

AGENDA ITEM 4A

**Conditional Use Permit for Equipment
Rental and Outdoor Storage – 9229 S. 97th
Street – Contractor Solutions of Nebraska**



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

CASE NUMBERS: PCUP25-0004

FOR HEARING OF: SEPTEMBER 18, 2025

REPORT PREPARED ON: SEPTEMBER 10, 2025

I. GENERAL INFORMATION

A. APPLICANT:

Contractor Solutions of Nebraska
Attn: Dave Hehr
9229 S. 97th Street
La Vista, NE 68128

B. PROPERTY OWNER:

Simplexity, LLC
Attn: Paul Randazzo
20927 Buckskin Trail
Elkhorn, NE 68022

C. LOCATION: Parcels #010762450 & #010462805, located south of Hupp Drive between S. 97th Street and S. 96th Street in the Crossroads Addition industrial subdivision.

D. LEGAL DESCRIPTION: Lot 8 Crossroads Addition and Tax Lot 10B EX ROW 21-14-12.

E. REQUESTED ACTION(S): Approval of a Conditional Use Permit to allow for the operation of an equipment rental facility with outdoor storage.

F. EXISTING ZONING AND LAND USE: The properties are currently zoned I-2 Heavy Industrial and Gateway Corridor Overlay District. Lot 8 Crossroads Addition has a 5,000 square foot existing building and most the remaining area on the lots is covered with gravel. The property is designated in the Future Land Use Map of the Comprehensive Plan for industrial development.

G. PURPOSE OF REQUEST: To allow for the operation of Contractor Solutions, a business which engages in the rental and limited sales of equipment for underground construction and shoring operations. Contractor Solutions is also seeking to utilize space on the properties for outdoor storage, with which they are proposing to pave and screen certain areas.

H. SIZE OF SITE: 90,792 square feet (2.08 acres).

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property slopes gradually downward 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	Industrial	I-2 Heavy Industrial with a Gateway Corridor District Overlay	Utility Equipment's industrial facility
East	Low Density Residential (Papillion's Jurisdiction)	R-1 Single-Family Zoning District (Papillion's Jurisdiction)	Hunters Ridge Neighborhood
South	Industrial	I-2 Heavy Industrial with a Gateway Corridor District Overlay	Wickoff Color industrial building/Crossroads Addition Industrial Park
West	Industrial	I-2 Heavy Industrial	Industrial building/Crossroads Addition Industrial Park

C. RELEVANT CASE HISTORY:

1. Since the adoption of the current zoning ordinance in 2001, the equipment rental and outdoor storage uses require a conditional use permit in the I-2 Heavy Industrial Zoning District. The subject properties have been utilized for these land uses in the past and were considered non-conforming. Earlier this year, the previous tenant vacated the site and Contractor Solutions moved in. Once the old user vacated the site, any new users would need to comply with the zoning ordinance and would need to obtain a conditional use permit for the equipment rental and outdoor storage uses.
2. The owner of the properties and the owner of Contractor Solutions were not aware of the conditional use permit requirement until around the time that they were moving into the site, when they were notified by the City of the need to bring the site into compliance. Since that notification, the property owner and applicant have communicated regularly with city staff and have submitted their application in attempts to come into compliance.

D. APPLICABLE REGULATIONS:

1. Section 5.14 of the Zoning Regulations – Heavy Industrial

2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
3. Article 6 of the Zoning Regulations – Conditional Use Permits.

