

AGENDA ITEM 4B

**Public Hearing for Final PUD Site Plan – Cutchall
Property Management, LLC**



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2016-PUD-03

FOR HEARING OF: April 21, 2016
Report Prepared on April 8, 2016

I. GENERAL INFORMATION

- A. APPLICANT:** Cutchall Property Management, LLC
- B. PROPERTY OWNER:** Michael J. McDermott & John L. Hoich
- C. LOCATION:** Western corner of McDermott Plaza and Eastport Parkway
- D. LEGAL DESCRIPTION:** Lot 10, Southport East Replat Six
- E. REQUESTED ACTION(S):** Planned Unit Development (PUD) Site Plan to allow for a fast food establishment with drive thru.
- F. EXISTING ZONING AND LAND USE:**
C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District) with a PUD zoning overlay; the property is currently vacant.
- G. PROPOSED USES:** Developer wishes to construct a restaurant with drive thru.
- H. SIZE OF SITE:** 0.95 Acres.

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** The existing site is vacant ground that is relatively flat.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** Commercial strip center; C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District)
 - 2. **West:** Runza; C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District)
 - 3. **South:** Vacant; C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District)
 - 4. **East:** American National Bank; C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District)

C. **RELEVANT CASE HISTORY:** A PUD Ordinance (Ordinance 1045) that covers this property was approved on August 17, 2007. It allows for 10-foot setbacks (front, side, and rear) and a 55-foot maximum building height, among other regulations and guidelines.

III. ANALYSIS

A. **COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates this property for commercial uses. The proposed commercial use is consistent with the Future Land Use Map.

B. **OTHER PLANS:** N/A

C. **TRAFFIC AND ACCESS:**

1. A traffic impact study was performed in 2006 as part of Southport East Replat Six which resulted in widening Eastport Parkway between McDermott Plaza and Giles Road. In that study the trip generation from this site was included in the analysis. At that time the study anticipated a sit down restaurant on this parcel. The proposed trip generation for the fast food establishment is marginally higher than what was assigned in the original traffic study.

Two of the current uses on the east side of the Eastport Parkway/McDermott Plaza intersection have lower traffic impacts than the uses listed for those parcels within the traffic study. This helps to offset some of the limited traffic impacts of this development.

Based on this information, it was concluded that no additional traffic-related changes would be necessary based on the impacts of this development.

2. The property will have access to McDermott Plaza which is a private roadway that exists from Eastport Parkway to South 123rd Plaza.

