

AGENDA ITEM 4E

**Public Hearing for Harrison Heights PUD
Amendment - Empire Group LLC**



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2016-PUD-01

FOR HEARING OF: February 18, 2016

Report Prepared on February 4, 2016

I. GENERAL INFORMATION

- A. APPLICANT:** Empire Group LLC
- B. PROPERTY OWNER:** Empire Group LLC
- C. LOCATION:** Southeast corner of Harrison Street and Gertrude Street
- D. LEGAL DESCRIPTION:** Lots 1 & 2, Harrison Heights
- E. REQUESTED ACTION(S):** Final PUD Site Plan amendment
- F. EXISTING ZONING AND LAND USE:**
C-2 PUD, General Commercial, Planned Unit Development (Overlay District); vacant.
- G. PROPOSED USES:** The Planned Unit Development (PUD) Site Plan will allow the applicant to construct a facility for a tenant to operate an Animal Specialty Services use named "Paw Spa Pet Resort".
- H. SIZE OF SITE:** 1.72 acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** The lot is currently vacant. The topography of the property is relatively flat, with an upward slope on the south side.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** Single Family Residential; R-1, Single-Family Residential (Ralston),
 - 2. **East:** Harrison Heights Apartments; R-3 PUD, High-Density Residential District, Planned Unit Development (Overlay District).
 - 3. **South:** Curious Child Montessori Preschool; C-2 PUD, General Commercial, Planned Unit Development (Overlay District)
 - 4. **West:** MUD Substation; R-1, Single-Family Residential District

C. RELEVANT CASE HISTORY:

1. The original PUD Site Plan for Harrison Heights was approved by City Council on December 1, 2009.

D. APPLICABLE REGULATIONS:

1. Section 5.11 of the Zoning Regulations – C-2 General Commercial District
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development District

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the Comprehensive Plan currently designates this property for commercial uses.

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. There are two access points to the property. The first is a right-in/right-out access point with a right-turn deceleration lane along Harrison Street on the northern edge of the property. The second is an access drive off of Gertrude Street in the southwest corner. The original PUD was approved based on a strip retail commercial development that would typically create a higher traffic demand. The existing roadway design should be adequate for the anticipated traffic demand.

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

E. PARKING REQUIREMENTS: The use of Animal Specialty Services requires a minimum of one space per 300 square feet of gross floor area. Based on a proposed 11,900 square foot building, a total of 40 parking spaces would be required.

As per the submitted Final PUD Site Plan, 50 spaces will be provided with an additional 9 stalls proposed to be added based on demand.

The accessible parking stall requirement is met for the 50 spaces that will be initially constructed, however an additional accessible parking stall will need to be added if the additional stalls on the west side of the development are constructed. The Final PUD Site Plan should be adjusted accordingly prior to City Council approval.

F. LANDSCAPING: The landscaping plan has been reviewed as part of the design review process that is required for developments within Harrison Heights PUD.

A draft landscaping plan has been submitted with the Final PUD Site Plan map set. This plan is still under review however review will be complete prior to City Council review of the Final PUD Site Plan.

IV. REVIEW COMMENTS:

1. The revised site layout represents a change from two, multi-bay general commercial buildings (10,000 and 5,000 square feet) to a single building of 11,900 square feet with an outdoor dog run area for animal specialty services.
2. The proposed Final PUD Site Plan includes the consolidation of Lots 1 and 2 of Harrison Heights into a single lot. This will need to be conducted through an Administrative Plat.
3. Dumpster screening needs to match existing screening for the dumpster currently on site, including bollards and internal bracing to protect the screening. The applicant has provided for these adjustments to the design of the dumpster screening.

V. STAFF RECOMMENDATION – PUD SITE PLAN:

Staff recommends approval of the Final PUD Site Plan map amendment contingent on the finalization of the landscaping plan prior to City Council approval of the Final PUD Site Plan as the amendment request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VI. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Staff Review Letters
3. PUD Site Plan map set

VII. COPIES OF REPORT TO:

1. Mark Westergard, E & A Consulting Group, Inc.
2. Vic Pelster, Empire Group, LLC
3. Public Upon Request


Prepared by
 2-10-16
Community Development Director Date



January 11, 2016

Mark Westergard
E & A Consulting Group
10909 Mill Valley Road
Omaha, NE 68154

RE: Conditional Use Permit, PUD - Initial Review
Lot 1, Harrison Heights Replat 1 – Paw Spa

Mr. Westergard,

We have reviewed the documents submitted for the above-referenced applications. Based on the elements for consideration set forth in the applicable section of the Zoning Regulations for the Conditional Use Permit (CUP) and the Planned Unit Development (PUD), the City has the following comments:

City Engineer

PUD

1. The revised site layout represents a change from two, multi-bay general commercial buildings (10,000 and 5,000 square feet) to a single building of 11,900 square feet with an outdoor dog run area for animal specialty services.
2. The proposed location of the Paw Spa Pet Resort building has several problems. The location does not provide the 25 feet setback to Harrison Street right-of-way, the building is proposed to be located in two existing storm sewer easements, and the building is proposed to lie within an existing water quality detention basin along Harrison Street per the plans for LAV2011022-181-P. Exhibit "C" illustrates the grading of a basin that conflict with the proposed building.
3. The Exhibit "B" drawing that shows a Storm Water Management area on Lot 3 is not correct.
4. Note 2 on Exhibit "B" is not correct and is unnecessary.
5. The legal description on Exhibit "B" needs to be corrected.
6. The parking count could likely be reduced since this is not a general commercial use. The applicant could identify the basis of what parking they need based on experience from their own facility. Alternatively, the Pet Health Services category in the City Zoning Regulations could be used that requires 1 stall per 300 square feet of GFA.

