

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 18, 2018 AGENDA**

Subject:	Type:	Submitted By:
APPLICATION FOR ZONING MAP AMENDMENT (REZONING) LOTS 6-11, CHALCO VALLEY BUSINESS PARK (SE OF 142 ND & CHALCO VALLEY PARKWAY)	RESOLUTION ORDINANCE (1) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and an ordinance prepared to consider a rezoning for approximately 23.94 acres located southeast of 142nd Street and Chalco Valley Parkway.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider a Zoning Map amendment (rezoning) application by NEBCO Inc., on approximately 23.94 acres currently described as Lots 6-11, Chalco Valley Business Park. The property is generally located southeast of 142nd Street and Chalco Valley Parkway.

The purpose of the request is to allow for the lots to be rezoned from I-1 Light Industrial to I-2 Heavy Industrial. A detailed staff report is attached.

The Planning Commission held a public hearing on November 15, 2018, and unanimously recommended approval of the rezoning as the request is consistent with the Comprehensive Plan and Zoning Ordinance.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Rezoning. On November 15, 2018, the La Vista Planning Commission conducted a public hearing on the matter of rezoning the tract of land set forth in Section 2 of this ordinance and reported to the City Council that it recommended approval of the zoning of said tract be changed from "I-1", Light Industrial and FF/FW Floodplain Districts (Overlay District) to "I-2" Heavy Industrial and FF/FW Floodplain Districts (Overlay District). On December 18, 2018, the City Council held a public hearing on said proposed change in zoning and found and determined that said proposed changes in zoning are advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices, including published notice, written notice to adjacent property owners and notice posted at the properties, were duly given pursuant to Section 9.01 of the Zoning Ordinance. The City Council hereby approves said proposed changes in zoning as set forth in Section 2 of this ordinance.

Section 2. Amendment of the Official Zoning Map. Pursuant to Article 3 of the Zoning Ordinance, the following described tract of land is hereby rezoned from "I-1" Light Industrial and FF/FW Floodplain Districts (Overlay District) to "I-2" Heavy Industrial and FF/FW Floodplain Districts (Overlay District), and the Official Zoning Map of the City of La Vista is hereby amended to reflect the changes in zoning of the following described tracts of land from "I-1" Light Industrial and FF/FW Floodplain Districts (Overlay District) to "I-2" Heavy Industrial and FF/FW Floodplain Districts (Overlay District):

Lots 6-11 Chalco Valley Business Park, located in Section 13, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska.

The amended version of the official zoning map of the City of La Vista is hereby adopted and shall be signed by the Mayor, attested to by the City Clerk and shall bear the seal of the City under the following words:

"This is to certify that this is the official zoning map referred to in Article 3
Section 3.02 of Ordinance No. 848 of the City of La Vista, Nebraska"

and shall show the date of the adoption of that ordinance and this amendment.

Section 3. Effective Date. This ordinance shall be in full force and effect upon the date passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 18TH DAY OF DECEMBER 2018.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PRZ-18-0002

For Hearing of: December 18, 2018
Report Prepared on: December 11, 2018

I. GENERAL INFORMATION

A. APPLICANT:

NEBCO Inc.
1815 Y Street
Lincoln, NE 68501

B. PROPERTY OWNER:

NEBCO Inc.
1815 Y Street
Lincoln, NE 68501

C. LOCATION: South of Chalco Valley Parkway

D. LEGAL DESCRIPTION: Lots 6-11, Chalco Valley Business Park

E. REQUESTED ACTION(S):

Zoning Map Amendment (Rezoning) from I-1 Light Industrial and a FF/FW Floodplain Districts (Overlay District) to I-2 Light Industrial with a FF/FW Floodplain Districts (Overlay District).

F. EXISTING ZONING AND LAND USE:

I-1 Light Industrial and a FF/FW Floodplain Districts (Overlay District);

The Future Land Use Map designates this area as industrial. Midwest Industrial Tools (Business Services) operates on Lot 9 and Midwest Turf and Irrigation (Facilities for Building Construction Contractors) operates on Lot 11. Lots 6-8 and 10 are vacant.