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

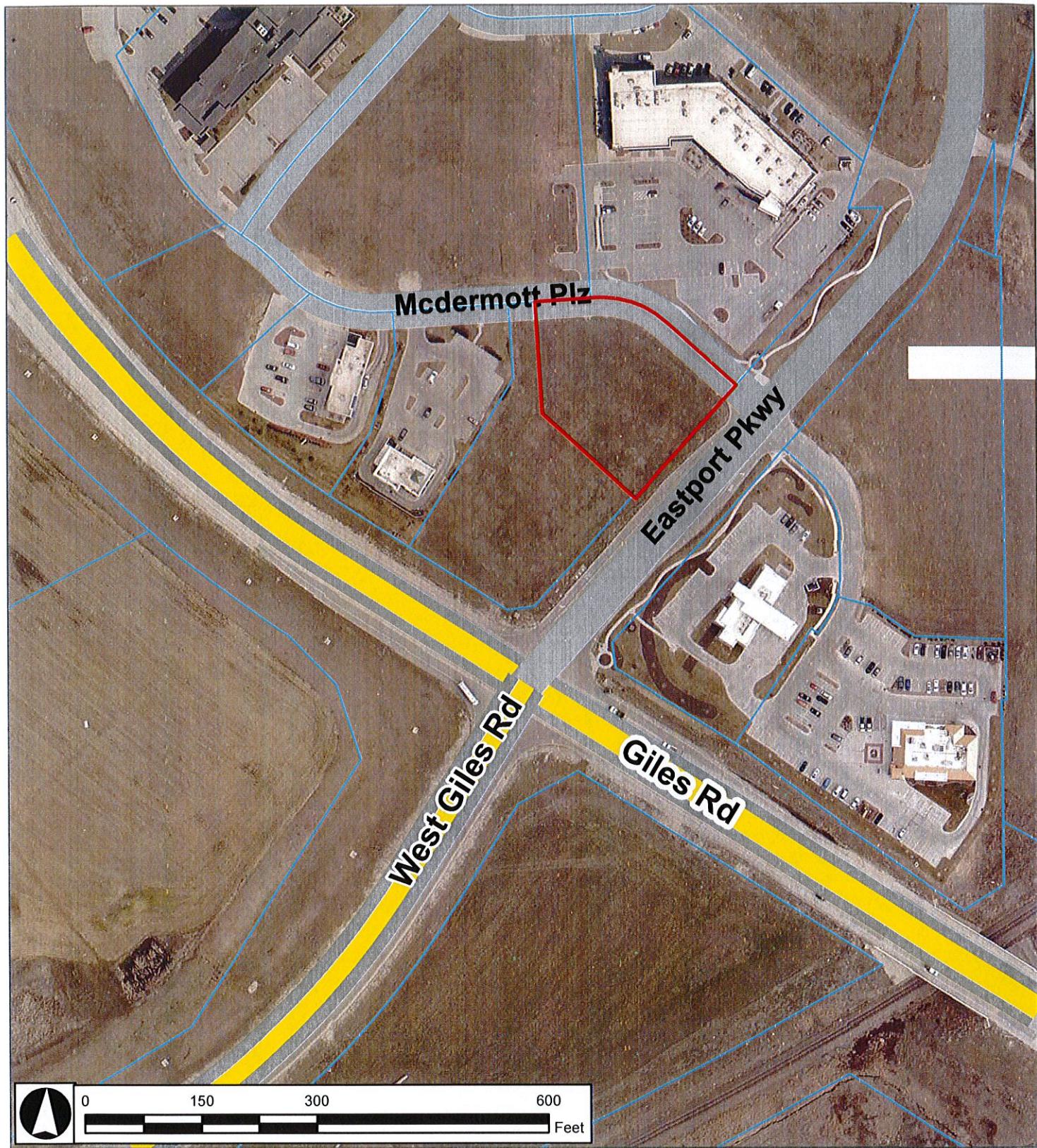
E. **PARKING REQUIREMENTS:**

1. Zoning regulations require one space per 150 sq. feet of gross floor area, plus five stacking spaces for the drive through window. The proposed 1,608 sq. ft. building would require 11 parking stalls; 1 of these stalls would be required to be handicapped accessible. The PUD Site Plan depicts a total of 28 parking stalls and includes the required number of accessible stalls. No additional parking is anticipated to be needed.

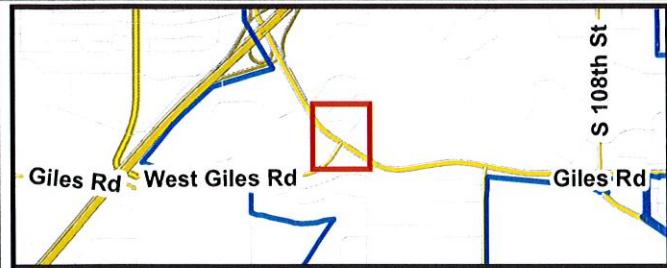
VII. COPIES OF REPORT TO:

1. Greg Cutchall, Cutchall Property Management, LLC; Applicant
2. Michael S. McDermott; Property Owner
3. Brad Blakeman, Blackeman Engineering; Engineer
4. Public Upon Request


Prepared by: _____
Ami Bonz. 4-13-16
Community Development Director Date



Project Vicinity Map



Southport East - PUD - Sonic

4-13-2016
JMC





March 16, 2016

Brad Blakeman
Blakeman Engineering
10423 Hansen Ave
Omaha, NE 68124

RE: PUD Site Plan - Initial Review
Lot 10, Southport East Replat Six - Sonic

Mr. Blakeman,

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

City Engineer

PUD

1. To address Article 5.15.04.03 the applicant needs to provide estimates of the weekday, PM peak hour traffic that will be generated by this facility.
2. The proposed sidewalk feature at the intersection of Eastport Parkway and McDermott Plaza is setback further from Eastport than the feature on the opposite side of the street. This is due to an electrical vault that prevents matching the location. The alternative location and layout is acceptable, however, additional sidewalk easement will be required in order to accommodate the revised location.
3. In regards to Article 5.15.05.02.1, the proposed 74 contour is missing and is needed to help identify the proposed drainage pattern.
4. In regards to Article 5.15.05.04, there needs to be some notation on C1.1 as to the type of storm water quality and detention system that is proposed. The notes on this sheet about storm sewer data also need to include the proposed 2-year peak flow in post-developed conditions. At this stage it would be acceptable to state that the flow will be limited to the pre-developed condition value if the detention system has not been fully designed yet.

Southport East Replat Six PUD

5. The green space along Eastport Parkway (formerly 120th Street) needs to comply with the requirements set forth on Page 6-1 of these regulations. This

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

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 Buildings & Grounds
8112 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

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

means 20 feet of landscaped and bermed greenspace. The plan scales 15 feet from parking lot drive aisle to right-of-way line.

Fire Marshall

No Comments

City Planner

PUD

1. Building setbacks are properly dimensioned and the proposed development meets the required building setbacks.
2. Drive-thru stacking design is illogical based on the location of the entrance and the path that an automobile would need to take to align with initial menu board. Recommend removal of the seventh stacking space and adjusting the striping accordingly. The initial menu board would be moved west as well.
3. Remove and replace references to "PUD-1" zoning district with "PUD" zoning district. Although the Southport East Replat Six PUD references a "PUD-1" district, this district has since been renamed within the Zoning Ordinance.
4. The proposed monument sign will need to be reviewed in conformance with the sight triangle standards as per Section 2.20 of the Zoning Ordinance.

