

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 16, 2015 AGENDA

Subject:	Type:	Submitted By:
APPLICATION FOR AMENDMENT OF THE FUTURE LAND USE MAP & REZONING LOT 2, MAYFAIR 2 ND ADDITION REPLAT 5 (SW OF BRENTWOOD DR. & 97 TH PLAZA)	<input checked="" type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution and ordinance prepared for an amendment of the Future Land Use Map of the Comprehensive Plan and a rezoning of approximately 6.29 acres located southwest of Brentwood Drive and South 97th Plaza.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application to amend the Future Land Use Map of the Comprehensive Plan and a rezoning by Nelson Construction & Development, on behalf of the property owner, L & B Properties, LLC, for approximately 6.29 acres platted as Lot 2, Mayfair 2nd Addition Replat Five. The rezoning request is to change the property from C-1, Shopping Center Commercial District, with the Gateway Corridor Overlay District, to R-3 PUD, High Density Residential Planned Unit Development, with the Gateway Corridor Overlay District. The property is located southwest of Brentwood Drive and South 97th Plaza.

The property is currently zoned for commercial uses. The applicant has applied for the map amendment and rezoning to R-3 PUD in order to apply for a Preliminary PUD Plan and a Conditional Use Permit to construct and operate a senior living facility. The proposed use would be classified as a nursing care and assisted living facility which is a permitted conditional use in the R-3 District.

A detailed staff report is attached.

The Planning Commission held a public hearing on May 28, 2015, and unanimously recommended approval of the amendment to the Future Land Use Map of the Comprehensive Plan and the Zoning Map Amendment.

RESOLUTION NO. 15-____

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

WHEREAS, after conducting a public hearing on June 16, 2016, regarding a proposal to amend the official Future Land Use Map from a commercial land use to a high density residential land use for Lot 2, Mayfair 2nd Addition Replat Five; and

WHEREAS, the Planning Commission held a public hearing on May 28, 2015, and has recommended approval of the amendment to the Future Land Use Map of the Comprehensive Plan; and

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

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to prepare the necessary amendment to the Future Land Use Map of the Comprehensive Plan that includes an amendment from a "Commercial" to a "High Density Residential" land use category with the "Special Corridor" overlay designation for Lot 2, Mayfair 2nd Addition Replat Five.

PASSED AND APPROVED THIS 16TH DAY OF JUNE, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ORDINANCE NO. _____

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

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

Section 1. Approval of Rezoning. On May 28, 2015, the La Vista Planning Commission conducted a public hearing on the matter of rezoning the tract of land set forth in Section 2 of this ordinance and reported to the City Council that it recommended approval of the zoning of said tract be changed from "C-1" Shopping Center Commercial District, Gateway Corridor District (Overlay District) to "R-3 PUD" High Density Residential, Planned Unit Development, Gateway Corridor District (Overlay District). On June 16, 2015, the City Council held a public hearing on said proposed change in zoning and found and determined that said proposed changes in zoning are advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices, including published notice, written notice to adjacent property owners and notice posted at the properties, were duly given pursuant to Section 9.01 of the Zoning Ordinance. The City Council hereby approves said proposed changes in zoning as set forth in Section 2 of this ordinance.

Section 2. Amendment of the Official Zoning Map. Pursuant to Article 3 of the Zoning

Ordinance, the following described tract of land is hereby rezoned from "C-1" Shopping Center Commercial District, Gateway Corridor District (Overlay District) to "R-3 PUD" High Density Residential, Planned Unit Development, Gateway Corridor District (Overlay District), and the Official Zoning Map of the City of La Vista is hereby amended to reflect the changes in zoning of the following described tracts of land from "C-1" Shopping Center Commercial District, Gateway Corridor District (Overlay District) to "R-3 PUD" High Density Residential, Planned Unit Development, Gateway Corridor District (Overlay District):

Lot 2, Mayfair 2nd Addition Replat Five, located in the SE ¼ of Section 16, T14N, R12E, of the 6th P.M., Sarpy County, Nebraska.