City Hall

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f: 402-331-4375

Community Development

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Fire

8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course

8305 Park View Blvd.
p: 402-339-9147

Library

9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police

7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Works

9900 Portal Rd.
p: 402-331-8927
f: 402-331-1051

Recreation

8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

CUP

1. The Operational Statement needs to identify what is done to address or control dogs that bark excessively. Also, it is assumed that dogs are not left overnight in the outside area, but this should be stated in the Operational Statement.
2. The Operational Statement needs to address how pet waste is collected, contained and how often it is removed from the site.
3. The location of the building will need to be revised as noted above to avoid negative impact on the existing drainage facilities.

Chief Building Official

Dumpster screening needs to match what is already in place.

Fire Marshall

No Comments

La Vista Police Department

No Comments

City Planner

PUD

1. Update the PUD site plan to strike all out-of-date aspects of the plan (tree removals, Note #2, previous Harrison Street curb line at deceleration lane).
2. Dumpster screening needs to match existing screening for the dumpster currently on site, including bollards to protect the screening.
3. Building setbacks are not dimensioned. Setbacks from Harrison Street and Gertrude Street are required at 25 feet as per the C-2 Zoning District.
4. Proposed site plan amendment removes the Center Identification sign from the northwest corner. Please confirm that this is the intention of the owner as the visibility of the commercial building to the south will be limited by the new building and the design of the new building makes signage options on the north side limited.

CUP

1. As a requirement of the existing PUD overlay. The facility is required to go through the City's design review process. Documents related to the design of the facility are to be included in the CUP as exhibits to the CUP. The City's third party Design Review Architect is currently reviewing the design and will provide a separate design review letter that will be forwarded when it is ready.

2. The Operational Statement needs to discuss the filtering of the air handling system to limit odor impacts upon neighboring properties.
3. The square footage of the building in the Operational Statement needs to match the square footage of the building on the PUD plan set.
4. Strike the words, "in Omaha, NE" from fourth paragraph of the Operational Statement as that is the city name assigned to the zip code, not the actual city that the existing facility is within. This may cause confusion.
5. A draft version of the Conditional Use Permit has been attached for your review.

In order for the PUD amendment and Conditional Use Permit to be considered for review at the February 18, 2016 Planning Commission meeting, revised documents will need to be provided for further review. Please submit 4 full size copies (along with electronic copies) of the revised documents by January 25, 2016 to ensure that the application stays on track for the review by Planning Commission.

If you have any questions regarding these comments please feel free to contact me at any time.

Thank you,



Christopher Solberg, AICP
City Planner

cc: Ann Birch, Community Development Director
John Kottmann, City Engineer
Vic Pelster, Empire Group LLC
Kevin Irish, The Paw Spa Pet Resort



January 29, 2016

Mark Westergard
E & A Consulting Group
10909 Mill Valley Road
Omaha, NE 68154

RE: Administrative Plat – Second Review
Lot 1, Harrison Heights Replat 1 – Paw Spa

Mr. Westergard,

We have reviewed the revised documents submitted for the above-referenced applications. Based on the elements for consideration set forth in the applicable section of the Zoning Regulations for the Conditional Use Permit (CUP) and the Planned Unit Development (PUD), the City has the following comments:

PUD

1. The Final PUD Site Plan needs to delineate the extent of the revisions to limit confusion between the proposed development and the existing development.
2. If the western parking apron will not be poured upon the initial development of the lot then this aspect needs to be marked within the Final PUD Site Plan, with an explanatory note.
3. If the western parking apron will not be poured upon the initial development of the lot, then clarification will need to be provided as to whether or not a second dumpster enclosure will be needed.
4. The dumpster enclosure near the southeast corner of the proposed building will likely cause site line issues for traffic. If a second enclosure is needed, please move it alongside the enclosure on the western side of the property.

CUP

1. As a requirement of the existing PUD overlay. The facility is required to go through the City's design review process. Documents related to the design of the facility are to be included in the CUP as exhibits to the CUP. The City's third party Design Review Architect is currently reviewing the design resubmittal and will provide a separate design review letter that will be forwarded when it is ready.