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Comprehensive Plan Future Land Use Map designates this property for industrial development. This proposal is consistent with the comprehensive plan.
- B. OTHER PLANS:** N/A.
- C. TRAFFIC AND ACCESS:**
 1. The property currently has two access driveways, one off of S. 96th Street and the other from S. 97th Street.
 2. As 96th Street is an arterial corridor with significant traffic, site trips and dispersion from the site will be monitored, and access to 96th Street may be required to be altered to provide safe and efficient traffic operations should congestion, stacking and/or other safety concerns occur out onto 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 equipment rental and sales shall be one (1) space per 500 square feet of gross floor area, equating to a requirement from the zoning ordinance for 10 off-street parking stalls. The property currently has sufficient capacity on existing paved surfaces to exceed the required minimum off-street parking stalls, and will have even more parking capacity once the proposed paving is complete.
 2. No on-street parking will be allowed on adjacent S. 96th Street, S. 97th Street, or Hupp Drive.

IV. REVIEW COMMENTS:

- A.** In association with the request for outdoor storage of equipment and inventory, the applicant will be required to pave areas on the lot to prevent dust and dirt/gravel track-out onto public roadways. Prior to paving activity on the properties, the applicant is required to submit a drainage study and obtain a building permit.

- B. The site will be required to meet the requirements for a Post Construction Storm Water Management Plan as per City regulations.
- C. The applicant will be required to install a screening material in the fence along S. 96th Street to reduce the visual impact from the operations on-site to the residential neighborhood to the east.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:

Staff recommends approval of the Conditional Use Permit for Lot 8 Crossroads Addition and Tax Lot 10B Ex RO 21-14-12 for equipment rental and outdoor storage, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

VI. ATTACHMENTS TO REPORT:

- A. Vicinity Map
- B. Review & Response Letters
- C. Draft Conditional Use Permit
 - a. Operating Statement
 - b. Site Plan

VII. COPIES OF REPORT SENT TO:

- A. Dave Hehr, Contractor Solutions of Nebraska
- B. Paul Randazzo, Simplexity, LLC
- C. Public Upon Request



Prepared by: Associate City Planner

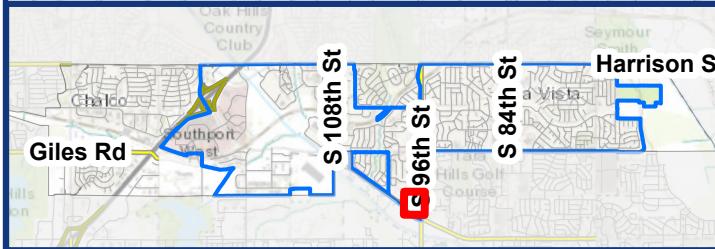
Community Development Director

9/12/25

Date



Contractor Solutions CUP - Vicinity Map



Legend

- Property Lines
- CUP Boundary



September 2, 2025

Contractor Solutions of Nebraska
Attn: Dave Hehr
9229 S. 97th Street
La Vista, NE 68128

RE: Outdoor Storage & Equipment Rental Conditional Use Permit
– 9229 S. 97th Street - Initial Review Letter

Mr. Hehr,

Thank you for your submittal of the above referenced Conditional Use Permit (CUP) application. Staff have reviewed the initial submittal and have provided the following initial comments:

1. Pertaining to Sections 6.05.01 and 6.05.02 of the La Vista Zoning Ordinance, and the paving proposed for portions of the two (2) lots with concrete paving, prior to placement of paving, engineered design drawings will be required to understand the paving extents, grading and drainage, and potentially other site characteristics to ensure the proposed improvements are within conformance of City zoning, planning and municipal code requirements.
2. Per Section 6.05.04, a drainage study consistent with the Omaha Regional Stormwater Design Manual (ORSDM), and a Post Construction Stormwater Management Plan (SCSMP) will be required prior to the issuance of a building permit.
3. Per Section 6.05.04, dependent on extents of grading, a Stormwater Pollution Prevention Plan (SWPPP) may be required if disturbed areas exceed 1.0 acres in size.
4. Per the Operations Plan, it appears you intend to do light vehicle maintenance within the existing building. Pertaining to Section 6.05.04, all materials will need to be disposed of properly (e.g. waste oils, coolants, etc.) and any maintenance work completed outside of the building will need to be done in a manner that is in conformance with stormwater regulations, with adequate spill prevention and/or safety measures in place.