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

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

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

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

PASSED AND APPROVED THIS 16TH DAY OF JUNE, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2015-ZMA-03
2015-CPA-01

FOR HEARING OF: June 16, 2015
Report Prepared on June 3, 2015

I. GENERAL INFORMATION

- A. **APPLICANT:** Nelson Construction & Development
- B. **PROPERTY OWNER:** L & B Properties, LLC
- C. **LOCATION:** Southwest corner of Brentwood Drive and South 97th Plaza
- D. **LEGAL DESCRIPTION:** Lot 2, Mayfair 2nd Addition Replat Five
- E. **REQUESTED ACTION(S):** Amendment to the Future Land Use Map of the Comprehensive Plan from Commercial to High Density Residential; and Zoning Map Amendment from C-1, Shopping Center Commercial, with the Gateway Corridor District (Overlay District) to R-3 PUD, High Density Residential Planned Unit Development, with the Gateway Corridor District (Overlay District)
- F. **EXISTING ZONING AND LAND USE:**
C-1 Shopping Center Commercial and Gateway Corridor District (Overlay District); vacant.
- G. **PROPOSED USES:** The amendment to the Future Land Use Map and rezoning would allow for Nelson Construction & Development to apply for a Planned Unit Development (PUD) and a Conditional Use Permit (CUP) to operate a nursing care and assisted living facility.
- H. **SIZE OF SITE:** 6.29 acres

II. BACKGROUND INFORMATION

- A. **EXISTING CONDITION OF SITE:** Lot is currently vacant. The property has a drastic slope away from the adjoining streets down to a relatively flat area with a gradual slope to the south that covers the majority of the lot.
- B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** Single family residential subdivision; R-1 Single Family Residential District

2. **East:** Commercial strip centers; C-1 Shopping Center Commercial District and Gateway Corridor District (Overlay District)
3. **South:** Primrose School of La Vista; C-1 Shopping Center Commercial District and Gateway Corridor District (Overlay District)
4. **West:** Lot 11A, Mayfair 2nd Addition Replat One (Vacant); C-1 Shopping Center Commercial District and Gateway Corridor District (Overlay District)

C. RELEVANT CASE HISTORY:

1. N/A

D. APPLICABLE REGULATIONS:

1. Section 5.08 of the Zoning Regulations – R-3 High Density Residential District
2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
3. Section 5.15 of the Zoning Regulations – Planned Unit Development District
4. Sections 9.01 and 9.02 of the Zoning Regulations – Amendments
5. Chapter 4 of the Comprehensive Plan – Land Use and Development

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the Comprehensive Plan currently designates this property for commercial uses, requiring the amendment of the Future Land Use Map to allow for the rezoning of the property.
2. The proposed amendment will meet Action Strategy #12 of the Housing and Residential Areas category of the Community Goals, Policies and Action Strategies Chapter of the Comprehensive Plan, which states:
“Encourage the development of additional owner and renter occupied housing types, including ... the elderly, to meet existing and future needs of all La Vista residents.”
La Vista has only one nursing care and assisted living facility. The proposal would provide an additional option for residents.

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. Access will be from proposed egress / ingress to Brentwood Street and South 97th Plaza. The traffic impacts from a high-density residential use are expected to be less intensive than most commercial uses.

E. UTILITIES: All utilities are available to the site.

F. PARKING REQUIREMENTS: N/A. To be reviewed at the time of a development proposal.

G. LANDSCAPING: N/A. To be reviewed at the time of a development proposal.

IV. REVIEW COMMENTS:

1. Upon approval of the amendment to the Future Land Use Map of the Comprehensive Plan and the Zoning Map amendment, the applicant will need to apply for a Preliminary Planned Unit Development (PUD) Plan and a Conditional Use Permit (CUP) in order to construct and operate a nursing care and assisted living facility.
2. As the subject property is within the Gateway Corridor District, any development on the property will need to go through the City's building and site design approval process.

V. STAFF RECOMMENDATION – AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN:

Staff recommends approval of the amendment to the Future Land Use Plan map of the Comprehensive Plan from a commercial land use to a high density residential land use as the proposed amendment will meet Action Strategy #12 of the Housing and Residential Areas category of the Community Goals, Policies and Action Strategies of the Comprehensive Plan.

VI. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on May 28, 2015 and unanimously recommended approval of the Comprehensive Plan Amendment to City Council.

VII. STAFF RECOMMENDATION – ZONING MAP AMENDMENT:

Staff recommends approval of the amendment of the Zoning Map from C-1 with the Gateway Corridor District to R-3 PUD with the Gateway Corridor District as the proposed amendment will meet Action Strategy #12 of the Housing and Residential Areas category of the Community Goals, Policies and Action Strategies of the Comprehensive Plan.

VIII. PLANNING COMMISSION RECOMMENDATION:

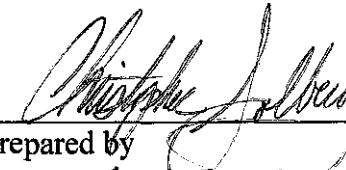
The Planning Commission held a public hearing on May 28, 2015 and unanimously recommended approval of the Zoning Map Amendment to City Council.

