



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2015-CUP-02

FOR HEARING OF: May 28, 2015

Report Prepared on May 28, 2015

I. GENERAL INFORMATION

- A. APPLICANT:** Omaha Motoring Club
- B. PROPERTY OWNER:** Omaha Motoring Club
- C. LOCATION:** South 118th Street and Peel Circle
- D. LEGAL DESCRIPTION:** Lots 8 and 16, Harrison Hills (to be replatted as Lot 1, Harrison Hills Replat 5) in the NW¼ of Section 17, Township 14 North, Range 12 East of the 6th P.M.
- E. REQUESTED ACTION(S):** Conditional Use Permit
- F. EXISTING ZONING AND LAND USE:**
I-1 Light Industrial; the property is currently vacant.
- G. PROPOSED USES:** The Conditional Use Permit would allow for a Industrial Condominium consisting of 6 buildings with 88 units.
- H. SIZE OF SITE:** 7.37 acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** Vacant, mostly flat with a gradual downgrade to the southwest.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** Lot 1 Harrison Hills; C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District)
 - 2. **East:** Harrison Hills Apartment Complex; R-3 High Density Residential District and Gateway Corridor District (Overlay District)
 - 3. **South:** Salon Centric; I-1 Light Industrial District
 - 4. **West:** Tax Lots 11 & 15, 17-14-12; TA Transitional Agriculture District
- C. RELEVANT CASE HISTORY:**
 - 1. N/A

D. APPLICABLE REGULATIONS:

1. Section 5.13 of the Zoning Regulations – I-1 Light Industrial
2. Article 6 of the Zoning Regulations – Conditional Use Permits

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. Access will be from proposed egress / ingress to Peel Circle. Traffic impacts from this development are expected to be minor.

E. UTILITIES: All utilities are available to the site.

F. PARKING REQUIREMENTS: The zoning ordinance requires 31 spaces for the 92,230 square feet of Industrial Use/Flex Space. The site plan provides for 78 spaces, exceeding the amount of parking spaces required.

G. LANDSCAPING: Development of this lot will need to be landscaped according to Section 7.17 of the La Vista Zoning Ordinance. Landscaping is detailed in condition “2e” of the Conditional Use Permit and represented in Exhibit “A”.

IV. REVIEW COMMENTS:

1. Prior to the signing of the approved Conditional Use Permit, an Administrative Plat needs to be approved by City staff and recorded at the Sarpy County Register of Deeds. The plat would consolidate lots 8 and 16 of Harrison Hills to a single lot for this development.
2. Prior to the issuance of a building permit, the project will need to receive FAA approval due to its proximity to the Millard Airport.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT (CUP):

Staff recommends approval of the Conditional Use Permit, conditional on the approval and recording of the Administrative Plat prior to signing of the approved Conditional Use Permit.