Southport East Replat Six PUD

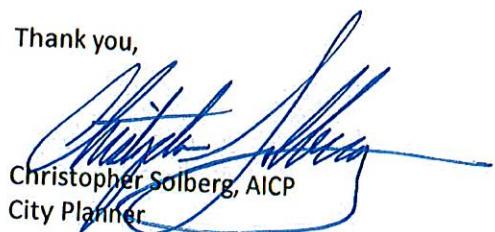
1. The PUD plan set is currently under review by the City's third-party architect for compliance with the Southport East Design Guidelines. A separate review letter will be provided upon receipt by the City.
2. Building elevations are not required as part of the PUD Site Plan approval process, please remove from the next submittal package.
3. The landscaping plan, as printed, lacks legibility. Please make changes to the landscaping plan to improve the legibility of the document.
4. Prior to submission for a building permit, an application for design review approval, through the Southport East Design Guidelines, will need to be submitted. Be advised that the design review process has recently averaged roughly three months per review. Please take this into consideration as a minimum in your development timeline.
5. All light fixtures will need to meet the requirements of the Southport East Design Guidelines, not the Gateway Corridor Overlay District as noted on the plans. Parking lot fixtures will need to conform Appendix I of the Guidelines, whereas the corner feature fixtures will need to conform to Appendix H of the Guidelines.
6. Design of the monument sign will need to comply with Section 7.01 of the Zoning Ordinance and the Southport East Design Guidelines. Review of the monument sign in relation to these regulations will be conducted at time of sign permit application.

The applicant should be aware that there are private protective covenants that were recorded against the property that should be reviewed.

In order for the PUD Site Plan to be considered for review at the April 21, 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 March 28, 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
File

City Review comments dated March 16, 2016 responses

Project PUD Site Plan, Lot 10, Southport East Replat 6, LaVista, NE

CITY ENGINEER

1. Per traffic studies done at several Sonic of similar size and nature traffic counts are anticipated as follows: 24 total AM peak hour (12 in and 12 out), 112 MD peak hour (56 in and 56 out), 104 PM peak hour (52 in and 52 out) trips.
2. Sonic will provide additional sidewalk easement to accommodate sidewalk at intersection of McDermott Plaza and Eastport Parkway. A note has been added to drawings regarding this and final limits of easement area to be determined at time of Construction Drawing review stage.
3. The 74 contour is on the curb all around the building and on retaining wall. Added a "74" on curb for clarity and wall was deleted.
4. Added notes regarding type of storm sewer detention and quality system planned and added note about post construction flows proposed. (Pre-2year condition maintained)
5. Revised to 20'.

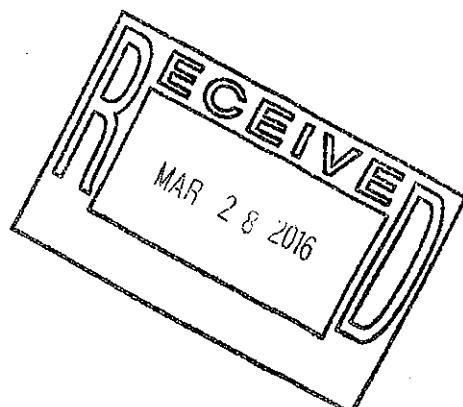
City Planner/PUD

1. Noted.
2. Removed 2 stacking stalls and restriped. The menu board noted on submittal is actually a initial preview menu board and the actual ordering station and final menu board are shown at the 5th car in stacking lane. We removed the preview menu board and relabeled the final menu board only for clarity. Complied.
3. Complied. Removed references to PUD-1.
4. Monument sign to be permitted separately. Added note that it will conform to required standards.

City Planner/SPE Replat 6 PUD

1. Noted
2. Removed building elevations from submittal. Complied.
3. We feel landscape plan is legible but have enhanced some features to make it more so. Complied.
4. Noted.
5. Revised light note to read "Southport East Design Guidelines"
6. Sign will be permitted separately and noted on this drawing.

Brad Blakeman
402-933-5777
Blakeman Engineering
03/22/2016



March 28, 2016

Mr. Chris Solberg
City of La Vista
8116 Park View Blvd
La Vista, NE 68128

RE: Sonic Restaurant - Design Review #1

Dear Chris:

This letter shall provide recommendations and/or corrections for the applicant's PUD submittal package dated March 7, 2016. For tracking purposes I have noted deficiencies in the submittal package, and where appropriate, the corresponding requirements outlined in the Southport East Design Guidelines.

Civil/Site Drawings:

1. Site Grading and Storm Sewer Plan C1.1, Site Paving and Utilities Plan C2.1, and Landscape Plan C3.1:
 - a. Sheet C2.1 appears to demonstrate the perimeter green space required at both the public street frontages, but dimensions aren't provided. Please provide a fully dimensioned plan at the next submittal.
 - b. Sheet C2.1 refers to a masonry block trash enclosure with gates. The Guidelines specify a required Trash Screen design (refer to Appendix R). Please submit design details at next review.
 - c. Segmental retaining walls indicated will be required to match the color and quality of the base of the building.
 - d. The Guidelines specify specific Exterior Pole Mounted Luminaires and colors (refer to Appendix H & I). Parking lot lighting locations are shown and noted on Sheet C2.1, but not clearly scheduled or demonstrated. It is assumed all lighting will comply with the Guidelines and product data sheets will be submitted at the next review.
 - e. All roof top and/or ground mounted HVAC equipment shall be screened from view from public right-of-ways by permanent architectural screens constructed from materials integrated with the overall building design.
 - f. Refer to Appendix P for Site Furnishings required at the circular corner streetscape.

April 13, 2016

Mr. Chris Solberg
City of La Vista
8116 Park View Blvd
La Vista, NE 68128

RE: Sonic Restaurant - Design Review #2

Dear Chris:

This letter shall provide recommendations and/or corrections for the applicant's revised PUD submittal package received April 7, 2016. For tracking purposes I have noted any deficiencies in the submittal package, and where appropriate, the corresponding requirements outlined in the Southport East Design Guidelines.