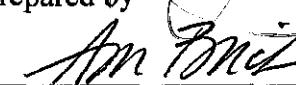
IX. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Draft Future Land Use Map
3. Draft Zoning Map

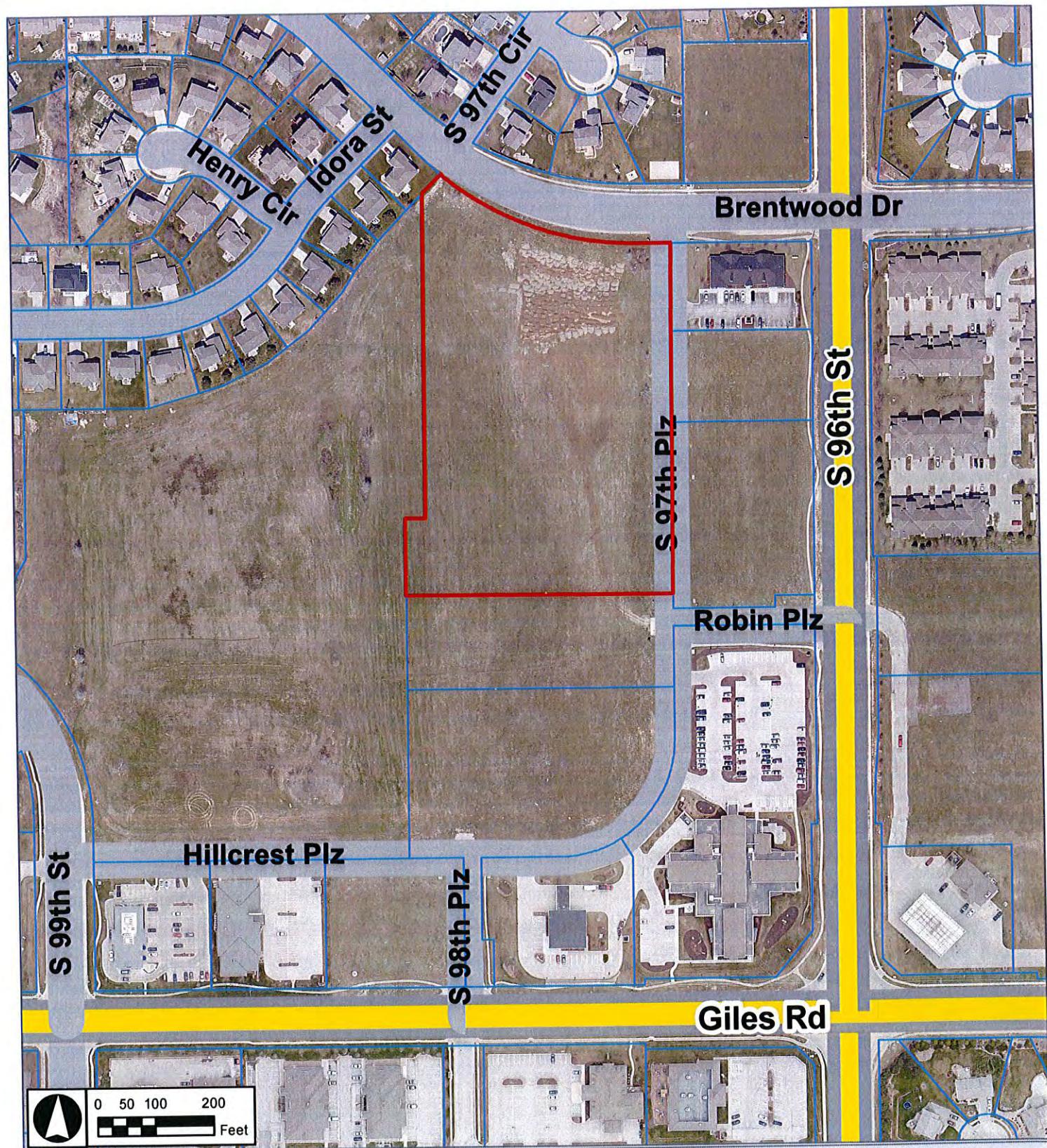
X. COPIES OF REPORT TO:

1. Ryan Young, Nelson Construction & Development
2. Douglas L. Lash, L & B Properties, LLC
3. Scott Hunt, Olsson Associates
4. Public Upon Request



