

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 4, 2025 AGENDA

Subject:	Type:	Submitted By:
PLANNED UNIT DEVELOPMENT – AMENDMENT & CONDITIONAL USE PERMIT – ALFF CONSTRUCTION, LLC	◆ RESOLUTIONS (2) ORDINANCES RECEIVE/FILE	CHRIS SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

Public hearings have been scheduled and resolutions prepared for Council to consider an application by ALFF Construction LLC for a Planned Unit Development Amendment to allow for the development of Lots 3 and 4 of Brook Valley Corporate Park northwest of 108th Street and Harry Watanabe Parkway. The applicant has also submitted a request for a Conditional Use Permit to allow for outdoor storage on Lot 3 Brook Valley Corporate Park.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

Previous versions of the PUD Site Plan for Brook Valley Corporate Park depict a building on Lot 3 to be the same size as the other buildings on the site plan, but due to the lot configuration, the building did not front a dedicated street. The applicant desires to remove the depicted building on Lot 3 and combine Lots 3 and 4 into one development.

Additionally, the applicant desires to utilize the majority of Lot 3 for outdoor storage of salt brine tanks for de-icing operations during the winter months. The draft CUP provides limitations on what can be stored in the outdoor storage area and requires paving of the area. Additionally, the CUP requires screening in the form of fencing and vegetation, as depicted in the PUD Site Plan set, to be erected and maintained throughout the duration of the CUP. For additional details on the operation and the outdoor storage see the Operating Statement (Exhibit A of the Conditional Use Permit).

A detailed staff report is attached. The Planning Commission held a public hearing on February 6, 2024, and voted 7-0 to recommend approval of the PUD Site Plan Amendment, contingent on the resolution of any remaining issues, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

The Planning Commission also held a public hearing at that same meeting and voted 7-0 to recommend approval of the Conditional Use Permit for outdoor storage, contingent on the resolution of any remaining issues, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN AMENDMENT FOR LOTS 3 AND 4, BROOK VALLEY CORPORATE PARK, A SUBDIVISION LOCATED IN THE SOUTHEAST $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, ALFF Construction, LLC, of the above-described piece of property has made an application for approval of a PUD site plan amendment for Lots 3 and 4, Brook Valley Corporate Park; and

WHEREAS, the Deputy Community Development Director and the City Engineer have reviewed the PUD site plan; and

WHEREAS, on February 6, 2025, the La Vista Planning Commission held a public hearing and reviewed the amendment to the PUD site plan and recommended approval as the PUD Site Plan Amendment is consistent with the Comprehensive Plan and Zoning Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the PUD Site Plan for Lots 3 and 4, Brook Valley Corporate Park, a subdivision located in the Southeast $\frac{1}{4}$ of Section 17, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located northeast of 108th Street and Harry Watanabe Parkway, be, and hereby is, approved.

PASSED AND APPROVED THIS 4TH DAY OF MARCH 2025.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Rachel D. Carl, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR ALFF CONSTRUCTION, LLC FOR OUTDOOR STORAGE ON LOT 3 BROOK VALLEY CORPORATE PARK.

WHEREAS, ALFF Construction, LLC has applied for approval of a Conditional Use Permit for outdoor storage on Lot 3 Brook Valley Corporate Park, generally located northwest of S. 108th Street and Harry Watanabe Parkway; and

WHEREAS, the La Vista Planning Commission reviewed the application on February 6, 2025 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the amendment of the conditional use permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for ALFF Construction, LLC to allow for outdoor storage on Lot 3 Brook Valley Corporate Park.

PASSED AND APPROVED THIS 4TH DAY OF MARCH 2025.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Rachel D. Carl, CMC
City Clerk



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

CASE NUMBERS: PRP24-0002;

FOR HEARING ON:

MARCH 4, 2025

REPORT PREPARED ON:

FEBRUARY 7, 2025

I. GENERAL INFORMATION

A. APPLICANT(S):

ALFF Construction, LLC
10011 J Street
Omaha, NE 68127

B. PROPERTY OWNERS:

ALFF Construction, LLC
10011 J Street
Omaha, NE 68127

C. LOCATION: North of Harry Watanabe Drive, West of 108th Street

D. LEGAL DESCRIPTION: Lots 3 and 4 Brook Valley Corporate Park

E. REQUESTED ACTION(S): Planned Unit Development (PUD) Site Plan
Amendment and Conditional Use Permit (CUP)

F. EXISTING ZONING AND LAND USE: I-2 Heavy Industrial; the properties
are currently vacant.

G. PURPOSE OF REQUEST: Planned Unit Development (PUD) Site Plan
Amendment to remove the building on Lot 3 Brook Valley Corporate
Park and to consolidate the properties into one development
consisting of a flex industrial building on Lot 4 Brook Valley Corporate
Park and a fenced in paved storage area on Lot 3. The applicant has
also requested a Conditional Use Permit to allow for Outdoor Storage
on the paved portion of Lot 3 Brook Valley Corporate Park.

H. SIZE OF SITE: Approximately 3.99 acres.

II. BACKGROUND INFORMATION

A. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	Industrial	I-2 Heavy Industrial	Railroad Right-of-Way, Industrial Development
East	Industrial	I-2 Heavy Industrial	Vacant
South	Industrial	I-2 Heavy Industrial	Verizon Data Center
West	Industrial	I-2 Heavy Industrial	Multi-Tenant Industrial

B. RELEVANT CASE HISTORY:

1. On July 15, 2014, the City Council approved of the rezoning of Brook Valley Corporate Park from I-2 Heavy Industrial to I-2 Heavy Industrial with a Planned Unit Development (PUD) Overlay. City Council also approve of a Final Plat, Subdivision Agreement and PUD Site Plan at that meeting for the development.
2. On February 16, 2016 City Council re-approved of the Final Plat, Subdivision Agreement and PUD Site Plan as the Final Plat was not recorded within the 90 day time frame required by the Subdivision Regulations and construction within the PUD was not commenced within the 12-month time limit required by the Zoning Ordinance.

C. APPLICABLE REGULATIONS:

1. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development District (Overlay District)
2. Section 5.13 of the Zoning Regulations – I-2 Heavy Industrial District
3. Article 6 of the Zoning Regulations – Conditional Use Permits

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the La Vista Comprehensive Plan designates the subject property as Industrial.

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. The proposed PUD Site Plan Amendment nor the Conditional Use Permit will not have any expected impacts on the traffic or access

aspects related to this development from what was approved through the original plat.

D. UTILITIES:

1. The property has access to all necessary utilities.

E. PARKING REQUIREMENTS:

1. Per Section 7.06 of the La Vista Zoning Ordinance, the minimum off-street parking stall requirement for industrial flex space is one space per 3,000 square feet of gross floor area. For office space, the ratio is one space per 200 square feet. As depicted in the table below, the proposed development meets the minimum parking requirements of the La Vista Zoning Ordinance.

	<u>Square Footage / Use</u>	<u>Required Stalls</u>	<u>Provided Stalls</u>
Office	5,151 SF	26	
Industrial	19,849 SF	7	
Total		33	38

IV. REVIEW COMMENTS

- A. Previous versions of the PUD Site Plan for Brook Valley Corporate Park depict a building on Lot 3 Brook Valley Corporate Park. This building was depicted to be the same size as the other buildings on the site plan. The applicant desires to remove the proposed building on Lot 3 and combine Lot 3 and Lot 4 into one development.
- B. Additionally, the applicant desires to utilize the majority of Lot 3 for outdoor storage of salt brine tanks for de-icing operations during the winter months. The draft CUP provides limitations on what can be stored in the outdoor storage area and requires paving of the area. Additionally, the CUP requires screening in the form of fencing and vegetation, as depicted in the PUD Site Plan set, to be erected and maintained throughout the duration of the CUP. For additional details on the operation and the outdoor storage see the Operating Statement (Exhibit A of the Conditional Use Permit).
- C. The site plan has achieved approval from the Papillion Fire Plans Examiner with the condition that a Knox Box is provided (for emergency access to the fenced-in portion of the property) at the time of the development of the property.
- D. Per the 2016 PUD and Subdivision Agreements documentation on file, the Post Construction Stormwater Management Plan (PCMSP) is to be implemented at 70% buildout of the subdivision. All stormwater drainage issues shall be resolved prior to the issuance of a building permit.