In order for the PUD amendment and Conditional Use Permit to be considered for review at the February 18, 2016 Planning Commission meeting, revised documents will need to be provided for the Planning Commission packets. Please submit 10 full-size

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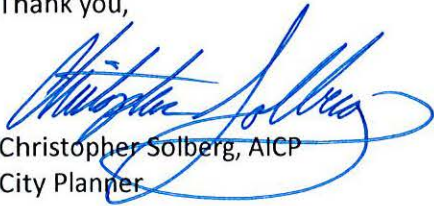
Recreation
8116 Park View Blvd.
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f: 402-331-0299

and 4 ledger-size (11"x17") copies (along with electronic copies) of the revised PUD and CUP documents by February 10, 2016 to ensure that the application stays on track for the review by Planning Commission.

If the revised documents have been resubmitted on time, the application will be on the February Planning Commission agenda. The Planning Commission will meet at 7:00pm on February 18th. Please have someone in attendance with a presentation prepared for the Commission.

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", is written over the printed name and title.

Christopher Solberg, AICP
City Planner

cc: Ann Birch, Community Development Director
John Kottmann, City Engineer
Vic Pelster, Empire Group LLC
Kevin Irish, The Paw Spa Pet Resort

PROJECT DENSITIES										
	BUILDING AREA (SF)	LOT AREA (AC)	IMPERVIOUS (AC)	PERVIOUS (AC)	PARKING (PER CODE)	ADA STALLS (PER CODE)	TOTAL PARKING REQUIRED	REGULAR PARKING	GARAGE PARKING	ADA STALLS
REPLAT 1 LOT 1	11,900	1.718	1.141	0.577	40	2	42	56	0	2
LOT 3	5,000	0.950	0.321	0.629	25	1	26	19	0	1
LOT 4	40,618	5.253	3.136	2.795	118	5	123	75	52	6
LOT 5	48,850	4.225	2.528	1.697	52	3	55	56	0	4
TOTAL	104,468	12.051	7.174	5.555	245	13	258	228	52	15
										295

LEGAL DESCRIPTION

LOTS 1 THRU 5 INCLUSIVE
BEING A REPLAT OF LOTS 13 AND 14, CRESTVIEW HEIGHTS (2ND PLATTING), A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

OWNER

EMPIRE GROUP, LLC
1941 S. 42ND STREET SUITE 550
OMAHA, NE. 68105

ENGINEER

E & A CONSULTING GROUP
10909 Mill Valley Road, Suite 100
OMAHA, NEBRASKA 68154

DEVELOPER

EMPIRE GROUP, LLC
1941 S. 42ND STREET SUITE 550
OMAHA, NE. 68105

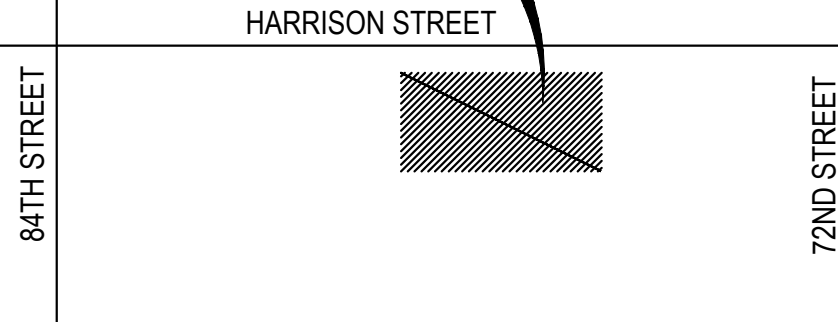
NOTES

- ZONING:
 - EXISTING ZONING: TA
 - PROPOSED ZONING: R3-PUD, LOTS 4 & 5
C2-PUD, REPLAT 1 LOT 1 & LOT 3
- DIRECT VEHICULAR ACCESS WILL NOT BE ALLOWED TO HARRISON STREET EXCEPT FOR ONE RIGHT-IN, RIGHT-OUT ONLY DRIVE AT THE LOCATION OF THE CENTERLINE AS SHOWN IN REPLAT 1 LOT 1.
- A PERMANENT RECIPROCAL VEHICULAR INGRESS AND EGRESS, SIDEWALK AND PEDESTRIAN EASEMENT IS GRANTED TO THE OWNERS OF LOTS 3 THRU 5 & REPLAT 1 LOT 1 INCLUSIVE AND TO THEIR GUESTS AND INVITEES OVER ALL OF THOSE DRIVES AND SIDEWALKS AS CONSTRUCTED IN SAID LOTS 3 THRU 5 & REPLAT 1 LOT 1 INCLUSIVE.
- A PERMANENT RECIPROCAL VEHICULAR PARKING EASEMENT IS GRANTED TO THE OWNERS OF REPLAT 1 LOT 1 & LOT 3 AND TO THEIR GUESTS AND INVITEES OVER ALL OF THOSE PARKING LOTS AS CONSTRUCTED IN SAID REPLAT 1 LOT 1 & LOT 3.
- COMMERCIAL USES FOR REPLAT 1 LOT 1 & LOT 3 SHALL BE COORDINATED TO ENSURE THE REQUIRED PARKING FOR EACH USE IS PROVIDED ON REPLAT 1 LOT 1 & LOT 3 AS DETERMINED BY THE CITY OF LA VISTA.