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
402.331.4343 **P**
402.331.4375 **F**

Community Development
8116 Park View Blvd.
402.593.6400 **P**
402.593.6445 **F**

Library
9110 Giles Rd.
402.537.3900 **P**
402.537.3902 **F**

Police
7701 S. 96th St.
402.331.1582 **P**
402.331.7210 **F**

Public Works
9900 Portal Rd.
402.331.8927 **P**
402.331.1051 **F**

Recreation
8116 Park View Blvd.
402.331.3455 **P**
402.331.0299 **F**

5. Regarding Section 6.05.04, the Operations Plan does not estimate the amount of customer traffic the business is expecting to and from the site. As 96th Street is an arterial corridor with significant traffic, site trips to and/or dispersion from the site will be monitored and access to 96th Street may be required to be altered in order to provide for safe and efficient traffic operations should congestion, stacking and/or other safety concerns occur out onto 96th Street.
6. Pertaining to Section 6.05, if areas of the site that are not being paved result in dusty conditions or track out of gravel or dirt into public right of way due to the storage of materials and movement of vehicles or equipment over such areas, those areas will be required to be paved.
7. Per Section 7.17 of the La Vista Zoning Ordinance pertaining to landscaping requirements that kick in with any new construction and development activity including the pavement of parking lots, there is a requirement for the planning of 1 tree per 40 feet of lineal street frontage. This equates to 7 trees being planted along the 96th Street frontage, and 7 trees along the S. 97th Street frontage. If several trees need to be clustered closer together as to not impact the site entrances, that is acceptable. Attached is an exhibit from the Gateway Corridor Design Guidelines listing the options for approved tree species in this area. There is a requirement to plant at least one deciduous tree species and one coniferous tree species, but the number of each and the specific species from the approved list are your decision.
8. Section 7.17 also dictates that a 15-foot landscaping buffer is required from the property line along the street frontages (east and west property lines), and that a 10-foot landscaping buffer is required on side yards abutting a residential district (north property line). We understand that this landscaping buffer will not be present at the driveway entrances. Please confirm that these landscaping buffers will be present and unpaved, and please update the site plan to include such buffers and approximate tree locations.
9. Staff will create a draft of the Conditional Use Permit to be shared with you in the near future.

Please confirm that you acknowledge each of the above comments, and please submit the revised site plan by next Wednesday, September 10th in order for your application to remain on the schedule to be reviewed by the Planning Commission on Thursday, September 18th at 6:30pm. Please plan be in attendance at that meeting in order to answer any questions that they may have. The next City Council meeting following the Planning Commission review is scheduled for October 7th. If you have any questions regarding these comments, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink that reads "Cale Brodersen". The signature is fluid and cursive, with a long horizontal line extending from the end of the "n" in "Brodersen".

Cale Brodersen, AICP
Associate City Planner
City of La Vista
cbrodersen@cityoflavista.org
(402) 593-6400

CC Paul Randazzo, Property Owner
 Patrick Sullivan, Adams & Sullivan
 Christopher Solberg, Deputy Community Development Director
 Bruce Fountain, Community Development Director

Enclosure.

Plant Materials

When selecting plant materials for areas adjacent to primary corridors, a majority of the specified materials must be from the species allowed by the Design Guidelines below. Plant material sizing as indicated is to ensure immediate impact on the quality and character of the overall project. Designs and planting details shall be provided by a Registered Landscape Architect and include 60 days of maintenance by the installer with a year warranty minimum.