V. STAFF RECOMMENDATION – PUD SITE PLAN AMENDMENT:
Staff recommends approval of the PUD Site Plan Amendment, contingent on the resolution of any remaining issues, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

VI. PLANNING COMMISSION RECOMMENDATION – PLANNED UNIT DEVELOPMENT SITE PLAN AMENDMENT:
The Planning Commission held a public hearing on 2/6/2025 and voted seven (7) in approval to zero (0) against to recommend approval of the PUD Site Plan Amendment, contingent on the resolution of any remaining issues, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

VII. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:
Staff recommends approval of the Conditional Use Permit for Outdoor Storage, contingent on the resolution of any remaining issues, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

VIII. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT:
The Planning Commission held a public hearing on 2/6/2025 and voted seven (7) in approval to zero (0) against to recommend approval of the Conditional Use Permit for Outdoor Storage, contingent on the resolution of any remaining issues, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

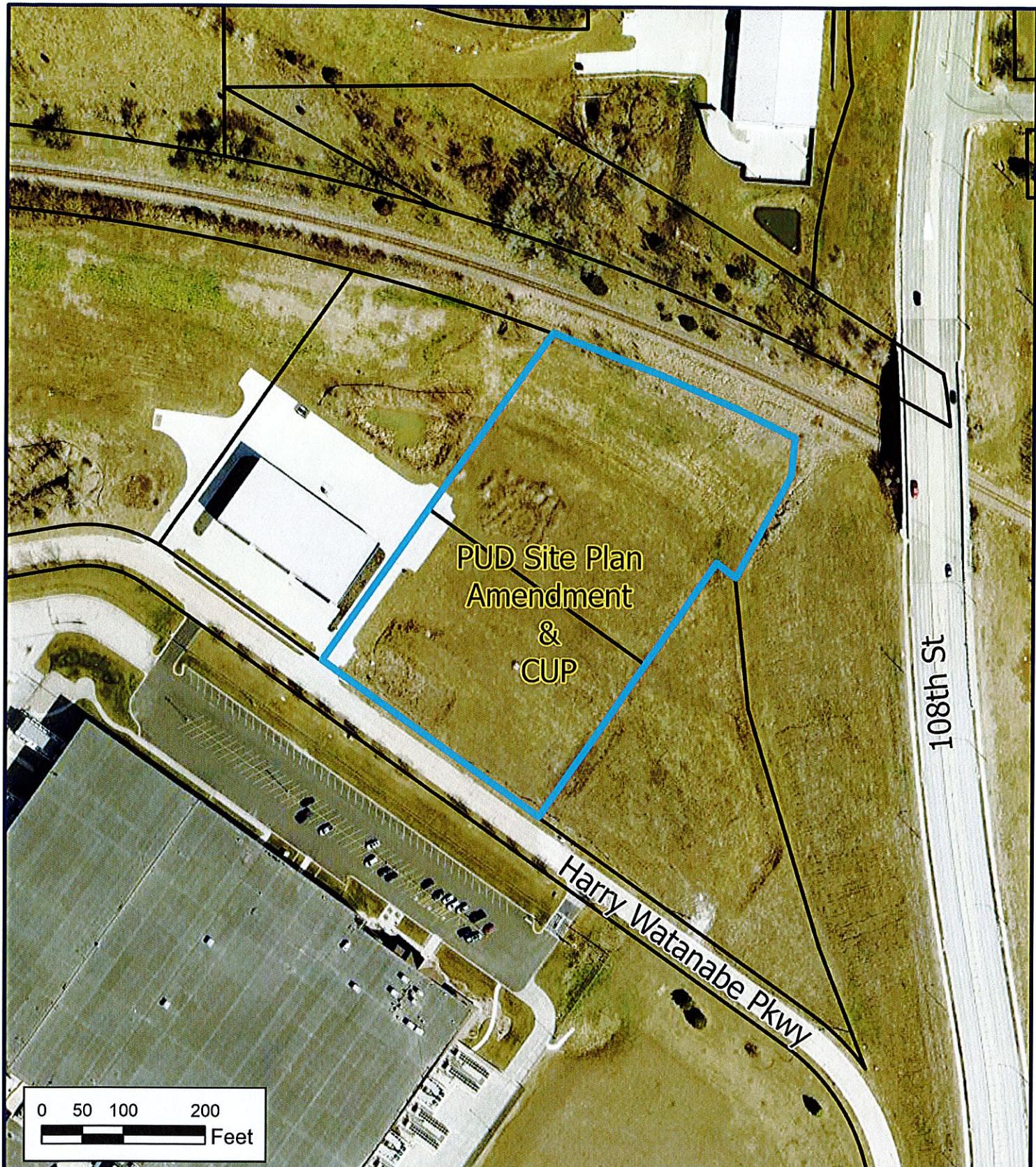
IX. ATTACHMENTS TO REPORT:
1. Vicinity Map
2. Staff Review Letters
3. Applicant Response Letters
4. PUD Site Plan Map Set

X. COPIES OF REPORT SENT TO:
A. Austin Alff; Alff Construction, LLC
B. Kyle Vohl; E & A Consulting
C. Public Upon Request

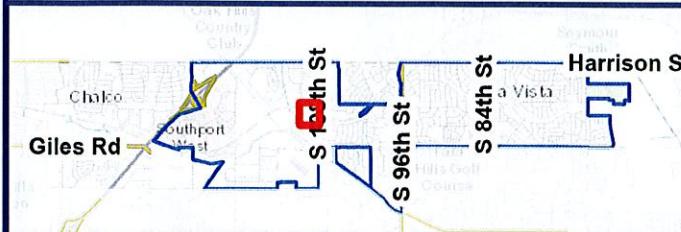
Prepared by: Deputy Community Development Director


Community Development Director

2/7/25
Date



PUD Amendment / CUP - ALFF Construction, LLC



Legend

- Property Lines
- PUD and CUP Area





December 17, 2024

E & A Consulting
Attn: Kyle Vohl
10909 Mill Valley Road, Suite 100
Omaha, NE 68154

RE: Brook Valley Corporate Park Planned Unit Development Amendment
ALFF Construction CUP
Initial Review Letter

Mr. Vohl,

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 Zoning Ordinance, the City has the following comments:

1. Per Section 5.15.04.01, please provide a construction schedule.
2. Per Section 5.15.05.02.5, please provide the width of the Harry Watanabe Parkway right-of-way.
3. Per Section 5.15.05.02.9, please provide details on screening requirements.
4. Per Section 5.15.15.03.1, please provide the net site area in square feet or acres.
5. Per Section 5.15.05.03.3, please provide the building coverage as a percentage of the net area.
6. Per Section 5.15.05.03.06, please confirm that the proposed parking counts meet the minimum off-street parking requirements of the City of La Vista. This includes the minimum requirements for ADA stalls by type. Parking stalls cannot be striped in front of overhead doors. The language within the PUD regulations allows for the sharing of parking between lots within the site plan. If additional parking stalls are necessary, parking stalls can be shared between the lots involved.

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8116 Park View Blvd.
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402.593.6445 F

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9110 Giles Rd.
402.537.3900 P
402.537.3902 F

Police
7701 S. 96th St.
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402.331.7210 F

Public Works
9900 Portal Rd.
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Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

7. Per Section 5.15.05.03.06, please show the typical dimensions of the parking southwest of the building.
8. Per Section 5.15.05.04, please provide drawings that detail the sanitary and storm sewer systems.
9. Per Section 5.15.05.07, please include a preliminary building rendering with the PUD plan set.
10. Per Section 5.15.05.08, please confirm that all easements and other encumbrances on the site have been delineated on the provided plans.
11. Per Section 5.15.05.08, the proposed Fire Easement was previously planned as a paved access route between the lots. Confirm the Fire Department is amenable to a gated fire easement and access gates.
12. Per Section 7.17.03.02, the required landscape buffer along street frontage shall be 15', as opposed to the 10' you have shown. This can be reduced to 10' if an equal amount of square feet of landscaped area is provided elsewhere. If you wish to provide this additional landscaped area elsewhere, please identify this location and provide the calculation.
13. Per Section 7.17.03.02.3, a minimum of one tree shall be planted for every forty lineal feet or fraction thereof of street frontage. The current site plan shows 6 trees planted along Harry Watanabe Parkway. With 325 feet of frontage, 9 trees shall be planted.

