

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JANUARY 21, 2014 AGENDA**

Subject:	Type:	Submitted By:
APPLICATION FOR REPLAT — LAKEVIEW SOUTH II REPLAT 6 (NW OF 145 TH & MEADOWS BLVD.)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared to approve a replat application for Lots 1 and 2, Lakeview South II Replat 6 (a replat of Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2), generally located northwest of 145th Street and Meadows Blvd.

FISCAL IMPACT

None.

RECOMMENDATION

Approve.

BACKGROUND

A public hearing has been scheduled and a resolution prepared to approve a replat application for Lots 1 and 2, Lakeview South II Replat 6, generally located northwest of 145th Street and Meadows Blvd. The application was submitted by the property owner, SWN Investments, LLC. The property is zoned I-1, Light Industrial, with the Gateway Corridor Overlay District. The property is currently vacant; the replat is for the purpose of a lot line adjustment.

The replat approval is conditioned on resolution of the following item:

1. The applicant must request releases for the side lot line easements along the previous lot line that is being dissolved by this replatting. Releases from the affected utility companies need to be provided to the city prior to releasing the final plat mylars for recording.

A detailed staff report is attached.

On December 19, 2013, the Planning Commission unanimously recommended approval of the proposed replat to Council.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE REPLAT FOR LOT 2 LAKEVIEW SOUTH II REPLAT 4 AND LOT 1 LAKEVIEW SOUTH II REPLAT 2, SARPY COUNTY, TO BE REPLATTED AS LOTS 1 AND 2, LAKEVIEW SOUTH II, REPLAT 6, A SUBDIVISION LOCATED IN THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2, Sarpy County, to be replatted as Lots 1 and 2, Lakeview South II, Replat 6; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on December 19, 2013, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to the resolution of items identified by the city engineer and staff; and

WHEREAS, Items remaining to be resolved include the following:

1. The applicant must request releases for the side lot line easements along the previous lot line that is being dissolved by this replatting. Releases from the affected utility companies need to be provided to the city prior to releasing the final plat mylars for recording.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2, Sarpy County, to be replatted as Lots 1 and 2, Lakeview South II, Replat 6, a subdivision located in the Northeast ¼ of Section 23, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located northwest of 145th Street and Meadows Boulevard, be, and hereby is, approved.

PASSED AND APPROVED THIS 21ST DAY OF JANUARY, 2014.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buehe, CMC
City Clerk

**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2013-SUB-03

FOR HEARING OF: January 21, 2014

Report Prepared on January 3, 2014

I. GENERAL INFORMATION

- A. APPLICANT:** SWN Investment, LLC
- B. PROPERTY OWNER:** SWN Investment, LLC
- C. LOCATION:** 145th Street, North of Meadows Blvd.
- D. LEGAL DESCRIPTION:** Lot 4, Lakeview South II and Lot 2, Lakeview South Replat 3, Sarpy County, Nebraska
- E. REQUESTED ACTION(S):** Replat of Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2.
- F. EXISTING ZONING AND LAND USE:**
I-1 Light Industrial District, Gateway Corridor District (Overlay District); Vacant.
- G. PURPOSE OF REQUEST:** Lot line adjustment to move lot line between Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2 southward.
- H. SIZE OF SITE:** 2.62 acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** The two lots are vacant. The topography is generally flat with a gradual downward slope to the north.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** Lot 2, Lakeview South II Replat 2; I-1, Light Industrial, Gateway Corridor District (Overlay District)
 - 2. **East:** Lot 1, Lakeview South II Replat 5; I-1, Light Industrial, Gateway Corridor District (Overlay District)
 - 3. **South:** Lot 1, Lakeview South II Replat 4; I-1, Light Industrial, Gateway Corridor District (Overlay District)
 - 4. **West:** Tax Lot 4, 23-14-11; I-1 Light Industrial and C-1 Shopping Center Commercial, Gateway Corridor District (Overlay District)

C. RELEVANT CASE HISTORY: N/A.

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan designates this property for industrial uses.

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. Vehicular access is provided to the property over an existing public street. Since the street currently dead-ends at the north end of the proposed lot, there appears to be temporary turn-around pavement on this lot. Sidewalks do not exist along 145th Street and have not been provided along the lots already developed. Sidewalks have not been required in industrial subdivisions in the past and would not be required until determined to be necessary in accordance with City policies.

