

## **AGENDA ITEM 4A**

**Final Plat—Heimes—J&H Investments, LLC**





CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PSFP-17-0002

For Hearing of: April 20, 2017  
Report Prepared on: April 6, 2017

I. **GENERAL INFORMATION**

A. **APPLICANT:**

J & H Investments LLC  
9144 S. 147<sup>th</sup> St.  
Omaha, NE 68138

B. **PROPERTY OWNER:**

TC Accomodator 115, LLC  
9140 West Dodge Road, Ste 380  
Omaha, NE 68154

C. **LOCATION:** Northwest of the intersection of Meadows Blvd. and 145<sup>th</sup> Street.

D. **LEGAL DESCRIPTION:** S 1551.37 FT of Tax Lot 4 (23-14-11), Lot 2 Lakeview South II Replat 6

E. **REQUESTED ACTION(S):**

Final Plat for Heimes.

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

- S 1551.37 FT of Tax Lot 4 (23-14-11): I-2 Heavy Industrial; Vacant
- Lot 2 Lakeview South II Replat 6: I-2 Heavy Industrial with a Gateway Corridor Overlay (Overlay District); Vacant

G. **PURPOSE OF REQUEST:** Final Plat to divide S 1551.37 FT of Tax Lot 4 (23-14-11) and Lot 2 Lakeview South II Replat 6 into multiple lots with associated right-of-way.

H. **SIZE OF SITE:** 25.82 Acres

II. **BACKGROUND INFORMATION**

A. **EXISTING CONDITION OF SITE:** Both lots are currently vacant. The land is relatively flat near 145<sup>th</sup> and Meadows Blvd., with an increasing downward slope towards the north.

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

1. **North:** C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay

- District) and a Planned Unit Development (PUD) Overlay District; Vacant
2. **East:** Lakeview South II; I-1 Light Industrial/I-2 Heavy Industrial with a Gateway Corridor Overlay (Overlay District); Various Industrial uses.
  3. **South:** Lakeview South; IL Light Industrial (Sarpy County); Various Industrial uses.
  4. **West:** Chalco Hills Recreation Area; AG Agricultural (Sarpy County); Dam site

**C. RELEVANT CASE HISTORY:**

1. The preliminary plat for Heimes was approved by City Council on April 4, 2017.

**D. APPLICABLE REGULATIONS:**

1. Section 5.14 of the Zoning Regulations – I-2 Heavy Industrial District
2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
3. Section 3.05 of the Subdivision Regulations – Final Plat Specifications

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan currently the lot for industrial uses.

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

**C. TRAFFIC AND ACCESS:**

1. The proposed preliminary plat designates an access point to 145<sup>th</sup> Street through the existing Lot 2 Lakeview South II Replat 6. Additionally, Lot 3 will be allowed to access Meadows Blvd. along the southern edge of the plat.
2. The traffic study is under review by NDOR and needs to be accepted prior to this platting request going forward to City Council. Any improvements required to the intersection of Hwy. 50 and Meadows Blvd. will need to be provided by the applicant.

**D. UTILITIES:**

1. The property has access to water, gas, power and communication utilities. The proposed sanitary sewer connects to an existing sanitary sewer in 145th Street that drains to an existing lift station. The property will be required to utilize the MUD water system for service.

**IV. REVIEW COMMENTS:**

1. The applicant, J & H Investments LLC, has submitted a request for a final plat to allow division of two lots into five for the purpose of development. Portions of the two subject lots will be dedicated to

right-of-way to allow for the construction of a cul-de-sac for vehicular access to 145<sup>th</sup> Street for three of the proposed lots.

2. A revised drainage study was submitted March 27, 2017. The City Engineer has reviewed the study and finds it satisfactory. The study has been submitted for review to the Nebraska Department of Roads and Sarpy County Public Works. This document needs to be approved by these entities prior to City Council action on the final plat.
3. A copy of the revised drainage study has been submitted to the Papio-Missouri River Natural Resources District (PMRNRD) for review and comment. The study needs to be accepted by PMRNRD prior to this platting request going forward to City Council.
4. A subdivision agreement will need to be finalized prior to City Council action.
5. Cost estimates for proposed public improvements were provided which included itemization. Cost estimates will need to be finalized prior to City Council review.
6. Financial guarantees for the proposed public improvements will be required in accordance with Section 7.02 of the Subdivision Regulations before the plat can be released for recording.

