

AGENDA ITEM 4A

**Conditional Use Permit for Animal Specialty
Services – Lot 254 Val Verde; 9835 Giles Road –
Pawlished Salon**



**CITY OF LA VISTA
PLANNING DIVISION
RECOMMENDATION REPORT**

CASE NUMBERS: PCUP25-0003;

FOR HEARING OF:
REPORT PREPARED ON:

JUNE 26, 2025
JUNE 16, 2025

I. GENERAL INFORMATION

A. APPLICANT:

S & C OF ASPEN CREEK, LLC d/b/a Pawlished Salon
Attn: Kelly Hennings
10302 S. 191st Street
Omaha, NE 68136

B. PROPERTY OWNER:

Caprock Val Verde, LLC
65 E Wacker Pl, STE 820
Chicago, IL 60601

C. LOCATION: 9835 Giles Rd; Located generally southeast of the intersection of Giles Road and Val Verde Drive in the multi-tenant retail strip center.

D. LEGAL DESCRIPTION: Lot 254 Val Verde

E. REQUESTED ACTION(S): Approval of a Conditional Use Permit to allow for the operation of an Animal Specialty Services establishment in the tenant bay located at 9835 Giles Road in the Val Verde commercial strip center.

F. EXISTING ZONING AND LAND USE: C-1 Shopping Center Commercial Zoning District and Gateway Corridor District (Overlay District) with a Special Corridor sub-area secondary overlay.

G. PURPOSE OF REQUEST: To operate a pet grooming facility for dogs and cats in a 1,200 square foot tenant bay.

H. SIZE OF SITE: The tenant bay located at 9835 Giles Road is 1,200 square feet of the 47,505 total building square footage included in the four buildings on the property. The property (parcel 011563771) is 6.82 acres in size.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property slopes downward slightly to the south and to the west.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	Urban Commercial	C-1 Shopping Center Commercial District; GWC Gateway Corridor Overlay District with Special Corridor sub-area secondary overlay	La Vista Mart Convenience Store with Limited Fuel Sales
East	Urban Commercial	C-1 Shopping Center Commercial District; GWC Gateway Corridor Overlay District with Special Corridor sub-area secondary overlay	Val Verde Shopping Center tenants
South	Urban Medium Intensity Residential	R-1 Single Family Zoning District	Val Verde Neighborhood
West	Urban Commercial	C-1 Shopping Center Commercial District; GWC Gateway Corridor Overlay District with Special Corridor sub-area secondary overlay	Val Verde Shopping Center tenants

The building in which Pawlished Salon is hoping to locate only has one other tenant currently, and they are the Val Verde Animal Hospital. There are several other vacant bays adjacent to the Pawlished Salon bay.

C. RELEVANT CASE HISTORY:

1. N/A

D. APPLICABLE REGULATIONS:

1. Section 5.10 of the Zoning Regulations – C-1 Shopping Center Commercial.
2. Article 6 of the Zoning Regulations – Conditional Use Permits.

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Comprehensive Plan Future Land Use Map designates this property as Urban Commercial. This proposal is consistent with the comprehensive plan.
- B. OTHER PLANS:** N/A.
- C. TRAFFIC AND ACCESS:**
 - 1. The property currently has four means of ingress and egress including two off of Val Verde Drive, one off of Giles Road, and one off of S. 96th Street
- D. UTILITIES:**
 - 1. The property has access to all necessary utilities.
- E. PARKING REQUIREMENTS:**
 - 1. Per the La Vista Zoning Ordinance Section 7.06, the minimum number of provided off-street parking stalls for General Retail shall be one (1) space per 200 square feet of gross floor area. For this 47,505 square foot commercial strip center, this requirement equates to a minimum of 238 stalls. The parking lot for the buildings contains 260 parking stalls and satisfies the minimum parking requirement. The parking lot for the buildings is shared between each of the tenants (there are not stalls specifically dedicated for each business) which further adds to the availability of parking due to businesses that create the need for parking stalls at different times of the day.