D. UTILITIES:

1. Sanitary sewer exists in 145th Street abutting the lot. The sanitary sewer ends at a lift station at the current end of 145th Street and then pumps south into the SID 65 (Meadows) sanitary sewer system and then eventually flows into the Sarpy Industrial Sewer. Tract connection fees to Sarpy County will need to be addressed at the time of building permits.
2. Chapter 154 of the City 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. The application does not indicate any proposed grading or development at this time. When development does take place there will be a need for a Post Construction Storm Water Management Plan and erosion control/grading permit.
3. The Papillion Creek Watershed Partnership storm water management fee set forth in the City of La Vista Master Fee Schedule is not applicable to this property. As noted in the Master Fee Schedule the fee is collected when set forth in a subdivision agreement for new development or significant redevelopment. In accordance with Article 3.03.15 of the Subdivision Regulations, a draft subdivision agreement is required when the proposed subdivision will include public and/or private, shared (common area) infrastructure improvements which is not proposed in this application.

IV. PRELIMINARY PLAT REVIEW:

1. The preliminary plat was reviewed for compliance with Section 3.03 of the Subdivision Regulations. The submittal was found to be satisfactory. Certain items are not applicable due to the nature of the proposed replat.

V. FINAL PLAT REVIEW:

1. The final plat was reviewed for compliance with Section 3.05 of the Subdivision Regulations. Various items are not applicable due to the nature of the replatting. However the applicant will need to request release of the side lot line easements along the common line between Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2 that is being dissolved by this replatting. Releases from the affected utility companies need to be provided prior to the final plat mylars being signed by the City and released for recording. The City understands that utility companies are not processing such release requests until there is evidence of approval of the replat by the City. Therefore, the releases may not be available until after Planning Commission and City Council approval.

VII. STAFF RECOMMENDATION:

Staff recommends approval of Lakeview South II Replat 6.

VIII. PLANNING COMMISSION RECOMMENDATION:

On December 19, 2013 the Planning Commission voted to recommend approval, on a 7-0 vote, of Lakeview South II Replat 6.

VIII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Preliminary Plat Map
3. Final Plat Map
4. City Engineer's Report

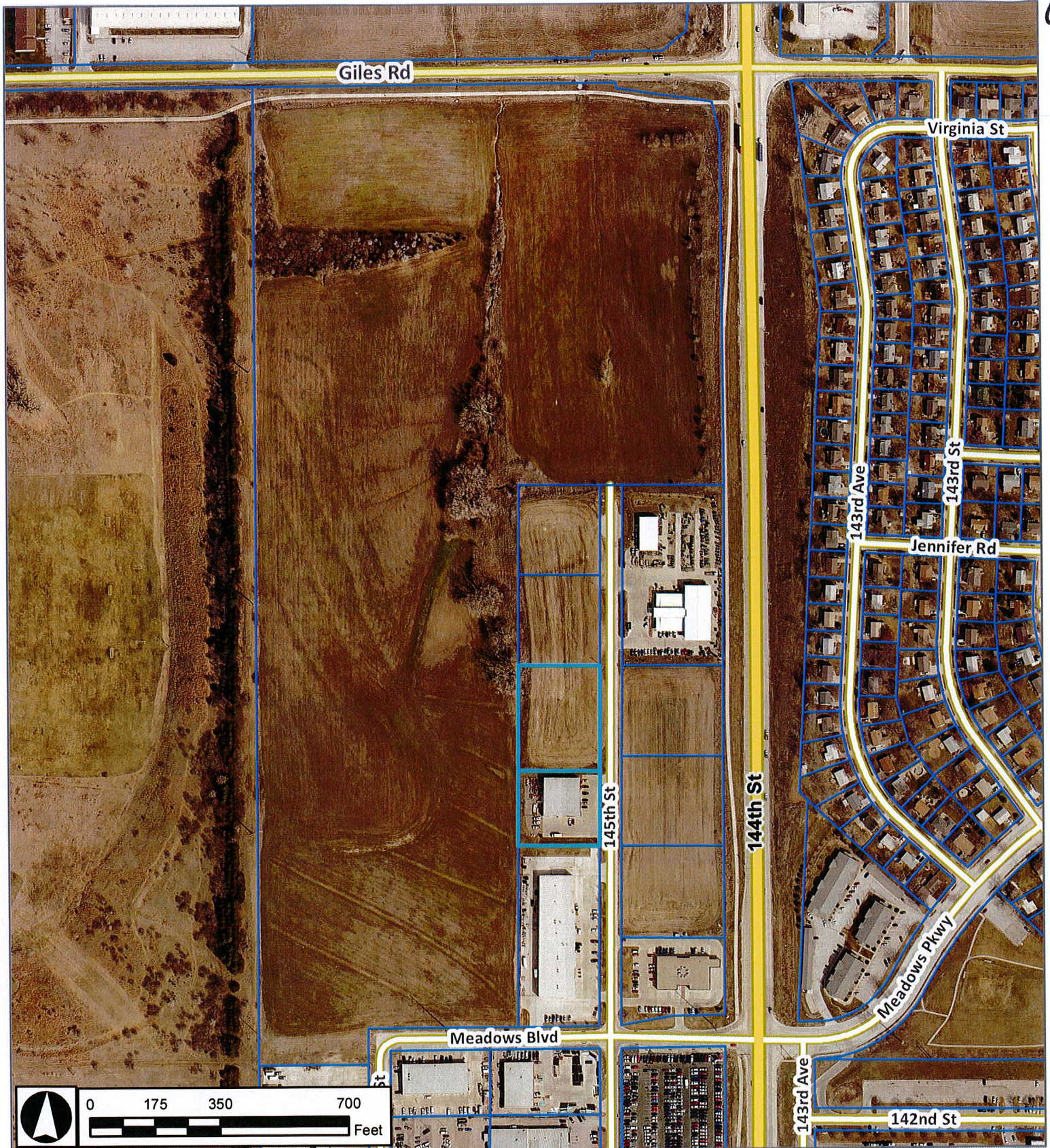
IX. COPIES OF REPORT TO:

1. Clay M. Rogers, Smith, Gardner, Slusky, Pohren & Rogers, LLP
2. Dean A. Jaeger, Thompson, Dreessen, and Dorner, Inc.
3. Public Upon Request

Prepared by:

Community Development Director

Date



Vicinity Map

Lakeview South II Replat 6

12/12/2013
CAS



LOTS 1 AND 2
BEING A REPLATTING OF LOT 2, LAKEVIEW SOUTH II REPLAT 4 AND LOT 1,
LAKEVIEW SOUTH II REPLAT 2, LOCATED IN THE NE 1/4 OF SECTION 23,
T14N, R11E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.

thompson, dreessen & dörner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 www.td2co.com

Project Name

Client Name

Professional Seal

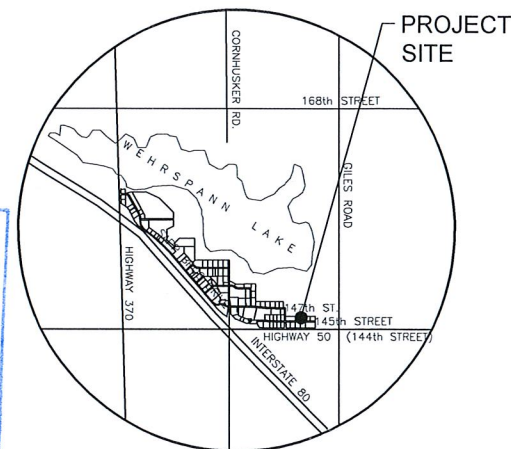
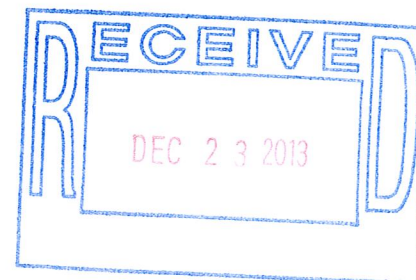
Revision Dates

[illegible]

Drawn By: DAJ Reviewed By:
Job No.: 549-214 Date: 9-12-13

Sheet Title

Sheet Number

VICINITY MAP ➤ ➤ ➤

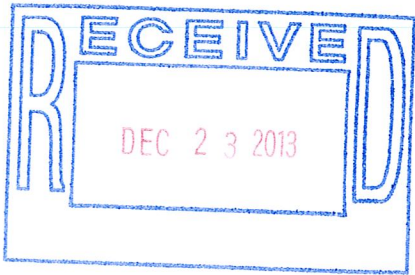
LOT 2, LAKEVIEW SOUTH II REPLAT 4 AND LOT 1, LAKEVIEW SOUTH II
REPLAT 2, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23,
TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY,
NEBRASKA