**V. STAFF RECOMMENDATION – Final Plat:**

Staff recommends approval of the final plat, contingent on the approval of traffic and drainage studies and the finalization of a subdivision agreement prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan.

**VI. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Staff Review Letters
3. Applicant Response Letter
4. Final Plat Maps

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

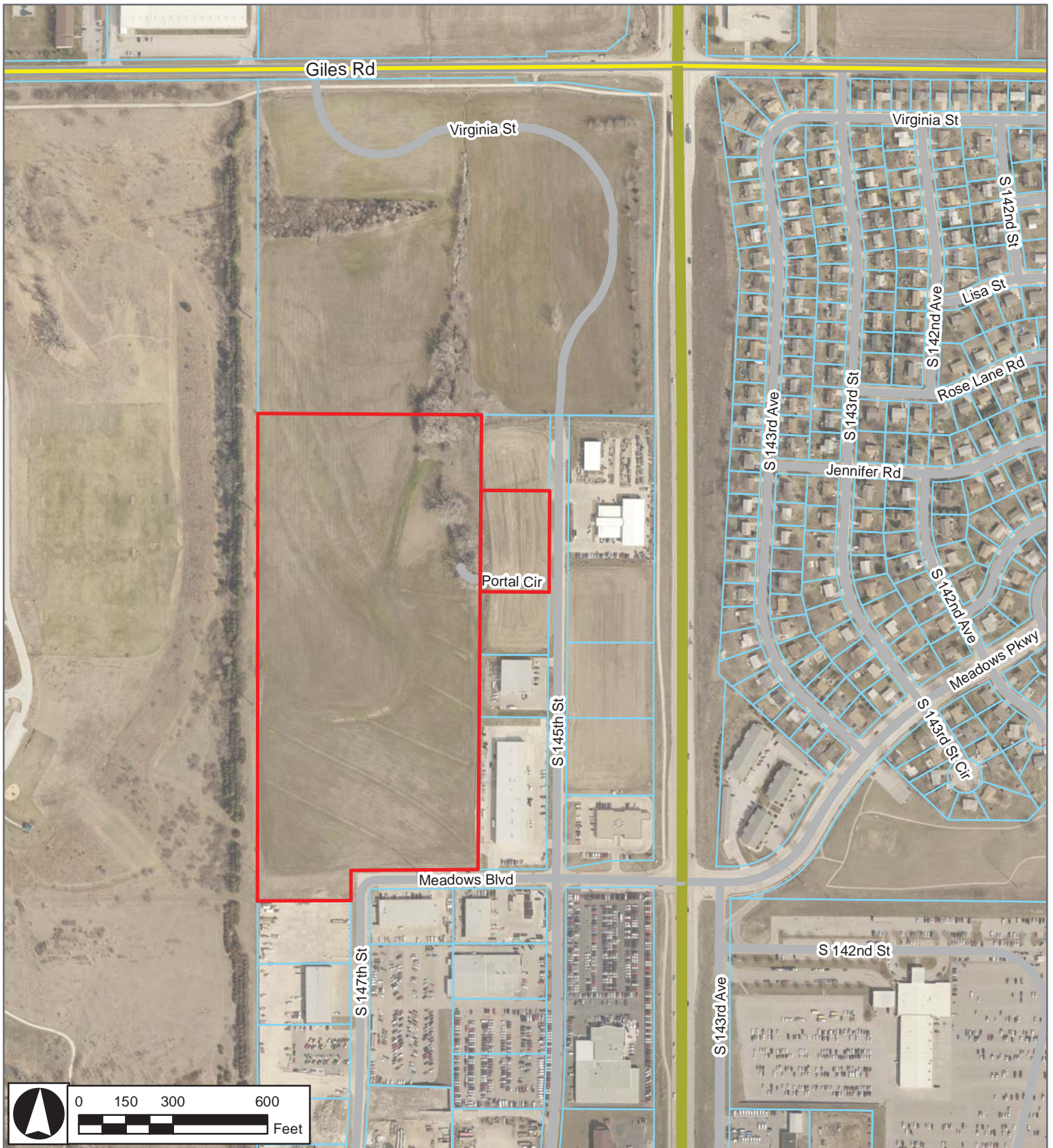
1. Tom Heimes, J & H Investments, LLC
2. Beth Bucklin, TC Accommodator 115, LLC
3. Douglas Kellner, P.E., Thompson, Dreessen, & Dorner, Inc.
4. Public Upon Request