Civil/Site Drawings:

1. Site Grading and Storm Sewer Plan C1.1, Site Paving and Utilities Plan C2.1, and Landscape Plan C3.1:
 - a. Sheet C2.1, dimensions have been added to satisfactorily demonstrate the perimeter green space required at both of the public street frontages.
 - b. Sheet C2.1 refers to a "MASONRY BLOCK TRASH ENCLOSURE WITH GATES IN ACCORDANCE WITH CITY GUIDELINES". This is acceptable as this stage of review and will be reviewed in detail during the Design Review. The Guidelines specify a required Trash Screen design (refer to Appendix R).
 - c. Segmental retaining walls indicated will be required to match the color and quality of the base of the building. This will be reviewed in detail during the Design Review.
 - d. Sheet C2.1, notes have been expanded regarding parking lot lighting locations to represent they will be "...IN ACCORDANCE WITH THE SOUTHPORT EAST DESIGN GUIDELINES, APPENDIX I & H". This is acceptable at this stage of review and product data sheets will be reviewed during the Design Review.
 - e. All roof top and/or ground mounted HVAC equipment shall be screened from view from public right-of-ways by permanent architectural screens constructed from materials integrated with the overall building design. This will be reviewed during the Design Review.
 - f. Sheet C2.1, notes have been expanded regarding Site Furnishings required at the circular corner streetscape to represent they will be "...IN ACCORDANCE WITH APPENDIX P OF THE SOUTHPORT EAST

PHONE 402.493.4800
FAX 402.493.7951

1044 North 115th Street, Suite 300
Omaha, Nebraska 68154-4436

DESIGN GUIDELINES". This is acceptable at this stage of review and product data sheets will be reviewed during the Design Review.

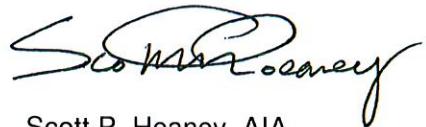
- g. Sheet C3.1, Plant Schedule, tree and plant types have been satisfactorily revised to match the Southport guidelines. The layout and varieties have been well placed to compliment the circular corner streetscape element, bermed areas, and serpentine sidewalks.

Please feel free to contact me regarding additional clarifications or questions.

(402) 431-6317 direct
sheaney@schemmer.com

Sincerely,

THE SCHEMMER ASSOCIATES, INC.
ARCHITECTS | ENGINEERS | PLANNERS



Scott P. Heaney, AIA
Architect, Associate

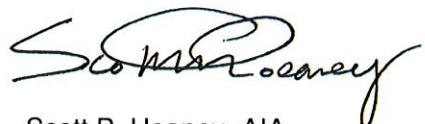
g. Sheet C3.1, Plant Schedule, lists several non-compliant selections. Specific plants not on the approved list are: Skyline Honeylocust, Autumn Blaze Maple, Columnar Blue Spruce, Dwarf Burning Bush, Karl Foerster Grass, Happy Returns Daylily, and Lil' Trudy Catmint. Refer again to the Guidelines for landscaping strategies along streetscapes, property lines, and Appendix F and G. for approved Street Tree and Plant Lists.

Please feel free to contact me regarding additional clarifications or questions.

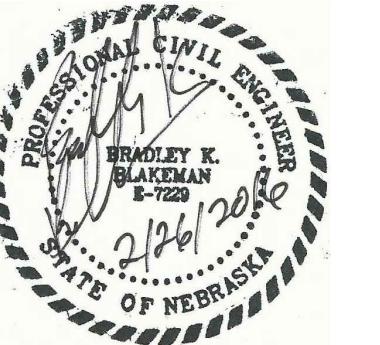
(402) 431-6317 direct
sheaney@schemmer.com