1. EXISTING ZONING IS I-1 LIGHT INDUSTRIAL. PROPOSED ZONING IS I-1 LIGHT INDUSTRIAL.
2. THE ANTICIPATED USE IS LIGHT MANUFACTURING, STORAGE, SHOWROOM, AND OFFICES.
3. 25' WIDE PCC PAVEMENT IS CURRENTLY IN PLACE
4. ALL UTILITIES SERVING THE AREA ARE CURRENTLY IN PLACE AND ARE PROVIDED AS FOLLOWS:
 - 4.1. WATER IS PROVIDED BY S.I.D. 48 OF SARPY COUNTY.
 - 4.2. SANITARY SEWER COLLECTION SERVICE IS PROVIDED BY S.I.D. 48 OF SARPY COUNTY. TREATMENT IS PROVIDED BY THE CITY OF OMAHA.
 - 4.3. GAS WILL BE PROVIDED BY BLACK HILLS ENERGY.
 - 4.4. POWER WILL BE PROVIDED BY THE OMAHA PUBLIC POWER DISTRICT.

SWN INVESTMENTS, L.L.C.
LEE SAPP, MANAGING MEMBER
14450 MEADOWS BLVD.
OMAHA, NEBRASKA 68134
PHONE: 402-895-3113
FAX: 402-895-9581

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LEE SAPP MANAGING MEMBER
14450 MEADOWS BLVD.
OMAHA, NEBRASKA 68134
PHONE: 402-895-3113
FAX: 402-895-9581

THOMPSON, DRESSEN AND DORNER
DEAN JAEGER, PROJECT ENGINEER
10836 OLD MILL ROAD
OMAHA, NEBRASKA 68154
PHONE: 402-330-8860
E-MAIL: DJAEGER@TD2CO.COM



