



CITY OF LA VISTA  
PLANNING COMMISSION

# STAFF REPORT

PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD)  
THE ORCHARDS AT WILDEWOOD /  
HARRISON HEIGHTS SUBDIVISION

**DATE OF HEARING:**

June 18, 2009

**PROPOSAL:**

Subdivide Lots 13 & 14 in Crestview Heights into five (5) lots for the development of elderly / senior housing and three commercial uses as a Planned Unit Development (PUD)

## PROPERTY INFORMATION

**APPLICANT:**

Empire Group, LLC  
1941 S. 42<sup>nd</sup> Street  
Omaha, NE 68105

**PROPERTY OWNER:**

Empire Group, LLC  
1941 S. 42<sup>nd</sup> Street  
Omaha, NE 68105

**LOCATION AND SIZE:**

Lots 13 & 14, Crestview Heights  
SE corner of Gertrude and Harrison Streets  
Lots = 12 Acres

**CURRENT ZONING:**

TA, Transitional Agriculture

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## **APPLICABLE DEFINITIONS**

(from Section 2 of Zoning Ordinance)

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**APARTMENT** shall mean a room or a suite of rooms within an apartment house or multiple family dwelling arranged, intended or designed for a place of residence of a single family or group of individuals living together.

**PLANNED UNIT DEVELOPMENT** shall mean a development designed to provide for an unusual or different arrangement of residential, business, or industrial uses in accordance with an approved development plan.

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## **BACKGROUND**

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### **History of Subject Properties:**

On September 4, 2008, these lots were sold by the Metropolitan Utilities District to the Empire Group. Prior to this sale the land had been undeveloped and used for farming. The Future Land Use Map in the Comprehensive Plan reflects this former land use as a Public/Civic use, and the Zoning Map supported the agricultural use.

### **Description of Proposed Development:**

On April 6, 2009, the City of La Vista received a new application for the development of apartments for senior living, an assisted living facility, and commercial flex buildings. The developer proposes to subdivide the two lots into five with each use to be built out in phases.

At the May Planning Commission hearing, the developer and engineers clarified the proposal as 112 elderly apartment units at market rate with 55 garages; and 48 affordable, senior apartments with no garages. These are age restricted for seniors 55 years old and up. Three commercial buildings are proposed that would total 20,500 square feet of flex commercial space.

### **Existing Conditions of Site:**

The site is currently being graded for building pads. Mature pine trees and deciduous trees exist on the perimeter of the properties. These trees have been preserved through the grading permit.

### **Surrounding Area and Adjacent Neighborhoods Land Uses and Zoning:**

North – City of Omaha, residential subdivision;  
East – Crestview Village, R-3 High Density Residential;  
South – Crestview Heights, R-1 Single Family; and  
West – Crestview Heights, R-1 Single Family

### **Applicable Regulations:**

Section 5.08 of the Zoning Ordinance, R-3 High Density Residential District  
Section 5.11 of the Zoning Ordinance, C-2 General Commercial District

Section 5.15 of the Zoning Ordinance, PUD-1 Planned Unit Development District

**Applicable Plans:**

The Comprehensive Plan and Future Land Use Map – The Comprehensive Plan supports the development of residential options for all income levels and actively access affordable housing programs available from local, state, and federal agencies/departments.

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## REVIEW COMMENTS FROM CITY STAFF AND OUTSIDE AGENCIES

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**Black Hills Energy, Denise Montgomery**

No comments received

**City Engineer, John Kottmann:**

1. A traffic impact study was prepared and submitted that complied with the scope set forth in our initial review letter. The services of Felsburg, Holt & Ullevig were utilized to review this impact study. It has been determined that the Level of Service will be satisfactory given the current proposal.
2. There is an existing break in the controlled access along Harrison Street at roughly the center of the project area. The proposed development plan will require relocating this break to the west. Cross easements will be needed to allow for sharing of accesses and a development agreement will be needed to provide for shared maintenance of the accesses and any other shared improvements.
3. The proposed commercial buildings have a combined 20,500 gross square feet. This would require 103 parking stalls and the plan shows 109 stalls. The final PUD plan will need to address ADA parking stalls. The proposed senior independent living apartments are proposed to be two-thirds 2 bedroom and one-third 1 bedroom units. The parking regulators would require one stall for each bedroom. For a total of 112 units this would require 187 stalls. However, the applicant has indicated that since these are senior apartments, the second bedroom is most often used for hobbies, storage, or occasional guests. Therefore, they indicate the required parking is 118 stalls rather than 187. They are proposing 157 spaces between garage and open parking stalls. I find this to be satisfactory based on the apartments being used for senior housing. The other senior facility is proposed to have 48 units. The parking regulators would require 1 stall per unit plus space per employee on the largest shift. The plan for Lot 4 proposes 76 stalls and indicates that 52 are required implying a staff of 4 persons. There appears to be a generous amount of parking and some of the long continuous rows of parking should receive some landscaped islands to improve appearance and reduce impervious coverage which appears unnecessary.

