. On December 20, 2022 the City Council of the City of La Vista approved a Comprehensive Plan Future Land Use Map amendment in relation to the approval of the La Vista Land Use Plan and Market Study. The Future Land Use Map amendment changed the future land use designation of the

properties that are the subject of this rezoning request from Commercial to Urban High Intensity Residential.

C. APPLICABLE REGULATIONS:

1. Section 5.08 of the City of La Vista Zoning Ordinance – R-3 High Density Residential
2. Section 5.15 of the City of La Vista Zoning Ordinance – PUD Planned Unit Development District (Overlay District)
3. Section 5.17 of the City of La Vista Zoning Ordinance – Gateway Corridor District (Overlay District)

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the La Vista Comprehensive Plan designates this property as Urban High Intensity Residential.
2. The proposed project will meet Policy Live-2.2 of the La Vista Comprehensive Plan which reads: "Promote the development of housing types and supportive programs for people of retirement age, allowing residents to age in place with access to daily services." This policy directly promotes Goal 2 of the Live Long category of the Comprehensive Plan, which reads: "Maintain the balance of diverse, high-quality housing that appeals to people of varying backgrounds, incomes and abilities."

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. The proposed development would have two driveway connections, one on 99th Street and another onto Hillcrest Plaza. Another connection, through an existing easement on the Cedarhurst Senior Living development property, provides access to Brentwood Drive.
2. A traffic impact analysis will be required as part of the PUD/CUP/Replat processes to determine the need for any traffic-related infrastructure investments.

D. UTILITIES:

1. The property has access to all necessary utilities.

E. PARKING REQUIREMENTS:

1. The minimum off-street parking stall requirements for the proposed development will be analyzed during the review process related to the required PUD/CUP/Replat actions.

IV. REVIEW COMMENTS:

A. Beyond this Zoning Map Amendment, applications and approval of the following will need to occur for this development prior to the issuance of building permits and start of construction:

1. Planned Unit Development Site Plan;
2. Conditional Use Permit for multiple-family dwellings;
3. Replat;
4. Subdivision Agreement;
5. Building Design Review.

V. PLANNING COMMISSION RECOMMENDATION – ZONING MAP AMENDMENT:

The Planning Commission held a public hearing on April 20, 2023, and voted 7 for to 1 against to recommend approval of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of a PUD Site Plan, Conditional Use Permit, and approval and recording of the final replat and subdivision agreement.

VI. STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

Staff recommends approval of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of a PUD Site Plan, Conditional Use Permit, and approval and recording of the final replat and subdivision agreement.

