

AGENDA ITEM 4B

**Public Hearing for Zoning Map Amendment - Lot 37,
Brook Valley II Business Park - Lynch, LLC**



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PRZ-18-0001

For Hearing of: October 18, 2018
Report Prepared on: October 10, 2018

I. **GENERAL INFORMATION**

A. **APPLICANT:**

Lynch Management, L.L.C.
10177 S. 168th Ave, Suite 104
Omaha, NE 68136

B. **PROPERTY OWNER:**

Lynch Management, L.L.C.
10177 S. 168th Ave, Suite 104
Omaha, NE 68136

C. **LOCATION:** Southeast corner of 120th Street and Giles Road

D. **LEGAL DESCRIPTION:** Lot 37, Brook Valley II Business Park

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

Zoning Map Amendment (Rezoning) from C-3 with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District) to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District).

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

C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District); A preceeding agenda item proposes the amendment of the Future Land Use Map to change the use type from commercial to industrial.

G. **PURPOSE OF REQUEST:** Zoning Map Amendment to allow for the rezoning of Lot 37, Brook Valley II Business Park to I-1, Light Industrial District and Gateway Corridor District and FF/FW Floodplain Districts (Overlay District), for the purpose of industrial development.

H. **SIZE OF SITE:** 6.45 Acres

II. **BACKGROUND INFORMATION**

A. **EXISTING CONDITION OF SITE:** This parcel is currently vacant. The land is relatively flat with a gradual slope to the southeast, with steep slopes along the north and west edges of the property up to 120th Street and Giles Road.

B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:

1. **North:** TA – Transitional Agriculture District with a Gateway Corridor Overlay (Overlay District); Vacant
2. **East:** C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District); Vacant
3. **South:** Lot 36 Brook Valley II Business Park; I-1 Light Industrial; The Volleyball Academy.
4. **West:** Lots 1 & 8 Papio Valley 1 Business Park Harrison Hills; I-1 Light Industrial District with a Gateway Corridor Overlay (Overlay District); Light Industrial Uses

C. RELEVANT CASE HISTORY:

1. N/A

D. APPLICABLE REGULATIONS:

1. Chapter 4 of the La Vista Comprehensive Plan 2007 – Future Land Use Plan
2. Section 5.13 of the Zoning Regulations – I-1 Light Industrial District
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
4. Section 5.18 of the Zoning Regulations – Flood Plain Districts (Overlay District)

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan currently shows commercial land uses. The preceeding agenda item proposes the amendment of the Future Land Use Map to change the use type from commercial to industrial.

B. OTHER PLANS: Not applicable.

C. TRAFFIC AND ACCESS:

1. Access to the lot is provided through frontage along 120th Street.

The rezoning will not require a traffic study as expected traffic impacts of light industrial uses are expected to be less than commercial uses.

D. UTILITIES:

1. The property has access to sewer, water, gas, power and communication utilities.

IV. REVIEW COMMENTS:

1. Developments on this property will require a water supply for fire suppression that does not exceed 600 feet for buildings equipped with an automatic suppression system. This aspect will be reviewed at the time of building permit.
2. An emergency vehicle access plan will be required at the time of building permit. This includes the site plan, fire lane information, fire hydrants, a truck route based on Auto-Turn Professional software, and other aspects as required by the Papillion Fire Marshall. The plan should be developed based on the specifications of the Papillion Fire Marshall.
3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This will be reviewed at the time of building permit.
4. Developments on this property will require a flood plain development permit as required for any property within the "X" or "AE" zones for the FEMA Floodplain Map. Potential projects will need to submit plans to the Papio Missouri River Natural Resources District before permits for development can be issued.
5. Applicant has been notified that this property lies under the Gateway Corridor District (Overlay District). As such, developments on this property will be required to proceed through architectural design review. The applicant has been previously provided with a copy of the Gateway Corridor Design Guidelines.
6. Applicant has been notified that the proposed zoning, I-1 Light Industrial, does not allow for outdoor storage of materials.

V. STAFF RECOMMENDATION – Amendment to the Zoning Map (Rezoning):

Staff recommends approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.