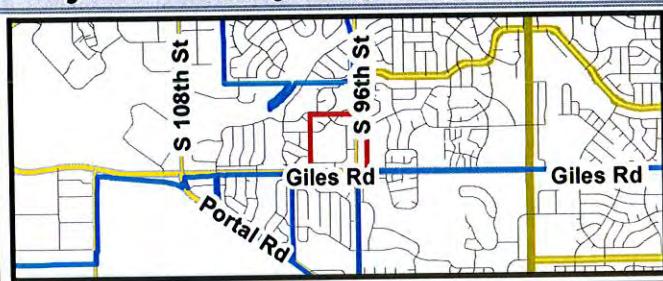
Prepared by _____


Community Development Director Date
Ann B. Mizell 6-5-15

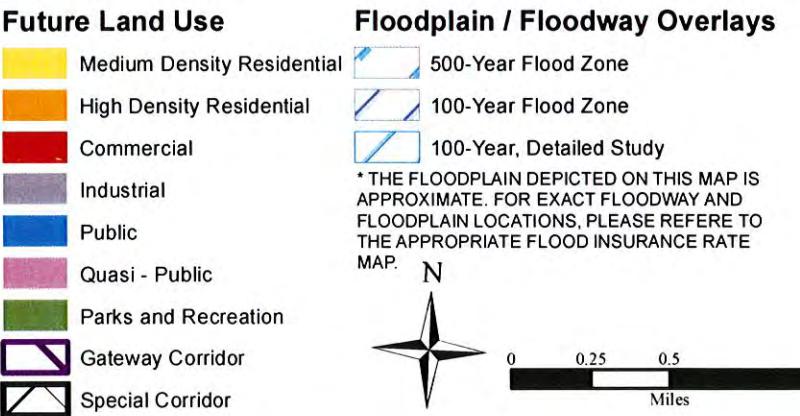
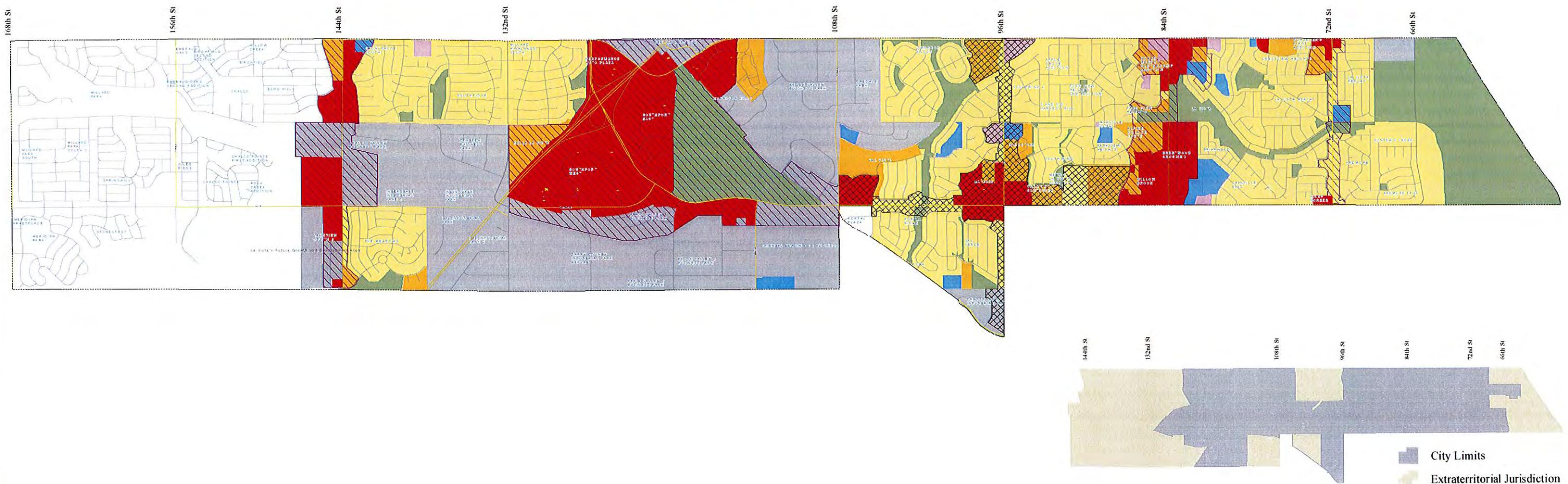