G. PURPOSE OF REQUEST: Zoning Map Amendment to allow for the rezoning of Lots 6-11, Chalco Valley Business Park to I-2, Heavy Industrial District and FF/FW Floodplain Districts (Overlay District), for the purpose of industrial development.

H. SIZE OF SITE: 23.94 Acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** Two lots are developed with industrial uses and three lots are vacant. The land is relatively flat with a gradual slope to the southeast.
- B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:**
1. **North:** I-1 Light Industrial District; Miscellaneous Industrial Uses
 2. **East:** I-1 Light Industrial District and FF/FW Floodplain Districts (Overlay District); Miscellaneous Industrial Uses
 3. **South:** I-2 Heavy Industrial District and FF/FW Floodplain Districts (Overlay District); Miscellaneous Industrial Uses
 4. **West:** Lot 12 Chalco Valley Business Park; I-1 Light Industrial District and FF/FW Floodplain Districts (Overlay District); Vacant
- 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 5.14 of the Zoning Regulations – I-2 Heavy Industrial District
 3. 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 industrial land uses.
- B. OTHER PLANS:** Not applicable.
- C. TRAFFIC AND ACCESS:**
1. Access to the lots are provided through frontage along Chalco Valley Parkway, which connects to 144th Street through Chandler Road.
 2. The primary differences between the I-1 Light Industrial District and the I-2 Industrial District involves the uses listed at items 5.14.02.12 through 5.14.02.22 of the La Vista Zoning Ordinance. Of these uses, the one that would have most potential to create significant traffic impacts would be the “trucking and courier services” use. The largest undeveloped area in the subject area is lots 6, 7, and 8, which combined represent approximately 10 acres. While the applicant has not indicated any intent to place trucking

operations on this property, the rezoning, if approved, would make such use possible. There are presently two trucking operations in I-2 zoning in La Vista on parcels between nine and 13 acres in size. These operations have not demonstrated significant traffic impacts.

However, future developments will be reviewed against Omaha's Guidelines and Regulations for Driveway Location, Design and Construction, particularly the Appendix, to determine if there is a need for traffic impact studies infrastructure improvements that might be recommended in such studies

D. UTILITIES:

1. The properties have access to sewer, water, gas, power and communication utilities.

IV. REVIEW COMMENTS:

1. Developments on lots 6 and 7 may 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.
2. Applicant has been notified that the proposed zoning, I-2 Heavy Industrial, does not allow for outdoor storage of materials without the issuance of a Conditional Use Permit (CUP).
3. Developments on these properties will require an adequate fire flow for increased fire loads that would be possible with outdoor storage. The applicant has confirmed ability of the existing water system to meet these needs with MUD and Steve Thornburg of the Papillion Fire Department.

V. STAFF RECOMMENDATION – Amendment to the Comprehensive Plan Amendment (Future Land Use Map):

Staff recommends approval of the amendment to the Zoning Map (Rezoning) from I-1 Light Industrial with a FF/FW Floodplain Districts (Overlay District), to I-2 Heavy Industrial with a 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. PLANNING COMMISSION RECOMMENDATION – Amendment to the Comprehensive Plan Amendment (Future Land Use Map):

The Planning Commission held a meeting on November 15, 2018 and unanimously voted to recommend approval of the amendment to the Zoning Map (Rezoning) from I-1 Light Industrial with a FF/FW Floodplain Districts (Overlay District), to I-2 Heavy Industrial with a FF/FW Floodplain Districts (Overlay District), as the request is consistent with the Comprehensive Plan.

IX. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Staff Review Letters
3. Zoning Map Amendment Exhibit

