

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 16, 2012 AGENDA**

Subject:	Type:	Submitted By:
APPLICATION FOR REPLAT — LOTS 1 THRU 4, HARRISON HILLS REPLAT 4 (SE OF 118 TH & OLIVE ST.)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared to approve a replat application for Lots 1, 2, 3 and 4, Harrison Hills Replat 4 (a replat of Lot 12, Harrison Hills), generally located southeast of 118th Street and Olive Street.

FISCAL IMPACT

None.

RECOMMENDATION

Approve.

BACKGROUND

A public hearing has been scheduled and a resolution prepared to approve a replat application for Lots 1, 2, 3 and 4, Harrison Hills Replat 4, generally located southeast of 118th Street and Olive Street. The application was submitted by the property owner, Harrison I-80, LLC. The property is zoned I-1, Light Industrial. The property is currently vacant; the replat is for the purpose of providing for the development of industrial uses on smaller lots.

A detailed staff report is attached.

On September 20, 2012, the Planning Commission unanimously recommended approval of the proposed replat to Council subject to the satisfactory resolution of the issues noted in the staff report.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 12, HARRISON HILLS, TO BE REPLATTED AS LOTS 1, 2, 3 AND 4, HARRISON HILLS REPLAT 4, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lot 12, Harrison Hills, to be replatted as Lots 1, 2, 3 and 4, Harrison Hills Replat 4; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on September 20, 2012, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to resolution of items identified by the city engineer and staff; and

WHEREAS, the items identified by the city engineer and staff have been resolved.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 12, Harrison Heights, to be replatted as Lots 1, 2, 3 and 4, Harrison Heights Replat 4, a subdivision located in the Northeast ¼ of Section 17, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located southeast of 118th Street and Olive Street, be, and hereby is, approved.

PASSED AND APPROVED THIS 16TH DAY OF OCTOBER, 2012.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2012-SUB-06

FOR HEARING OF: October 16, 2012

Report Prepared on: October 4, 2012

I. GENERAL INFORMATION

- A. APPLICANT:**
Harrison I-80, LLC
10855 West Dodge Road, Suite #270
Omaha, NE 68154
- B. PROPERTY OWNER:**
Harrison I-80, LLC
10855 West Dodge Road, Suite #270
Omaha, NE 68154
- C. LOCATION:** Olive Street and S 115th Street Plaza
- D. LEGAL DESCRIPTION:** Lot 12, Harrison Hills
- E. REQUESTED ACTION(S):** Replatting of Lot 12, Harrison Hills.
- F. EXISTING ZONING AND LAND USE:** I-1, Light Industrial
- G. PURPOSE OF REQUEST:** Replatting of Lot 12 for development of industrial uses on smaller lots.
- H. SIZE OF SITE:** 11.29 Acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:**
Relatively flat, sloping towards the creeks near the northeast and southwest side of the property. Vacant.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
1. **North:** C-3 Multi-Family Residential/Harrison Hills Apartments
 2. **East:** I-2 Heavy Industrial/Store It Now
 3. **South:** I-2 Heavy Industrial
 4. **West:** TA Transitional Agriculture
- C. RELEVANT CASE HISTORY:** Not applicable.

D. APPLICABLE REGULATIONS:

1. Section 5.13 of the Zoning Regulations – I-1 Light Industrial
2. Section 3.08 of the Subdivision Regulations – Replats

III. ANALYSIS

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

B. OTHER PLANS: Not applicable.

C. TRAFFIC AND ACCESS:

1. Vehicular access is provided to the property by the existing public street and no ingress/egress easements or private roadways are proposed. The proposed use of the property is consistent with the existing zoning and light industrial use of the property was considered when the infrastructure was installed. Therefore, no traffic study is required. The application documents to date do not propose new public or private, shared infrastructure improvement to be constructed by the Subdivider of this Subdivision, therefore, the need for a draft subdivision agreement is not triggered by Article 3.03.15 of the Subdivision Regulations.
2. The City has not required sidewalks to be constructed in industrial areas to date. Sidewalks would be required at such time as the City Council determines there is a need to create a sidewalk district in the area or could be made a requirement of this development. Since a sidewalk in front of these lots would not connect to any other sidewalks, staff recommends addressing the installation of sidewalks at such time when a sidewalk district is created for the area. Such sidewalks should be 5 feet wide and be ADA accessible.