Utilities

4. The downstream sanitary sewer system has been analyzed and downstream capacity improvements do not appear to be required to serve these proposed land uses.
5. Water, gas, power, and communication systems are available to serve the proposed development. Extensions to the proposed buildings will need to be done in a manner that meets utility company

and building code regulations. An acceptable site utility plan will need to be included with the final PUD submittal.

6. A lighting plan will need to be included with the final PUD submittal showing location of all proposed site lighting. The lighting shall be downcast, sharp-cutoff style lighting to reduce any light spillage onto adjacent residential properties.

#### Grading & Drainage

7. The site drains to a storm sewer system in Harrison Street. A drainage study was prepared in September of 2008 as part of the grading permit application process. This study indicated that the runoff from the site will be reduced to below existing conditions for 2, 10, 50 and 100-year events. This study was based upon a different development configuration than is currently being proposed; however, for the preliminary PUD stage it is sufficient to indicate that on-site detention will be employed to reduce storm water peak flows to existing conditions for 2, 10, 50 and 100-year events. Such a statement needs to be placed on the preliminary PUD plan. It should be noted that the current layout for Lot 5 provides less storm water detention space and at a location that will be more difficult to utilize.
8. A grading and erosion control permit through the Papillion Creek Watershed Partnership website has been obtained for this site. It will need to be modified to match the revised configuration of site development if the preliminary PUD is approved.
9. A preliminary Post Construction Storm Water Management Plan providing water quality improvements for the first 0.5 inch of runoff needs to be submitted as required by the recently adopted ordinances of the City. The preliminary PUD is sufficient for this stage of review. More details such as volumes of treatment areas to contain the first half-inch of run-off will be needed with the final PUD plan.

#### Miscellaneous

10. The preliminary PUD plans will serve as a preliminary plat for the re-platting action that will be necessary to create the proposed lots. Information is needed to show that a 12-foot wide right turn deceleration lane will leave at least 6 feet behind the proposed curb line to the existing right-of-way line. If not, an additional right-of-way dedication will be needed. Also, a pedestrian easement will be needed along the right-turn deceleration lane and will need to extend 12 feet back of the proposed curb line to cover the public sidewalk along Harrison Street.
11. The height, open space and building coverage limitations have been met. In order to meet the minimum lot area requirement per unit it will be necessary to take the composite area of Lots 4 and 5. Such averaging is allowed by the PUD regulations. However, the proposed garage buildings on Lot 4 do not meet the 50 feet setback requirement from public right of way which is applicable for accessory buildings. This could be addressed in the final PUD.
12. A development agreement will be needed that will identify the extent of common area improvements and identify the responsibility for maintenance of such improvements.
13. The PUD regulations have a provision that precludes residential projects from having direct access to arterial streets in Article 5.15.04.13.
14. The draft text of the PUD plan has several sections that may need modification. Article 6A does not exclude any of the permitted and conditional uses of R-3 Zoning, which could result in conventional multi-family if the intent to provide senior apartments or assisted living is not realized. This option seems to be further preserved by the language of Article 8C-ii which

indicates leaving room to expand parking to that required for multi-family requirements. Section 7 for Building Design Guidelines and Criteria makes reference to 1999 Guidelines which were adopted for the Gateway Corridor Overlay District.

**Chief Building Official, Jeff Sinnett**

No comments received

**Fire Chief, Rich Uhl**

No comments received.

**Metropolitan Utility District, Jeff Loll**

No comments received.

