

## **AGENDA ITEM 4C**

**Replat—Mayfair 2nd Addition, Replat 7—One  
Mayfair Place LLC**



CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2016-SUB-09

For Hearing of: September 15, 2016  
Report Prepared on: August 23, 2016

**I. GENERAL INFORMATION**

**A. APPLICANT:**

One Mayfair Place LLC  
12408 S. 36<sup>th</sup> Street  
Bellevue, NE 68123

**B. PROPERTY OWNER:**

One Mayfair Place LLC  
12408 S. 36<sup>th</sup> Street  
Bellevue, NE 68123

**C. LOCATION:** Northeast of the intersection of South 99<sup>th</sup> Street and Hillcrest Plaza.

**D. LEGAL DESCRIPTION:** Lot 11A, Mayfair 2<sup>nd</sup> Addition Replat One

**E. REQUESTED ACTION(S):** Replat of Lot 11A, Mayfair 2<sup>nd</sup> Addition Replat One

**F. EXISTING ZONING AND LAND USE:**

C-1 Shopping Center Commercial with a Gateway Corridor Overlay (Overlay District); Vacant

**G. PURPOSE OF REQUEST:** Replat into three separate lots for the purpose of creating pad sites for development.

**H. SIZE OF SITE:** 12.76 Acres

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** The property is currently vacant. The land has a gradual downward slope towards the south.

**B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:**

1. **North:** Lots 1-11, Mayfair 2<sup>nd</sup> Addition, R-1 Single Family Residential; Single family housing

2. **East:** Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Three and Lot 1, Mayfair 2<sup>nd</sup> Addition Replat Five; C-1 Shopping Center Commercial District with Gateway Corridor Overlay District; Vacant and Primrose Childcare.

Lot 2, Mayfair 2nd Addition Replat Five; R-3 PUD High-Density Residential with Planned

- 3. **South:** Unit Development Overlay District and Gateway Corridor Overlay District  
Lots 1-3, Mayfair 2<sup>nd</sup> Addition, Replat One, C-1 C-1 Shopping Center Commercial with Gateway Corridor Overlay District; Culvers, Multi-tenant building, vacant.
- 4. **West:** Lot 21, Mayfair 2<sup>nd</sup> Addition; R-1 Single Family Residential; Single family housing

**C. RELEVANT CASE HISTORY:**

- 1. On May 16, 2000, the City Council approved of Mayfair 2<sup>nd</sup> Addition Replat One, a replat that created eleven lots for commercial development at 96<sup>th</sup> Street and Giles Road.

**D. APPLICABLE REGULATIONS:**

- 1. Section 5.10 of the Zoning Regulations – C-1 Shopping Center Commercial District
- 2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
- 3. Section 3.07 of the Subdivision Regulations – Replats

**III. ANALYSIS**

- A. **COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates the area for commercial uses.
- B. **OTHER PLANS:** Not applicable.
- C. **TRAFFIC AND ACCESS:**
  - 1. Primary access to the properties will either be from Hillcrest Plaza or South 99<sup>th</sup> Street. Secondary fire and emergency access will be provided for Lot 1 through an access easement granted through the northwest corner of Lot 2 Mayfair 2<sup>nd</sup> Addition Replat Five.
- D. **UTILITIES:**
  - 1. The properties have access to water, sanitary sewer, gas, power and communication utilities.

**IV. REVIEW COMMENTS:**

- 1. In regard to Article 3.03.15 of the Subdivision Regulations, a subdivision agreement needs to be prepared since the payment of tract sewer connection fees (aka interceptor fees) and stormwater management fees needs to be addressed.

**VI. STAFF RECOMMENDATION – Replat:**

Approval of Mayfair 2<sup>nd</sup> Addition Replat 7 contingent upon the finalization of a subdivision agreement prior to City Council review as the replat request is consistent with the Comprehensive Plan and the Subdivision Regulations.