D. UTILITIES:

1. Public sanitary sewer exists in Olive Street abutting the property. There are two existing sanitary sewer stubouts that can serve Lots 3 and 4. Stubouts do not exist to serve proposed Lots 1 and 2. There needs to be a note added to the preliminary plat stating that “Sanitary sewer stubouts to Lots 1 and 2 will be constructed by the Owners of Lots 1 and 2 and the time of development on the lots”. A sanitary sewer stubout is not a part of public infrastructure. The stubout from the point of connection to the sewer main to the building is part of the property owner’s utility service. Therefore, a subdivision agreement to provide for installing public or private, shared infrastructure in accordance with Article 3.03.15 of the Subdivision Regulations is not required for sewer stubouts.

2. The tract sewer connection fee will need to be collected at the time each lot is issued a building permit. The fee is currently \$5,973.00 per acre.
3. Chapter 154 of the City Municipal Code requires a Post Construction Storm Water Management Plan and a permit will be required through the Permix web site that is utilized by all Papillion Creek Watershed Partnership communities. A conceptual Post Construction Storm Water Management Plan and drainage plan needs to be submitted as required by Items 2 and 4 of Article 3.03.20 of the Subdivision Regulations. It is recognized that detailed building plans for individual lots are not available at this time. The conceptual plan needs to address the whether each lot will have its own stormwater management measures or whether there will be shared solutions. A menu of BMPs applicable to meeting the water quality and peak flow attenuation requirements needs to be set forth in the conceptual plan. A draft Post Construction Storm Water Management Maintenance Agreement and Easement needs to be submitted as part of the replatting submittal.
4. Based on the submittal documents at this time, the Papillion Creek Watershed Partnership storm water management fee set forth in the City of La Vista Master Fee Schedule is not applicable to this property. As noted in the Master Fee Schedule the fee is collected when set forth in a subdivision agreement for new development or significant redevelopment. In accordance with Article 3.03.15 of the Subdivision Regulations, a draft subdivision agreement is required when the proposed subdivision will include public and/or private, shared (common area) infrastructure improvements which is not proposed in this application. If subsequent submittals indicate that there will be proposed infrastructure of this type, then a draft subdivision agreement may be necessary which would include the storm water management fee.

IV. REVIEW COMMENTS:

V. PLANNING COMMISSION RECOMMENDATION:

On September 20, 2012 the Planning Commission moved to recommend approval, through an 8-0 vote, of Harrison Hills Replat 4 subject to the satisfactory resolution of the following issues prior to City Council review:

- A. There needs to be a note added to the preliminary plat stating that; "Sanitary sewer stubouts to Lots 1 and 2 will be constructed by the Owners of Lots 1 and 2 at the time of development on the lots".

- B. The labeling of the existing contours needs to be checked as they appear to be about 20 feet too low in comparison the 100-year flood elevations listed on the FIRM maps in this location.
- C. The proposed signature block for the Register of Deeds needs to be replaced with adequate space for a sticker to be applied by the Register of Deeds.

VI. STAFF RECOMMENDATION:

Approval of Harrison Hills Replat 4.

