AGENDA ITEM 4 B

SOUTHWIND REPLAT THREE
CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: FOR HEARING OF: November 17, 2011
Report Prepared on: November 11, 2011

I. GENERAL INFORMATION
   A. APPLICANT:
      Kimley-Horn and Associates, Inc.
      2550 University Ave West, Ste 238N
      St. Paul, MN 55114
   
   B. PROPERTY OWNER:
      Walmart Real Estate Business Trust
      2001 SE 10th Street
      Bentonville, AR 72716
   
   C. LOCATION: Northeast of 96th Street and Giles Road
   
   D. LEGAL DESCRIPTION: Lot 177, Southwind
   
   E. REQUESTED ACTION(S): Replatting of Lot 177 into two lots and providing for right-of-way dedication.
   
   F. EXISTING ZONING AND LAND USE: C-1, Shopping Center Commercial
   
   G. PURPOSE OF REQUEST: Development of one lot for Food Sales (General) as per 5.10.02.06 of the Zoning Ordinance; creation of separate lot for further development, provision of right-of-way dedication for traffic improvements.
    
   H. SIZE OF SITE: 10.66 Acres

II. BACKGROUND INFORMATION
   A. EXISTING CONDITION OF SITE: Existing Lot 177 is a relatively flat, vacant lot behind the existing Casey's General Store.
   
   B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:
      1. North: R-3 High Density Residential/Southwind Villas Apartments
      2. East: R-1 Single-Family Residential and R-2 Two-Family Residential/Villas at Southwind
      3. South: R-2 - Single-Family Residential (Medium-Density) (Papillion)
4. **West:** C-1 Shopping Center Commercial/Mayfair commercial area (Alegant Clinic under construction)

C. **RELEVANT CASE HISTORY:** Not applicable.

D. **APPLICABLE REGULATIONS:**
1. Section 5.10 of the Zoning Regulations – C-1 Shopping Center Commercial
2. Section 3.08 of the Subdivision Regulations – Replats

III. **ANALYSIS**

A. **COMPREHENSIVE PLAN:** The Future Land Use Plan of the Comprehensive Plan designates the area for Commercial development.

B. **OTHER PLANS:** Not applicable.

C. **TRAFFIC AND ACCESS:**

1. The original platting of Southwind identified the permissible access points to this property. The proposed development plan is utilizing the permitted access points. At the City’s request a traffic impact study was conducted. As a result of this study a northbound right-turn bay is warranted at the full access point onto 96th Street. The applicant is proposing to construct a right-turn bay.

2. There is an existing cross easement on the property for ingress and egress to serve this property as well as the existing commercial property on Lots 178 and 179 abutting the site on the south. The existing cross easement will need to be modified in geometry and a common area maintenance agreement acceptable to the City to ensure that the shared ingress and egress is adequately maintained must be provided. The proposed ingress-egress path needs to be able to accommodate truck traffic for deliveries to the businesses served by this cross easement.

3. The City obtained the services of Felsburg, Holt, & Ullevig (FHU) to review the Traffic Impact Analysis as they have traffic engineering experience. FHU has reviewed a revised submittal and approved of the Traffic Impact Analysis in a November 1, 2011 email.
E. UTILITIES:
   1. Sanitary sewer is available to serve proposed Lot 1 along its easterly and southerly perimeter. Sanitary sewer for proposed Lot 2 is shown to be provided by a separate sanitary sewer extension across Lot 1. An easement across Lot 1 will need to be provided.
   2. The property presently has access to water, gas, power and communication utilities.

IV. REVIEW COMMENTS:
   1. Chapter 154 of the City Municipal Code requires a Post Construction Storm Water Management Plan and a permit will be required through the Permix web site that is utilized by all Papillion Creek Watershed Partnership communities. A Post Construction Storm Water Management Plan has been provided and a draft Maintenance Agreement has been provided in the draft Subdivision Agreement. The PCSMP will be reviewed in detail as part of the review process through the Permix web site, but the concept of using an extended detention basin to serve both lots is acceptable.

V. PLANNING COMMISSION RECOMMENDATION:
   Approval Southwind Replat 3.

VI. ATTACHMENTS TO REPORT:
   1. Preliminary Plat, Final Plat
   2. Vicinity Map

VII. COPIES OF REPORT SENT TO:
   2. Larry Jobeun, Fullenkamp, Doyle & Jobeun
   3. Public Upon Request

Prepared by:

Community Development Director  Date
LEGAL DESCRIPTION:

BEING A REPLAT OF LOT 98, SOUTHWIND, A SURVEYING LOCATED IN THE SW 1/4 OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 80 EAST OF THE 8TH P.M., CATHAY COUNTY, NEBRASKA.

SAID TRACT CONTAINS AND AREA OF 48,236 SQUARE FEET OR 1.109 ACRES MORE OR LESS.

OWNER / SUBdivider:

E & A DEVELOPMENT, INC.

delrio torres, president

1105 S. 72ND STREET, P.O. BOX 332
OMAHA, NE 68138

ZONING:

EXISTING: C-1

PROPOSED: C-1

NOTES:

1. A PERMANENT RECIPROCAL INGRESS AND EGRESS, SIDEWALK, PARKING AND PEDESTRIAN LANeway GRANTED TO PRIVATE PARTIES PURSUANT TO A SEPARATE INSTRUMENT, AND SUBJECT TO THE TERMS THEREOF, AS RECORDED IN THE OFFICE OF DEEDS OF CATHAY COUNTY, NEBRASKA.

2. THERE IS AN EXISTING DRIVEWAY WITH FULL ACCESS TO WMH FROM LOT 2, SOUTHWIND REPLAT THREE, THAT BENEFITS LOT 2, SOUTHWIND REPLAT THREE, AND LOT C-1.

3. SOUTHWIND, INST. NO. 55-1945, AS MODIFIED IN THE INSTRUMENT REFERENCED IN NOTE 2, ABOVE.

4. EXISTING RIGHT-IN, RIGHT-OUT ONLY ACCESS TO GIFTS/3 DROM LOT 1, SOUTHWIND REPLAT THREE, SAID ACCESS WILL ALSO BENEFIT LOT 178, SOUTHWIND INST. NO. 19-26948

RECEIVED

OCT 27 2011

E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 1171 STREET, OMAHA, NE 68154
PHONE: (402) 697-4700 FAX: (402) 697-3989
WWW.EANDA.COM

PRELIMINARY PLAT
Sheet 1 of 2

SOUTHWIND REPLAT THREE
LA VISTA, NEBRASKA