

ITEM D

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

Subject:	Type:	Submitted By:
APPLICATION FOR REZONING & PRELIMINARY PUD PLAN, LOTS 1 & 2, BELLA LA VISTA (NE OF 132 ND & CENTECH ROAD)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for a rezoning and a resolution prepared to approve the Preliminary PUD Plan for approximately 39.59 acres located northeast of 132nd Street and Centech Road.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider a rezoning and Preliminary PUD Plan application by Edward Rose Development Company, LLC on approximately 39.59 acres currently platted as Lots 1 and 2, Bella La Vista. The rezoning request is to change Lot 1, Bella La Vista, from C-3, Highway Commercial/Office Park District with the Gateway Corridor Overlay District, to R-3, High Density Residential, with the PUD Overlay District and the Gateway Corridor Overlay District. The project is located on the east side of 132nd Street, generally between Chandler Road and Centech Road.

The property is currently zoned R-3 and C-3 however the applicant proposes to incorporate the commercial lot into the multi-family development and has applied for the rezoning to change Lot 1, Bella La Vista, to R-3. The applicant has also submitted a request for a replat (proposed to be replatted as Lot 1, Andover Pointe) and a waiver of Section 4.02 of the Subdivision Regulations regarding the continuation of through streets. Approval of the rezoning and Preliminary PUD Plan will allow for the applicant to proceed with the replat, submittal of the Final PUD Plan and the Conditional Use Permit for the multi-family use.

A detailed staff report is attached.

The Planning Commission held a public hearing on September 18, 2014, and unanimously recommended approval of the rezoning, the Preliminary PUD Plan, Replat and waiver of Section 4.02 of the Subdivision Regulations regarding continuation of adjacent streets.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) FOR LOTS 1 AND 2 BELLA LA VISTA, SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of Final PUD Plan for lots 1 and 2 Bella La Vista; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary plat and Preliminary PUD Plan; and

WHEREAS, on September 18, the La Vista Planning Commission held a public hearing and reviewed the Preliminary PUD Plan and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Preliminary PUD Plan for lots 1 and 2, Bella La Vista, Sarpy County, Nebraska, be, and hereby is, approved subject to resolution of items identified by the city engineer and staff..

PASSED AND APPROVED THIS 21ST DAY OF OCTOBER 2014.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2014-PUD-03

FOR HEARING OF: October 21, 2014
Report Prepared on: October 14, 2014

I. GENERAL INFORMATION

A. APPLICANT:

Mark Harrison
Edward Rose Development Company, LLC
6101 Newport Road, P.O. Box 3015
Kalamazoo MI, 49003-3015

B. PROPERTY OWNER:

Central State Bank
109 West Main
State Center, IA 50247

C. LOCATION: Northeast of 132nd and Centech Road

D. LEGAL DESCRIPTION: Lots 1 and 2 Bella La Vista

E. REQUESTED ACTION(S): Public hearing for the rezoning of Lot 1 Bella La Vista and approval of Preliminary PUD Plan.

F. EXISTING ZONING AND LAND USE: Lot 1 Bella La Vista: C-3 – Highway Commercial/Office Park District, Gateway Corridor District (Overlay District); Lot 2 Bella La Vista: R-3 – High Density Residential, PUD – Planned Unit Development (Overlay District), and Gateway Corridor District (Overlay District); Lot 1 is currently developed as a truck yard and Lot 2 is vacant.

G. PURPOSE OF REQUEST: Multi-family housing development.

H. SIZE OF SITE: 39.59 Acres

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property has rolling terrain, sloping downwards to the south. Preliminary site grading, surcharging, and the installation of some underground infrastructure had been completed for a previous multi-family project (Bella La Vista).

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Millard Highlands South; R-1 Single-Family Residential
2. **East:** Southport West; C-3 Highway Commercial/Office Park, PUD – Planned Unit Development (Overlay District)
3. **South:** Southport West; C-3 Highway Commercial/Office Park, PUD – Planned Unit Development (Overlay District)
4. **West:** Centech Business Park; I-1 Light Industrial

C. RELEVANT CASE HISTORY:

1. Rezoning of Lot 2 Bella La Vista from TA – Transitional Agriculture to R-3 – High Density Residential was approved May 16, 2006.
2. At their June 5, 2012 meeting, the City Council approved the Final PUD, Conditional Use Permit, Replat and Subdivision Agreement for the Bella La Vista development. The replat was never recorded and the development never progressed beyond initial rough site grading.

D. APPLICABLE REGULATIONS:

1. Section 5.08 of the Zoning Regulations – R-3 High Density Residential
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development (Overlay District)
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan designates the area for high-density residential development.