**Omaha Public Power District, Connie Biddle**

On May 26, 2009, Michael Herzog from T&D Planning was asked by OPPD to examine the impact on power quality that new development on Lots 13 & 14 could potentially have on the rest of Crestview Heights Subdivision. Mr. Herzog said the additional load will not change the power quality on the circuit. He added that a OPPD project was finished in March 2009 that should reduce the problems experienced in Crestview Heights in the past.

**Police Chief, Bob Lausten**

The Police Department has reviewed the provided documents relating to the Harrison Heights project. An obvious concern would be how the development affects traffic at Gertrude/Harrison and the other intersections in the area.

**Public Works Director, Joe Soucie**

No comments received.

**Public School District**

No comments received.

**Qwest, Aaron Krebs**

No comments received.

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## PUBLIC COMMENTS

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Several phone calls have been received by the Planning Staff regarding this application from concerned neighbors. No written letters have been received. Concerns appeared to be alleviated when neighbors understood the development proposal was for elderly and retirement housing.

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## PLANNING STAFF ANALYSIS

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### **Land Use:**

City Planning Staff supports the use of Lots 13 & 14 for senior apartments. Currently, La Vista only has one such facility at this time in Granville, which has just over 40 units. Elderly members of La Vista who are unable to get an available room at Granville are forced to leave La Vista to find accommodations. Therefore, Planning Staff has been targeting Lots 13 & 14 in Crestview Heights for more elderly living opportunities because it is a large enough acreage and compatible with surrounding land uses.

The commercial component of the applicant's rezoning request could offer neighborhood commercial services to the proposed and existing residential land uses. Although it would be an isolated pocket of commercial surrounded by residential zoning districts, Planning Staff does not view this as a spot zone because there is commercial zoning at the corner of 74<sup>th</sup> and Harrison (about 3 blocks to the east).

The Preliminary PUD plan notes a Phase One to the development, but a phased development plan is not part of the application. Therefore, it will be necessary to review the phasing of this development. The applicant needs to submit the phased development plan with the Preliminary PUD application.

Perspective drawings do not appear to reflect the revised building footprints. Revised color elevation drawings will be required with review of the Preliminary PUD. It is important that the multiple buildings within this development are compatible and coordinated in their architectural design. Building materials should be similar and coordinated so that all buildings in the PUD appear cohesive in their design.

### **Transportation:**

Access from Harrison Street to proposed Lot 2 is satisfactory as a right in/ right out turn movement. However, either a variance needs to be granted to Section 5.15.04.13 by the Board of Adjustment to allow for residential access onto an arterial street, or the proposed east property line of proposed Lot 2 needs to be shifted further to the east to fully contain this access.

The traffic analysis was updated to reflect senior housing only without assisted living. The updated trip generation results shows a "negligible decrease" at peak times and "minor increase" in weekday trips.

Vehicular traffic would be able to circulate internally through the proposed five lots. However, pedestrian sidewalks are not shown internally. All five lots need to be ADA accessible to pedestrians. Entrances to buildings are not shown, but sidewalk connections should line up with side entries to the residential buildings.

Planning Staff has requested that proposed parking be reduced on Lot 4 and 5 to decrease impervious pavement and to preserve more trees on the South property line and East property line. Lot 4 has about 40 additional parking spaces than would be required, and Lot 5 has about 24 parking spaces more than required. Typically, elderly housing needs about 0.50 – 1.0 parking spaces per apartment unit according to research done on the American Planning Association's website. The Planned Unit Development

allows for flexibility in parking requirements, so it is possible to relax the standard multi-family parking requirement for these elderly housing units.

Also, to facilitate better traffic flow and maneuverability, it is suggested that the parking in the pick-up and drop off areas of Lot 4 and Lot 5 be diagonal parking or parallel parking only. This would also reduce the drive aisle widths and allow for more greenspace and pedestrian areas.

Parking on the eastside of the commercial building on Lot 2 should be eliminated or reduced to eliminate potential stacking problems at that access.

**Landscaping:**

Some of the existing mature trees will be conserved on the perimeter of the development. The developer proposes cutting into the hillside for building sites and parking areas which will likely cause some trees to be removed. The PUD plan needs to minimize the number of trees lost to preserve a buffer between the single family land uses and the proposed development. Also, these trees would provide nice amenities to the proposed developments.

Additional landscaping is required on the perimeter of the proposed lots. New trees have been proposed to meet the minimum landscaping requirements. The Preliminary PUD plan needs to show all proposed landscaping and existing trees to be preserved.