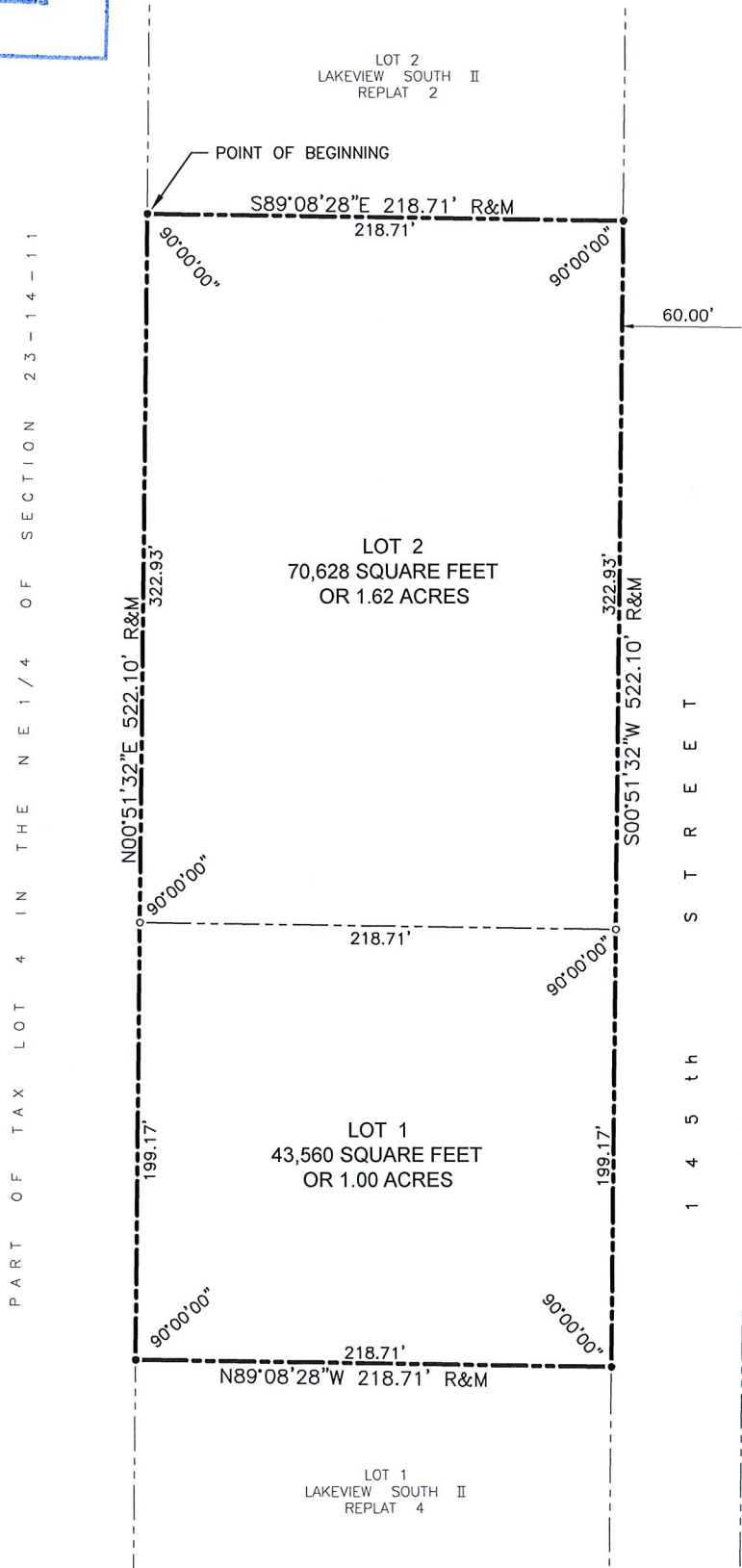
LAKEVIEW SOUTH II REPLAT 6

LOTS 1 AND 2

BEING A REPLATTING OF LOT 2, LAKEVIEW SOUTH II REPLAT 4 AND
LOT 1, LAKEVIEW SOUTH II REPLAT 2, LOCATED IN THE NE 1/4 OF
SECTION 23, T14N, R11E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.



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



LOT 4
LAKEVIEW SOUTH II
REPLAT 2

LOT 2
LAKEVIEW SOUTH II
REPLAT 3

LOT 1
LAKEVIEW SOUTH II
REPLAT 3

LOT 2
70,628 SQUARE FEET
OR 1.62 ACRES

LOT 1
43,560 SQUARE FEET
OR 1.00 ACRES

LEGEND

- CORNERS FOUND (5/8" REBAR)
- CORNERS SET (5/8" REBAR W/CAP #308)
- R RECORDED DISTANCE
- M MEASURED DISTANCE

SURVEYOR'S CERTIFICATE

I HEREBY 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 LAKEVIEW SOUTH II REPLAT 6, LOTS 1 AND 2, BEING A REPLATTING OF LOT 1, LAKEVIEW SOUTH II REPLAT 2 AND LOT 2, LAKEVIEW SOUTH II REPLAT 4, BOTH SUBDIVISIONS IN SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID LOT 1;
THENCE S89°08'28"E (ASSUMED BEARING) 218.71 FEET ON THE NORTH LINE OF SAID LOT 1 TO THE NE CORNER THEREOF;
THENCE S00°51'32"W 522.10 FEET ON THE EAST LINES OF SAID LOTS 1 AND 2 TO THE SE CORNER OF SAID LOT 2;
THENCE N89°08'28"W 218.71 FEET ON THE SOUTH LINE OF SAID LOT 2 TO THE SW CORNER THEREOF;
THENCE N00°51'32"E 522.10 FEET ON THE WEST LINES OF SAID LOTS 2 AND 1 TO THE POINT OF BEGINNING.

AUGUST 22, 2013
DATE:

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT WE, SWN INVESTMENTS LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS LAKEVIEW SOUTH II REPLAT 6, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY 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 THE 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.

SWN INVESTMENTS LLC,
A NEBRASKA LIMITED LIABILITY COMPANY

BY: _____
LEE H. SAPP, GENERAL PARTNER

ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SARPY)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013 BY LEE H. SAPP, GENERAL PARTNER OF SWN INVESTMENTS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

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 _____, 2013.

SARPY COUNTY TREASURER

APPROVAL OF THE LA VISTA CITY COUNCIL

THIS PLAT OF LAKEVIEW SOUTH II REPLAT 6 WAS APPROVED BY THE LA VISTA CITY COUNCIL THIS _____ DAY OF _____, 2013.