B. OTHER PLANS: Traffic Impact Analysis.

C. TRAFFIC AND ACCESS:

1. The main access for the property will be the intersection of 132nd Street and Chandler Road. A secondary access will be constructed in a later phase at the intersection of 132nd Street and Centech Road.
2. The developer is requesting a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets, waiving the requirement for an extension of existing streets that abut the plat at 130th Street and Highland Boulevard. The developer has requested the waivers as the development will provide two routes of ingress/egress through 132nd Street and Chandler Road as well as 132nd and Centech Road, alleviating the need for additional connections to the north. The internal street system is

proposed and designed as private roads and not intended for public access.

3. A traffic impact analysis has been reviewed by Felsburg, Holt & Ullevig the traffic engineering consultant hired by the City. They have found the study to be acceptable.

The study recommends the widening of a portion of 132nd Street to include northbound and southbound left turn bays at Chandler Road, as well as a northbound right turn lane. Staff has requested the addition of this activity to the phasing plan.

The study has noted that existing traffic volumes on 132nd Street warrant a southbound right-turn bay at Chandler Road. However, that is due to existing traffic and will not serve new traffic to or from the proposed Andover Pointe development; therefore, the southbound right-turn bay has not been required as part of the street widening of 132nd Street by this development.

Staff has discussed the phasing of the development regarding emergency access routes. The proposal shows Phases 1, 2, and 3 being served by a single point of access from 132nd Street. When Phase IV develops, a second access from 132nd Street would be constructed. Staff recommends that the applicant consider swapping Phase 2 with Phase 4 (including the road connection to Centech) so that a second access to 132nd Street occurs earlier in the phased construction of the development.

4. The intersection of 132nd and Giles is currently scheduled for reconstruction in 2016. Which, according to the developer's proposed phasing schedule, would likely be completed, or nearly completed, before the construction of Phase 3.

D. UTILITIES:

1. The property has access to water, sanitary sewer, gas, power and communication utilities along 132nd Street.
2. Storm water management fees will be collected at the time of building permit and will be remitted to the Papillion Creek Watershed Partnership in accordance with the recently updated Interlocal Cooperation Agreement.

IV. REVIEW COMMENTS:

1. With approval of the Preliminary PUD Plan, the applicant will also need to have the Final PUD Plan, Conditional Use Permit, and Replat approved in order to commence the development process.
2. Section 7.05.08 of the Zoning Ordinance requires multi-family developments to have a minimum of 0.5 enclosed garages per unit. The developer requested a reduction in this minimum based on their experience with garage usage as discussed in the attached garage parking study. Based on the review of the study, Condition 2(d) of the Conditional Use Permit specifically allows for 0.25 fully enclosed single-vehicle parking garages per residential unit.
3. The proposed development has completed the design review process under the Gateway Corridor District Regulations. Design review documentation has been included in your packet. The developer is requesting a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets, waiving the requirement for an extension of existing streets that abut the plat at 130th Street and Highland Boulevard.

The developer has requested the waivers as the development will provide two routes of ingress/egress through 132nd Street and Chandler Road as well as 132nd and Centech Road, alleviating the need for additional connections to the north. The internal street system is proposed and designed as private roads and not intended for public access.
4. The applicant has revised the plans to show no encroachment onto NDOR right of way for I-80 and therefore would not have to obtain a permit to work on state right-of-way. The applicant has also prepared a drainage study indicating that they do not propose to *increase* the peak flows being discharged onto NDOR right-of-way. However, since the runoff will be discharged onto NDOR property, the drainage study is required to be submitted to the NDOR to avoid future delays or costs related to any claims about inadequate management of storm water runoff. The drainage report has been submitted. No grading or building permits should be granted until the NDOR has accepted the drainage report.
5. Chapter 154 of the City Municipal Code requires a Post Construction Storm Water Management Plan (PCWSMP). A permit will be required through the Permix website that is utilized by all Papillion Creek Watershed Partnership communities. A PCSWMP and a draft Maintenance Agreement have been provided in the draft Subdivision Agreement. The PCSWMP will be reviewed in detail as part of the review process through the Permix web site, but the concept of using several extended detention basins to serve the development is acceptable. Some ponds will have permanent pools.
6. Staff has requested changes to the phasing plan to include a line item for the widening of 132nd Street at Chandler, as well as to

correct an assumed error in the building construction start date of Phase 1.

V. STAFF RECOMMENDATION - Rezoning from R-3 to R-3 PUD and Preliminary PUD Plan:

Approval of Rezoning from C-3, with a Gateway Corridor District (Overlay District) to R-3 PUD with a Gateway Corridor District (Overlay District) for Lot 1 and Preliminary PUD Plan for Lots 1 and 2 Bella La Vista (to be replatted as Lot 1 Andover Pointe).