IV. REVIEW COMMENTS:

- A.** The applicant will be required to obtain building permits prior to any construction activity and buildout of the space.
- B.** A Certificate of Occupancy must be granted by the Chief Building Official and the Fire Inspector prior to occupation and use of the facility.
- C.** A copy of the applicant's proposed operating statement is included in the draft Conditional Use Permit attached to this staff report.
- D.** A requirement of the Conditional Use Permit is that all activities related to the business must take place inside the building. This includes the prohibition of kennels and/or dog runs outside of the building.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:

Staff recommends approval of the Conditional Use Permit for Pawlished Salon, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

VI. ATTACHMENTS TO REPORT:

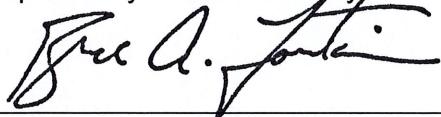
- A. Vicinity Map
- B. Draft Conditional Use Permit
 - a. Operating Statement

VII. COPIES OF REPORT SENT TO:

- A. Kelly Hennings, Pawlished Salon
- B. Public Upon Request



Prepared by: Associate City Planner



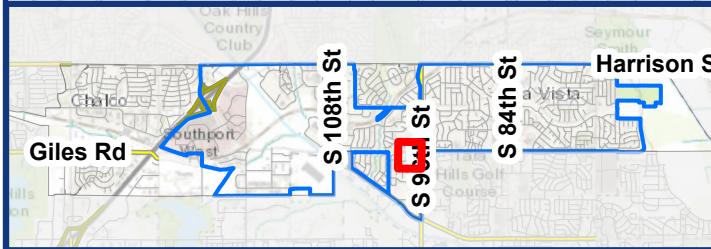
6-20-25

Community Development Director

Date



Conditional Use Permit Vicinity Map - Pawlished Salon



Legend

- Property Lines
- CUP Property



City of La Vista Conditional Use Permit

Conditional Use Permit for Animal Specialty Services

This Conditional Use Permit issued this 15th day of July, 2025, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to S & C OF ASPEN CREEK, LLC d/b/a Pawlished Salon ("Owner"), pursuant to the La Vista Zoning Ordinance for Pawlished Salon.

WHEREAS, Owner wishes to locate and operate an animal specialty services establishment upon the following described tract of land within the City of La Vista zoning jurisdiction:

9835 Giles Road and adjacent common areas subject to tenant's right of use within
Lot 252 Val Verde, located in the NE ¼ Section 21, Township 14 North, Range 12
East of the 6th P.M. Sarpy County, Nebraska ("property" or "premises").

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating an animal specialty services establishment upon the premises to provide pet grooming services; 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, subject to the terms and provided in this permit.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions set forth in this permit, this conditional use permit is issued to the Owner to use the tenant bay located at 9835 Giles Road for the purposes described above ("Permitted Use" or "Use").

Conditions of Permit

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

1. Breach of any terms hereof shall cause permit to automatically expire and terminate without any further action required of the City.
2. In respect to the Permitted Use:
 - a. The use shall be limited to the operations as described in the Owner's Operational Statement attached as Exhibit "A" or in the City staff report presented with the Council agenda item to consider this permit. Any proposed additions or changes in the Permitted Use or operations including, but not limited to, the hours of operation or additional or different activities or intensity of activities on the property, shall require such reviews, amendments to the Conditional Use Permit, and approvals as the Planning Department in its sole discretion determines necessary or appropriate.
 - b. There shall be no outdoor activities, or storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the facility, except appropriately screened trash receptacles and those approved in writing by the City.
 - c. 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.
 - d. 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 laws, rules, or regulations, as amended or in effect from time to time, including, but not limited to, applicable liquor control, environmental or safety laws, rules or regulations.