Prepared by:

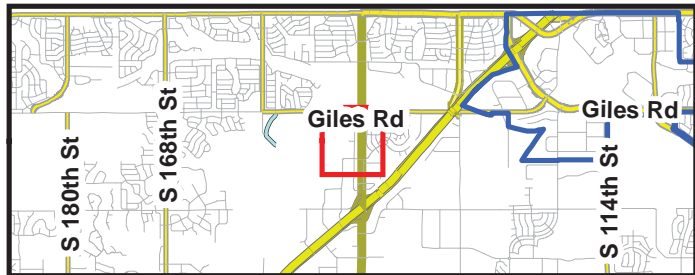
Community Development Director

Date





**Project Vicinity Map**



**Heimes Lots 1-5**

4-12-2017

JMC







March 22, 2017

Tom Heimes  
J & H Investments, LLC  
9144 S 147<sup>th</sup> Street  
Omaha, NE 68138

RE: Final Plat – Initial Review  
Heimes

Mr. Heimes,

City staff has reviewed the application that was received for a final plat called Heimes. Based on the requirements for a final plat in the City of La Vista Subdivision Regulations and considerations for rezoning, City staff have provided following comments:

Final Plat:

1. The traffic study along with a copy of the final plat should be sent to the Nebraska Department of Roads and Sarpy County Public Works for approval prior to City Council action on this request. A signed and sealed copy of the traffic study after acceptance by the NDOR and Sarpy PW needs to be submitted. One Paper copy and one digital copy would be sufficient.
2. A revised drainage study was submitted pursuant to the City's letter dated February 2, 2017. The City Engineer has reviewed the study and finds it satisfactory. The study need to be submitted to the Nebraska Department of Roads and Sarpy County Public Works for approval prior to City Council action on the final plat. A copy of the letter or e-mail transmitting the study needs to be submitted. The proposal is to provide on-site storm water detention so that the peak flow from 50-year storm events from Lots 1 through 4 does not exceed the pre-development flows from these lots. The detention plan for these lots will need to be an exhibit to the subdivision agreement since this drainage proposal is beyond what would be required by compliance with current regulations. It is necessary to meet the limitations of the downstream culverts under Giles Road. There are some minor clarifications/revisions remaining to be provided in the drainage study, but these can be part of the review for the improvement plans for constructing Portal Circle. A signed and sealed copy of the drainage study after acceptance by the NDOR and Sarpy PW needs to be submitted. One paper copy and one digital copy would be sufficient.

**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

[www.cityoflavista.org](http://www.cityoflavista.org)  
[info@cityoflavista.org](mailto:info@cityoflavista.org)