X. COPIES OF REPORT SENT TO:

1. Doug Whitehead, NEBCO Inc.
2. Joseph Flaxbeard, PE, Lamp Rynearson
3. Public Upon Request

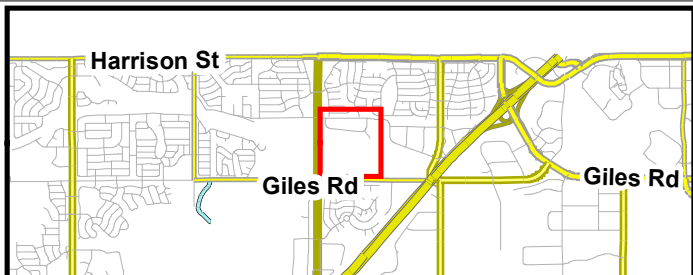
 12/12/18
Prepared by: _____

Community Development Director

Date



Project Vicinity Map



**Lots 6-11, Chalco Valley Business Park:
Zoning Map Amendment**

11/7/18

CRB





October 24, 2018

Doug Whitehead
NEBCO Inc.
1815 Y Street
Lincoln, NE 68501

RE: Rezoning Request I-1 to I-2
Lots 6-11 Chalco Valley Business Park

Mr. Whitehead,

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 these properties will require an adequate fire flow for increased fire loads that would be possible with outdoor storage. Please confirm ability to meet these needs with MUD and Steve Thornburg of the Papillion Fire Department.
2. Developments on lots 6 and 7 may 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.
3. Applicant should be reminded that the proposed zoning, I-2 Heavy Industrial, does not allow for outdoor storage of materials without the issuance of a Conditional Use Permit (CUP).
4. The current Future Land Use Map in the Comprehensive Plan depicts properties in the subject area to be industrial. As such the proposed rezoning from I-1 Light Industrial to I-2 Heavy Industrial will not warrant an amendment to the Future Land Use Map of the Comprehensive Plan
5. The primary differences between the I-1 Light Industrial District and the I-2 Industrial District involves the uses listed at items 5.14.02.12 through 5.14.02.22 of the La Vista Zoning Ordinance. Of these uses, the one that would have most potential to create significant traffic impacts would be the "trucking and courier services" use. The largest undeveloped area in the subject area is lots 6, 7, and 8, which combined represent approximately 10 acres. While the applicant has not indicated any intent to place trucking operations on this property, the rezoning, if approved, would make such use possible. There are presently two trucking operations in I-2 zoning in La Vista on parcels between nine and 13

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

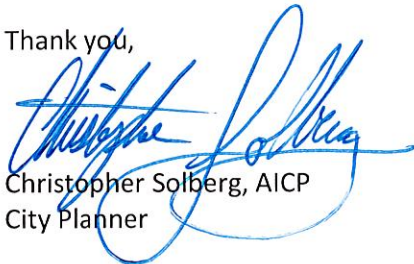
acres in size. These operations have not demonstrated significant traffic impacts.

However, future developments will be reviewed against Omaha's Guidelines and Regulations for Driveway Location, Design and Construction, particularly the Appendix, to determine if there is a need for traffic impact studies infrastructure improvements that might be recommended in such studies.

In order for the Zoning Map Amendment to be considered for review at the November 15, 2018 Planning Commission meeting, additional information regarding issue #1 above needs to be provided. Please submit documentation by November 2, 2018 to ensure that the application stays on track for the review by Planning Commission.