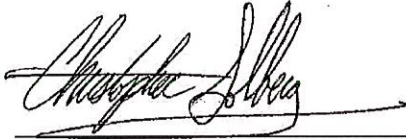
VI. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Staff Review Letters
3. Applicant Response Letter
4. Zoning Map Amendment Exhibit

VII. COPIES OF REPORT SENT TO:

1. Dennis Lynch, Lynch, LLC
2. Christian Browning, Lynch, LLC

3. Joe Dethlefs, TD2
4. Public Upon Request



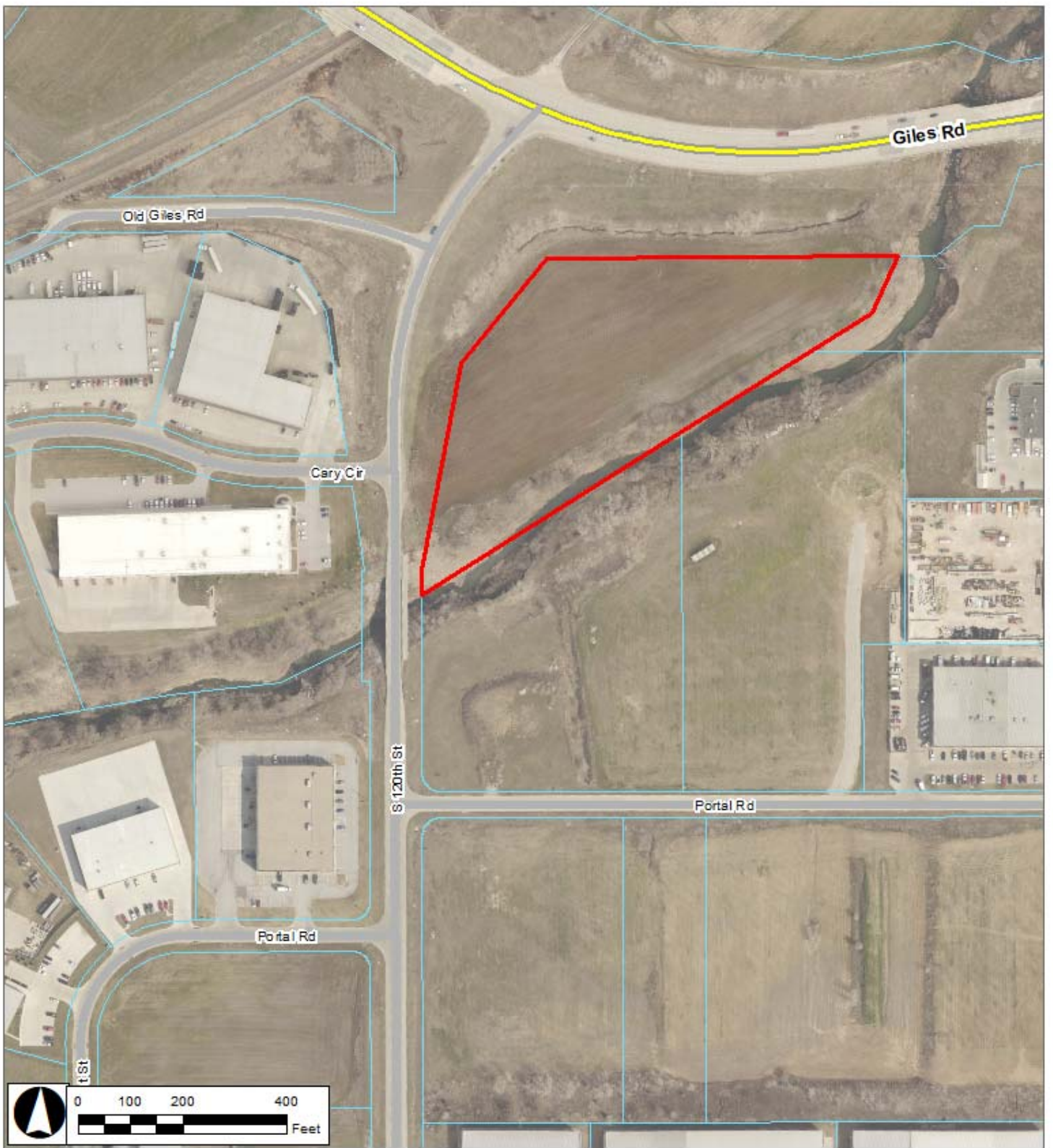
Prepared by:



Community Development Director

10-10-18

Date



Project Vicinity Map



**Lot 37, Brook Valley II Business Park-
Comprehensive Plan & Zoning Map Amendment**

10-10-18
OIS





September 17, 2018

Christian Browning
Lynch Management, LLC
10177 S 168th Ave, Suite 104
Omaha, NE 68136

RE: Rezoning Request C-3 to I-1
Lot 37 Brook Valley II Business Park

Mr. Browning,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Comprehensive Plan and the Zoning Ordinance the City has the following comments:

1. Developments on this property will require a water supply for fire suppression that does not exceed 600 feet for buildings equipped with an automatic suppression system. This will be reviewed at the time of building permit.
2. An emergency vehicle access plan will be required at the time of building permit. This includes the site plan, fire lane information, fire hydrants, a truck route based on Auto-Turn Professional software, and other aspects as required by the Papillion Fire Marshall. The plan should be developed based on the specifications of the Papillion Fire Marshall.
3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This will be reviewed at the time of building permit.
4. Developments on this property will require a flood plain development permit as required for any property within the "X" or "AE" zones for the FEMA Floodplain Map. Potential projects will need to submit plans to the Papio Missouri River Natural Resources District before permits for development can be issued.
5. Applicant should be reminded that this property lies under the Gateway Corridor District (Overlay District). As such, developments on this property will be required to proceed through architectural design review. The applicant has been previously provided with a copy of the Gateway Corridor Design Guidelines.
6. Applicant should be reminded that the proposed zoning, I-1 Light Industrial, does not allow for outdoor storage of materials.

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
info@cityoflavista.org

7. Two of the setbacks depicted on the site plan show setbacks below the minimum required setback of 60 feet for developments with parking in the front yard. Though it this issue does not need to be resolved in relation to the the zoning map amendment, it will need to be addressed at the time of building permit.
8. As this Zoning Map Amendment request includes a change in use from Commercial to Industrial on the Future Land Use Map of the Comprehensive Plan. An amendment to the Comprehensive Plan will need to be completed prior to the Zoning Map Amendment review and approval.

In order for the Comprehensive Plan Amendment and Zoning Map Amendment to be considered for review at the October 18, 2018 Planning Commission meeting, revised submittal documents will need to be provided for further review. Please submit 4 full size copies (along with electronic copies) of the revised documents by September 26, 2018 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: Dennis Lynch, Brook Valley II Business Park – Lynch, LLC
Joe Dethlefs, Thompson, Dreessen & Dorner, Inc
Ann Birch, Community Development Director
John Kottmann, City Engineer

September 21, 2018

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

RE: Lot 37, Brook Valley II Business Park
TD2 File No. 2041-103.1

Mr. Solberg:

Below are our responses to the City's comments dated September 17, 2018 for the rezoning request of Lot 37, Brook Valley II Business Park. The City comments are listed below followed by our response in bold.

1. Developments on this property will require a water supply for fire suppression that does not exceed 600 feet for buildings equipped with an automatic suppression system. This will be reviewed at the time of building permit. – **Acknowledged**
2. An emergency vehicle access plan will be required at the time of building permit. This includes the site plan, fire lane information, fire hydrants, a truck route based on Auto-Turn Professional software, and other aspects as required by the Papillion Fire Marshall. The plan should be developed based on the specifications of the Papillion Fire Marshall. – **Acknowledged**
3. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This will be reviewed at the time of building permit. – **Acknowledged**
4. Developments on this property will require a flood plain development permit as required for any property within the "X" or "AE" zones for the FEMA Floodplain Map. Potential projects will need to submit plans to the Papio Missouri River Natural Resources District before permits for development can be issued. – **Acknowledged**
5. Applicant should be reminded that this property lies under the Gateway Corridor District (Overlay District). As such, developments on this property will be required to proceed through architectural design review. The applicant has been previously provided with a copy of the Gateway Corridor Design Guidelines. – **Acknowledged**
6. Applicant should be reminded that the proposed zoning, I-I Light Industrial, does not allow for outdoor storage of materials. – **Acknowledged**