Sincerely,

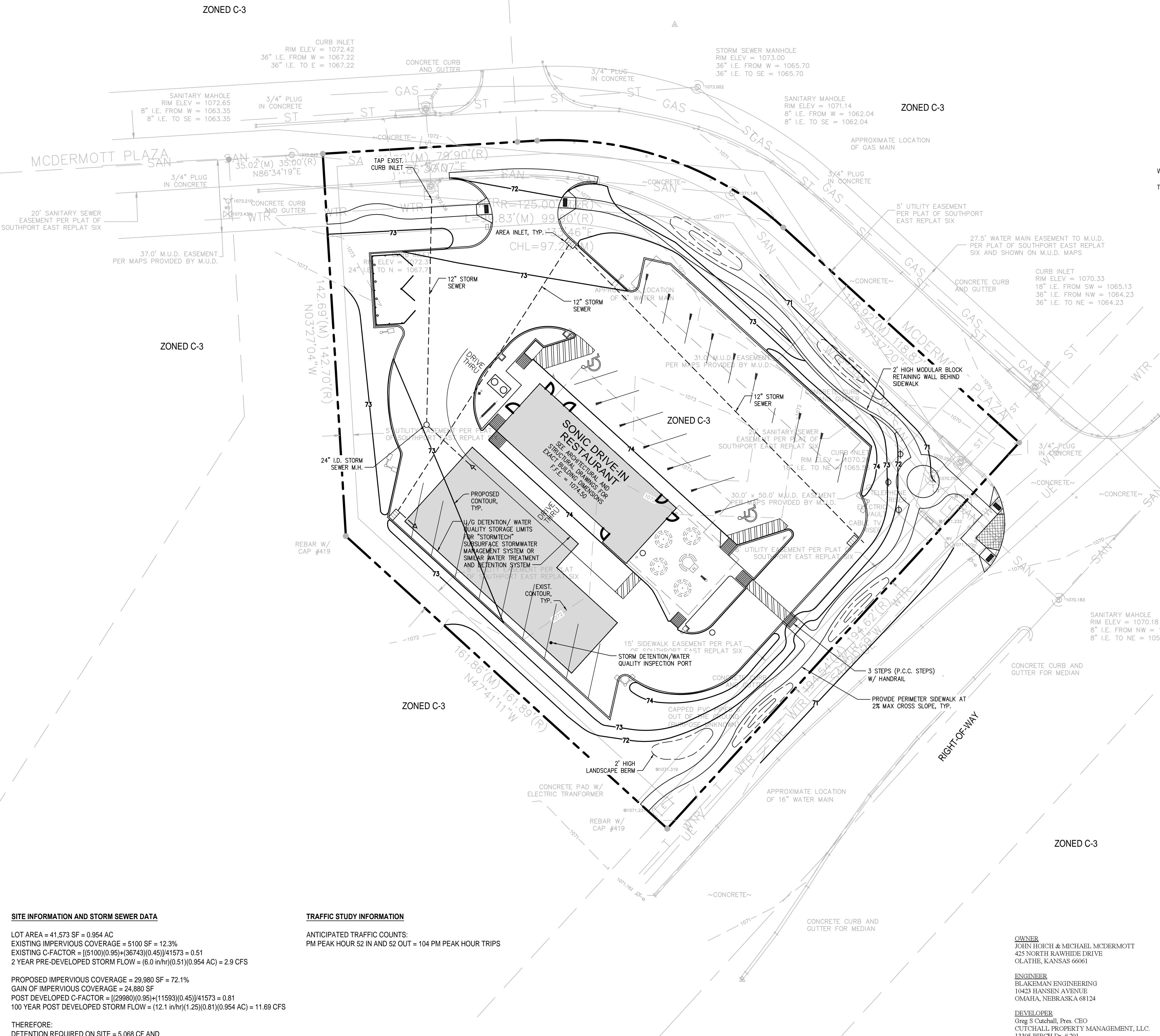
THE SCHEMMER ASSOCIATES, INC.
ARCHITECTS | ENGINEERS | PLANNERS



Scott P. Heaney, AIA
Architect, Associate

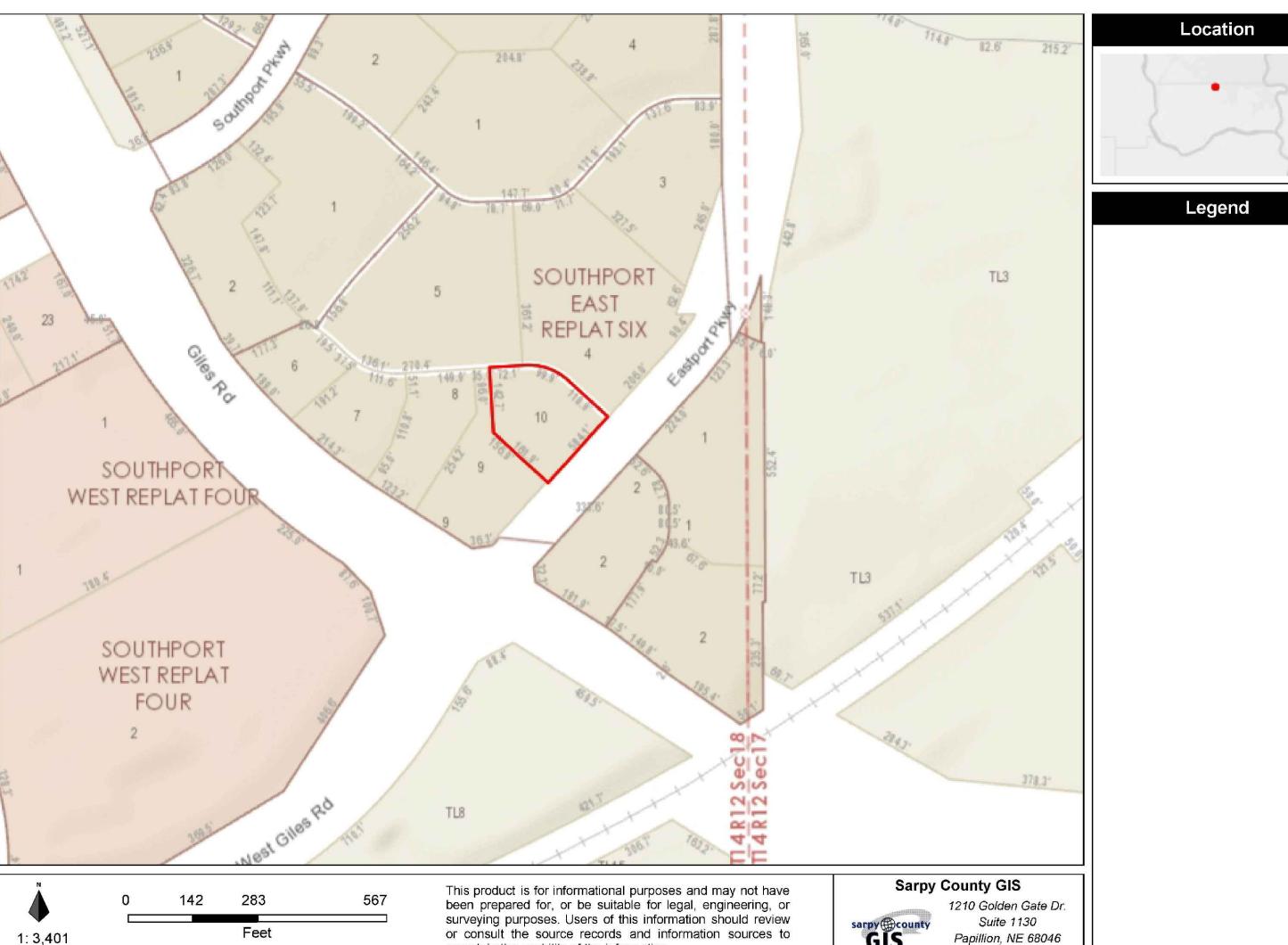


**FINAL PUD
SONIC DRIVE-IN
12059 McDERMOTT PLAZA
SOUTHPORT EAST REPLAT SIX, LOT 10
LAVISTA, SARPY COUNTY, NEBRASKA**



SITE GRADING AND STORM SEWER PLAN
SCALE: 1" = 20'-0"

LEGEND
—1276— EXISTING CONTOUR
—1276— PROPOSED CONTOUR
—X— SILT FENCE



VICINITY MAP
SCALE: NONE

TREE PLANTING DETAIL - B & B TREE
NOT TO SCALE

DO NOT LEAVE TWIGS, LEAVES, OR PLANTING LEADERS, AND BROKEN OR DEAD BRANCHES. MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.

EACH TREE MUST BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. TREES WHERE THE TRUNK FLARE IS NOT VISIBLE SHALL BE REJECTED. DO NOT COVER THE TOP OF THE ROOT BALL WITH SOIL.