CUP

1. The operating statement provided states that the only items to be stored in the outdoor storage area will be up to 20 outdoor storage tanks. Are additional materials and equipment planned to be stored here, or could the size of the outdoor storage area be reduced and still accommodate the tanks?
2. Please provide details on the screening measures for the outdoor storage area. The view from the east shall be screened appropriately utilizing fencing and plantings.
3. Per Section 6.05.07, please confirm that the materials stored on-site do not involve any substances that are potentially harmful to health, animals, vegetation, or other property.
4. To address Section 6.05.07, please confirm that the outdoor storage area will be paved.

Please resubmit revised electronic copies of the PUD/CUP submittal documents to the City for further review. Please also provide a response letter that answers or

acknowledges each of the comments contained in this letter. A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed. If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,

A handwritten signature in blue ink, appearing to read "Christopher Solberg, AICP".

Christopher Solberg, AICP
Deputy Community Development Director
City of La Vista
csolberg@cityoflavista.org
(402) 593-6400

cc:

Austin Alff – Alff Construction
Bruce Fountain, Community Development Director – City of La Vista
Cale Brodersen, Associate Planner – City of La Vista
Pat Dowse, City Engineer – City of La Vista
Garrett Delgado, Engineer Assistant – City of La Vista



E & A CONSULTING GROUP, INC.

Engineering Answers

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154-3950
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www.eacg.com

12/23/2024

Christopher Solberg, Deputy Community Development Director
City of La Vista Community Development Department
8116 Park View Blvd.
La Vista, NE 68128

RE: Brook Valley Corporate Park Planned Unit Development Amendment & ALFF Construction CUP
E & A File: P2024.271.001

Dear Christopher,

On behalf of our client, AlffCo, we hereby submit the above referenced project. This submittal is in response to your 12/17/2024 Comment Letter from the 11/20/2024 Submittal. Each of the comments are listed, with our response following it shown in *italics*.

PUD:

1. Per Section 5.15.04.01, please provide a construction schedule.
Response: To address this comment, we have provided a construction schedule. Please see the attached Preliminary Project Schedule.
2. Per Section 5.15.05.02.5, please provide the width of the Harry Watanabe Parkway right-of-way.
Response: We have dimensioned the Harry Watanabe Parkway right-of-way. Please see the updated PUD Site Plan.
3. Per Section 5.15.05.02.9, please provide details on screening requirements.
Response: Screening will be achieved using a combination of overstory trees planted 40' on center and a 6' tall black privacy slatted fence. Please see the Fence Exhibit and Landscape Plan for further details.
4. Per Section 5.15.15.03.1, please provide the net site area in square feet or acres.
Response: The total net site area is 3.99 acres. We have updated the site statistics table on the PUD Site Plan to reflect this calculation.
5. Per Section 5.15.05.03.3, please provide the building coverage as a percentage of the net area.
Response: The building coverage as a percentage of the net area and the floor area ratio is 14.38%. We have updated the site statistics table on the PUD Site Plan to include this calculation.
6. Per Section 5.15.05.03.06, please confirm that the proposed parking counts meet the minimum off-street parking requirements of the City of La Vista. This includes the minimum requirements for ADA stalls by type. Parking stalls cannot be striped in front of overhead doors. The language within the PUD regulations allows for the sharing of parking between lots within the site plan. If additional parking stalls are necessary, parking stalls can be shared between the lots involved.
Response: We have removed parking in front of each bay door and labeled them as "no parking." Oversized stalls between each bay door remain and qualify as parking stalls. The updated parking count reflects these changes. The required parking total, based on office and industrial square footage, is 33 stalls. We are providing 38 total stalls, including 2 accessible stalls. Please see the updated PUD Site Plan and site statistics table.
7. Per Section 5.15.05.03.06, please show the typical dimensions of the parking southwest of the building.
Response: We have dimensioned the typical stalls on the southwest and northeast sides of the building. Please see the updated PUD Site Plan.
8. Per Section 5.15.05.04, please provide drawings that detail the sanitary and storm sewer systems.
Response: We have added a sanitary and storm sewer plan to the plan set. Please see the updated PUD Plan Set.

9. Per Section 5.15.05.07, please include a preliminary building rendering with the PUD plan set.
Response: We have updated the previously provided building elevation and rendering to reflect the requested material changes. Please see the updated Building Elevations.
10. Per Section 5.15.05.08, please confirm that all easements and other encumbrances on the site have been delineated on the provided plans.
Response: All current recorded easements and dedications are shown on the site plan. Please see the updated PUD Plan Set.
11. Per Section 5.15.05.08, the proposed Fire Easement was previously planned as a paved access route between the lots. Confirm the Fire Department is amenable to a gated fire easement and access gates.
Response: We are continuing to coordinate with the La Vista Fire Department regarding gate access.
12. Per Section 7.17.03.02, the required landscape buffer along street frontage shall be 15', as opposed to the 10' you have shown. This can be reduced to 10' if an equal amount of square footage of landscaped area is provided elsewhere. If you wish to provide this additional landscaped area elsewhere, please identify this location and provide the calculation.
Response: An additional landscaped area is being provided along the northeast fence to offset the front street yard landscape buffer per Section 7.17.03.02. Area calculations and hatching to denote the newly dedicated area have been added to the Landscape Plan. Please see the Landscape Plan for further details.
13. Per Section 7.17.03.02.3, a minimum of one tree shall be planted for every forty linear feet or fraction thereof of street frontage. The current site plan shows 6 trees planted along Harry Watanabe Parkway. With 325 feet of frontage, 9 trees shall be planted.
Response: We have added the required total of 9 trees to the front yard landscape buffer. Please see the updated PUD Landscape Plan.

CUP:

1. The operating statement provided states that the only items to be stored in the outdoor storage area will be up to 20 outdoor storage tanks. Are additional materials and equipment planned to be stored here, or could the size of the outdoor storage area be reduced and still accommodate the tanks?
Response: The applicant does not wish to reduce the size of the outdoor storage area.
2. Please provide details on the screening measures for the outdoor storage area. The view from the east shall be screened appropriately utilizing fencing and plantings.
Response: Screening will be achieved using a combination of overstory trees planted 40' on center and a 6' tall black privacy slatted fence. Please see the Fence Exhibit and Landscape Plan for further details.
3. Per Section 6.05.07, please confirm that the materials stored on-site do not involve any substances that are potentially harmful to health, animals, vegetation, or other property.
Response: The tanks are designed to hold a brine solution for ice control used off-site by the applicant's clients. This solution is eco-friendly, consisting of 23% salt and 77% water. Please see the Operations Statement for further details.
4. To address Section 6.05.07, please confirm that the outdoor storage area will be paved.
Response: The outdoor storage area will be paved, and a label has been added to the site plan to reflect this. Please see the updated site plans.

If you have any questions regarding this application, please contact me at 402-895-4700.

Sincerely,
E & A Consulting Group, Inc.

Kyle Haase,
Planning Services Assistant Manager



January 21, 2025

E & A Consulting
Attn: Kyle Vohl
10909 Mill Valley Road, Suite 100
Omaha, NE 68154

RE: Brook Valley Corporate Park Planned Unit Development Amendment
ALFF Construction CUP
2nd Review Letter

Mr. Vohl,

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

1. Per 12/17/24 Comment #3 and CUP Comment #2, staff considers the mixture of fencing/slatting and overstory trees acceptable. However, please note that a condition within the drafted CUP will require upkeep/maintenance of the screening.
2. Per 12/17/24 Comment #8, in reviewing design plans of Lot 2 Brook Valley Corporate Park, it would appear the PUD submittals do not take into account the existing drainage conveyances to drain Lots 3 and 4, and potentially Lot 5 through Lot 2, which will likely require conveyance easements and/or confirmation of the capacities of the exiting stormwater system. Also, per the 2016 PUD and/or Subdivision Agreements documentation on file, the Post Construction Stormwater Management Plan (PCMSP) is to be implemented at 70% buildout of the subdivision. Please provide updated drainage studies and/or calculations that confirm that future detention ponds impacted by development lot Lots 3 and 4 will provide adequate capacity as originally designed.