Lot 37, Brook Valley II Business Park
La Vista, Nebraska
September 21, 2018
Page 2

7. Two of the setbacks depicted on the site plan show setbacks below the minimum required setback of 60 feet for developments with parking in the front yard. Though it this issue does not need to be resolved in relation to the zoning map amendment, it will need to be addressed at the time of building permit. – **Acknowledged, we will modify building layout to move out of the 60' setback area.**
8. As this Zoning Map Amendment request includes a change in use from Commercial to Industrial on the Future Land Use Map of the Comprehensive Plan. An amendment to the Comprehensive Plan will need to be completed prior to the Zoning Map Amendment review and approval. – **Comprehensive Plan Amendment Application and fee will be submitted.**

We appreciate the City's effort and assistance with the development process. If there are no outstanding items, we would like to request that our application for the Comprehensive Plan Amendment and Zoning Map Amendment be considered for the October 18, 2018 Planning Commission meeting. Please call or email with any questions or comments.

Respectfully submitted,

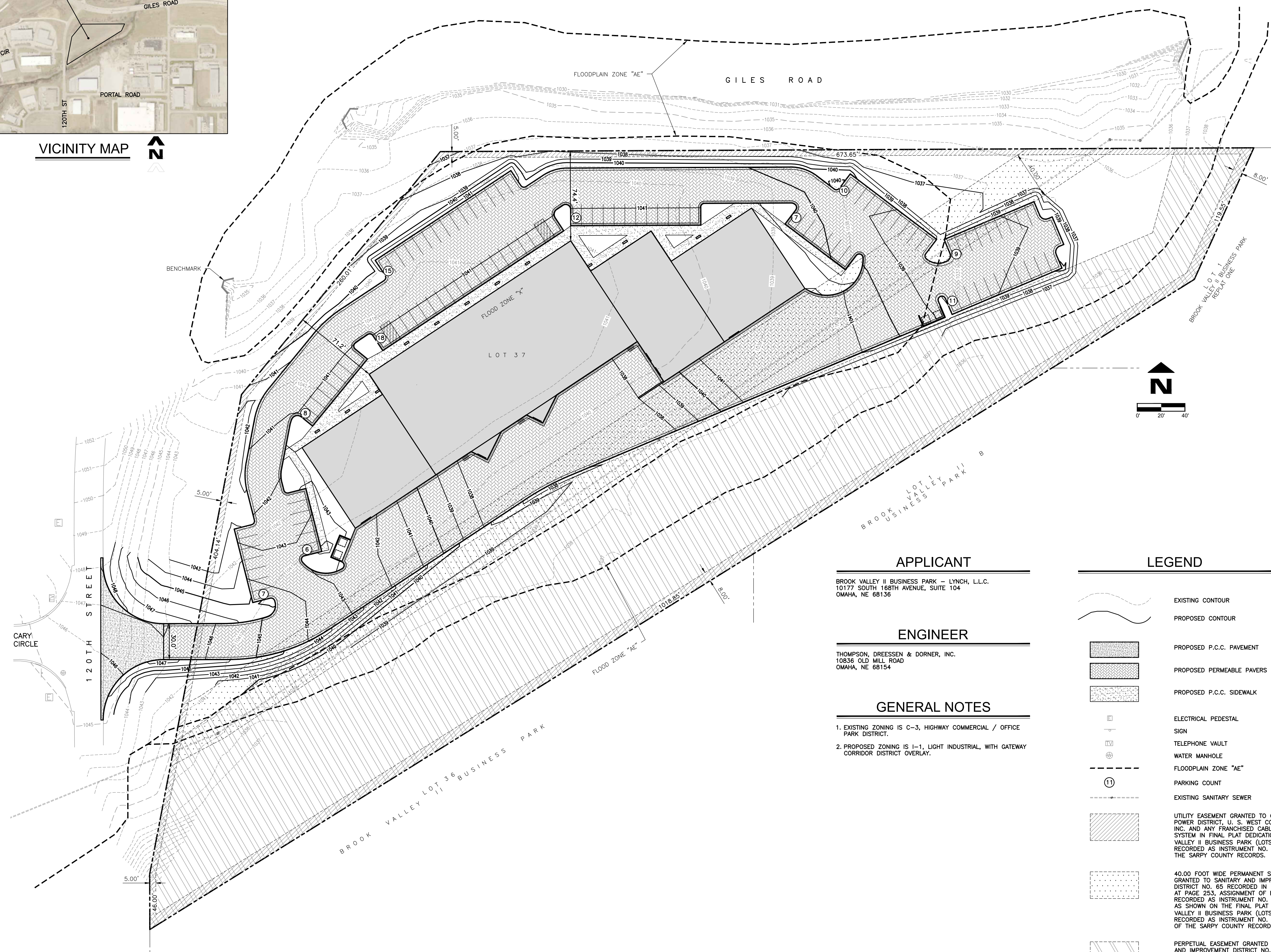
THOMPSON, DREESSEN & DORNER, INC.