VII. ATTACHMENTS TO REPORT:

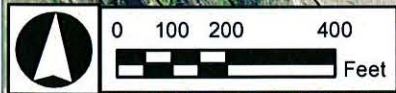
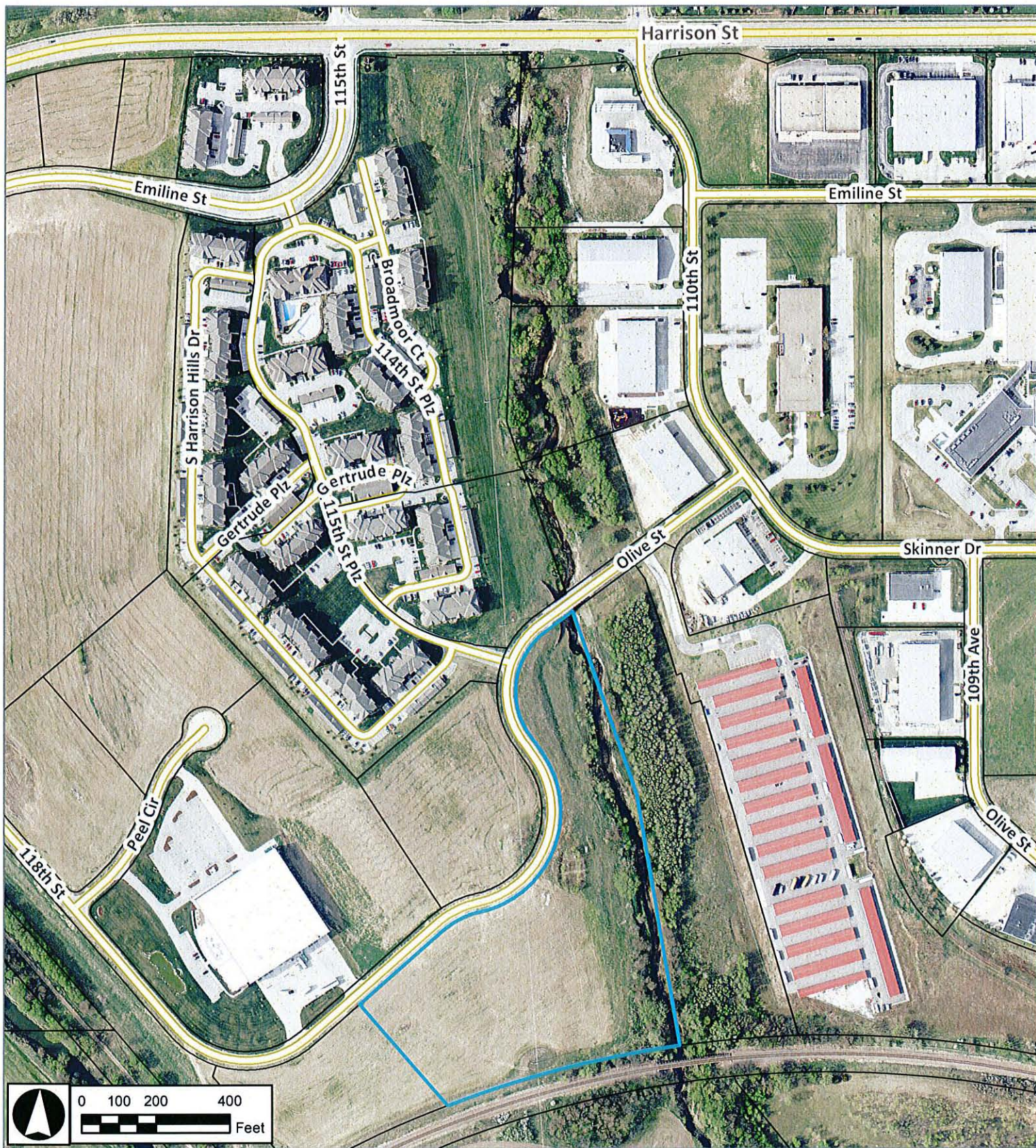
- 1. Vicinity Map
- 2. Preliminary Plat, Final Plat

VIII. COPIES OF REPORT SENT TO:

- 1. Doug Kellner, Thompson, Dreessen & Dorner
- 2. Sal Carta, Harrison I-80 LLC
- 3. Public Upon Request


Prepared by: _____ Date: 10/11/12

Community Development Director Date



Vicinity Map

Harrison Hills Replat Four

09/13/12
CAS



HARRISON HILLS REPLAT 4

LOTS 1, 2, 3 AND 4

SUBDIVIDER

HARRISON I-80, LLC
10855 WEST DODGE ROAD, SUITE #270
OMAHA, NEBRASKA. 68154

ENGINEER

THOMPSON, DREESSEN & DORNER, INC.
10836 OLD MILL ROAD
OMAHA NEBRASKA. 68154

LEGAL DESCRIPTION

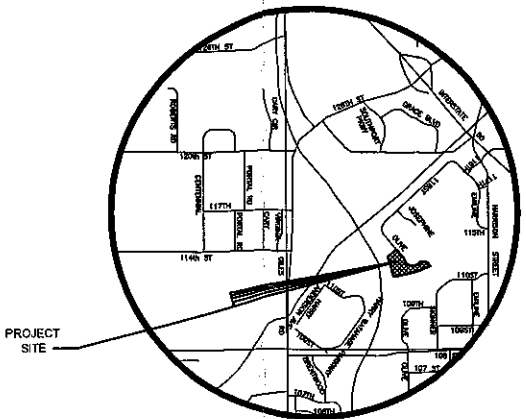
LOT 12, HARRISON HILLS, A SUBDIVISION IN
SARPY COUNTY, NEBRASKA.