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8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

3. Per 12/17/24 Comment #8, it would appear the current siltation ponds/future detention ponds require maintenance. Please confirm Lots 3 and 4 are a party to the Common Area Maintenance Provisions of the Subdivision Agreement, and/or any applicable covenants that provide resources for the maintenance of said siltation ponds/future detention ponds.
4. Per 12/17/24 Comment #3, please provide clarification on how the disposal of excess brine/deicing solution will be handled at the end of the season. Disposal of excess solution will need to be done in accordance with the Omaha Regional Stormwater Design Manual and/or any other local, state and/or federal water quality requirements.
5. Per 12/17/24 Comment # 11, approval by the Fire Department regarding the fire access route is critical to the viability of the proposed PUD. Approval needs to be obtained by the Fire Department prior to the application's review by City Council.

Please resubmit any documents revised based on this letter to the City for further review. Please also provide a response letter that answers or acknowledges each of the comments contained in this letter. Staff is scheduling the PUD and CUP application to be on the Planning Commission agenda for their February 6th meeting. Please have someone in attendance at that meeting to present the application to the Commission and to answer questions as necessary. If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,



Christopher Solberg, AICP
Deputy Community Development Director
City of La Vista
csolberg@cityoflavista.org
(402) 593-6400

cc:

Austin Alff – Alff Construction
Bruce Fountain, Community Development Director – City of La Vista
Cale Brodersen, Associate Planner – City of La Vista
Pat Dowse, City Engineer – City of La Vista
Garrett Delgado, Engineer Assistant – City of La Vista



E & A CONSULTING GROUP, INC.

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eacg.com

01/29/2025

Christopher Solberg, Deputy Community Development Director
City of La Vista
8116 Park View Blvd.
La Vista, NE 68128

RE: Brook Valley Corporate Park – PUD Major Amendment & Alff Construction CUP
E&A File: P2024.271.001

Dear Christopher,

On behalf of our client, Alff Construction, we hereby submit the above referenced project. This submittal is in response to your January 21, 2025 Comment Letter from the December 23, 2024 PUD Amendment & CUP Submittal. Each of the comments are listed, with our response following it shown in *italics*.

1. Per 12/17/24 Comment #3 and CUP Comment #2, staff considers the mixture of fencing/slating and overstory trees acceptable. However, please note that a condition within the drafted CUP will require upkeep/maintenance of the screening. *RESPONSE: It is understood that there will be a note in the CUP requiring the upkeep and maintenance of the screening to include both the fence and overstory trees.*
2. Per 12/17/24 Comment #8, in reviewing design plans of Lot 2 Brook Valley Corporate Park, it would appear the PUD submittals do not take into account the existing drainage conveyances to drain Lots 3 and 4, and potentially Lot 5 through Lot 2, which will likely require conveyance easements and/or confirmation of the capacities of the exiting stormwater system. Also, per the 2016 PUD and/or Subdivision Agreements documentation on file, the Post Construction Stormwater Management Plan (PCMSMP) is to be implemented at 70% buildout of the subdivision. Please provide updated drainage studies and/or calculations that confirm that future detention ponds impacted by development lot Lots 3 and 4 will provide adequate capacity as originally designed. *RESPONSE: Based off the drainage report provided by the City and additional information sent to E&A by Olsson, Lots 3 and 4 were included in the subdivision PCMSMP calculations. A drainage map has been included with this submittal that corresponds to the drainage study submitted by Olsson to the City. Based off Civil plans for Lot 5, there are private storm sewer stubs extended to the Lot 3 and Lot 4 which drain to the detention basins north and west of Lot 5. A storm sewer stub will be extended to Lot 2 to allow for future connection upon development of the lot. The utility exhibit has been updated.*
3. Per 12/17/24 Comment #8, it would appear the current siltation ponds/future detention ponds require maintenance. Please confirm Lots 3 and 4 are a party to the Common Area Maintenance Provisions of the Subdivision Agreement, and/or any applicable covenants that provide resources for the maintenance of said siltation ponds/future detention ponds. *RESPONSE: The subdivision PCMSMP will provide a Maintenance Agreement to be recorded at the Registry of Deeds. This document will require all lot to contribute to the maintenance of the basins.*
4. Per 12/17/24 Comment #3, please provide clarification on how the disposal of excess brine/deicing solution will be handled at the end of the season. Disposal of excess solution will need to be done in accordance with the Omaha Regional Stormwater Design Manual and/or any other local, state and/or federal water quality requirements. *RESPONSE: A note has been added to the Operations Statement*

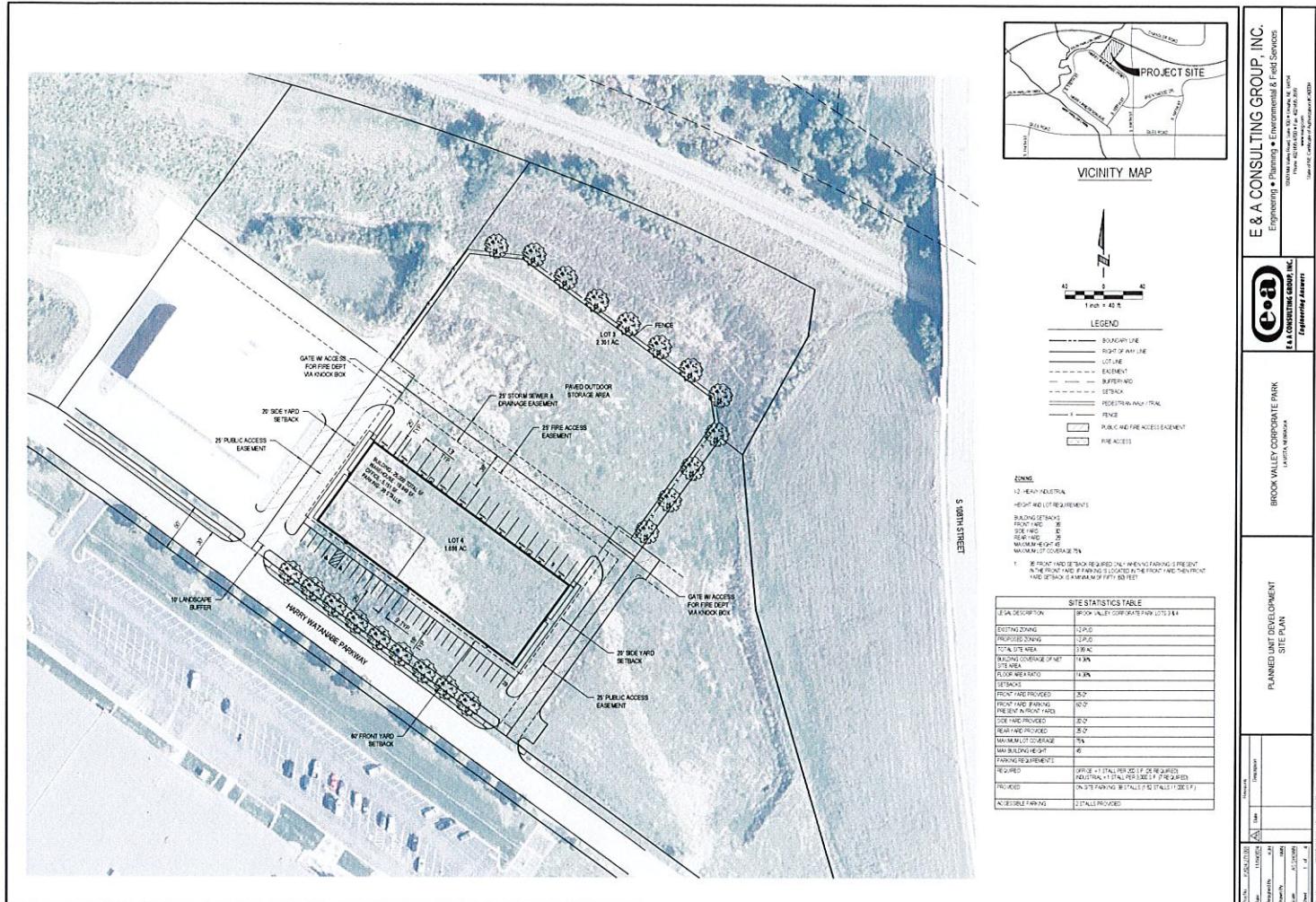
to address any disposal of excess solution at the conclusion of each snow season. Any and all disposal will comply with the Omaha Regional Stormwater Design Manual and all other local, state and federal water quality requirements.