REQUIRED SETBACK LINE

- R3:
- FRONT YARD SETBACK.....30'
 - SIDE YARD SETBACK.....10'
 - REAR YARD SETBACK.....30'
- C2:
- FRONT YARD SETBACK.....25'
 - SIDE YARD SETBACK.....15'
 - REAR YARD SETBACK.....15'

PROJECT SITE



VICINITY MAP

LEGEND:

- SF ———— INSTALL SILT FENCE
- R ———— R RIDGE LINE
- X ———— X PROPOSED FENCE
- X ———— X EXISTING FENCE
- — — — — PROPERTY LINE
- - - - - EXISTING CONTOURS
- ===== PROPOSED CONTOURS
- [Hatched Box] POST CONSTRUCTION STORM WATER MANAGEMENT AREA

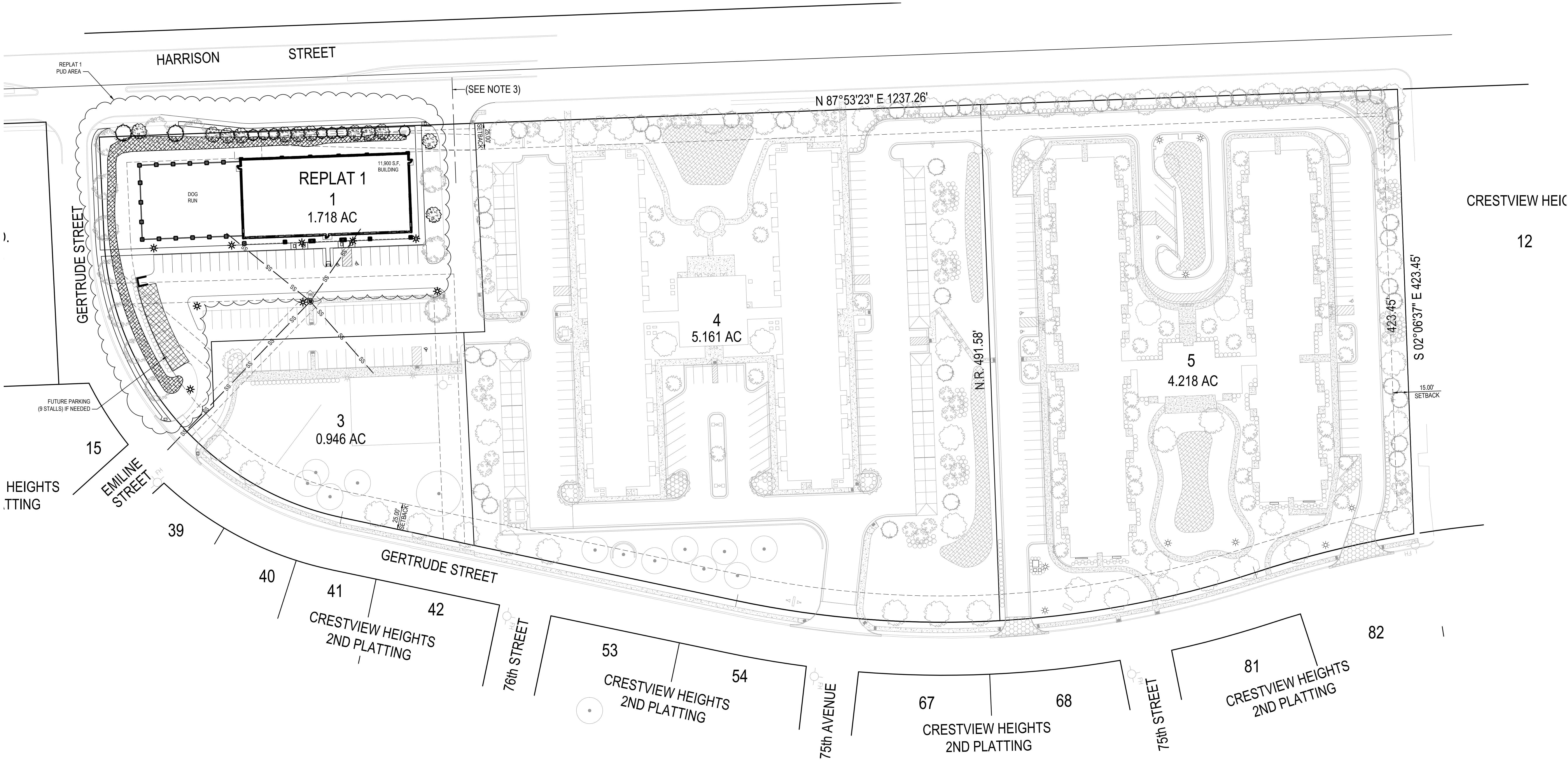
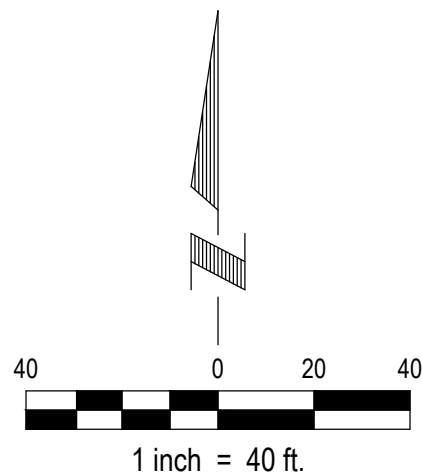
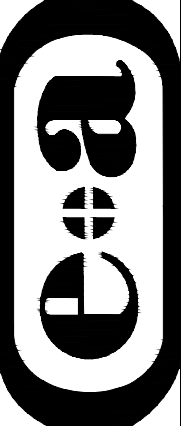