NOTES

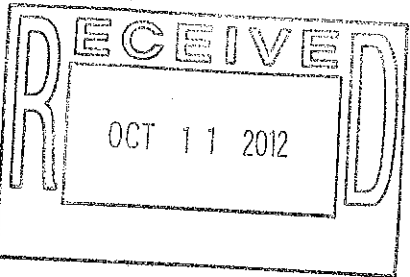
1. CONTOURS ARE SHOWN AT TWO FOOT INTERVALS.
2. EXISTING ZONING IS I-1 (LIGHT INDUSTRIAL).
PROPOSED ZONING IS I-1 (LIGHT INDUSTRIAL).
PROPOSED USE OF LOT 2 IS WAREHOUSE.
3. ALL REQUIRED UTILITIES EXIST.
4. SANITARY SEWER STUBOUTS TO LOTS 1 AND 2 WILL BE CONSTRUCTED
BY THE OWNERS OF LOTS 1 AND 2 AT THE TIME OF DEVELOPMENT ON
THE LOTS.

LEGEND

- SEWER MANHOLE
- ⊕ POWER POLE WITH TOWER
- W — WATER LINE
- OE — OVERHEAD ELECTRICAL LINE



VICINITY MAP



HARRISON HILLS
REPLAT 4

LOTS 1, 2, 3 AND 4

Client Name
THE LERNER
COMPANY

Description
LOT 12, HARRISON
HILLS REPLAT 4,
SARPY COUNTY,
NEBRASKA.



Revision Dates

No.	Description	MM-DD-YY
1		
2		
3		

Job No.: A738-186-1P
Drawn By: RJR
Reviewed By: JDW
Date: JULY 20, 2012
Book:
Pages:

Sheet Title

SARPY COUNTY,
NEBRASKA
PRELIMINARY PLAT

Sheet Number

SHEET 1 OF 1

HARRISON HILLS REPLAT 4

LOTS 1, 2, 3 AND 4

BEING A REPLATTING OF LOT 12, HARRISON HILLS, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.

NOTES

1. DIMENSIONS AND ANGLES SHOWN IN PARENTHESIS PERTAIN TO EASEMENTS.
2. ANGLES SHOWN ADJACENT TO CURVES ARE MEASURED TO THE CHORD LINE OF SAID CURVE.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, HARRISON I-80, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS AND FIRST NATIONAL BANK OF OMAHA, A NEBRASKA CORPORATION, BEING THE MORTGAGEE, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREINAFTER KNOWN AS HARRISON HILLS REPLAT 4, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE DO HEREBY GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, CENTURYLINK, QC, AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5') FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AND A SIXTEEN (16') FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES. SAID SIXTEEN (16') FOOT WIDE EASEMENT WILL BE REDUCED TO AN EIGHT (8') FOOT WIDE STRIP WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED IF SAID SIXTEEN (16') FOOT EASEMENT IS NOT OCCUPIED BY UTILITY FACILITIES AND IF REQUESTED BY THE OWNER. NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

HARRISON I-80, LLC,
A NEBRASKA LIMITED LIABILITY

BY:
SALVATORE CARTA, MEMBER

FIRST NATIONAL BANK OF OMAHA,
A NEBRASKA CORPORATION

BY:
ERIC MUSGIERO, VICE PRESIDENT

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2012 BY SALVATORE CARTA, MEMBER OF HARRISON I-80, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2012 BY ERIC MUSGIERO, VICE PRESIDENT OF FIRST NATIONAL BANK OF OMAHA, A NEBRASKA CORPORATION, ON BEHALF OF SAID CORPORATION.