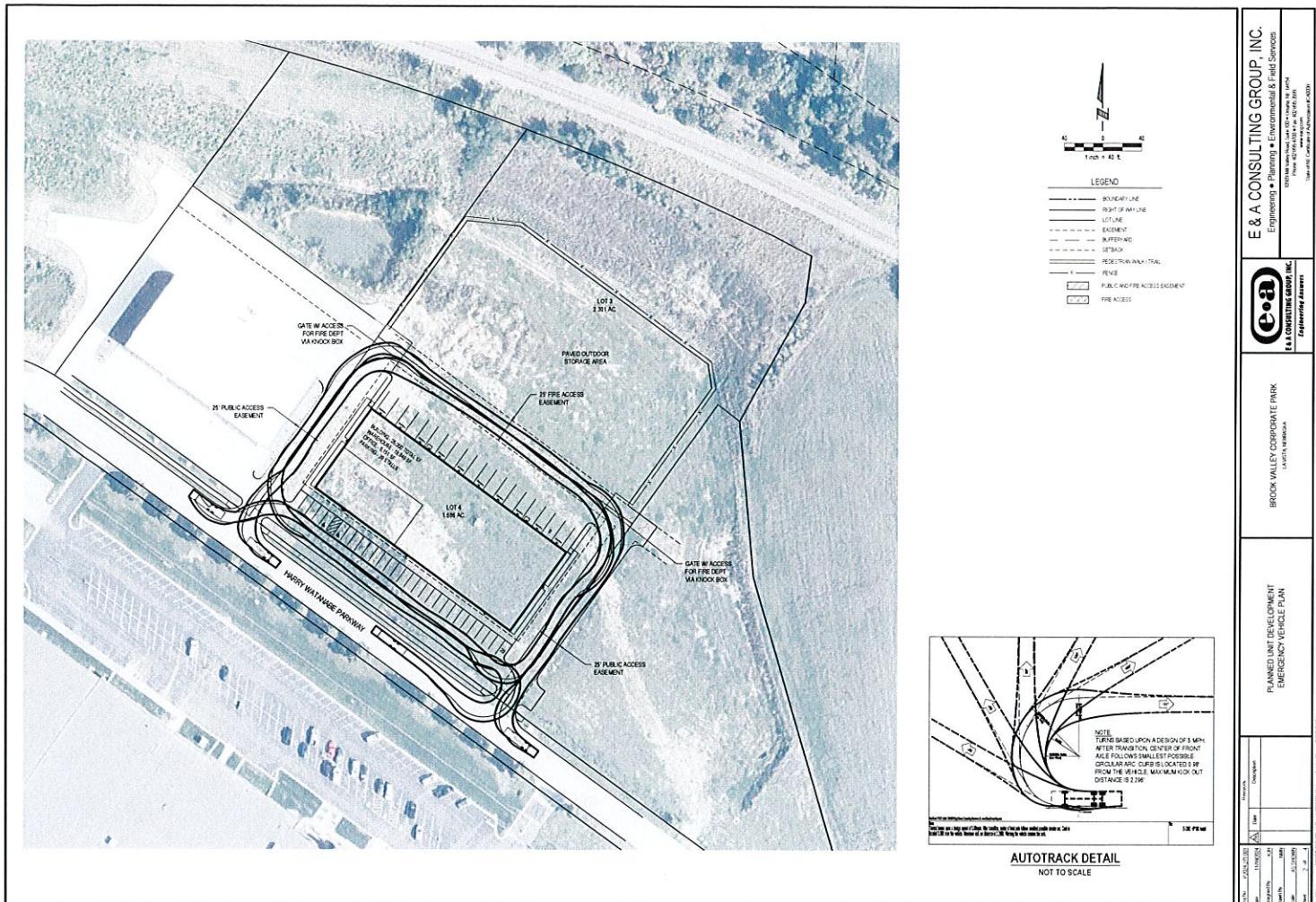
5. Per 1 2/17/24 Comment #11, approval by the Fire Department regarding the fire access route is critical to the viability of the proposed PUD. Approval needs to be obtained by the Fire Department prior to the application's review by City Council. *RESPONSE: La Vista Fire Department has confirmed that they are amenable to gated access with a knock box to provide access across the northern fire access route.*

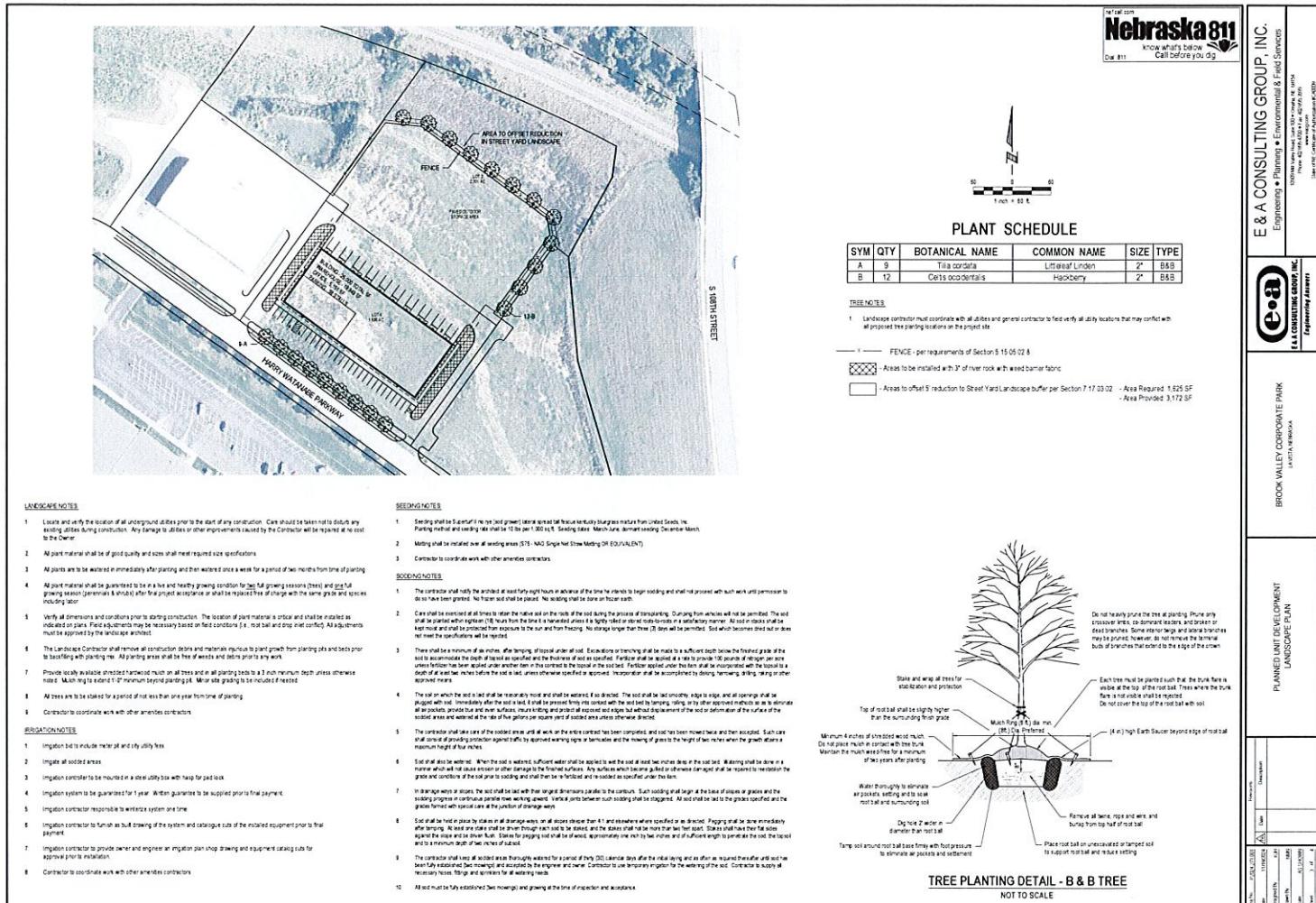
All documents included are listed on the attached transmittal. If you have any questions regarding the application, please contact me at 402-895-4700.