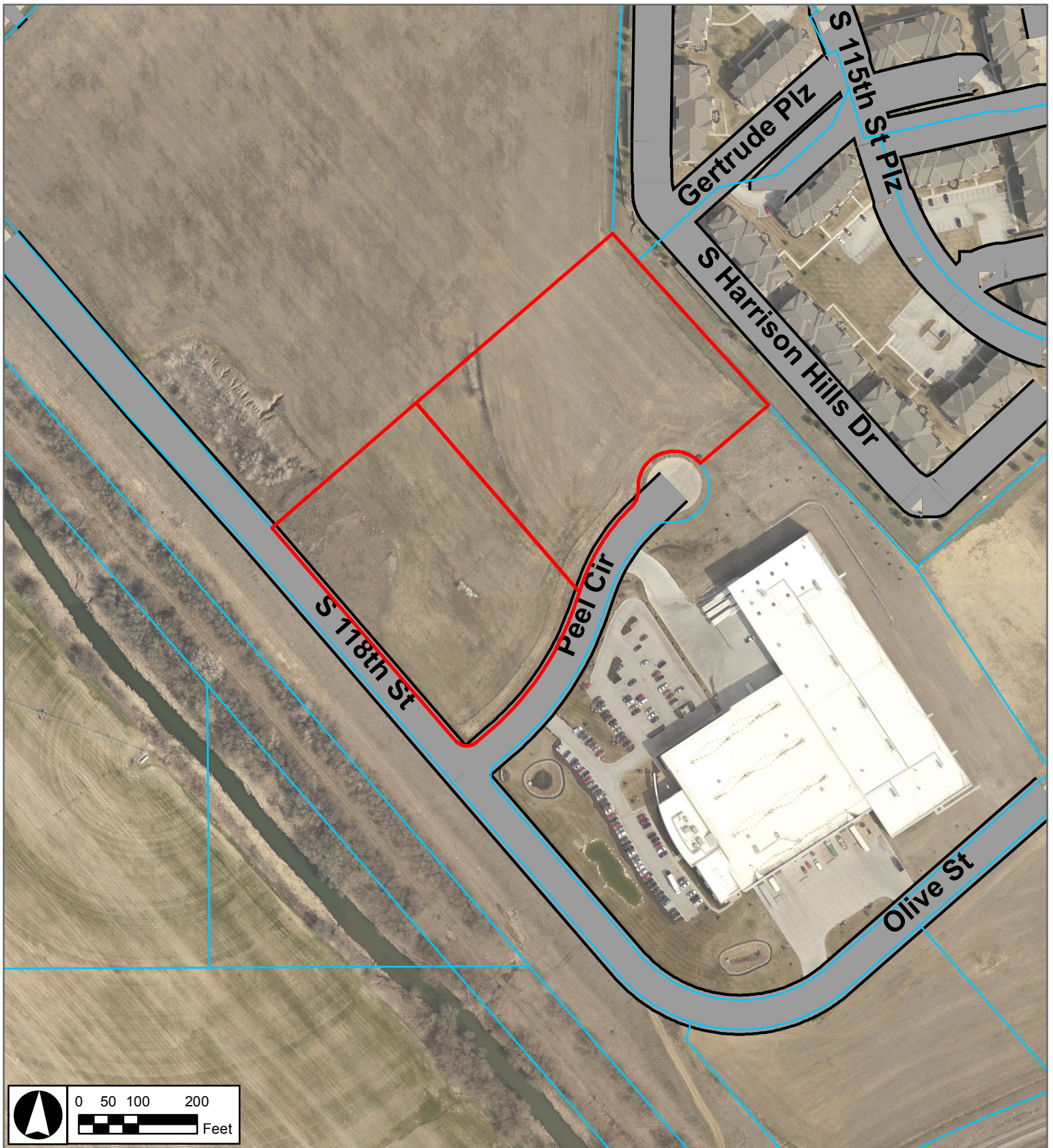
VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Review comments from the City Planner and response letter from developer.
3. Draft Conditional Use Permit

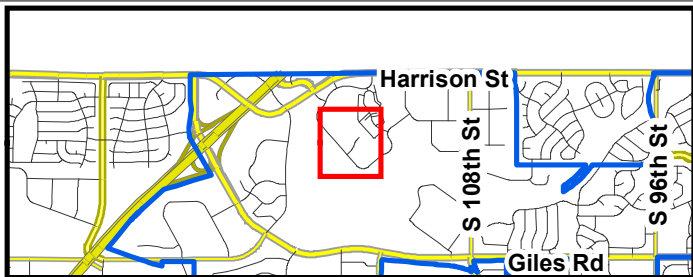
VIII. COPIES OF REPORT TO:

1. Matt Dinsdale, Omaha Motoring Club
2. Public Upon Request


Prepared by _____
 5-14-15
Community Development Director Date



Project Vicinity Map



Omaha Motoring Club

5-8-2015
CSB





April 15, 2015

Matt Dinsdale
3316 S. 186th Street
Omaha, NE 68130

RE: Conditional Use Permit Application – Initial Review
Omaha Motoring Club
Lots 8 & 16 Harrison Hills

Mr. Dinsdale:

Thank you for your submittal of the Omaha Motoring Club – Industrial Condominium Conditional Use Permit (CUP) request. Staff has reviewed the initial submittal and have provided the following initial comments:

1. The applicant needs to provide information about what kind of activities will be permitted in the project. For example, will owners be working on their vehicles outside in front of their units?
2. Details on the type of fencing proposed around the perimeter of the project should be provided. Additional screening along the north side of the project may be needed.
3. The on-site roads and parking should be paved. It is assumed that these areas are paved, however, it does not call this out on the plans.
4. Storm water management is not identified on the plans. A conceptual proposal should be set forth to address Article 6.05.04 of the Zoning Ordinance.
5. Since the plan identify trench drains in each unit, it would appear that each building will have a sanitary sewer connection. Also, these trench drains need to have grit traps which can be addressed at building permit reviews. However, there should be information provided as to whether each building is going to have a sanitary and water service and how many connections to the public mains in the street are proposed.
6. What provisions will be made for dumpsters and screening of dumpsters?
7. The spacing from the gate to the curb line in Peel Circle should be reviewed to have adequate room for vehicles to pull off the street while waiting for the gate to open.
8. Site lighting appears to be in the form of building sconces. Are any other lighting sources proposed?
9. The site currently consists of two lots. These lots will need to be consolidated through an Administrative Plat, prior to the signing of the approved Conditional Use Permit.
10. Please provide the square footage of each building. The total square footage of the buildings will aid in the determination of minimum parking requirements.
11. Fire lanes are not dimensioned. City Code requires a 24' minimum width.
12. Prior to the issuance of a building permit, the project will need to receive FAA approval due to its proximity to the Millard Airport.