VII. ATTACHMENTS TO REPORT:

- A. Vicinity Map – Zoning Map Amendment
- B. Updated Zoning Map

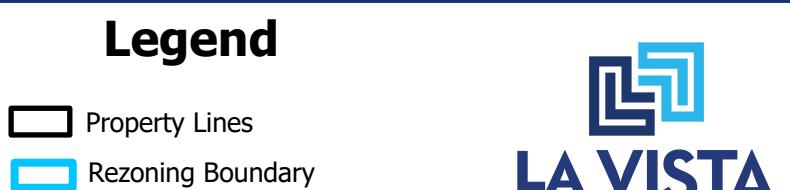
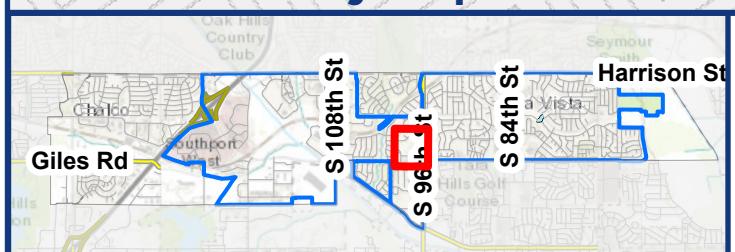
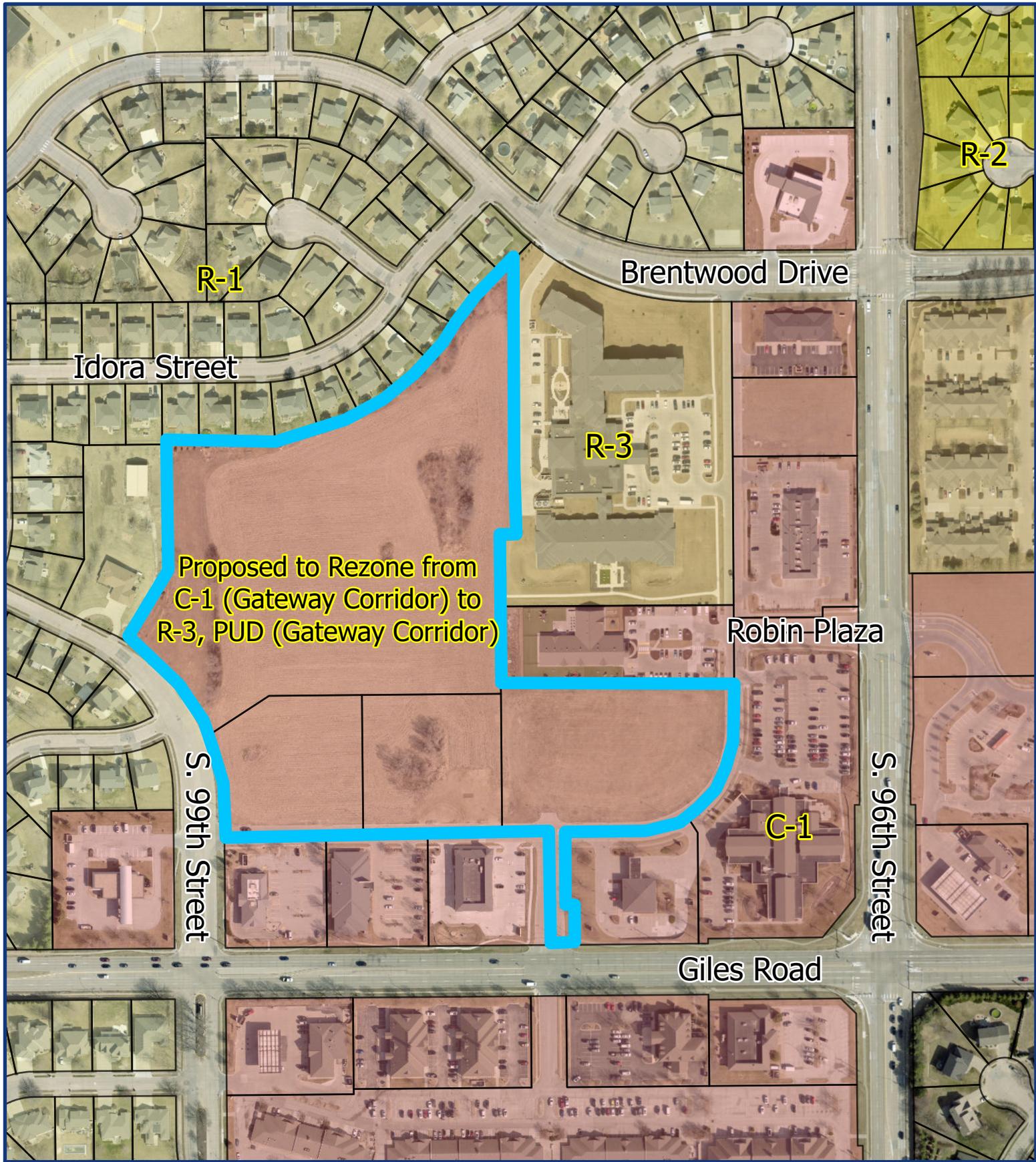
VIII. COPIES OF THE REPORT SENT TO:

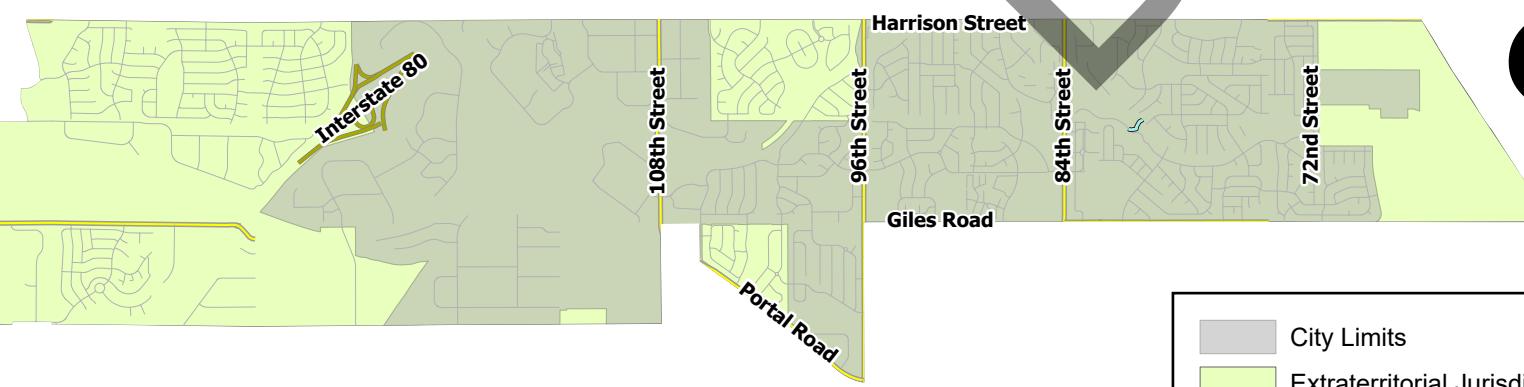
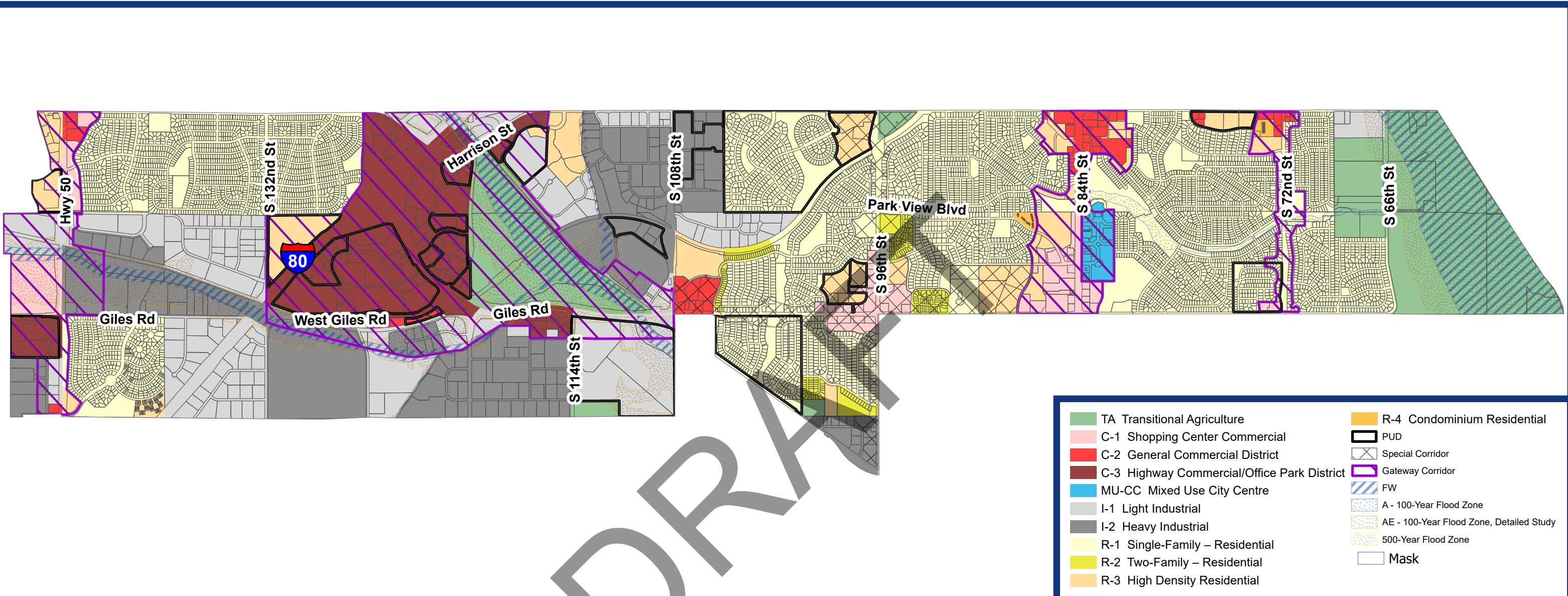
- A. Josh Vickery, Hubbell Development Services
- B. Trevor Veskrna, Thompson, Dreessen & Dorner, Inc.
- C. Public Upon Request


Prepared by: Deputy Community Development Director


Community Development Director

5/9/23
Date





4/14/2023
Drawn By: CB



**City of La Vista
Official Zoning Map
Adopted December 18, 2018
Updated _____, 2023
Ordinance Number _____**