CITY CLERK

MAYOR

APPROVAL OF THE LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF LAKEVIEW SOUTH II REPLAT 6 WAS APPROVED BY THE LA VISTA CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013.

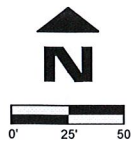
CHAIRMAN OF LA VISTA PLANNING COMMISSION

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF LAKEVIEW SOUTH II REPLAT 6 WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS _____ DAY OF _____, 2013.

COUNTY SURVEYOR/ENGINEER

LAKEVIEW SOUTH II REPLAT 6
LOTS 1 AND 2



Revision Dates

No.	Description	MM-DD-YY
1	Initial Plat	08-26-13
2	Final Plat	08-26-13

Job No.: B549-214B
Drawn By: RJR
Reviewed By: JDW
Date: SEPT. 26, 2013
Book:
Page:

Sheet Title

SARPY COUNTY
FINAL PLAT

Sheet Number

SHEET 1 OF 1



October 28, 2013

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

RE: Application for Replat-Initial Review
Lakeview South II Replat 6

Chris:

I have reviewed the replat application drawings package that you sent to me requesting comments by Friday, November 1, 2013. The proposal would replat Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2 into two lots to be known as Lots 1 and 2, Lakeview South II Replat 6 as proposed by the applicant. I offer the following comments:

TRAFFIC & ACCESS:

1. Vehicular access is provided to the property over an existing public street. Sidewalks do not exist along 145th Street and have not been provided along the lots already developed. Sidewalks have not been required in industrial subdivisions in the past and would not be required until determined to be necessary in accordance with City policies.

UTILITIES & DRAINAGE:

2. Sanitary sewer exists in 145th Street abutting the lot. The sanitary sewer ends at a lift station at the current end of 145th Street and then pumps south into the SID 65 (The Meadows) sanitary sewer system and then eventually flows into the Sarpy Industrial Sewer. Tract connection fees to Sarpy County will need to be addressed at the time of building permits.

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 Works
9900 Cornhusker Rd.
p: 402-331-8927
f: 402-331-1051

Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

3. 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. The application does not indicate any proposed grading or development at this time. When development does take place there will be a need for a Post Construction Storm Water Management Plan and an erosion control/grading permit.
4. The Papillion Creek Watershed Partnership storm water management fee set forth in the City of La Vista Master Fee Schedule is not applicable to this property. As noted in the Master Fee Schedule the fee is collected when set forth in a subdivision agreement for new development or significant redevelopment. In accordance with Article 3.03.15 of the Subdivision Regulations, a draft subdivision agreement is required when the proposed subdivision will include public and/or private, shared (common area) infrastructure improvements which is not proposed in this application.

PRELIMINARY PLAT REVIEW:

5. The preliminary plat was reviewed for compliance with Section 3.03 of the Subdivision Regulations. The submittal was found to be satisfactory. Certain items are not applicable due to the nature of the proposed replat.

FINAL PLAT REVIEW:

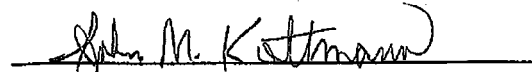
6. The final plat was reviewed for compliance with Section 3.03 of the Subdivision Regulations. Various items are not applicable due to the nature of the replatting, however; the applicant will need to request release of the side lot line easements along the common line between Lot 2, Lakeview South II Replat 4 and Lot 1, Lakeview South II Replat 2 that is being dissolved by this replatting. Releases from the affected utility companies need to be provided prior to the final plat mylars being signed by the City and released for recording. I understand that utility companies are not processing such release requests until there is evidence of approval of the replat by the City. Therefore, the releases may not be available until after Planning Board and/or City Council approval.

PLAT APPLICATION & MISC:

7. I did not see an Application form. I assume the applicant provided the names of owners within 300 feet of the property, the necessary number of copies, and the plat application fee for a Replat application.
8. Provide a copy to the City of any existing or proposed private protective covenants affecting this property.

I recommend approval of the replat request.

Please feel free to contact me if you have questions about my recommendations.

A handwritten signature in cursive script, reading "John M. Kottmann", is written over a solid horizontal line.

John M. Kottmann

City Engineer