Joe Dethlefs, P.E.

JD/tjp

LOT 37



BROOK VALLEY II BUSINESS PARK - LYNCH, L.L.C.
10177 SOUTH 168TH AVENUE, SUITE 104
OMAHA, NE 68136

THOMPSON, DREESSEN & DORNER, INC.
10836 OLD MILL ROAD
OMAHA, NE 68154

1. EXISTING ZONING IS C-3, HIGHWAY COMMERCIAL / OFFICE PARK DISTRICT.
2. PROPOSED ZONING IS I-1, LIGHT INDUSTRIAL, WITH GATEWAY CORRIDOR DISTRICT OVERLAY.

Number of children in household	Solid Line (Probability)	Dashed Line (Probability)
1	0.15	0.25
2	0.35	0.45
3	0.55	0.65
4	0.45	0.55
5	0.55	0.65
6	0.45	0.55
7	0.35	0.45
8	0.15	0.25
9	0.05	0.15
10	0.05	0.15

EXISTING CONTOUR

PROPOSED CONTOUR

PROPOSED P.C.C. PAVEMENT

PROPOSED PERMEABLE PAVERS

PROPOSED P.C.C. SIDEWALK

E ELECTRICAL PEDESTAL

 SIGN

TV **TELEPHONE VAULT**

WATER MANHOLE

11 PARKING COUNT

EXISTING SANITARY SEWER

UTILITY EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT, U. S. WEST COMMUNICATIONS, INC. AND ANY FRANCHISED CABLE TELEVISION SYSTEM IN FINAL PLAT DEDICATION OF BROOK VALLEY II BUSINESS PARK (LOTS 26 THRU 37) RECORDED AS INSTRUMENT NO. 99-15849 OF THE SARPY COUNTY RECORDS.

40.00 FOOT WIDE PERMANENT SEWER EASEMENT
GRANTED TO SANITARY AND IMPROVEMENT
DISTRICT NO. 65 RECORDED IN MISC. BOOK 45
AT PAGE 253, ASSIGNMENT OF EASEMENT
RECORDED AS INSTRUMENT NO. 94-15619 AND
AS SHOWN ON THE FINAL PLAT OF BROOK
VALLEY II BUSINESS PARK (LOTS 28 THRU 37)
RECORDED AS INSTRUMENT NO. 99-15849 ALL
OF THE SARPY COUNTY RECORDS.

PERPETUAL EASEMENT GRANTED TO SANITARY
AND IMPROVEMENT DISTRICT NO. 59 OF SARPY
COUNTY, NEBRASKA AND PAPIO--MISSOURI
NATURAL RESOURCES DISTRICT RECORDED AS
INSTRUMENT NO. 2000-01184 AND AS SHOWN
ON THE FINAL PLAT OF BROOK VALLEY II
BUSINESS PARK (LOTS 26 THRU 37) RECORDED
AS INSTRUMENT NO. 99-15849 BOTH OF THE
SARPY COUNTY RECORDS.



Project Name

Lynch Flex Building

Brook Valley II
Business Park,
Lot 37

Client Name

Brook Valley II
Business Park -
Lynch, L.L.C.

Professional Seal

Revision Dates

[illegible]

Drawn By: JAD R
Job No.: 2041-103

Reviewed By: JAD
Date: 09-26-18

Sheet Title

Rezoning Site Plan

Sheet Number

1 of 1