V. PLANNING COMMISSION RECOMMENDATION - Rezoning from C-3 to R-3 PUD and Final PUD:

The Planning Commission held a public hearing on September 18, 2014 and unanimously recommended approval of Rezoning from C-3 to R-3 PUD for Lot 1 and Preliminary PUD Plan for Lots 1 and 2 Bella La Vista (to be replatted as Lot 1 Andover Pointe).

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Introductory booklet provided by developer (CC members only)
3. PUD Site Plan maps
4. PUD Landscape Plan map
5. PUD Plan Cross-Sections
6. Phasing plan
7. Garage parking study

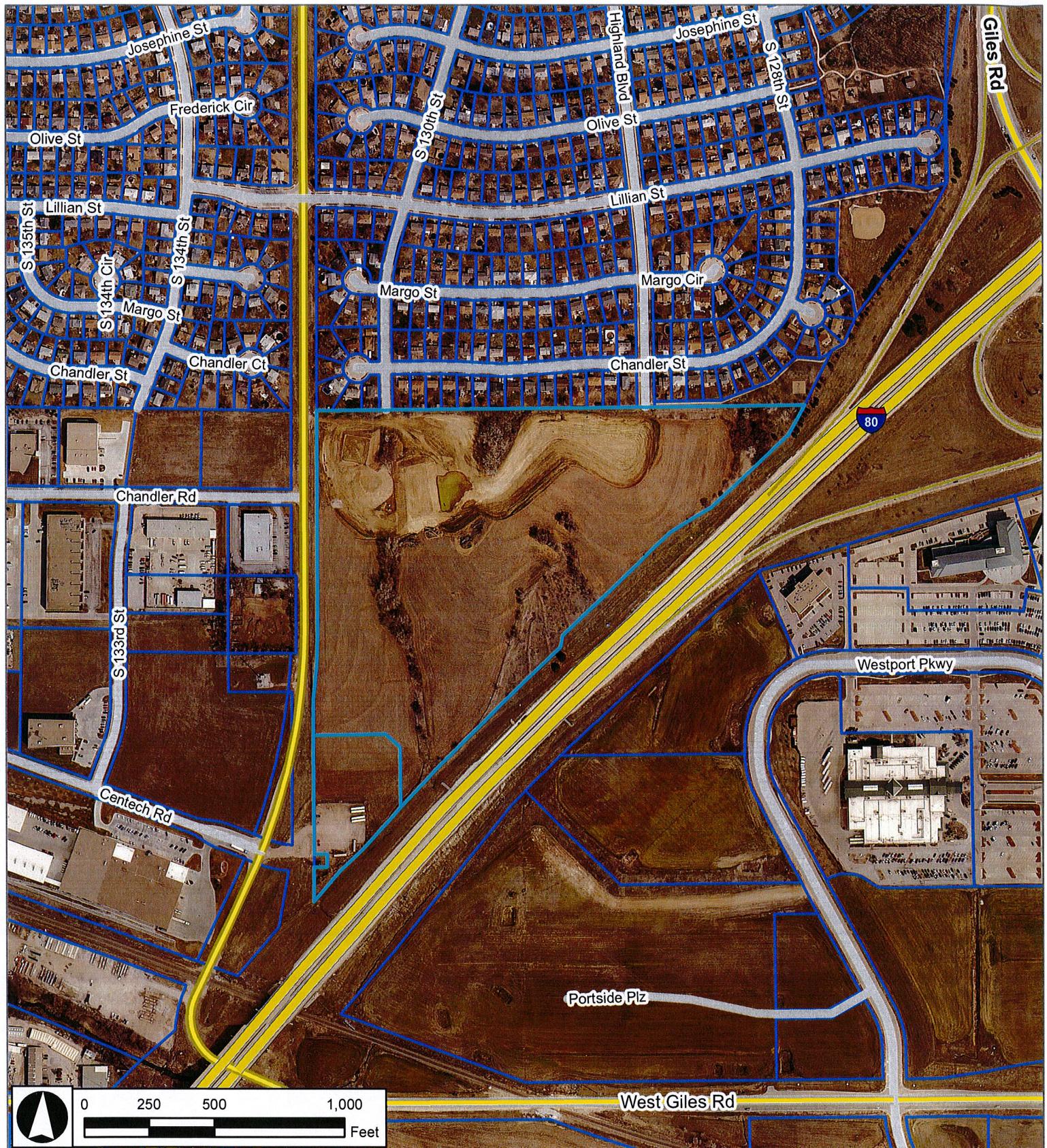
VII. COPIES OF REPORT SENT TO:

1. Mark Harrison, Edward Rose Development Company, LLC
2. Jason Thiellen, E & A Consulting Group
3. Public Upon Request

Prepared by:

Community Development Director

Date



Vicinity Map

Andover Pointe Rezoning, PUD, Replat, and CUP

September 10, 2014

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