**VII. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Staff Review Letter
3. Applicant Response Letter
4. Preliminary Plat Map
5. Final Plat Map

**VIII. COPIES OF REPORT SENT TO:**

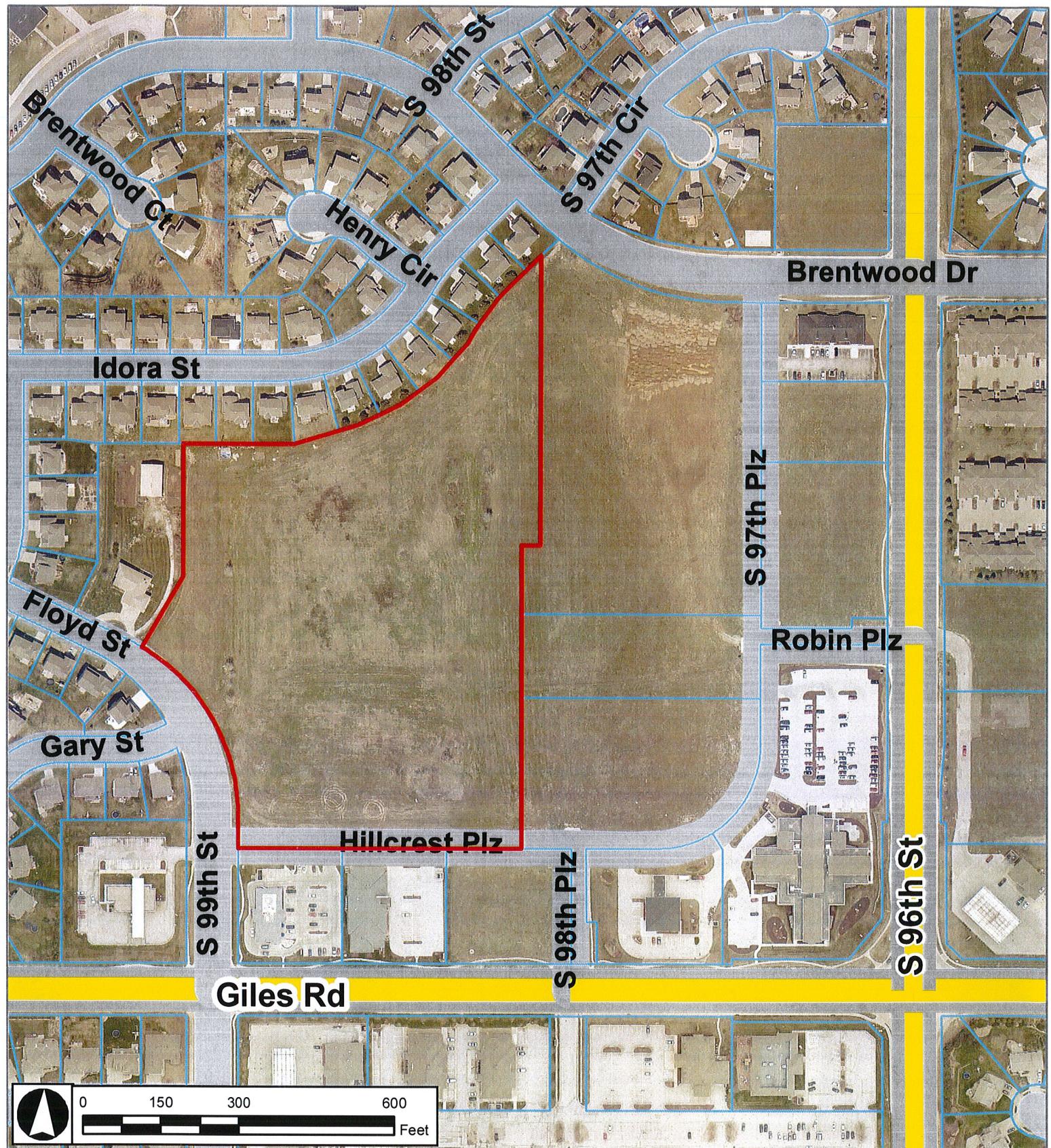
1. Mark Westergard, E & A Consulting Group, Inc.
2. Charles Clatterbuck, One Mayfair Place LLC
3. Public Upon Request