- e. Owner hereby indemnifies the City and all officials, officers, employees, and agents of the City ("Indemnified Parties") against, and holds the Indemnified Parties 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, or Owner's 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 Owner'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; or more frequent inspection upon any complaint to the City. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval or this permit.
- 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 Owner has fully complied with the terms of approval, unless otherwise issued an extension per Section 6.04.01 of the La Vista Zoning Ordinance.
- 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 breach of any other terms hereof.

5. 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.

6. 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.

Miscellaneous

The conditions and terms of this permit 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.
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: S & C OF ASPEN CREEK, LLC d/b/a Pawlished Salon

Attn: Kelly Hennings
10302 S. 191st Street
Omaha, NE 68136

4. The City staff report presented with the Council agenda item to consider this permit, and all recitals and Exhibits of this permit, shall be incorporated into this permit by reference.

DRAFT

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:

Rachel Carl, CMC
City Clerk

STATE OF NEBRASKA

COUNTY OF _____

ACKNOWLEDGMENT OF NOTARY

On this _____ day of _____, 2025, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Rachel Carl, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

Notary Public

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: S & C OF ASPEN CREEK, LLC d/b/a Pawlished Salon

By: _____

Kelly Hennings

Its: Owner _____

Date: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA

)

COUNTY OF _____

) ss.

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On this _____ day of _____, 2025, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Kelly Hennings, personally known by me to be the S & C OF ASPEN CREEK, LLC d/b/a Pawlished Salon, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

Notary Public

Conditional Use Permit Application

Applicant Name: Kelly Hennings

Business Name: Pawlished Salon

Business Address: 9835 Giles Road, La Vista, NE 68128

Phone Number: (402) 880-4317

Email: kkemmy1@gmail.com

Description of Proposed Use:

Pawlished Salon is requesting approval for a Conditional Use Permit to operate a pet grooming salon at 9835 Giles Road in La Vista, NE. The proposed use includes grooming services for domestic pets such as dogs and cats. Services will include bathing, haircuts, nail trimming, ear cleaning, and de-shedding treatments.

All grooming services will be conducted one-on-one, meaning each pet will be groomed individually without the presence of other pets during their session. This ensures a low-stress, safe and personalized experience for each animal. If necessary, pets will be kennelled individually for short durations to maintain safety and comfort while awaiting pick-up or transitioning between services.

The facility will include four grooming stations, allowing up to four groomers to work simultaneously during each shift, maximizing efficiency while maintaining the one-on-one care model. In addition, the facility will feature two self-wash stations, available by appointment only, where pet owners can bathe their animals using professional-grade equipment in a clean, private setting.

Pawlished Salon will also provide walk-in services, including nail trims, teeth brushing, gland expression, and light face trimming, to offer convenient, quick-care options for pet owners without the need for a full grooming appointment. No overnight boarding or veterinary services will be provided. All activities will take place indoors in a professionally equipped environment.

Business Operations:**Hours of Operation:**

Tuesday–Friday, 9:00 AM – 7:00 PM

Closed on Saturdays, Sundays, Mondays, and major holidays

Number of Employees:

4 full-time certified pet groomers and 1 receptionist per shift

Customer Access & Parking:

The location at 9835 Giles Road provides adequate off-street parking for customers and employees. Clients will drop off and pick up pets by appointment only to reduce traffic and maintain a smooth flow of operations. Appointments are also required for use of self-wash stations, while walk-in services will be accommodated on a first-come, first-served basis during business hours.

Justification and Community Impact:

Pawlished Salon will deliver a valuable, locally operated service to La Vista's pet owners. By offering one-on-one grooming, walk-in services, self-wash options, and a calm environment with skilled professionals, the salon promotes animal wellness and safety while delivering high-quality care. Located in a commercial zone with compatible neighboring businesses, the salon is expected to have a positive economic impact by creating jobs and drawing additional foot traffic. Operations will be clean and professional, ensuring compatibility with nearby tenants and the surrounding neighborhood.

Signature:

Kelly Hennings

Date: June 8, 2025

DRAFT