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

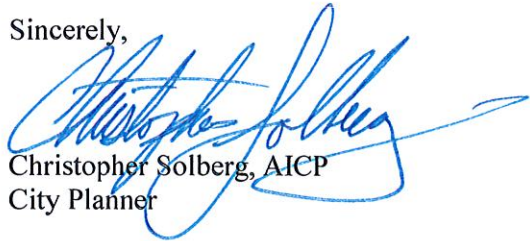
www.cityoflavista.org
info@cityoflavista.org

A draft Conditional Use Permit will be forwarded to you in the coming days for your review.

Please provide revisions prior to April 27th to remain under consideration for the May 28th Planning Commission meeting.

Should you have any questions please contact me at 402-331-4343 or csolberg@cityoflavista.org.

Sincerely,



Christopher Solberg, AICP
City Planner

Cc: Ann Birch, Community Development Director
John Kottmann, City Engineer
Jeff Sinnett, Chief Building Official

Omaha Motoring Club

April 28, 2015

City of LaVista

Community Development

8116 Park View Blvd.

ATTN: Mr. Chris Solberg

Mr. Solberg:

We have received your letter of initial review, and offer up the following explanations for your questions on our project:

- 1) The applicant needs to provide information about what kind of activities will be permitted in the project. For example, will owners be working on their vehicles outside in front of their units?
We will have a set of covenants as part of the HOA which will address these concerns. As far as working on your vehicle outside of your unit: no, we do not foresee this being 'allowed'.
- 2) Details on the type of fencing proposed around the perimeter of the project should be provided. Additional screening along the north side of the project may be needed.
Please see attached.
- 3) The on-site roads and parking should be paved. It is assumed that these areas are paved; however, it does not call this out on the plans.
That is correct, the roads 'on-site' WILL indeed be paved. It has not yet been determined whether they will be asphalt or concrete, but they will be paved.
- 4) Storm water management is not identified on the plans. A conceptual proposal should be set forth to address Article 6.05.04 of the Zoning Ordinance.
The project civil engineer, Lamp Ryneerson and Associates, will coordinate with La Vista Public Works to develop a mutually acceptable Post Construction Storm Water Management Plan (PCSMP). The PCSMP plan will meet City of La Vista requirements for storm water quality and quantity. We anticipate that the City of La Vista will apply "no net increase" requirements for storm runoff between pre- and post-development conditions; therefore, on-site storm water runoff detention and/or retention will be required to control excess flows. A PCSMP will also be required to capture the first ½-inch of runoff from the site. Preliminary design includes a storm water quality pond(s) sized to meet the City requirements. After completion of construction, installed PCSMP measures will be certified and the appropriate documents forwarded to the City

of La Vista. The site slopes down from east to west. The accompanying site plan shows areas reserved for storm water detention on-site. See attached.

- 5) Since the plans identify trench drains in each unit, it would appear that each building will have a sanitary sewer connection. Also, these trench drains need to have grit traps which can be addressed at building permit reviews. However, there should be information provided as to whether each building is going to have a sanitary and water service and how many connections to the public mains in the street are proposed.

Each building will have a utility infrastructure – water, gas, electrical, sanitary sewer. The buildings will be equipped with a fire sprinkler system. It anticipated that each bay will have a trench drain or floor drain – owner's option. Each building will have a grease and sand trap. We anticipate that there will be one (no more than two depending on phasing) tap for water and sewer off the city mains.

- 6) What provisions will be made for dumpster's and screening of dumpsters?

The accompanying site plan shows areas reserved for a trash enclosure. It is anticipated the enclosure will be constructed of a burnished masonry unit with opaque access doors. See attached.

- 7) The spacing from the gate to the curb line in Peel Circle should be reviewed to have adequate room for vehicles to pull off the street while waiting for the gate to open.

The accompanying site plan shows the depth of the approach in front of the gate as shown. We are certainly open to discussing this depth. See attached.

- 8) Site lighting appears to be in the form of building sconces. Are any other lighting sources proposed?

Site lighting is anticipated to be wall sconces. It is the intent of the design to have no light drift beyond the property line.