NOTARY PUBLIC

APPROVAL OF LA VISTA CITY COUNCIL

THIS PLAT OF HARRISON HILLS REPLAT 4 WAS APPROVED BY THE LA VISTA CITY COUNCIL THIS _____ DAY OF _____, 2012.

CITY CLERK

MAYOR

APPROVAL OF LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF HARRISON HILLS REPLAT 4 WAS APPROVED BY THE LA VISTA CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2012.

CHAIRMAN OF LA VISTA PLANNING COMMISSION

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS HARRISON HILLS REPLAT 4, LOTS 1, 2, 3 AND 4, BEING A REPLATTING OF LOT 12, HARRISON HILLS, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NE CORNER OF SAID LOT 12;

THENCE S21°21'40"E (ASSUMED BEARING) 515.74 FEET ON THE EAST LINE OF SAID LOT 12;

THENCE S12°04'42"E 689.92 FEET ON THE EAST LINE OF SAID LOT 12 TO THE SE CORNER THEREOF;

THENCE SOUTHWESTERLY ON THE SOUTH LINE OF SAID LOT 12 ON A 2814.78 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S73°31'29"W, CHORD DISTANCE 645.72 FEET, AN ARC DISTANCE OF 647.05 FEET TO THE SW CORNER THEREOF;

THENCE N43°23'04"W 381.74 FEET ON THE WEST LINE OF SAID LOT 12 TO THE NW CORNER THEREOF;

THENCE N46°36'56"E 300.00 FEET ON THE NORTH LINE OF SAID LOT 12;

THENCE NORTHEASTERLY ON THE NORTH LINE OF SAID LOT 12 ON A 225.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N61°07'27"E, CHORD DISTANCE 112.70 FEET, AN ARC DISTANCE OF 113.88 FEET;

THENCE NORTHEASTERLY ON THE NORTH LINE OF SAID LOT 12 ON A 274.70 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N19°40'17"E, CHORD DISTANCE 455.16 FEET, AN ARC DISTANCE OF 536.42 FEET;

THENCE N36°16'12"W 69.42 FEET ON THE NORTH LINE OF SAID LOT 12;

THENCE NORTHEASTERLY ON THE NORTH LINE OF SAID LOT 12 ON A 200.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N07°40'59"E, CHORD DISTANCE 277.63 FEET, AN ARC DISTANCE OF 306.85 FEET;

THENCE N51°38'24"E 68.61 FEET ON THE NORTH LINE OF SAID LOT 12 TO THE POINT OF BEGINNING.

JULY 19, 2012

DATE:

SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS _____ DAY OF _____, 2012.