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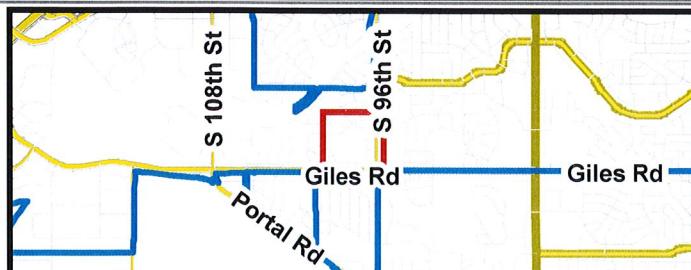
Prepared by:

  
Community Development Director

9-8-16  
Date



## Project Vicinity Map



## Mayfair 2nd Addition - Replat 7

8/17/2016  
JMC





July 20, 2016

Mark Westergard  
E & A Consulting Group, Inc.  
10909 Mill Valley Road, Suite 100  
Omaha, NE 68154

RE: Preliminary and Final Plat – Initial Review  
Mayfair 2<sup>nd</sup> Addition Replat Seven

Mr. Westergard,

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 Subdivision Regulations for the Replat, the City has the following comments:

Preliminary Plat

1. No preliminary plat was submitted. A preliminary plat needs to be provided that contains all of the information required by Article 3.03 of the Subdivision Regulations. Items of particular significance are the existing utilities such as storm and sanitary sewer that can serve the proposed lots, the existing outdoor warning siren location, the proposed storm water drainage facilities and proposed post construction stormwater management plans.
2. Proposed Lot 1 will require at least two vehicular access points so that adequate fire and emergency access can be provided. This needs to be addressed as part of private, shared infrastructure improvements along with any other shared, private infrastructure such as storm sewers and water quality. It appears that Outlot A may be intended for storm water management. Itemized cost estimates for the shared, private infrastructure need to be provided. If the second access to Lot 1 is to be in the form of an easement across Lots 2 and/or 3, then such access must be installed with the first lot that is built upon. Verbiage regarding this aspect will need to be required within the subdivision agreement.

Final Plat

1. The name of the existing private roadway along the south edges of Lots 2 and 3 needs to be shown which is Hillcrest Plaza.

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

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

2. The northern-most arrow depicting the width of the Hillcrest Plaza ingress and egress easement points to the wrong easement line. The arrow needs to be moved down one line to the second easement line.
3. The wording of the Surveyor's Certificate needs to be revised to comply with Article 10.2 of the Subdivision Regulations and needs to identify whether lot corners have been marked or will be marked. If to be marked, then a staking bond of \$200 per lot should be provided prior to releasing the final plat.
4. The wording of the signature block for Sarpy County Public Works needs to be modified to match Section 10.06 of the Subdivision Regulations.
5. No signature block is required for the Sarpy County Register of Deeds as that office utilizes a 5" x 2 ½" sticker in the upper right hand corner of the final plat document. It appears that sufficient space is provided for this. Please remove the signature block.
6. A performance guarantee in the amount of not less than 110% of the cost of the shared, private infrastructure (construction and engineering) must be provided prior to releasing the plat for recording.
7. Note 4 on the final plat proposes that Outlot "A" shall be owned and maintained privately by the Developer of a Homeowners' Association. This is not suitable as the developer will not be a long term entity once the lots are sold and developed and a homeonwers' association does not seem appropriate. There is an existing business owners' association for the existing private infrastructure which would be an acceptable solution. At a minimum, the owners of the proposed three lots would have to form an association to own Outlot "A" and maintain the shared, private infrastructure. In any event, a copy of an executed common area maintenance agreement ready to be recorded must be provided prior to releasing the final plat for recording. Note 4 on the final plat needs to be reworded accordingly.
8. The Fourth Amendment to Subdivision Agreement for Mayfair indicates that plans for the landscape buffer in the proposed Lot 1 already exist. Such plans need to be included in the amendment to subdivision agreement for this platting and to be updated where appropriate such as deleting ash trees or other species no longer suitable.

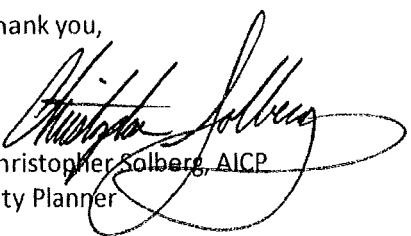
#### Subdivision Agreement

The draft subdivision agreement will need to be submitted in the near future to start the review process. A sample document that includes aspects regarding shared private infrastructure has been included for your use. Comments on the document will be provided outside of the review process that leads up to the Planning Commission meeting as the Commission does not review this document. However, working on the review and edit of the agreement helps to ensure that they will be ready for City Council.