- 9) The site currently consists of two lots. These lots will need to be consolidated through an Administrative Plat, prior to the signing of the approved Conditional Use Permit.

Chris did mention this to me, and I understand this to be a requirement.

- 10) Please provide the square footage of each building. The total square footage of the buildings will aid in the determination of minimum parking requirements.

There are five building footprints of 16,951 GSF each, and one that is 8,475 GSF for a total of 93,230 GSF.

- 11) Fire lanes are not dimensioned. City Code requires a 24' minimum width.

The accompanying site plan shows the minimum drive lane at 24' – 0". See attached.

- 12) Prior to the issuance of a building permit, the project will need to receive FAA approval due to its proximity to the Millard Airport.

We will seek FAA approval.



City of La Vista Conditional Use Permit

Conditional Use Permit for Industrial Condominium

This Conditional Use Permit issued this _____ day of _____, 2015, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to, Omaha Motoring Club (“Owner”), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate a new industrial condominium facility as permitted in the I-1 Zoning District upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lots 8 and 16, Harrison Hills (to be replatted as Lot 1, Harrison Hills Replat 5) in the NW¼ of Section 17, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska (“Property”).

WHEREAS, Owner has applied for a conditional use permit for the purpose of constructing and operating a new industrial condominium facility based upon the criteria prescribed in the La Vista Zoning Ordinance; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes on the Property, subject to certain conditions and agreements as hereinafter provided and prescribed in the La Vista Zoning Ordinance.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on Exhibit “A” hereto for the construction of a new storage facility, said use hereinafter being referred to as “Permitted Use or Use”.

Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof without the prior written consent of the City (amendment to permit) shall cause permit to expire and terminate, unless exempted herein.
2. In respect to the proposed Use:
 - a. Site plans showing the boundaries of the Property and easements, proposed structures, parking, limited access points, utilities, and drives is provided and attached to the permit as “Exhibits A, B, C and D”.
 - b. There will not be a central management office on premises. A sign stating the name of the development and contact information for the management company shall be erected near the entrance of the facility.
 - c. The site is 7.37 acres and will be comprised of 6 buildings with 88 units. All uses, including secondary or incidental uses, shall conform to the I-1 Zoning District Regulations. The sale or leasing of automobiles, trailers or the like is not permitted.
 - d. No vehicle repair (other than emergency maintenance such as changing a tire), inoperable or

- abandoned vehicles, or storage of vehicles shall be allowed in the parking areas on the Property shown on Exhibit "A". The Owner shall have seventy-two (72) hours after notice from the City to correct any violation or cause the removal of any such vehicle that is in violation.
- e. The premises shall be developed and maintained in accordance with the site plans (Exhibit A, B, C and D) as approved by the City and incorporated herein by this reference. Street trees shall be planted at a minimum distance of 40 feet on center along the entire perimeter of the project abutting South 118th Street and Peel Circle. Size of trees to be planted shall be as delineated in the Landscape Legend of Exhibit "A".
 - f. The applicant shall provide an engineered drainage plan to address site storm water disposal. This plan will be reviewed by the City prior to issuance of a building permit.
 - g. All access lanes shall remain clear and fully accessible for emergency vehicle access as per the current applicable fire code.
 - h. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the facility's structures, except trash receptacles and those approved in writing by the City.
 - i. All trash receptacles shall be placed on property and securely fastened to building or concrete. All trash dumpsters shall be properly screened with a six-foot enclosure and gated with materials similar to the building construction. Such enclosure shall be subject to approval of the Chief Building Official.
 - j. There shall not be any storage or sale of explosives or hazardous materials.
 - k. All permanent and temporary signs shall comply with the City's sign regulations.
 - l. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA.
 - m. All structures shall be constructed, maintained and operated in a safe and responsible manner, and in accordance with any applicable laws, rules or regulations, including, but not limited to, applicable environmental or safety laws, as amended or in effect from time to time, and shall not cause, or create risk of injury or damage to, or loss of life, property or the environment.
 - n. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
 - o. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.
3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
 - a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
 - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.

4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's construction or placement of a storage tank, structure or other improvement on the premises not specified in this permit.
 - d. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.
5. If the permitted use is not commenced within one (1) year from _____, 2015, this Permit shall be null and void and all rights hereunder shall lapse, without prejudice to owner's right to file for an extension of time pursuant to the La Vista Zoning Ordinance.
6. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
7. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
8. This permit shall be conditioned and become effective on Owner acquiring fee simple title to the Property on or before the Closing Date or within 90 days thereafter ("Closing Deadline"). If Owner does not acquire fee simple title on or before the Closing Deadline, this permit shall not become effective and this permit and all rights hereunder automatically shall terminate without further action required of any party.
9. Recitals at the beginning of this permit, and all exhibits, agreements or instruments referenced in this permit, shall be incorporated into this permit by reference.