EXHIBIT "B"

E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES

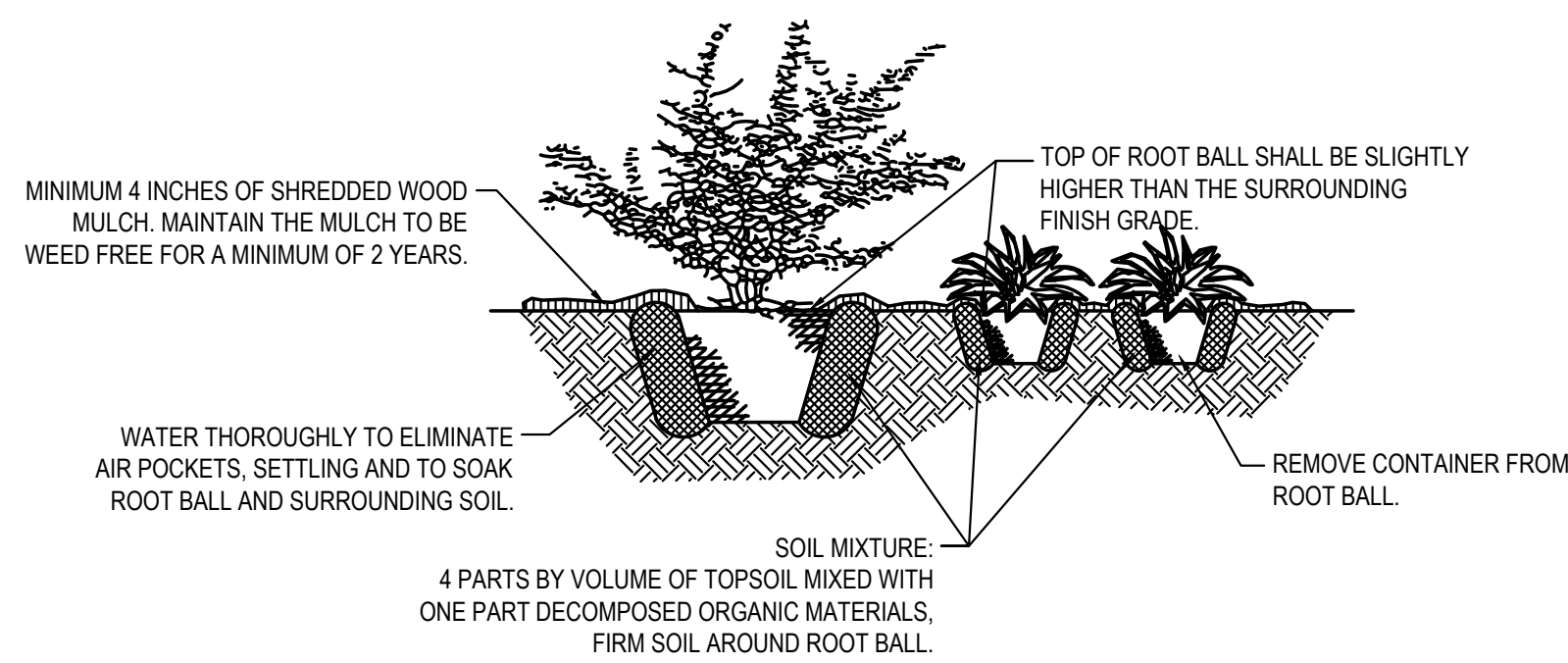
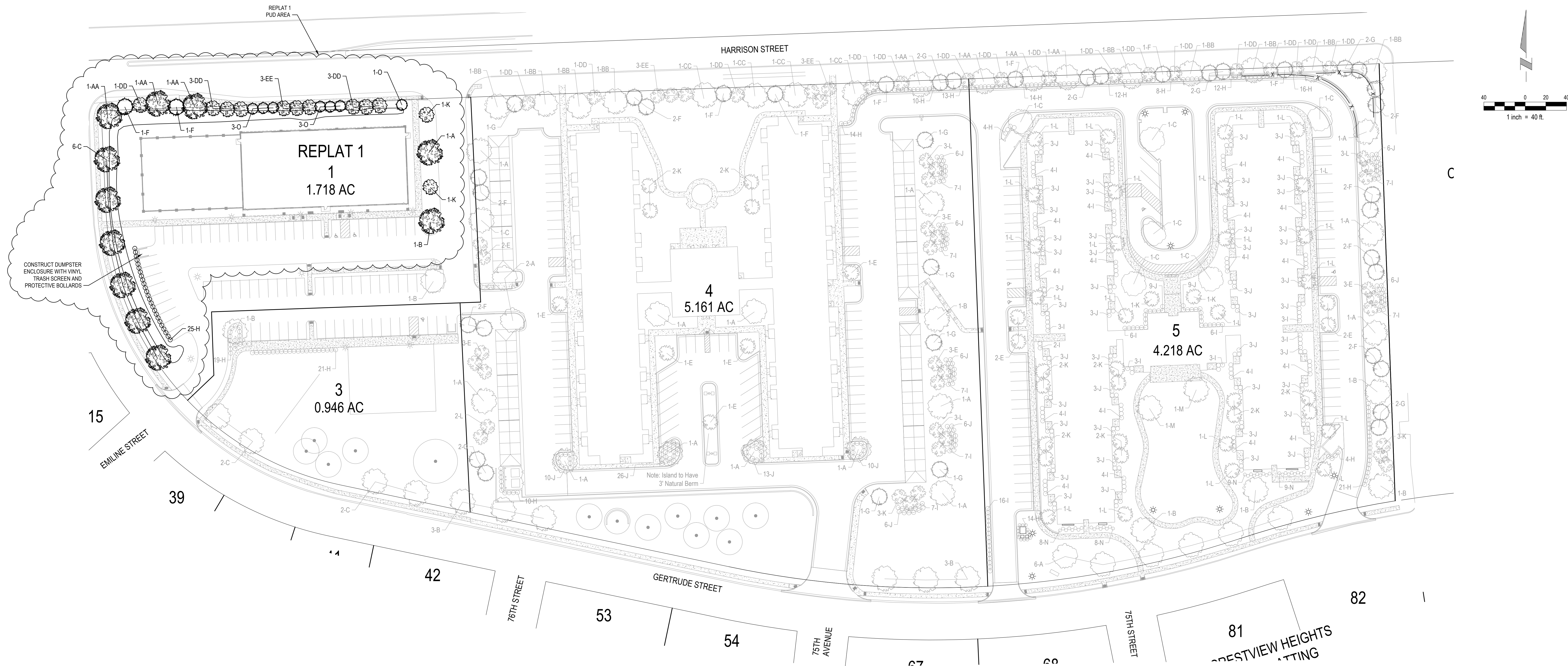