As no Preliminary Plat was provided, the application is considered incomplete. Due to the timelines involved, the application review process has been adjusted with a goal of the September Planning Commission meeting to allow for sufficient time to review the preliminary plat, along with the revised final plat. Please submit 4 full size copies (along with electronic copies) of the revised documents, along with itemized estimates for shared, private infrastructure, by August 1, 2016 to ensure that the application stays on track for the review by Planning Commission in September.

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

Thank you,

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

Christopher Solberg, AICP  
City Planner

Attachment

cc: Ann Birch, Community Development Director  
John Kottmann, City Engineer



E & A CONSULTING GROUP, INC.

Engineering Answers

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154-3950  
P 402.895.4700 • F 402.895.3599  
[www.eacg.com](http://www.eacg.com)

July 29, 2016

Mr. Chris Solberg  
City of LaVista  
8116 Park View Blvd.  
LaVista, NE 68128-2198

Re: Mayfair 2<sup>nd</sup> Addition Replat Seven  
E&A #P1997.054.067

Dear Chris,

Here are our responses to your July 20, 2016 review letter on the above referenced project:

**Preliminary Plat**

1. A preliminary plat is included with this resubmittal.
2. We supplied documentation of an existing recorded access easement in the northeast corner of the site. LaVista staff has reviewed and approved this as a second access. The easement was shown on the previous submittal but mislabeled as a landscape easement.

**Final Plat**

1. Hillcrest Plaza has been properly labeled.
2. The lead arrow to the ingress-egress easement has been corrected to indicate the proper line.
3. The surveyor's certificate language has been revised. Lot corners will be marked just before or immediately after the recording of the final plat.
4. We checked with Lou Whisonant regarding the Sarpy County Public Works signature block and he confirmed that the language was correct.
5. The Register of Deeds signature block has been removed.
6. With the approval of the second access in the NE corner of Lot 1 and the approval of lot level PCSMP, there are no shared, public infrastructure improvements and therefore a performance guarantee is no longer required.
7. Outlot A has been deleted as lot level PCSMP will be permitted for each lot. The requirement for ongoing common maintenance agreements is moot. Note 4 has been modified to indicate the lot level PCSMP requirement. Also, a copy of the storm sewer plans showing that all lots are



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physically able to connect is attached together with a copy of the Mayfair 2<sup>nd</sup> Addition Replat One final plat which contains the dedication of the easement regarding the storm sewer. It is acknowledged that plans, updated as necessary, for the landscape buffer for proposed Lot 1 will be included in the amendment to the existing subdivision agreement for this proposed plat.

**Subdivision Agreement**

Receipt of a sample draft subdivision agreement is acknowledged. A draft Fifth Amendment to the existing subdivision agreement for this proposed plat will be submitted in the near future for review by the City of LaVista.

Sincerely,

E & A Consulting Group, Inc.

A handwritten signature in black ink, appearing to read 'Mark Westergard'.

Mark Westergard, P.E.

Cc: Mr. John Fullenkamp



August 9, 2016

Mark Westergard  
E & A Consulting Group, Inc.  
10909 Mill Valley Road, Suite 100  
Omaha, NE 68154

RE: Preliminary and Final Plat – 2<sup>nd</sup> Review  
Mayfair 2<sup>nd</sup> Addition Replat Seven

Mr. Westergard,

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 Subdivision Regulations for the Replat, the City has the following comments:

Preliminary Plat

1. The preliminary plat needs to have a vicinity map added to it.
2. The existing storm and sanitary sewers in 99<sup>th</sup> Street need to be shown.
3. Note 2 on the preliminary plat needs to include wording that grading and erosion control requirements will be handled by each individual lot owner.

Final Plat

1. The wording of the Surveyor's Certificate needs to be revised to comply with Article 10.2 of the Subdivision Regulations. Attached is a copy of Article 10.2 for your review with the sentence that needs to be added highlighted.