3. In accordance with Item No. 3 in the February 2, 2017 review letter, a copy of the revised drainage study needs to be submitted to the Papio-Missouri River Natural Resources District for review and comment. A copy of the letter or e-mail transmitting the study needs to be submitted.
4. Specifically regarding the Final Plat document, the City provides the following comments:
  - a. Per Article 3.05.03 of the Subdivision Regulations, please identify on the final plat the widths of the existing rights of way abutting the plat which includes 147<sup>th</sup> Street, Meadows Boulevard, and 145<sup>th</sup> Street.
  - b. The Final Plat needs to illustrate existing and proposed sewer and drainage easements in accordance with the storm sewer drainage study and sanitary sewer plan. The easements will need to be able to convey the major (100-year) storm event. The easements need to be illustrated on the plat, but shall be granted in a separate document that fully sets forth rights and obligations for usage of the easements.
  - c. Relative to Article 3.05.13 the signature block for the Planning Commission needs to be revised to comply with Section 10.03 of the Subdivision Regulations. This means change "Chairman" to "Chairperson".
  - d. Relative to Article 3.05.14 the signature block for the City Council and Mayor needs to be revised to comply with section 10.04 of the Subdivision Regulations. This means add the words "in accordance with the State Statutes of Nebraska".
  - e. Relative to Article 3.05.19 the surveyor's certification needs to be revised per Section 10.02 of the Subdivision Regulations. This means that the first sentence of the sample language in 10.02 needs to be added.
5. A subdivision agreement will need to be finalized prior to City Council action. Review comments regarding the draft subdivision agreement will be provided after full review by the City Engineer, City Attorney, and myself.
6. Cost estimates for proposed public improvements were provided which included itemization. The following comments and/or questions about the cost estimates include:
  - a. Identify if removal of the existing sanitary sewer lift station is covered by these estimates or if arrangements are being made for SID 48 to remove the lift station.
  - b. The watershed management fee will be applicable to Lots 1 through 5 and will be collected at time of building permit for each lot. Currently



the fee is \$4,609 per acres which is the PCWP fee that took effect July 1, 2016. The fee will increase each July 1 through 2019. After 2019, the fee is yet to be determined.

7. Financial guarantees for the proposed public improvements will be required in accordance with Section 7.02 of the Subdivision Regulations before the plat can be released for recording.

In order for the Final Plat to be considered for review at the April 20, 2017 Planning Commission meeting, revised plat 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 29, 2017 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  
Douglas Kellner, Thompson, Dreessen, & Dorner, Inc.