STAKE AND WRAP ALL TREES FOR STABILIZATION AND PROTECTION.

TOP OF ROOT BALL SHALL BE SLIGHTLY HIGHER THAN THE SURROUNDING FINISH GRADE.

MULCH RING (6 FT) DIAM. MIN. (8 FT) DIAM. PREFERRED (4 IN) HIGH SAUCER BEYOND EDGE OF ROOT BALL.

MINIMUM 4 INCHES OF SHREDDED WOOD MULCH. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK. MAINTAIN THE MULCH WEED-FREE FOR A MINIMUM OF TWO YEARS AFTER PLANTING.

WATER THOROUGHLY TO ELIMINATE AIR POCKETS, SETTLING AND TO SOAK ROOT BALL AND SURROUNDING SOIL.

DIG HOLE 2' WIDER IN DIAMETER THAN ROOT BALL.

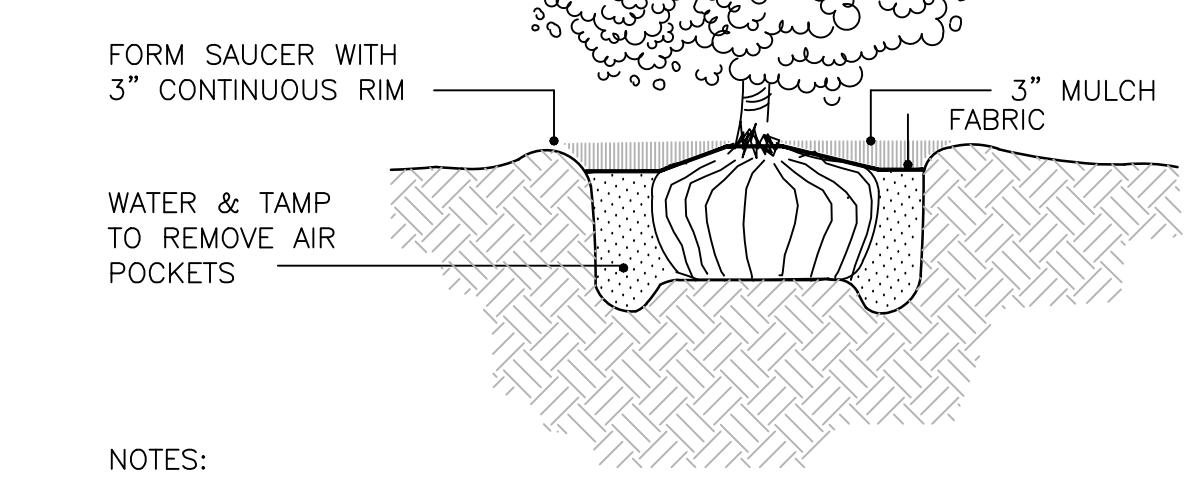
TAMP SOIL AROUND ROOT BALL BASE FIRMLY WITH FOOT PRESSURE TO ELIMINATE AIR POCKETS AND SETTLEMENT.

PLACE ROOT BALL ON UNEXCAVATED OR TAMPED SOIL TO SUPPORT ROOT BALL AND REDUCE SETTLING.