Subdivision Agreement

A draft subdivision agreement will need to be submitted in the near future to start the review process. This review process will need to be complete before City Council review of the replat. The agreement needs to address the various fees (tract connection and storm water management) that will be applicable to the lots. The agreement needs to include an updated landscaping buffer plan for the buffer easement area including installation timing. Finally, the agreement needs to identify the second access to the proposed Lot 1 will be built when Lot 1 is developed if the adjacent property owner has not installed the access road in the easement area by

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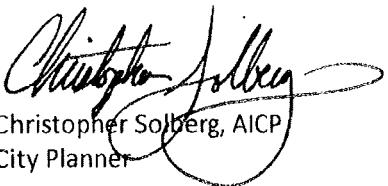
Recreation  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

that time. A sample subdivision agreement was provided with the previous review letter.

Please submit 4 full size copies (along with electronic copies) of the revised documents by August 22, 2016 to ensure that the application stays on track for the review by Planning Commission in September.

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

Thank you,



Christopher Solberg, AICP  
City Planner

Attachment

cc: Ann Birch, Community Development Director  
John Kottmann, City Engineer

# MAYFAIR 2ND ADDITION REPLAT SEVEN

**LOTS 1 THRU 3 INCLUSIVE**

BEING A TRACT OF LAND LOCATED IN PART OF LOT 10, MAYFAIR 2ND ADDITION REPLAT ONE,  
AND ALSO TOGETHER WITH ALL OF LOT 11, SAID MAYFAIR 2ND ADDITION REPLAT ONE,  
A SUBDIVISION LOCATED IN THE NE1/4 OF THE SE1/4, AND ALSO THE SE1/4 OF THE SE1/4,  
AND ALSO THE SW1/4 OF THE SE1/4 OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M.,  
SARPY COUNTY, NEBRASKA, ALSO KNOWN AS LOT 11A, MAYFAIR 2ND ADDITION REPLAT ONE.