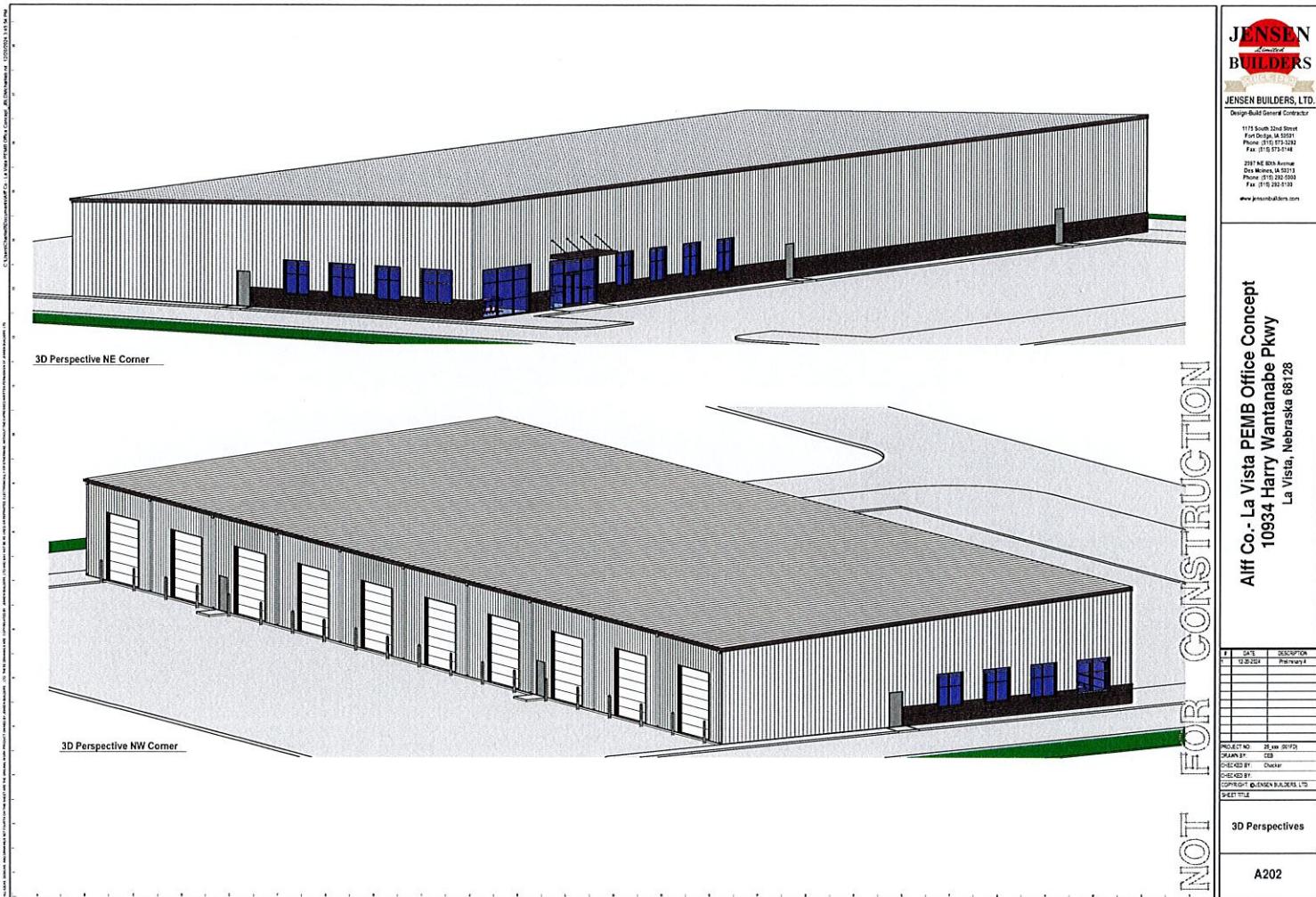
Sincerely,
E & A Consulting Group, Inc.

Kyle G. Vohl, PE
Project Manager









**City of La Vista
Conditional Use Permit**

Conditional Use Permit for Outdoor Storage for Alff Construction LLC

This Conditional Use Permit issued this 18th day of February, 2025, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to Alff Construction, LLC (Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate an outdoor storage area upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lots 3 and 4, Brook Valley Corporate Park located in the SE ¼ Section 17, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska, located at 10946 Harry Watanabe Parkway.

WHEREAS, Owner has applied for a conditional use permit for the purpose of storing materials outdoors; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on Exhibit "B" hereto for outdoor storage, said use hereinafter being referred to as "Permitted Use or Use".

Conditions of Permit

The conditions to which the granting of this Permit is subject are as follows:

1. Development and operation on the Property is governed by this Permit. Breach of any terms hereof shall cause the Permit to expire and terminate without any further action from the City.
2. In respect to the Permitted Use:
 - a. The Uses and operations on the property will be limited to and carried out in accordance with the Operational Statement attached as Exhibit "A" and incorporated into this permit by reference. Any proposed additions or changes to the Permitted Uses or operations on the Property shall require such reviews, amendments to this Conditional Use Permit, and approvals as the Community Development Director determines necessary or appropriate.
 - b. A Site Landscaping Plan showing the property boundaries of the tract of land and easements, proposed structures, parking, access points, and drives shall be provided to the City and attached to the permit as "Exhibit B".
 - c. A screening and security fence with a minimum height of six feet will be constructed around the paved outdoor storage area. The design of the fence and the related slats shall match the design attached to the permit as "Exhibit C" The fence and related slats shall be maintained in good repair by the property owner or business owner.
 - d. Additional trees shall be planted in the locations depicted in the Site Landscaping Plan attached as "Exhibit B" to provide for additional screening of the proposed outdoor storage. The trees shall be maintained and replaced as necessary.
 - e. There shall be no storage, placement or display of goods, supplies or any other material, substance,

container or receptacle outside of the designated exterior storage area for the Permitted Use, except trash receptacles and those approved in writing by the City.

- f. Landscaping requirements from Section 7.17.03 and 7.17.04 of the City of La Vista Zoning Ordinance shall be satisfied and maintained by the property owner. Attached to the permit as "Exhibit B" is the Site Landscaping Plan for the property.
- g. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA.
- h. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
- i. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.
- j. All exhibits attached to or referenced in this permit and all recitals at the beginning of this permit are incorporated into this permit by reference.

3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
 - a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
 - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.
4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.
5. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.

6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address: Austin Alff
Alff Construction
10011 J Street
Omaha, NE 68127

Effective Date:

This permit shall (i) amend, supersede and replace the Original Conditional Use Permit in its entirety, (ii) take effect upon the filing hereof with the City Clerk a signed original hereof, (iii) constitute covenants running with the land that are binding on Owner and all successors and assigns of Owner, and (iv) upon execution, be filed with the Sarpy County Register of Deeds.

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Rachel Carl
City Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: _____

Title: _____

Date:

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2025, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Rachel Carl, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

Notary Public

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2025, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared _____ personally known by me to be the _____ of _____, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

Notary Public

Statement of Proposed Use

Alff Construction LLC

General Purpose:

Alff Construction LLC specializes in providing general contracting and facility services for commercial properties across the nation. Our operations combine a skilled internal team overseeing subcontractors and self-performed services using our own facilities and equipment. As demand for our services continues to grow, we aim to establish a state-of-the-art, easily accessible facility to support our expanding teams and enhance our ability to serve the community effectively.