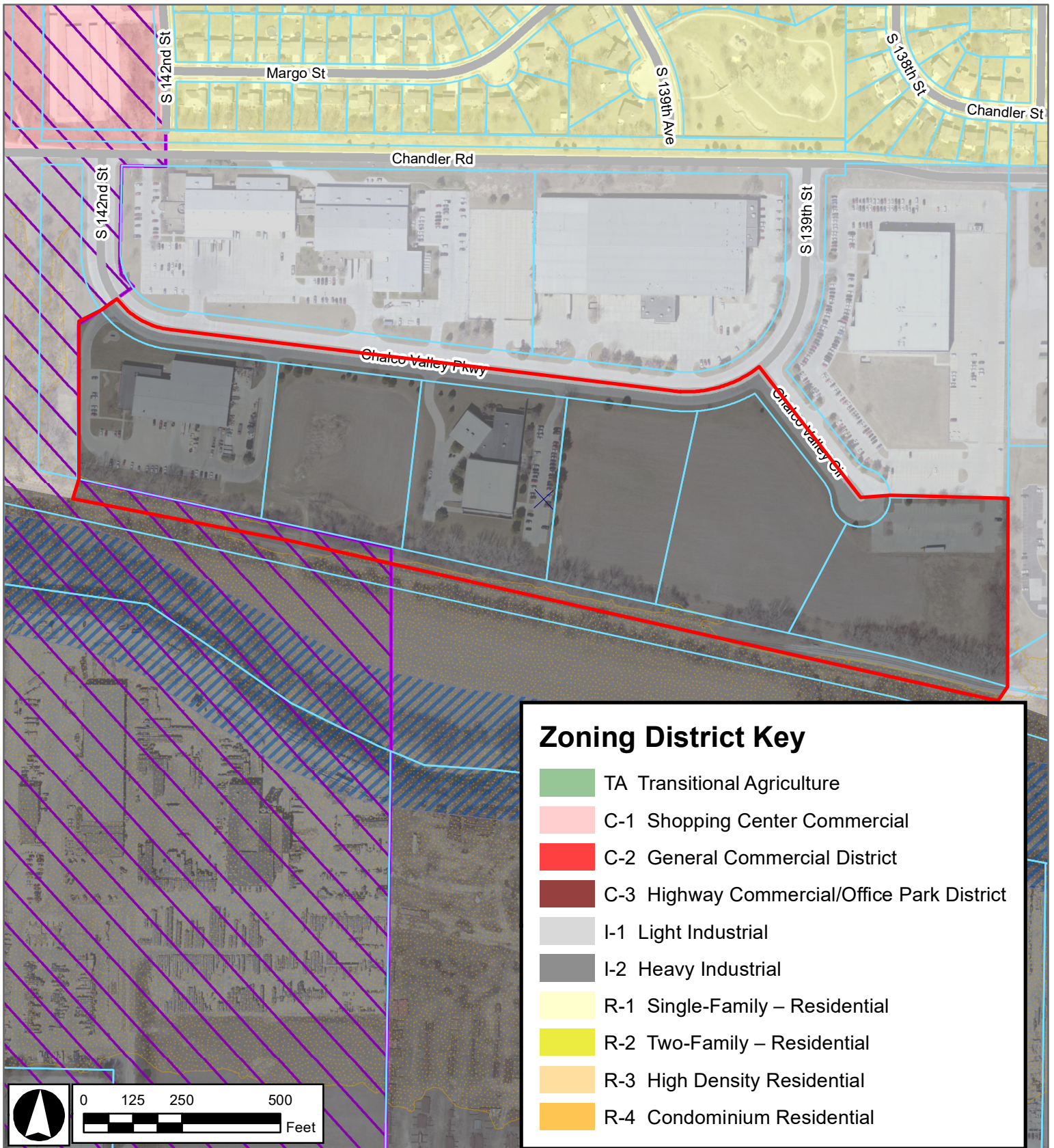
If you have any questions regarding these comments please feel free to contact me at any time.

Thank you,

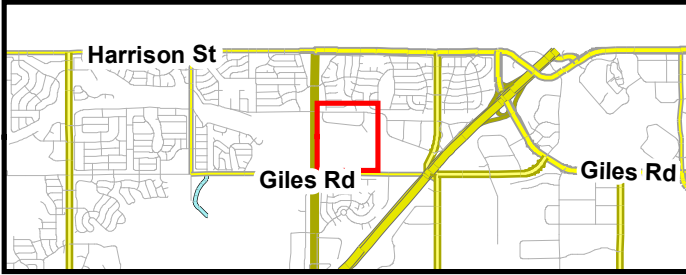
A handwritten signature in blue ink, appearing to read "Christopher Solberg", is written over the typed name and title.

Christopher Solberg, AICP
City Planner

cc: Joseph T. Flaxbeard, Lamp Rynearson
Ann Birch, Community Development Director
John Kottmann, City Engineer



Zoning Map Amendment Exhibit



Lots 6-11, Chalco Valley Business Park: Zoning Map Amendment

11/7/18
CRB





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Omaha, Nebraska 68154-2027 402.496.2730 | F
www.LRA-Inc.com

DRAWN BY	DESIGNED BY	REVIEWED BY	PROJECT - TASK NUMBER	DATE	BOOK AND PAGE	REVISIONS
JTF	JTF	JTF		10/01/2018		

CHALCO VALLEY BUSINESS PARK
LOTS 6-11 REZONING
PARCEL MAP AND LEGAL DESCRIPTION