DECIDIOUS TREES

Min. Size
2.5" cal

Downy Serviceberry/Amelanchier arborea – clump form
Prairie Pride hackberry/Celtis occidentalis ‘Prairie Pride’
Freeman Maple “Marmo”/ Acer saccharinum
Burgundy Belle Red Maple/ Acer rubrum
Norway Maple/ Acer platanoides
Halka Honeylocust/ Gleditsia triacanthos var. inermis “Halka”
Prairifire Crab/Malus ‘Prairifire’
Swamp White Oak/Quercus bicolor
Glenleven Littleleaf Linden/Tilia x flavescens ‘Glenleven’
River Birch/Betula Nigra
Heritage Oak/ Quercus virginiana
Chinquapin Oak/ Quercus muehlenbergii
Kentucky Coffee/ Gymnocladus dioicus espresso
Adams Crab/ Malus ‘Adams’
Snowdrift Crab/ Malus ‘Snowdrift’
Greenspire/ Tilia cordata
Red Maple/ Acer rubrum

CONIFEROUS TREES

6‘ tall

Colorado Spruce/Picea pungens
Vanderwolf Pine/ Pinus flexilis ‘Vanderwolf’s’
Bosnian Pine/ Pinus heldreichii
Black Hills Spruce/ Picea glauca

Cale Brodersen

From: Paul Randazzo <paulrandazzo@yahoo.com>
Sent: Wednesday, September 10, 2025 3:20 PM
To: Cale Brodersen
Subject: [EXT]Re: Initial Review Letter - Contractor Solutions Conditional Use Permit - 9229 S. 97th Street

Follow Up Flag: Follow up
Flag Status: Flagged

Cale,

Thank you for your return phone call. I acknowledge that numbers 1 through 6, and number 9 on your letter. As we discussed on our phone conversation, numbers 7 and 8 are not applicable, due to that we are not enlarging the parking area.

Thank you,
Paul Randazzo
402-598-5979

On Wednesday, September 3, 2025 at 10:47:35 AM CDT, Cale Brodersen <cbrodersen@cityoflavista.org> wrote:

Good morning Paul and Dave,

We have reviewed your application for a conditional use permit for equipment rental and outdoor storage at the property located at 9229 S. 97th Street. Please find attached the initial review letter noting several comments. We are amenable to the roller compacted concrete as proposed for your paving solution. Please note there are just a few minor changes needed to the site plan pertaining to the landscaping buffers and tree plantings on the property. If you are able to have those changes completed and site plan resubmitted by next Wednesday at the end of the day, we will be able to keep this item on the Planning Commission agenda for September 18th. Please let me know if you have any questions about the contents of the letter or the process moving forward. I am happy to talk through each of the comments on this letter if you would like to give me a call. Thank you,

Cale Brodersen, AICP

City of La Vista | Associate City Planner

402.593.6400 (Office)

402.593.6405 (Direct)

8116 Park View Blvd. | La Vista, NE 68128

City of La Vista Conditional Use Permit

Conditional Use Permit for Equipment Rental & Outdoor Storage for Contractor Solutions of Nebraska

This Conditional Use Permit issued this 7th day of October, 2025, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to Contractor Solutions of Nebraska, LLC (Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to operate a business that offers equipment rental and limited sales with an outdoor storage area upon the following described tracts of land within the City of La Vista zoning jurisdiction:

Lot 8 Crossroads Addition and Tax Lot 10B EX ROW 21-14-12, located in the SE ¼ Section 21, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska, located at 9229 S. 97th Street, La Vista, NE 68128.

WHEREAS, Owner has applied for a conditional use permit for the purpose of renting construction equipment and for storing such equipment and materials outdoors; 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 certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the areas designated on Exhibit "B" hereto for equipment rental and sales, and outdoor storage, 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 as follows:

1. Development and operation on the Property is governed by this Permit. Breach of any terms hereof shall cause the Permit to expire and terminate without any further action from the City.
2. In respect to the Permitted Use:
 - a. The Uses and operations on the property will be limited to and carried out in accordance with the Operational Statement attached as Exhibit "A" and incorporated into this permit by reference. Any proposed additions or changes to the Permitted Uses or operations on the Property shall require such reviews, amendments to this Conditional Use Permit, and approvals as the Community Development Director determines necessary or appropriate.
 - b. A Site Plan showing the property boundaries of the tract of land, the existing structure, access points and drives, and proposed total paved areas for storage, and grass areas has been provided to the City and is attached to the permit as "Exhibit B". The Property shall be developed and maintained in accordance with the Site Plan, as approved by the City and incorporated herein by this reference. Any modifications to the Site Plan must be submitted to the Community Development Director for such approval as the Community Development Director determines necessary or appropriate.
 - c. A security fence with a minimum height of six feet has been constructed around the outdoor storage area. Screening materials shall be approved by the Community Development Director and installed

in the fence along the eastern property line boundary to provide screening from the site to S. 96th Street. The fence and related slats/screening material shall be maintained in good repair by the property owner or business owner.

- d. No parking related to this business shall be permitted on 97th Street, Hupp Drive, or 96th Street.
- e. As 96th Street is an arterial corridor with significant traffic, site trips and dispersion from the site will be monitored, and access to 96th Street may be required to be altered to provide safe and efficient traffic operations should congestion, stacking and/or other safety concerns occur out onto 96th Street, as determined and instructed by the City Engineer.
- f. If areas of the site that are not being paved result in dusty conditions or track out of gravel or dirt into public right of way due to the storage of materials and movement of vehicles or equipment over such areas, those areas will be required to be paved. Should any track out of gravel or dirt occur, or dusty conditions be caused, the Owner must take any and all necessary measures to remediate and clean up such track out or dust in a timely manner.
- g. Prior to the placement of paving, engineered design drawings are required to understand the paving extents, grading and drainage, and potentially other site characteristics to ensure the proposed improvements are within conformance of City zoning, planning and municipal code requirements.
- h. 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.
- i. 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.
- j. 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.
- k. All exhibits attached to or referenced in this permit and all recitals at the beginning of this permit are incorporated into this permit by reference.

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 breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.

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 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: Dave Hehr
Contractor Solutions of Nebraska, LLC
9229 S. 97th Street
La Vista, NE 68128

Effective Date:

This permit shall (i) amend, supersede and replace the Original Conditional Use Permit in its entirety, (ii) take effect upon the filing hereof with the City Clerk a signed original hereof, (iii) constitute covenants running with the land that are binding on Owner and all successors and assigns of Owner, and (iv) upon execution, be filed with the Sarpy County Register of Deeds.

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Rachel Carl, CMC
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: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA

)

) ss.

COUNTY OF _____

)

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

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA

)

) ss.

COUNTY OF _____

)

On this _____ day of _____, 2025, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared _____ personally known by me to be the _____ of _____, 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



Exhibit A

2140 21st ST NW - Altoona, IA 50009 (Des Moines, IA)
PH 515-265-7368 (RENT) FAX 515-265-9944
WWW.CS-SHORING.COM

August 14, 2025

Contractor Solutions is a rental and sales company that specializes in products for the underground construction industry. These products range from shoring equipment to dewatering pumps to towable generators/air compressors

Currently at the 9229 S 97th St – La Vista, NE location, we have 3 full time employees that site: Front desk/inside sales, 1 CDL Driver, 1 Yard Worker. And we also have 1 Outside Sales person who only reports there about 25% of the time.

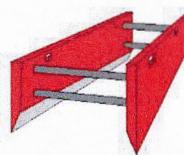
Most of our business activity is done through deliveries to our customer's job sites. We do have a small percent of customer who come in and pick up equipment.

Our building is primarily used for storage of rental equipment. Minimal equipment service is done on site with the exception of normal preventative maintenance on some of our towable equipment.

Our hours of operation are Monday-Friday, 7:00-5:00.

Matt Kelly

Regional Sales Manager



Iowa's Largest Locally Owned Trench Shoring Distributor w/ over 50 boxes in Stock!!

Exhibit B