Miscellaneous

The conditions and terms of this permit shall constitute covenants running with the land and shall be binding upon owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for

the duration specifically authorized by this permit.

3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address: Matt Dinsdale
Omaha Motoring Club
3316 S. 186th Street
Omaha, NE 68138

Effective Date:

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Pam Buethe
City Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

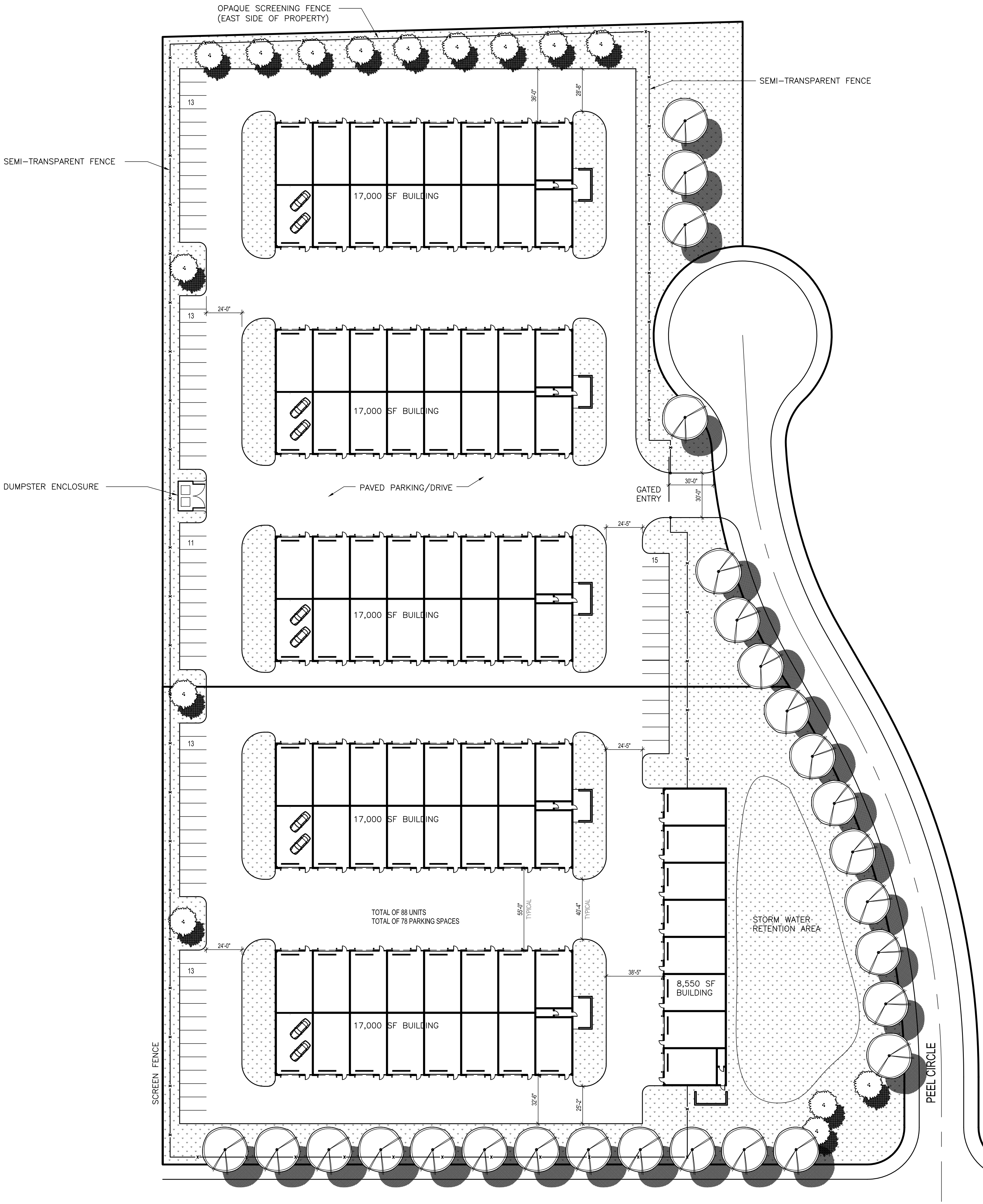
Owner:

By: _____

Title: _____

Date: _____

EXHIBIT A



LANDSCAPE LEGEND							
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	PLANTING SIZE	PLANTING METHOD	HEIGHT	WIDTH
TREES - CLASS 1							
	AG1	Acer ginnala	Amur Maple	1.25" Cal.	B&B	15-20	15-20
	KP	Koelreuteria paniculata	Goldenraintree	1.25" Cal.	B&B	30-40	30-40
	MS	Malus spp.	Red Flowering Crabapple	1.25" Cal.	B&B	15-25	15-25
TREES - CLASS 3							
	GD	Gymnocladus dioica	Kentucky Coffeetree 'Espresso'	2" Cal.	B&B	50-75	40-50
	QB	Querus bicolor	Swamp White Oak	2" Cal.	B&B	50-70	50-70
LANDSCAPE AREAS							
				LANDSCAPE BEDS/TURF			



OPAQUE SCREENING FENCE

1 A1.0 **Site Concept Plan**
SCALE: 1" = 40'-0"

REVISED: 05/14/2015

Omaha Motoring Club
Omaha, Nebraska

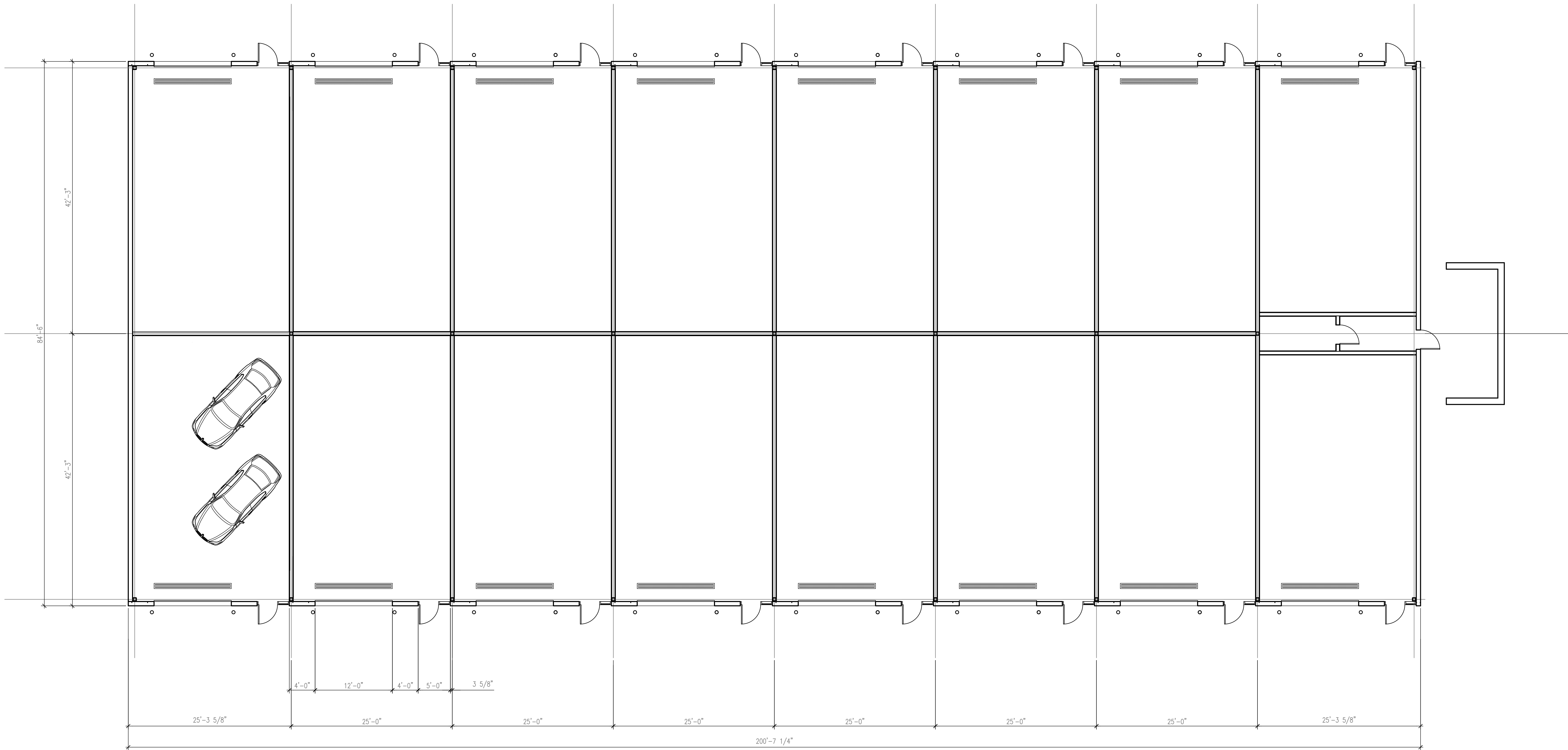
Copyright 2015
This document is an instrument of service, and as such remains the property of the Architect. Permission for use of this document is limited, and can be extended only by written agreement with Avant Architects.