General Hours of Operation:

Monday - Friday: 8:00 am to 5:00 pm

Facility:

The proposed facility will feature a 25,000-square-foot building, including office space and fourteen rear-facing overhead doors for the storage of light-duty vehicles. The outdoor storage area will be paved and screened using a combination of 6' tall black privacy slatted fence and overstory trees. The site will be accessed via Watanabe Parkway. Initially, the facility will house twenty employees, with plans for modest future growth. Equipment will be stored within the building, except for up to twenty outdoor storage tanks as depicted to the right. These tanks are utilized during winter operations to store an eco-friendly salt brine solution designed to manage ice on paved surfaces at client sites. The solution is a mixture of 23% sodium chloride and 77% water. This solution is widely considered to be far safer than traditional rock salt or calcium chloride/magnesium chloride used in traditional ice control on paved surfaces. The team closely monitors solution inventory to minimize overage at the end of each snow season. Any of the minimal excess material will be disposed of in accordance with the Omaha Regional Stormwater Design Manual, as well as all relevant local, state, and federal water quality regulations upon the discontinuation of snow operations each year. The tanks will remain empty during non-winter months when snow operations are not required. This facility represents our commitment to operational excellence, environmental responsibility, and continued service to our clients and community.



Exhibit B

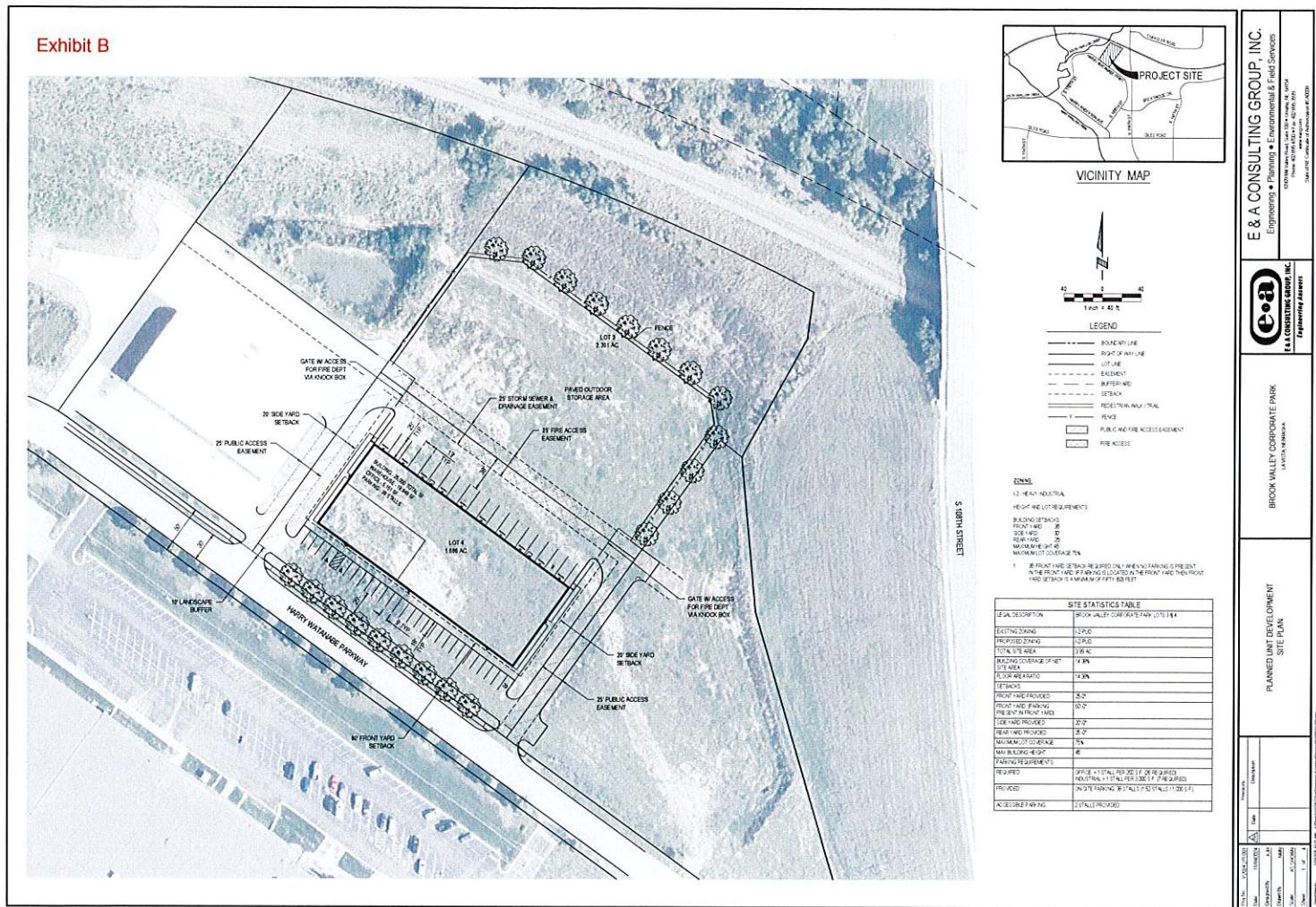
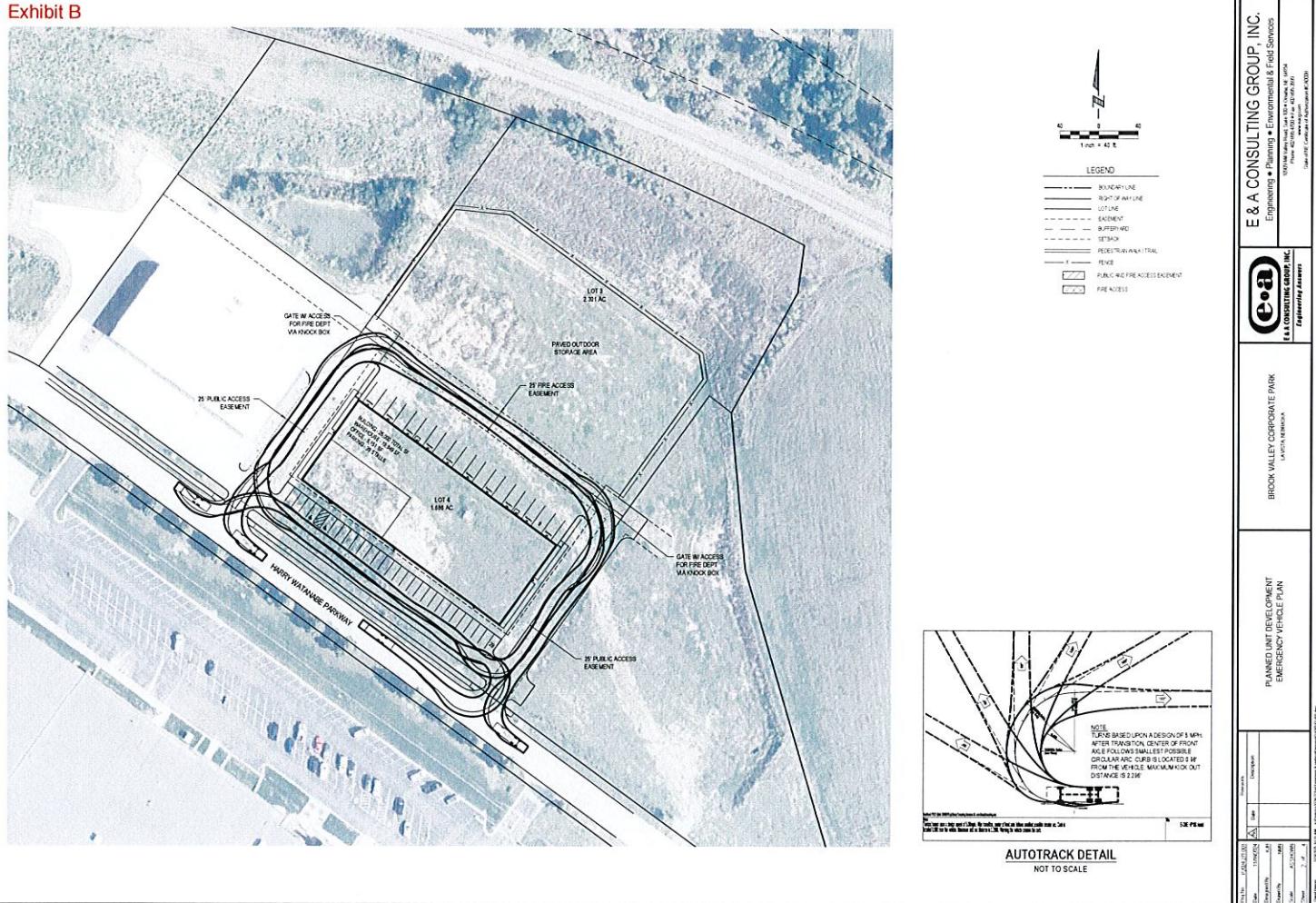