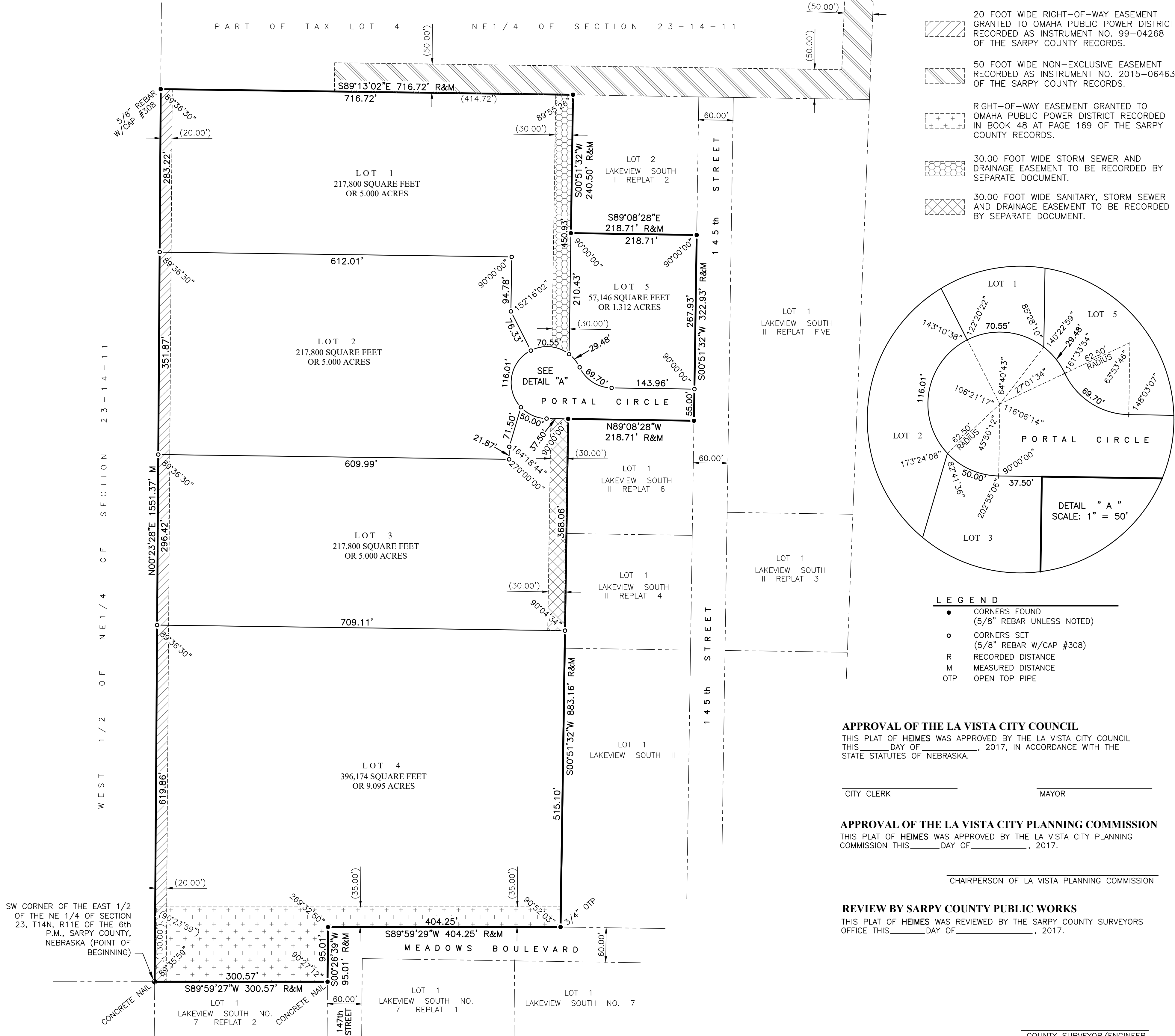
# HEIMES

## LOTS 1 THRU 5, INCLUSIVE

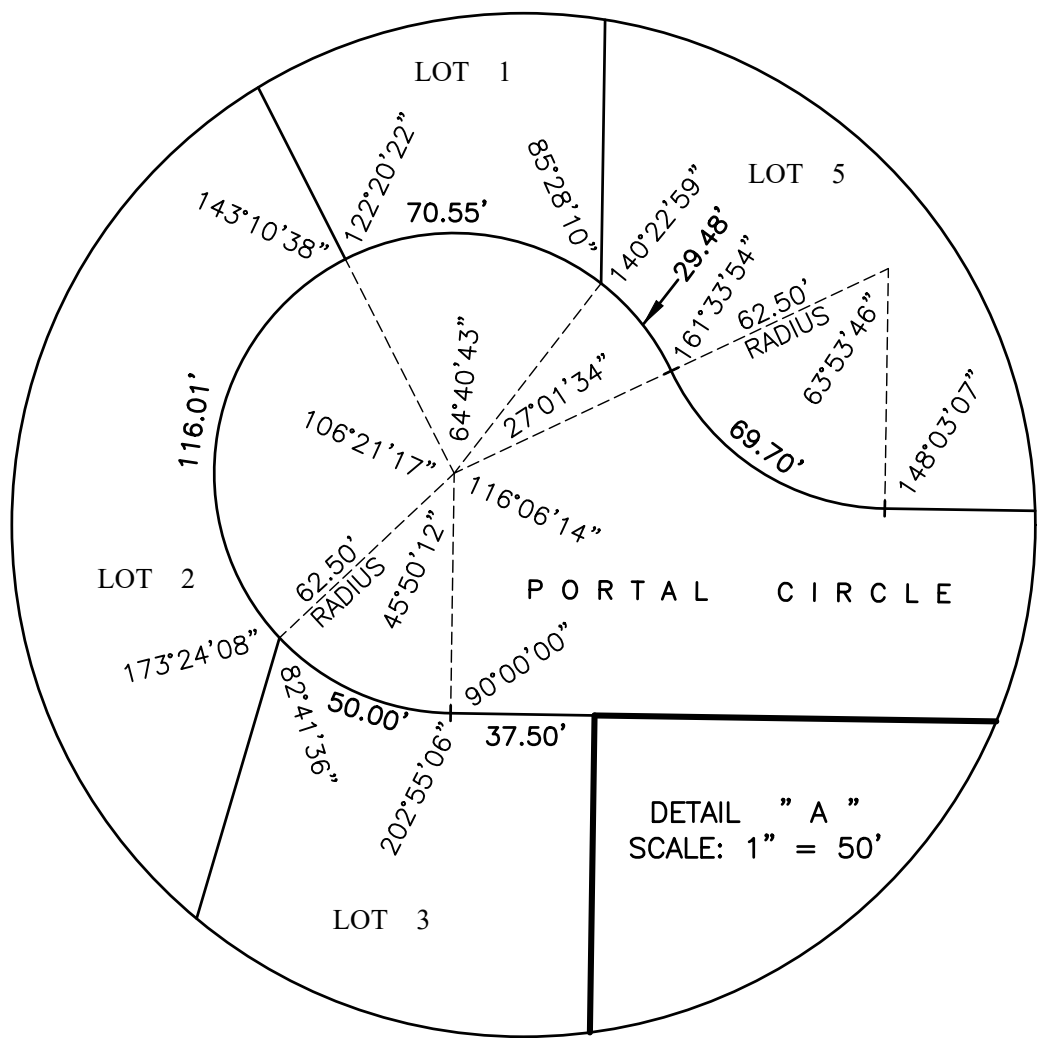
BEING A PLATTING OF LOT 2, LAKEVIEW SOUTH II REPLAT 6, A SUBDIVISION IN SARPY COUNTY, NEBRASKA TOGETHER WITH PART OF TAX LOT 4 IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 23, T14N, R11E OF THE 6th P.M., SAID SARPY COUNTY.