TREASURER'S SEAL

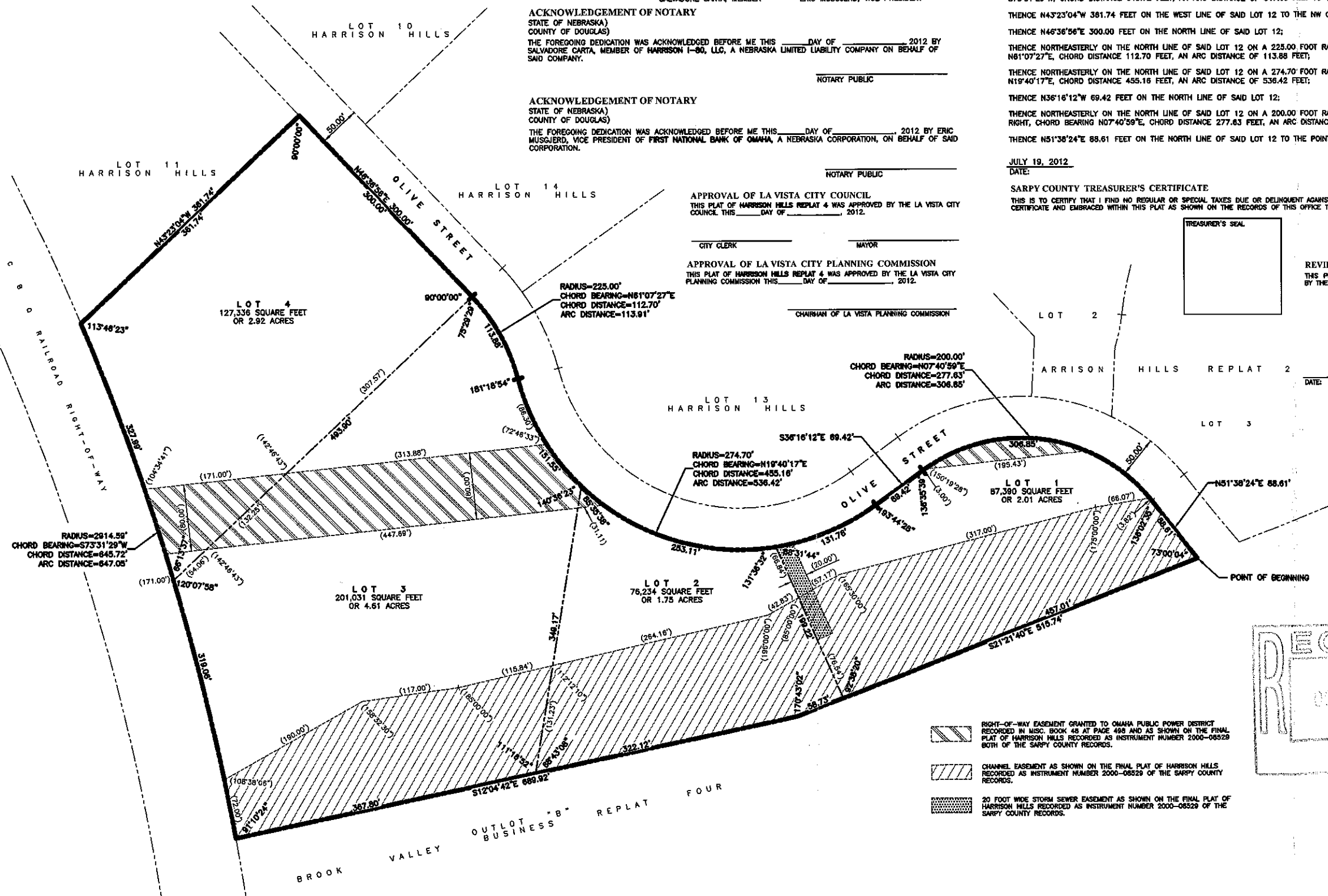
SARPY COUNTY TREASURER

REVIEW BY SARPY COUNTY PUBLIC WORKS
THIS PLAT OF HARRISON HILLS REPLAT 4 WAS REVIEWED BY THE SARPY COUNTY PUBLIC WORKS DEPARTMENT.

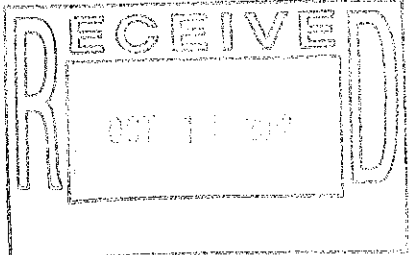
DATE: _____ SARPY COUNTY SURVEYOR/ENGINEER



JAMES D. WARNER,
NEBRASKA RLS 308



- RIGHT-OF-WAY EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC. BOOK 48 AT PAGE 488 AND AS SHOWN ON THE FINAL PLAT OF HARRISON HILLS RECORDED AS INSTRUMENT NUMBER 2000-08529 OF THE SARPY COUNTY RECORDS.
- CHANNEL EASEMENT AS SHOWN ON THE FINAL PLAT OF HARRISON HILLS RECORDED AS INSTRUMENT NUMBER 2000-08529 OF THE SARPY COUNTY RECORDS.
- 20 FOOT WIDE STORM SEWER EASEMENT AS SHOWN ON THE FINAL PLAT OF HARRISON HILLS RECORDED AS INSTRUMENT NUMBER 2000-08529 OF THE SARPY COUNTY RECORDS.



HARRISON HILLS REPLAT 4
LOTS 1, 2, 3 AND 4



Revision Dates

No.	Description	MM-DD-YY

Job No.: A738-186-2A
Drawn By: RJR
Reviewed By: JDW
Date: JULY 19, 2012
Book:
Page:

Sheet Title

CITY OF LAVISTA
FINAL PLAT

Sheet Number

SHEET 1 OF 1