Exhibit B



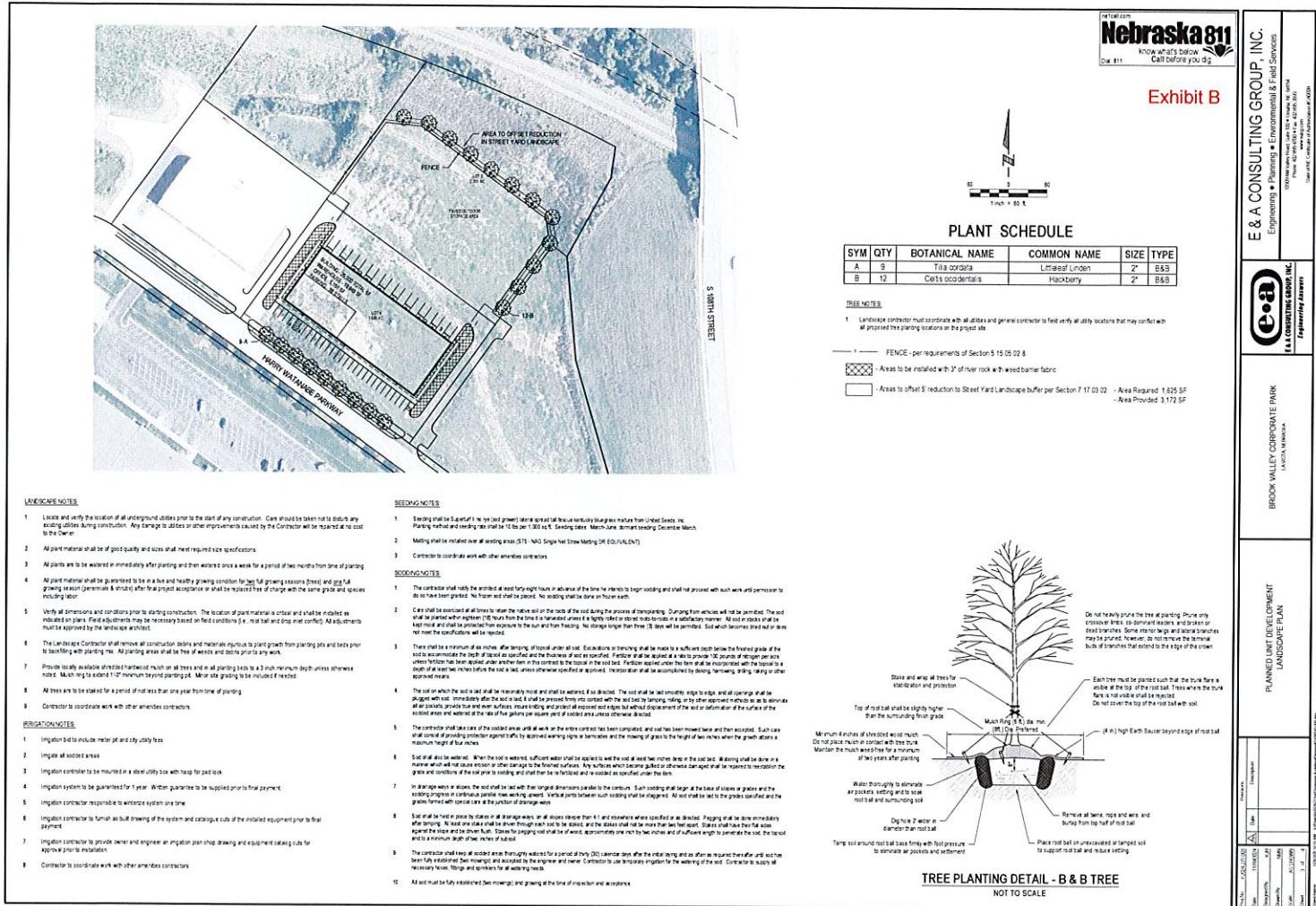


Exhibit B

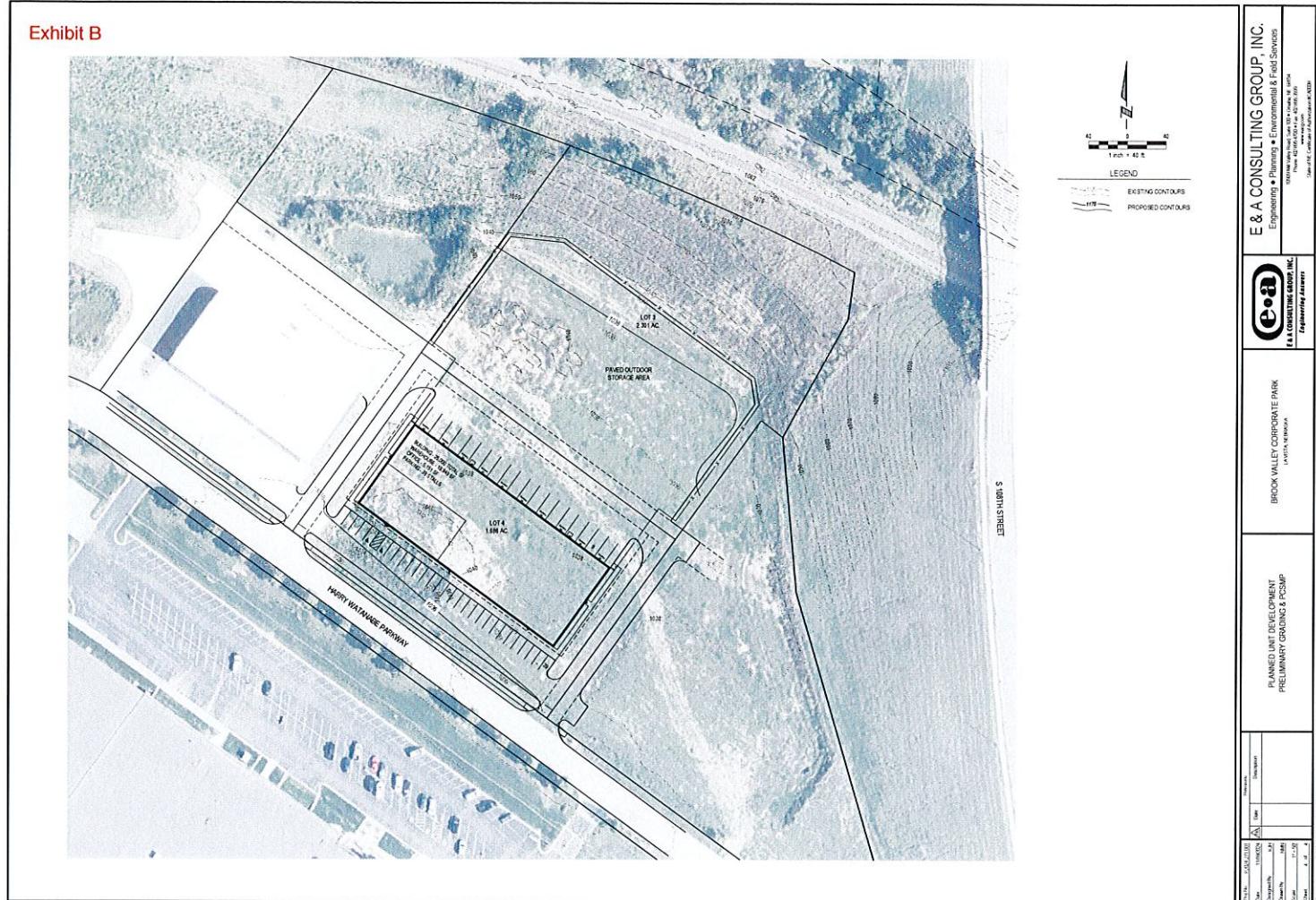


Exhibit C

Proposed Fencing Exhibit

Per Section 5.15.05.02.8 the proposed fencing will be a 6' tall black privacy slatted fence similar to the ones pictured below. The material is subject to change but will meet or exceed the standard shown.