IF PLANT IS SHIPPED WITH A WIRE BASKET AROUND THE ROOT BALL, CUT THE WIRE BASKET IN FOUR PLACES AND FOLD DOWN (8 IN.) INTO PLANTING HOLE.

REMOVE ALL TWINE, ROPE AND WIRE, AND BURLAP FROM TOP HALF OF ROOT BALL.

PLACE ROOT BALL ON UNEXCAVATED OR TAMPED SOIL TO SUPPORT ROOT BALL AND REDUCE SETTLING.



NOTES:
1. REMOVE BURLAP AND TILES FROM TOP 1/3 OF BALL.

SHRUB PLANTING DETAIL
NO SCALE

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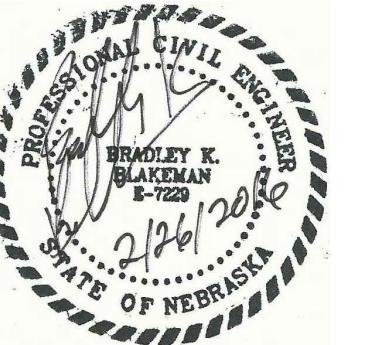
REVISIONS:

DRAWN BY: JSP
CHECKED BY: BKB

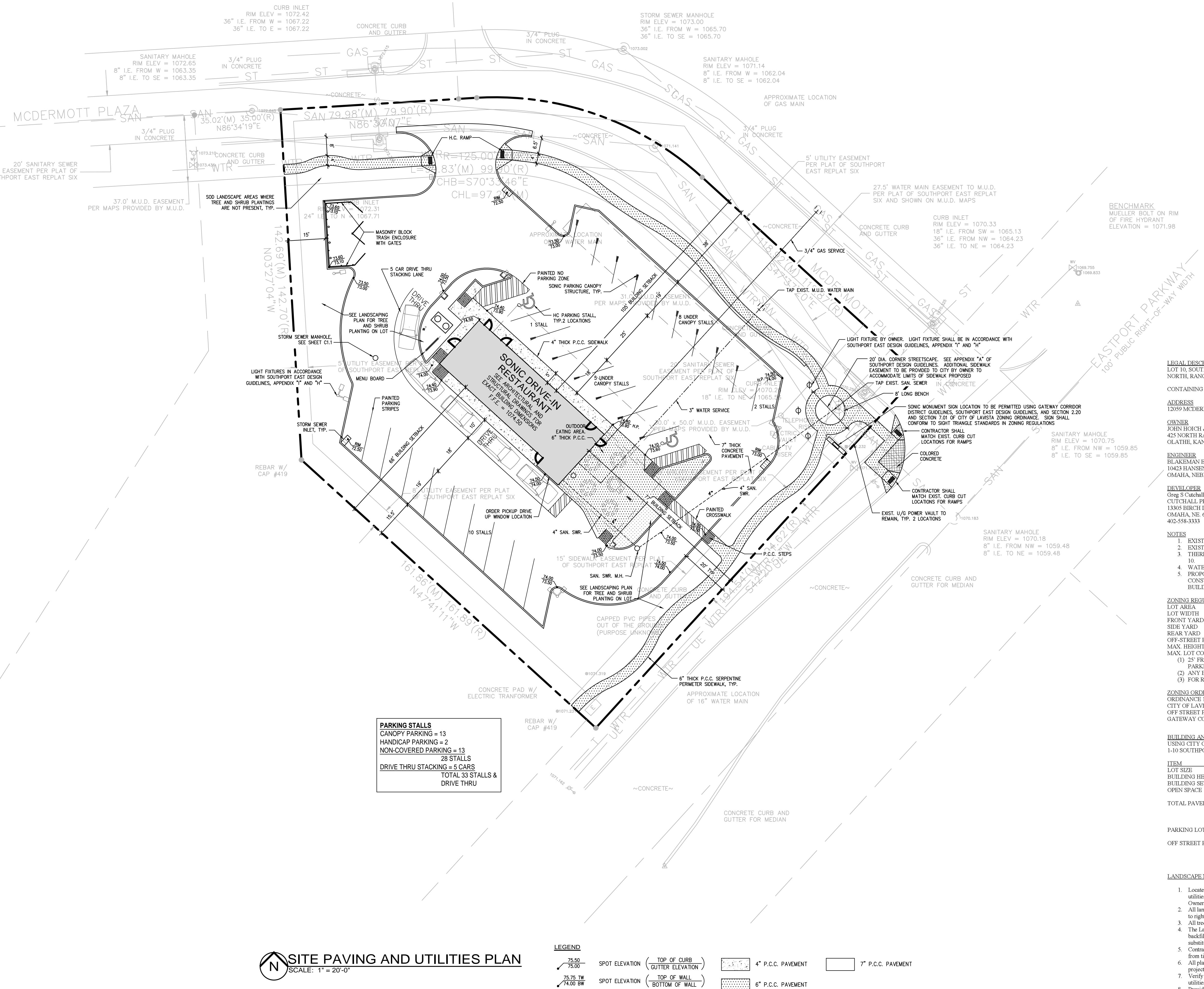
ISSUED: P.U.D. PACKAGE
DATE: 3-7-2016

SHEET NO:

C1.1



**FINAL PUD
SONIC DRIVE-IN
12059 MCDERMOTT PLAZA
SOUTHPORT EAST REPLAT SIX, LOT 10
LAVISTA, SARPY COUNTY, NEBRASKA**



LEGAL DESCRIPTION:
LOT 10, SOUTHPORT EAST REPLAT SIX, LOCATED IN THE NE1/4 OF THE SE1/4 OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6th PM, SARPY COUNTY, NEBRASKA

CONTAINING 0.954 ACRES, MORE OR LESS

ADDRESS:
12059 MCDERMOTT PLAZA

OWNER:
JOHN MURCH & MICHAEL MCDERMOTT
423 NORTH RAVENHILL DRIVE
OLATHE, KANSAS 66061

ENGINEER:
BLAKEMAN ENGINEERING
10423 HANSEN AVENUE
OMAHA, NEBRASKA 68124

DEVELOPER:
Greg S Cutchill, Pres. CEO
CUTCHILL PROPERTY MANAGEMENT, LLC.
13200 W 100th Dr. #201
OMAHA, NE 68164
402-558-3333

NOTES:

- EXISTING AND PROPOSED ZONING IS C-3
- EXISTING AND PROPOSED CONTOURS ARE SHOWN AT 1-FOOT INTERVALS AND BASED ON USGS DATUM
- THERE WILL BE NO DIRECT VEHICULAR ACCESS ONTO GILES ROAD OR EASTPORT PARKWAY FROM LOT 10
- WATER SERVICE WILL BE PROVIDED BY M.U.D.
- PROPOSED SCHEDULE OF CONSTRUCTION:
CONSTRUCTION START: 06/01/2016
BUILDING OPENING: 01/01/2017

ZONING REGULATORS (C-3)
LOT AREA: 10,000 SF MIN.
LOT WIDTH: NO REQUIREMENT
FRONT YARD: 25' (1)
SIDE YARD: 15'
REAR YARD: 15'
OFF-STREET PARKING 1 SPACE/15 SF OF GROSS FLOOR AREA (3)
MAX. LOT COVERAGE: 60%
(1) 25' FRONT YARD SETBACK REQUIRED ONLY WHEN NO PARKING IS PRESENT IN THE FRONT YARD. IF PARKING IS LOCATED IN FRONT YARD THEN FRONT YARD SETBACK IS A MIN. OF 50'.
(2) ANY BUILDING WITHIN 100' OF A RESIDENTIALLY ZONED DISTRICT SHALL NOT EXCEED 45' IN HEIGHT.
(3) FOR RESTAURANTS W/ DRIVE-THRU PLUS ADDITIONAL 3' SPACES FOR DRIVE-THRU WINDOW

ZONING ORDINANCES GOVERNING DEVELOPMENT
ORDINANCE 1045 - PUD (PLANNED UNIT DEVELOPMENT) FOR LOTS 1-10 SOUTHPORT EAST REPLAT SIX.
CITY OF LAVISTA ZONING ORDINANCE SECTION 5.12 (C-3 HIGHWAY COMMERCIAL DISTRICT) AND SECTION 7 OFF STREET PARKING AND LANDSCAPING REQUIREMENTS.
GATEWAY CORRIDOR DISTRICT DESIGN GUIDELINE.

BUILDING AND SITE INFORMATION
USING CITY OF LAVISTA ORDINANCES AND ORDINANCE 1045 - PUD (PLANNED UNIT DEVELOPMENT) FOR LOTS 1-10 SOUTHPORT EAST REPLAT SIX.

ITEM	PROVIDED	REQUIRED/ALLOWED
LOT SIZE	41,573 SF	10,000 SF MIN.
BUILDING HEIGHT	18'-6"	55' MAX (PUD)
BUILDING SETBACK	66' MIN. PROVIDED	10' MIN. (PUD)
OPEN SPACE	11,393 SF (27.9%)	25% MIN. (PUD)

TOTAL PAVED AREA: 28,320 SF
NO REQUIREMENT
(INCL. MCDERMOTT PLAZA PAVEMENT)

PARKING LOT PAVING: 18,800 SF
NO REQUIREMENT

OFF STREET PARKING: 28 STALLS +
1 STALL/150SF + 5 STACKING STALLS =
1,660 SF/150 SF + 5 STACKING STALL =
16.1 STACKING/STALLS
33 STACKING/STALLS

LANDSCAPE NOTES:

- Locate and verify locations of all utilities prior to start of construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or improvements caused by the Contractor will be repaired at no cost to Owner.
- All landscape areas shall be irrigated with an automatic irrigation system including turf and plant bed areas and in areas next to right of way.
- All trees shall be staked for a period of not less than one year after planting.
- The Landscape Contractor shall remove all debris injurious to plant material from planting pits and beds prior to backfilling. All plant material shall be good quality and sizes shall meet City and specifications. Owner reserves the right to substitute plant material types, size, and quantity.
- Contractor shall plant trees immediately after planting and not less than once a week for a period not less than three months from time of planting.
- All plant material shall be guaranteed to be alive and healthy growing condition for two full growing seasons after final project acceptance or shall be replaced free of charge with the same size and species including labor.
- Verify all conditions and grades before planting. Adjust field locations as required to avoid improvements and underground utilities.
- Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 4 inch minimum depth. Mulch ring to extend 1 foot beyond planting pit.

DRAWN BY: JSP
CHECKED BY: BKB
ISSUED: P.U.D. PACKAGE
DATE: 3-7-2016

C2.1