HARRISON HEIGHTS
LA VISTA, NEBRASKA

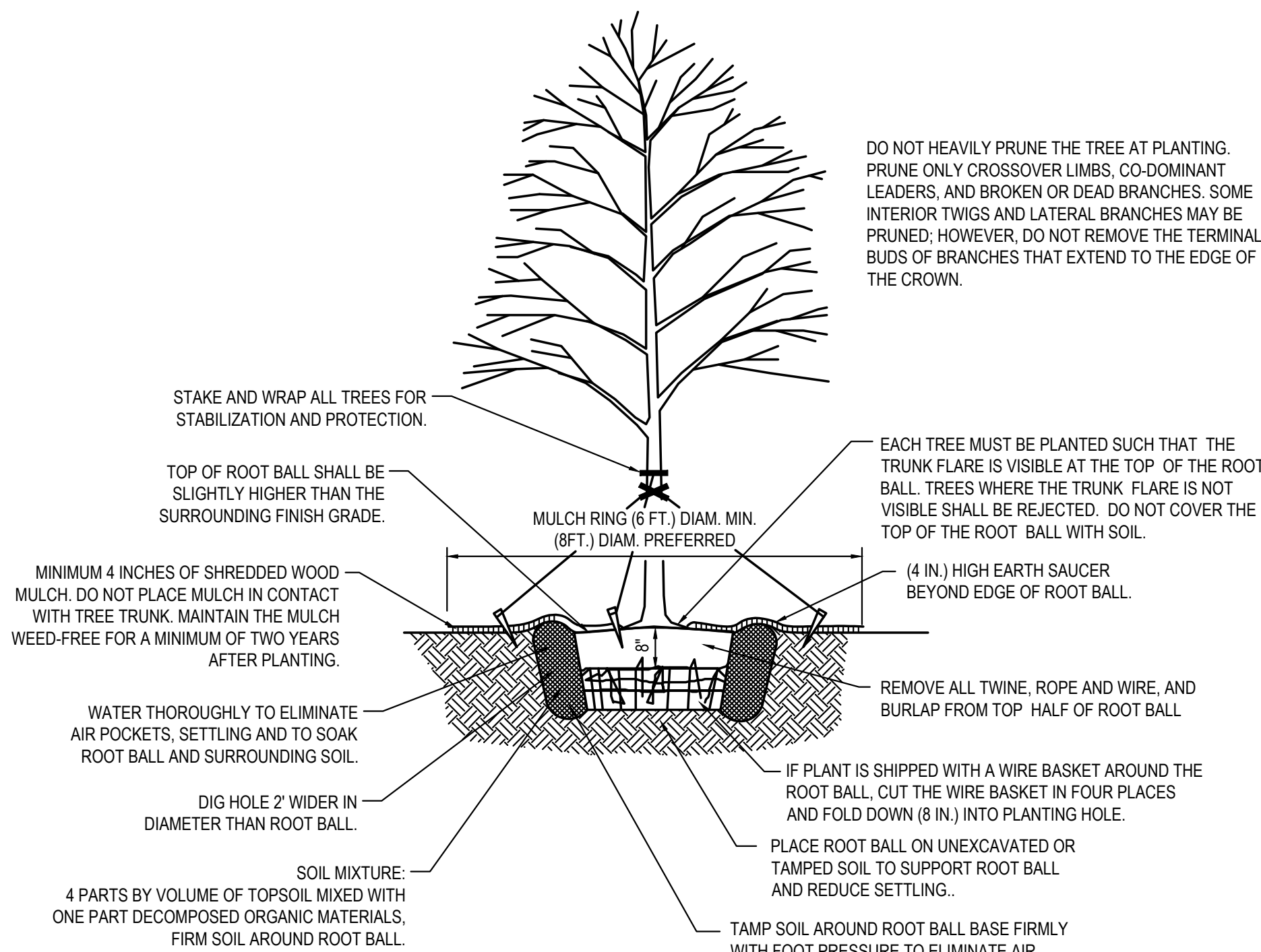
FINAL PLANNED UNIT
DEVELOPMENT

Proj No.	Date	Revised	Description
P2008.281.027	4/29/2009	1	LAYOUT CHANGE
		2	LAYOUT CHANGE
		3	CITY COMMENTS
		4	LAYOUT CHANGE
		5	CITY COMMENTS