Good Neighbor Senior Living

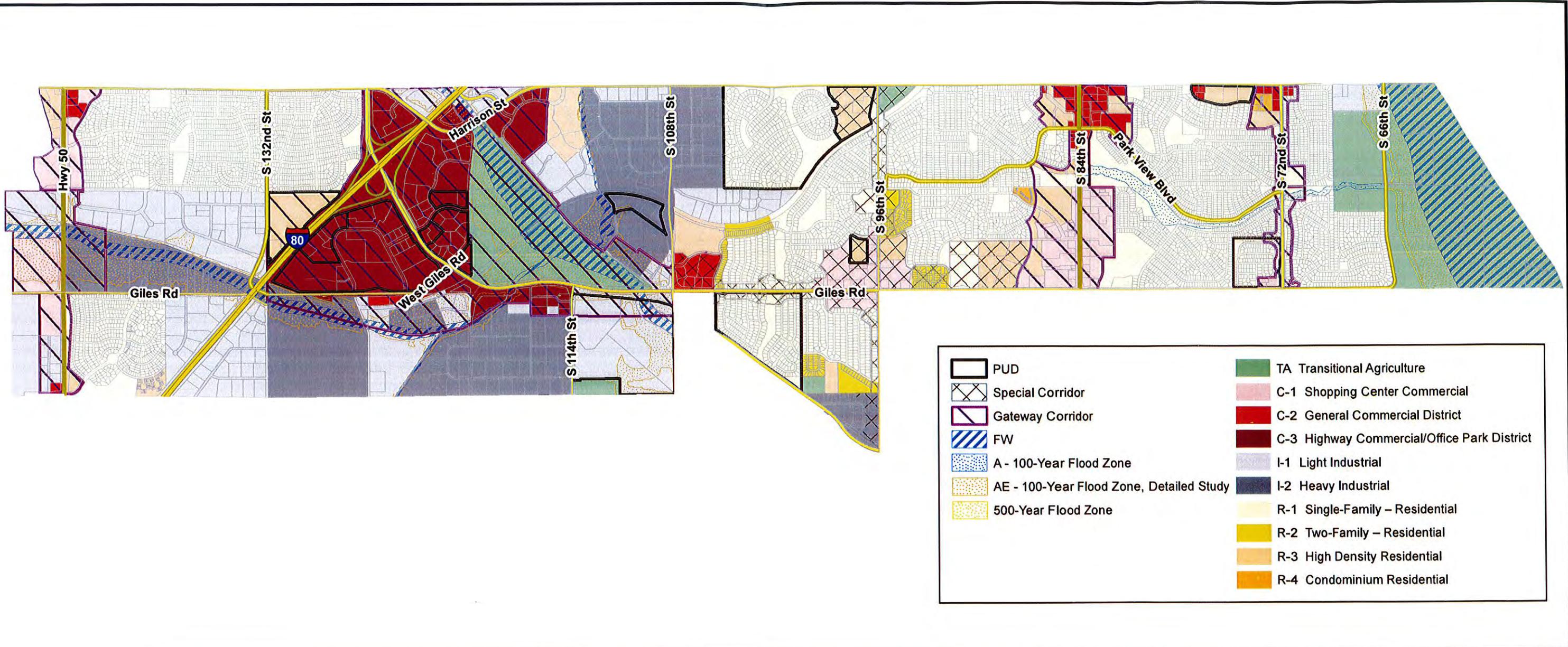
5-8-2015
CSB



**City of La Vista, NE - Future Land Use Map
Adopted 6-16-2015
Resolution # _____**

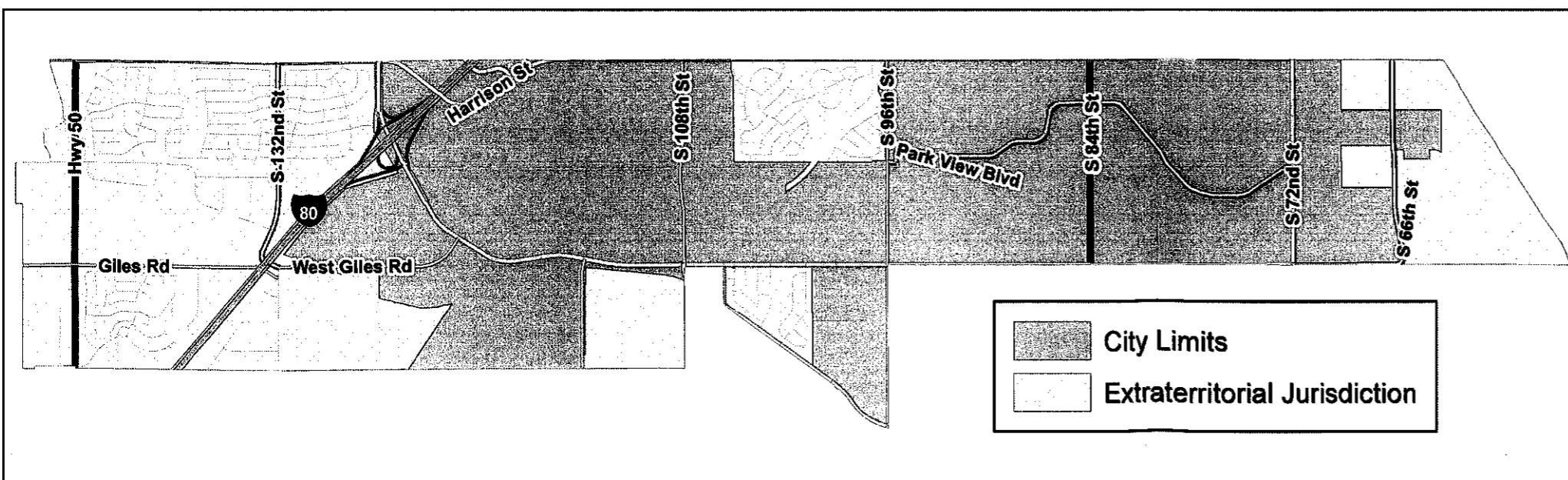
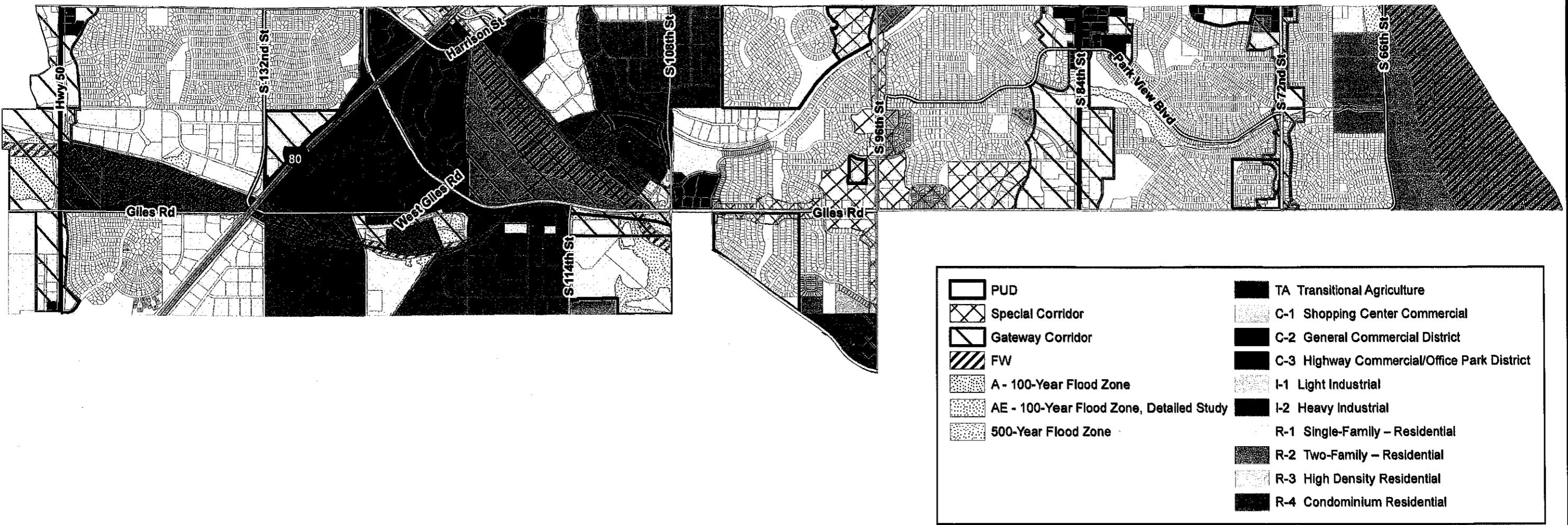


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City of La Vista
Official Zoning Map
Adopted / /
Ordinance Number

5-14-2015	Drawn By: CSB



**City of La Vista
Official Zoning Map
Adopted 1/1/
Ordinance Number**



5-14-2015
Drawn By: CSB