### NOTES:

- ANGLES SHOWN ADJACENT TO CURVES ARE MEASURED TO THE CHORD LINE OF SAID CURVE.
- DIMENSIONS AND ANGLES IN PARENTHESIS PERTAIN TO EASEMENTS.



- 20 FOOT WIDE RIGHT-OF-WAY EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED AS INSTRUMENT NO. 99-04268 OF THE SARPY COUNTY RECORDS.
- 50 FOOT WIDE NON-EXCLUSIVE EASEMENT RECORDED AS INSTRUMENT NO. 2015-06463 OF THE SARPY COUNTY RECORDS.
- RIGHT-OF-WAY EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN BOOK 48, AT PAGE 169 OF THE SARPY COUNTY RECORDS.
- 30.00 FOOT WIDE STORM SEWER AND DRAINAGE EASEMENT TO BE RECORDED BY SEPARATE DOCUMENT.
- 30.00 FOOT WIDE SANITARY, STORM SEWER AND DRAINAGE EASEMENT TO BE RECORDED BY SEPARATE DOCUMENT.



### LEGEND

- CORNERS FOUND (5/8" REBAR UNLESS NOTED)
- CORNERS SET (5/8" REBAR W/CAP #308)
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OTP OPEN TOP PIPE

### APPROVAL OF THE LA VISTA CITY COUNCIL

THIS PLAT OF HEIMES WAS APPROVED BY THE LA VISTA CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

CITY CLERK MAYOR

### APPROVAL OF THE LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF HEIMES WAS APPROVED BY THE LA VISTA CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

CHAIRPERSON OF LA VISTA PLANNING COMMISSION

### REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF HEIMES WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