Drawn By:	Checked By:	Sheet:
MES	BLW	1 OF 2



SHRUB & PERENNIAL PLANTING DETAIL
NOT TO SCALE



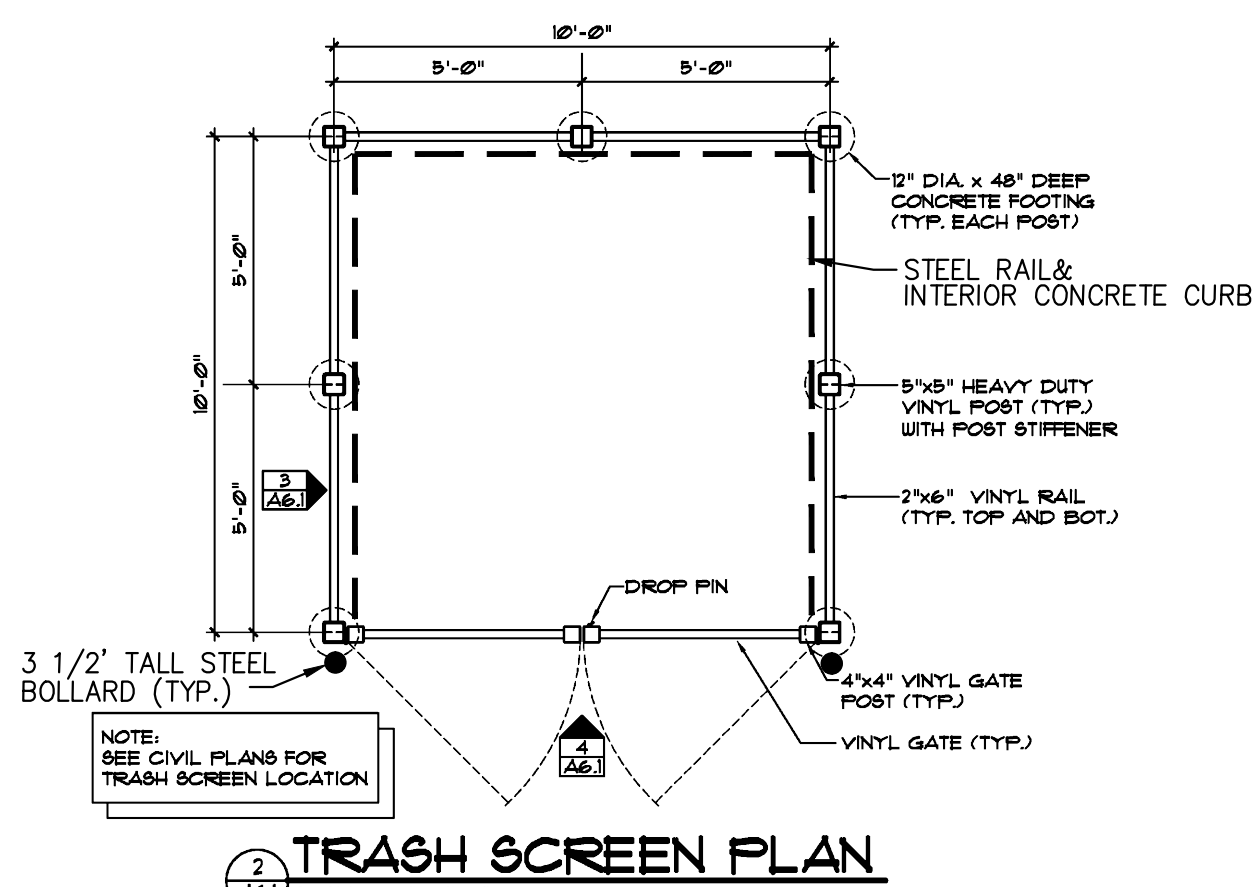
TREE PLANTING DETAIL - B & B TREE
NOT TO SCALE

PLANT SCHEDULE

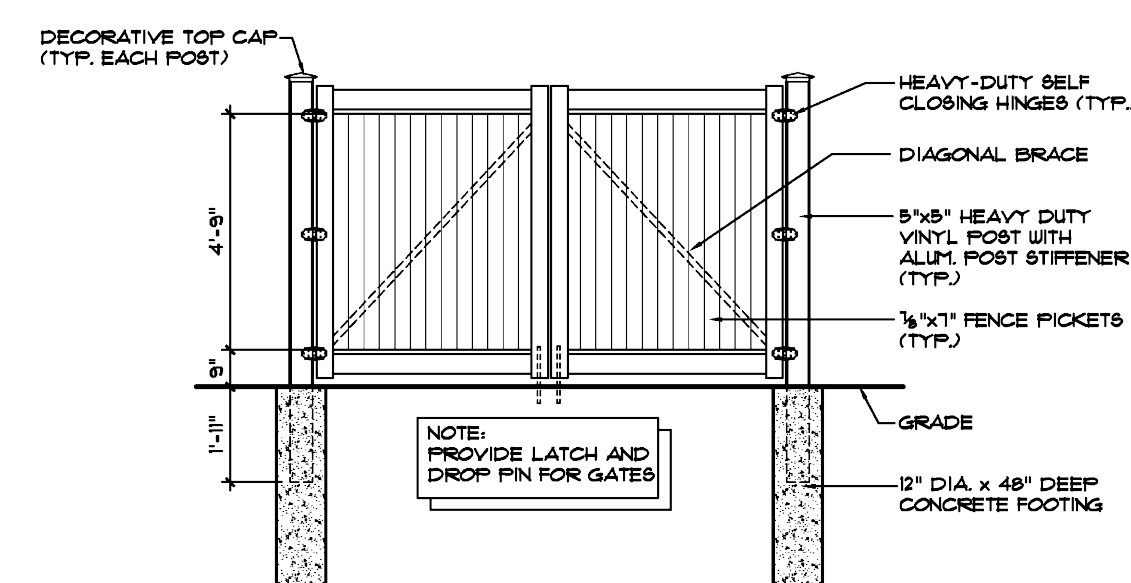
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
* A	23	Celtis occidentalis 'Prairie Pride'	Prairie Pride Hackberry	1-1/2"	B&B
* AA	7	Celtis occidentalis 'Prairie Pride'	Prairie Pride Hackberry	4"	B&B
* B	14	Tilia x flauescens 'Glenleven'	Glenleven Littleleaf Linden	1-1/2"	B&B
* BB	9	Tilia x flauescens 'Glenleven'	Glenleven Littleleaf Linden	4"	B&B
* C	17	Quercus bicolor	Swamp White Oak	1-1/2"	B&B
* CC	4	Quercus bicolor	Swamp White Oak	4"	B&B
* DD	22	Amelanchier arborea	Downy Serviceberry (clump form)	4"	B&B
* E	23	Malus 'Prairie Fire'	Prairie Fire Crabapple	1-1/2"	B&B
* EE	5	Malus 'Prairie Fire'	Prairie Fire Crabapple	4"	B&B
* F	22	Pseudotsuga menziesii	Douglas Fir	6"	B&B
* G	18	Picea abies	Norway Spruce	6"	B&B
* H	194	Juniperus x media 'Old Gold'	Old Gold Juniper	3 Gal.	Cont.
* I	174	Juniperus chinensis 'Seagreen'	Seagreen Juniper	3 Gal.	Cont.
* J	276	Spirea japonica 'Magic Carpet'	Magic Carpet Spirea	3 Gal.	Cont.
* K	26	Malus 'Red Jade'	Red Jade Crabapple	1-1/2"	B&B
* L	33	Malus 'Spring Snow'	Spring Snow Crabapple	1-1/2"	B&B
* M	2	Betula nigra	River Birch (clump form)	1-1/2"	B&B
* N	34	Juniperus chinensis 'Spartan'	Spartan Juniper	7-8"	B&B
* O	7	Picea pungens 'Iseli fastigiata'	Columnar Blue Spruce	7-8"	B&B

* Plant Variety per 5.17.06.02 Gateway Corridor District Overlay District

Existing Tree to Remain



TRASH SCREEN PLAN



TRASH SCREEN ELEVATION

LANDSCAPE NOTES:

- Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
- All plant material shall be of good quality and sizes shall meet required size specifications.
- All plants are to be watered in immediately after planting and then watered once a week for a period of two months from time of planting.
- All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
- Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
- The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
- Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
- All trees are to be staked for a period of not less than one year from time of planting.
- Contractor to coordinate work with other amenities contractors.