Date: April 2, 2015
Project No: 14-025

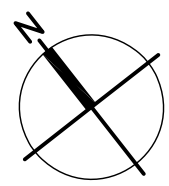
avant
architects
planning architecture interiors

3337 North 107th Street
Omaha, Nebraska 68134
P 402.493.9611
F 402.493.9629

EXHIBIT B



1 Floor Plan
A1.1 SCALE: 1/8" = 1'-0"



Omaha Motoring Club
Omaha, Nebraska

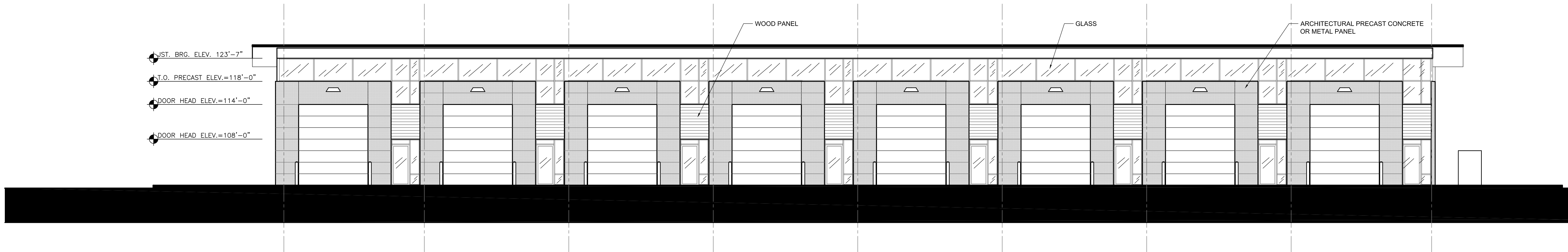
Copyright 2015
This document is an instrument of service, and as such remains the property of the Architect. Permission for use of this document is limited, and can be extended only by written agreement with Avant Architects.

Date: April 2 24, 2015
Project No: 14-025

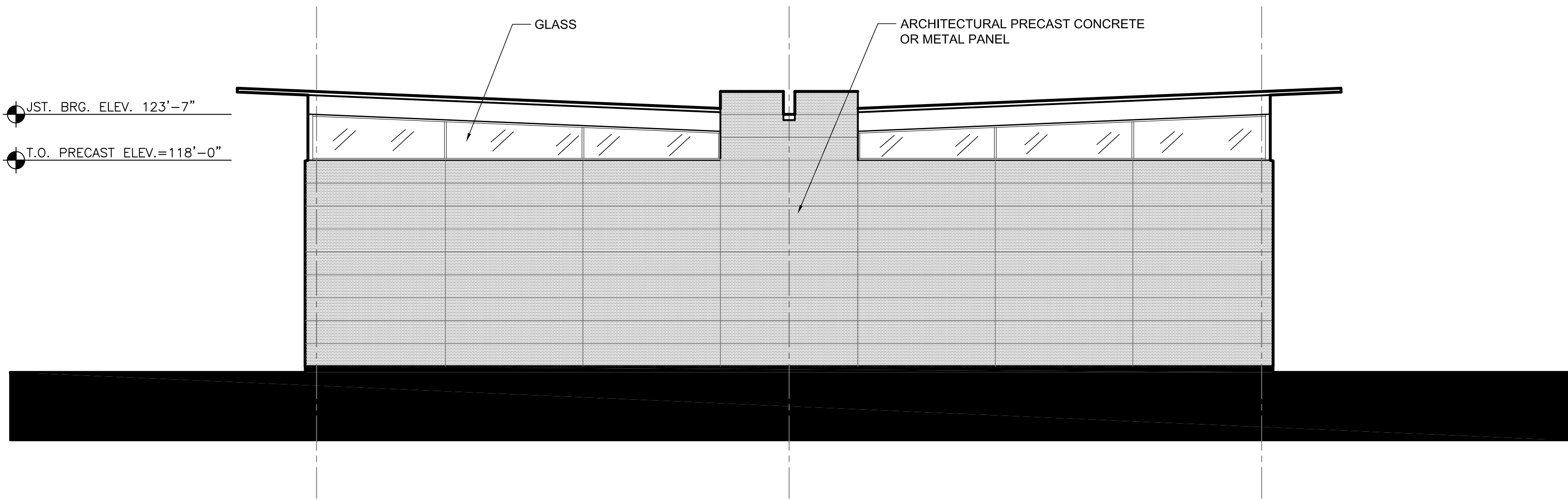
avant
architects
planning architecture interiors