COUNTY SURVEYOR/ENGINEER

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR SURVEYS" ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS AND FURTHER CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS HEIMES, LOTS 1 THRU 5, INCLUSIVE, BEING A PLATTING OF LOT 2, LAKEVIEW SOUTH II REPLAT 6, A SUBDIVISION IN SARPY COUNTY, NEBRASKA TOGETHER WITH PART OF TAX LOT 4 IN THE EAST 1/2 OF THE NE 1/4 OF SECTION 23, T14N, R11E OF THE 6TH P.M., SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE SW CORNER OF SAID EAST 1/2; THENCE N00°23'28"E (ASSUMED BEARING) 1551.37 FEET ON THE WEST LINE OF SAID EAST 1/2; THENCE S89°13'02"E 716.72 FEET ON THE NW CORNER OF LOT 2, LAKEVIEW SOUTH II REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY; THENCE S00°51'32"W 240.50 FEET ON THE WEST LINE OF LOT 2 SAID LAKEVIEW SOUTH REPLAT 2 TO THE NW CORNER OF SAID LOT 2, LAKEVIEW SOUTH II REPLAT 6; THENCE S89°08'28"E 218.71 FEET ON THE NORTH LINE OF SAID LOT 2 TO THE NE CORNER THEREOF; THENCE S00°51'32"W 322.93 FEET ON THE EAST LINE OF SAID LOT 2 TO THE SE CORNER THEREOF; THENCE N89°08'28"W 218.71 FEET ON THE SOUTH LINE OF SAID LOT 2 TO THE SW CORNER THEREOF; THENCE S00°51'32"W 883.16 FEET ON THE WEST LINES OF LOT 1, LAKEVIEW SOUTH II REPLAT 6, LOT 1, LAKEVIEW SOUTH II REPLAT 4 AND LOT 1, LAKEVIEW SOUTH II, SUBDIVISIONS IN SAID SARPY COUNTY TO THE NORTH LINE OF MEADOWS BOULEVARD; THENCE S89°59'29"W 404.25 FEET ON THE NORTH LINE OF MEADOWS BOULEVARD TO THE WEST LINE OF 147th STREET; THENCE S00°26'39"W 95.01 FEET ON THE WEST LINE OF 147th STREET TO THE NE CORNER OF LOT 1, LAKEVIEW SOUTH NO. 7 REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY; THENCE S89°59'27"W 300.57 FEET ON THE NORTH LINE OF LOT 1 SAID LAKEVIEW SOUTH NO. 7 REPLAT 2 TO THE POINT OF BEGINNING.

CONTAINING 25.407 ACRES



JAMES D. WARNER, NEBRASKA RLS 308

MARCH 17, 2017

DATE:

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, J & H INVESTMENTS, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY AND LB SOUTHWEST, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS AND AMERICAN NATIONAL BANK, BEING THE MORTGAGE HOLDERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A STREET AND LOTS TO BE NAMED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS HEIMES, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREET AS SHOWN HEREON AND WE DO FURTHER GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, CENTURYLINK QC AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR, AND RENEW POLES, WIRES, CROSSARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT, AND POWER FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS AND THE RECEPTION THEREOF, INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM AND THEIR RECEPTION, ON, OVER, THROUGH, UNDER AND ACROSS A FIVE (5') FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE LOT LINES; AND AN EIGHT (8') FOOT WIDE STRIP OF LAND ABUTTING THE REAR LOT LINES.

NO PERMANENT BUILDINGS, TREES, RETAINING WALLS OR LOOSE ROCK WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

J & H INVESTMENTS L.L.C., LB SOUTHWEST, LLC, AMERICAN NATIONAL BANK  
A NEBRASKA LIMITED LIABILITY COMPANY A NEBRASKA LIMITED LIABILITY COMPANY

BY: THOMAS HEIMES, MANAGER BY: LANCE PITTACK, PRESIDENT/MEMBER BY: JASON L. HANSEN, FIRST VICE PRESIDENT

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
COUNTY OF SARPY)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017 BY THOMAS HEIMES, MANAGER OF J & H INVESTMENTS, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
COUNTY OF SARPY)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017 BY LANCE PITTACK, PRESIDENT/MEMBER OF LB SOUTHWEST, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
COUNTY OF SARPY)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017 BY JASON H. HANSEN, FIRST VICE PRESIDENT OF AMERICAN NATIONAL BANK, ON BEHALF OF SAID BANK.

NOTARY PUBLIC

### SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

TREASURER'S SEAL

SARPY COUNTY TREASURER

TD2  
engineering  
& surveying

thompson, dreessen & dornier, inc.  
10836 Old Mill Rd  
Omaha, NE 68154  
p.402.330.8860 f.402.330.5866  
td2co.com

HEIMES  
LOTS 1 THRU 5, INCLUSIVE



### Revision Dates

No.	Description	MM-DD-YY
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Job No.: A1642-108A

Drawn By: RJR

Reviewed By: JDW

Date: MARCH 17, 2017

Book:

Page:

Sheet Title

SARPY COUNTY  
FINAL PLAT

Sheet Number

SHEET 1 OF 1