**Stormwater Drainage:**

Stormwater detention ponds are proposed on each individual lot. The use of landscaped drainage swales, permeable pavement, rain gardens or other Low Impact Development Best Management Practices could reduce the size or the need for detention ponds. Stormwater runoff would infiltrate the ground sooner, thus the detention areas would not need to be as large.

**Process:**

An application for a Conditional Use Permit, Final Plat and Final PUD Plan approval will be required pending approval of the Comprehensive Plan Amendment, Rezoning, Preliminary Plat, and Preliminary PUD Plan.

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## PLANNING STAFF RECOMMENDATION

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Continuance until the Preliminary PUD plan has been revised and updated to reflect all City Staff's suggested revisions.







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# Technical Memorandum

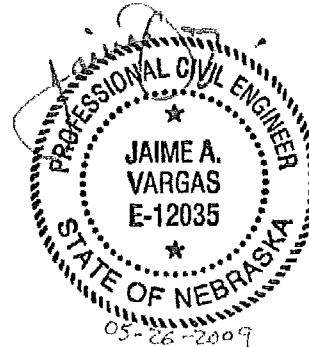
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**Date:** May 26, 2009

**To:** Mr. Marcus Baker  
City Planner  
City of La Vista, NE  
8116 Park View Boulevard  
La Vista, NE 68128



**From:** Jaime A. Vargas, P.E.

**RE:** Harrison Heights, PUD  
Harrison & Gertrude Street - Traffic Analysis Update

E&A Consulting Group prepared a traffic impact analysis in April 2009 for the Harrison Heights development located on the southeast corner of Harrison and Gertrude Street intersection in La Vista. This letter is an update to the previous traffic analysis report. The purpose of this update is to evaluate the traffic impacts associated with a change in the proposed land use on Lot 5, from Assisted Living to a Senior Adult Housing.

The original ITE Assisted Living use, with 48 beds, is changed to the ITE Senior Adult Housing with 48 dwelling units. The following Table 1 presents the updated trip generation results for the proposed land uses.

**Table 1. Trip Generation**

ITE LAND USE	Name	Intensity	Unit	Rate	ADT	AM Peak Hour			PM Peak Hour				
						Rate	IN	OUT	Total	Rate	IN	OUT	Total
252	Senior Adult Housing - Attached	160	D.U.	3.48	557	0.13	6	13	19	0.16	15	10	26
814	Specialty Retail Center *	20,500	S.F.	44.32	909	3.95	49	32	81	2.71	24	31	56
<b>Total</b>					<b>1,465</b>		<b>55</b>	<b>45</b>	<b>100</b>		<b>40</b>	<b>41</b>	<b>81</b>

ITE LAND USE	A.M.		P.M.	
	IN	OUT	IN	OUT
Senior Adult Housing - Attached	36%	64%	60%	40%
Specialty Retail Center	61%	39%	44%	56%

D.U. = Dwelling Unit

S.F. = Square Feet Gross Floor/Leasable Area

\* Specialty Retail Center AM Peak Hour Rate was calculated based on the AM Peak Hour Rate of the ITE Land Use 820 - Shopping Center  
Trip generation rates are based on the Institute of Transportation Engineers, "Trip Generation", 8th Edition

Based on the trip generation results, the following findings and conclusions are made:

- A decrease in the AM and PM weekday peak hour generated trips is observed with the proposed change. The projected site AM peak trips went from approximately 103 trips in the previous study to



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100 trips in this update. The PM peak trips went from approximately 84 trips in the previous study to 81 trips in this update.

- The projected site daily trips increased in 39 weekday trips, from 1,426 in the previous study to approximately 1,465 daily trips in this update.
- Due to the minor changes observed in the trip generation analysis, additional recommendations in traffic operations or roadway improvements are not included in this update. It is expected that signalized and unsignalized intersections within the study area would operate at an adequate level of service, as presented in the previous traffic impact analysis report.

The updated trip generation results can be explained by the fact that both land uses are closely related and their trip generation rates are very similar. In this particular case, a negligible decrease on both peak periods and a minor increase in the weekday (24 hour) trips does not warrant a more in-depth analysis. The recommendations made in the previous traffic analysis report should be adequate to handle the projected traffic generated by the proposed Harrison Heights development.

Further changes to the proposed site plan may require an update of this analysis.