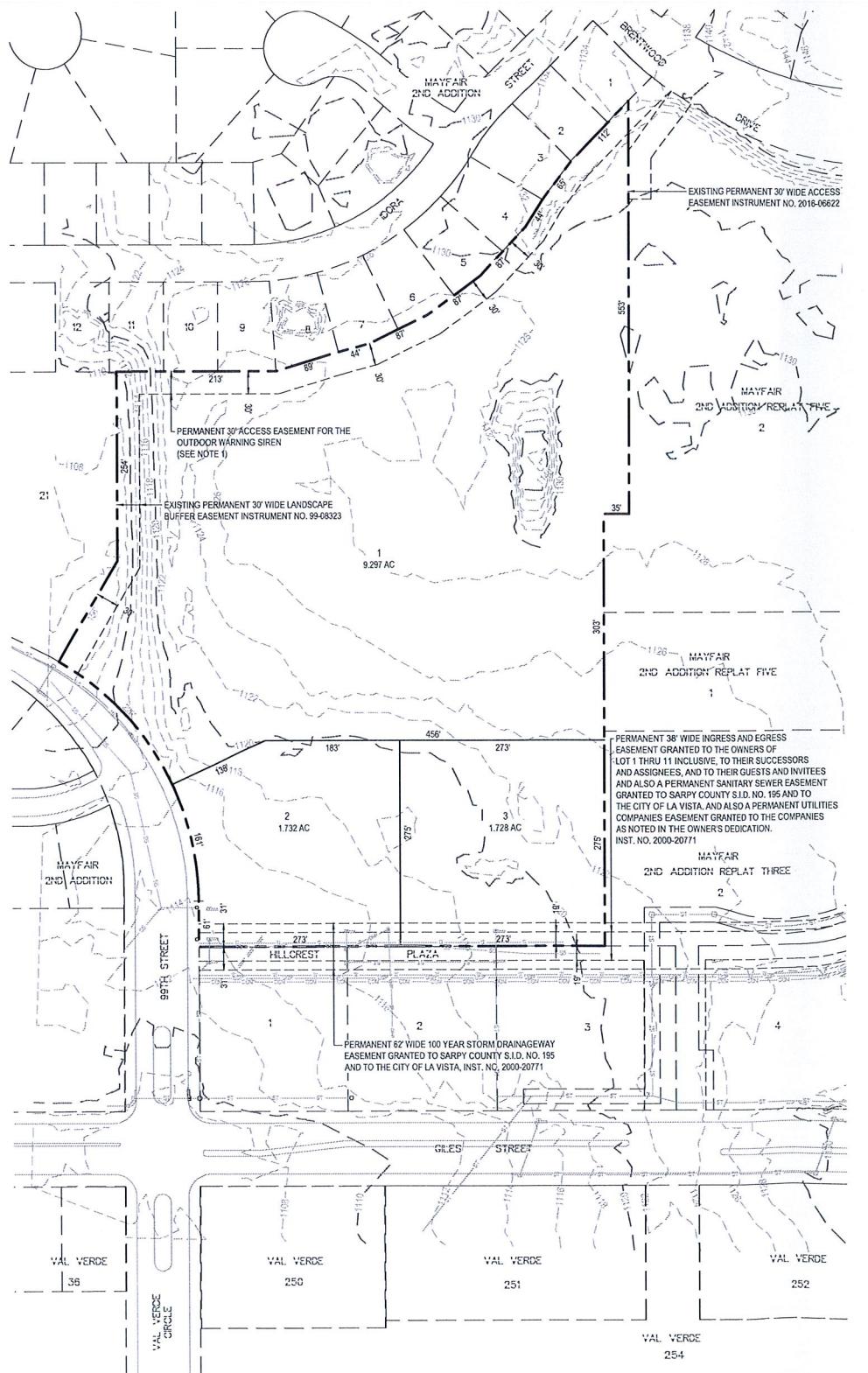


100                    0

1 inch = 100 ft.

**LEGEND**

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- W EXIST. WATER LINE
- UW EXIST. UNDERGROUND POWER
- G EXIST. GAS
- C EXIST. COMMUNICATIONS
- OH EXIST. OVERHEAD POWER
- S EXIST. STORM SEWER
- 1120 EXIST. MAJOR CONTOURS
- 1122 EXIST. MINOR CONTOURS
- S EXIST. STORM SEWER
- EXIST. SANITARY SEWER



### UNITY MAP

**LEGAL DESCRIPTION**

BEING A TRACT OF LAND LOCATED IN AS PART OF LOT 10, MAYFAIR 2ND ADDITION REPLAT ONE, AND ALSO TOGETHER WITH ALL OF LOT 11, SAID MAYFAIR 2ND ADDITION REPLAT ONE, A SUBDIVISION LOCATED IN THE NE1/4 OF THE SE1/4, AND ALSO THE SE1/4 OF THE SE1/4, AND ALSO THE SW1/4 OF THE SE1/4 OF SECTION 16, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M. SARRY COUNTY, NEBRASKA.

SAID PART OF LOT 10 AND ALL OF LOT 11, MAYFAIR 2ND ADDITION REPLAT ONE CONTAINS AN AREA OF 555,702 SQUARE FEET OR 12.757 ACRES, MORE OR LESS.

---

JASON HEADLEY LS-604

---

DATE

## DEVELOPER

CHARLES CLATTERBUCK, PRESIDENT  
ONE MAYFAIR PLACE LLC  
1718 HILLCREST DRIVE  
OMAHA, NE. 68005

## ZONING:

EXISTING C-1  
PROPOSED: C-1, LOTS 1-3



#### NOTES:

1. ALL EASEMENTS THAT ARE NOT LABELED WITH A BOOK AND PAGE NUMBER WILL BE RECORDED BY SEPARATE DOCUMENT.
2. LOTS 1, 2, AND 3 SHALL EACH BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, GRADING, EROSION CONTROL REQUIREMENTS AND MAINTENANCE OF INDIVIDUAL LOT POST CONSTRUCTION STORMWATER MANAGEMENT FACILITIES.

**MAYFAIR 2ND ADDITION REPLAT SEVEN**  
LOTS 1 THRU 3 INCLUSIVE  
LA VISTA, NEBRASKA

POLYMER LETTERS

**Engineering • Planning • Environmental & Field Services**  
10509 Mill Valley Road, Suite 100 • Omaha, NE 68154

Scale: 1" = 100'

bj No:	P1997.054.067
le:	8/11/16
signed By:	MAN
rown By:	JHA
ale:	1" = 10'
seal:	1 of 1
	8/11/2016 2:45:24 PM
	by Apondsky