3337 North 107th Street
Omaha, Nebraska 68134
P 402.493.9611
F 402.493.9629

EXHIBIT C



1 Front Elevation
SCALE: 1/8" = 1'-0"



2 Side Elevation
SCALE: 1/8" = 1'-0"

Omaha Motoring Club
Omaha, Nebraska

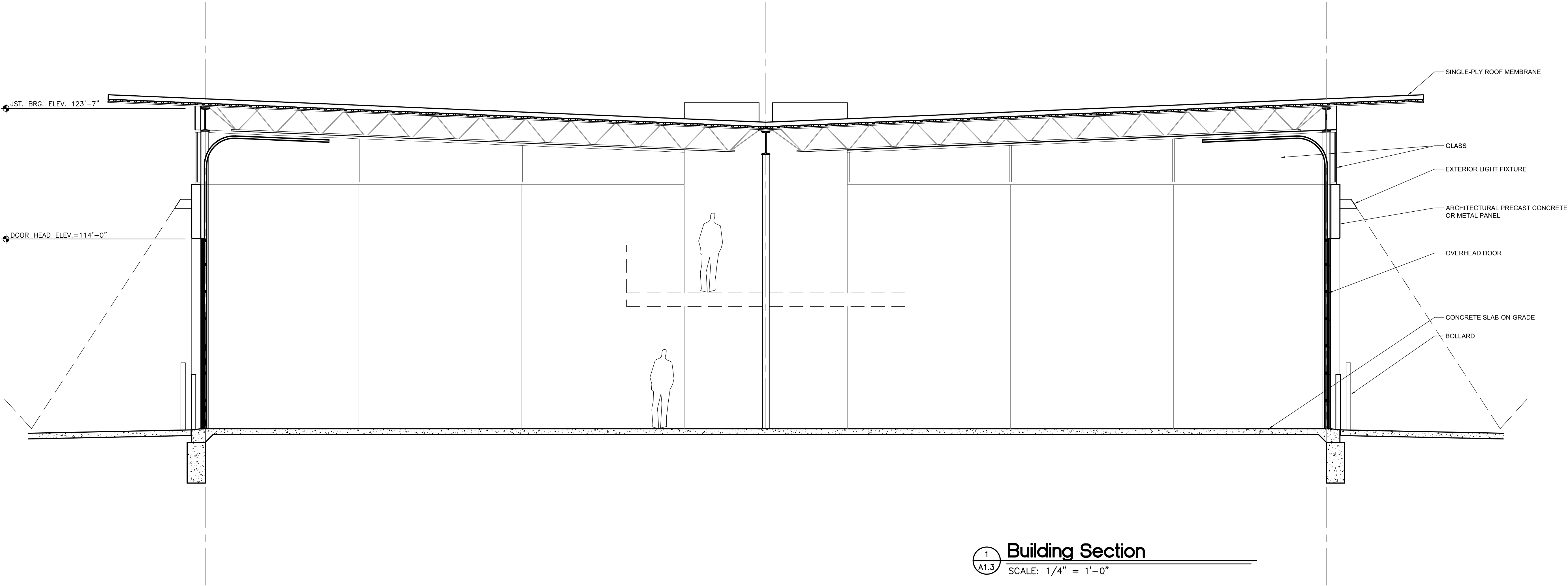
Copyright 2015
This document is an instrument of service, and as such remains the property of the Architect. Permission for use of this document is limited, and can be extended only by written agreement with Avant Architects.

Date: April 24, 2015
Project No: 14-025

avant
architects
planning architecture interiors

3337 North 107th Street
Omaha, Nebraska 68134
P 402.493.9611
F 402.493.9629

EXHIBIT D



Omaha Motoring Club
Omaha, Nebraska

Copyright 2015
This document is an instrument of service, and as such remains the property of the Architect. Permission for use of this document is limited, and can be extended only by written agreement with Avant Architects.

Date: April 2 24, 2015
Project No: 14-025

avant
architects
planning architecture interiors

3337 North 107th Street
Omaha, Nebraska 68134
P 402.493.9611
F 402.493.9629